

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, APRIL 24, 2007

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JOURNAL OF THE SENATE

ONE HUNDRED SEVENTH CALENDAR DAY
SIXTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 24, 2007

The Senate met in regular session at 8:48 a.m., President Kibbie presiding.

Prayer was offered by Pastor David P. Loeschen of Our Savior Lutheran Church in Denison, Iowa. He was the guest of Senator Seymour.

The Journal of Monday, April 23, 2007, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 23, 2007, **appointed** the conference committee to [House File 808](#), a bill for an act concerning accountability requirements for entities and boards created for joint exercise of governmental powers and providing an effective date. The Conference Committee members on the part of the House are: The Representative from Polk, Representative Huser, Chair; the Representative from Wapello, Representative Gaskill; the representative from Boone, Representative D. Olson; the Representative from Buchanan, Representative Rasmussen; the Representative from Polk, Representative Clute.

ALSO: That the House has on April 23, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 911](#), a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the technology reinvestment fund, and related matters, and providing an effective date.

Read first time and referred to committee on **Appropriations**.

INTRODUCTION OF RESOLUTION

[Senate Resolution 46](#), by Courtney, a resolution designating May 2007 as Huntington's Disease Awareness Month.

Read first time and referred to committee on **Rules and Administration**.

SPECIAL GUESTS

Senator Black and Representative Huser welcomed to the Senate chamber Mike and Linda Huppenbauer and Joe and Judy Pirillo, members of the Gold Wing Road Riders Association. They were presented a proclamation regarding Motorcycle Safety Month.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:02 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:10 a.m., President Kibbie presiding.

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 22](#), a resolution commemorating the sesquicentennial of the Constitution of the State of Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 27](#), a resolution honoring the city of Lowden on its sesquicentennial.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 46](#), a resolution designating May 2007 as Huntington's Disease Awareness Month.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolutions 46, 22, and 27.

[Senate Resolution 46](#)

On motion of Senator Courtney, [Senate Resolution 46](#), a resolution designating May 2007 as Huntington's Disease Awareness Month, with report of committee recommending passage, was taken up for consideration.

Senator Courtney moved the adoption of [Senate Resolution 46](#), which motion prevailed by a voice vote.

[Senate Resolution 22](#)

On motion of Senator Hahn, [Senate Resolution 22](#), a resolution commemorating the sesquicentennial of the Constitution of the State of Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Hahn moved the adoption of [Senate Resolution 22](#), which motion prevailed by a voice vote.

[Senate Resolution 27](#)

On motion of Senator Hahn, [Senate Resolution 27](#), a resolution honoring the city of Lowden on its sesquicentennial, with report of committee recommending passage, was taken up for consideration.

Senator Hahn moved the adoption of [Senate Resolution 27](#), which motion prevailed by a voice vote.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 910](#).

[House File 910](#)

On motion of Senator Ragan, [House File 910](#), a bill for an act relating to the creation of a task force on postnatal tissue and fluid banking, related postnatal procedures, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Ragan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([H.F. 910](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun

Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 575

Senator Hancock called up for consideration [Senate File 575](#), a bill for an act relating to and making appropriations to the justice system, amended by the House in House amendment [S-3435](#), filed April 23, 2007.

Senator Hancock moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Hancock moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 575](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 575](#) and [House File 910](#) be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McKinley, until he returns, on request of Senator Kettering.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 718](#).

[House File 718](#)

On motion of Senator Dotzler, [House File 718](#), a bill for an act relating to cigarette fire safety standards, and providing penalties, placed on the Unfinished Business Calendar on April 12, 2007, with report of committee recommending passage, was taken up for consideration.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 718](#)), the vote was:

Yeas, 49:

Angelo
Appel
Beall

Fraise
Gaskill
Gronstal

Kibbie
Kreiman
Lundby

Schoenjahn
Seng
Seymour

Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Ward
Boettger	Hartsuch	Mulder	Warnstadt
Bolkcom	Hatch	Noble	Wieck
Connolly	Heckroth	Olive	Wood
Courtney	Hogg	Putney	Zaun
Danielson	Horn	Quirnbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, none.

Absent, 1:

McKinley

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House File 718](#) be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:45 a.m. until 1:00 p.m.

APPENDIX—1**CERTIFICATES OF RECOGNITION**

The Secretary of the Senate issued the following certificates of recognition:

Laura Baldus, Roland—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Molly Buse, Webster City—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Daniel Cychosz, Ames—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Tom Flynn, Epworth—For achieving the rank of Eagle Scout, Boy Scout Troop 70. Senator Connolly (4/24/07).

Eric Guthrie, Nevada—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Tyson Handsaker, Nevada—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Karly Hermanson, Story City—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Katie Hoff, Nevada—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Megan Horn, Blairsburg—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Jake Hoversten, Blairsburg—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Katie Hovick, Roland—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Joseph Kurtenbach, Nevada—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Audra Lloyd, Nevada—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

John Paul McCloy II, DeWitt—For achieving the rank of Eagle Scout, Boy Scout Troop 29. Senator Wood (4/24/07).

Paul Mott, Jr., Story City—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Jake Peterson, Nevada—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Brianna Skank, Oakland—For being nominated to attend the Junior National Leaders Conference in Washington, D.C. Senator Houser (4/24/07).

Andrew Wehrhan, Webster City—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Tuesday, April 24, 2007, 9:05 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SJRs 5 and 6; [SCR 6](#); and SRs 22, 27, 40, 46, and 47.

Adjourned: 9:15 a.m.

INTRODUCTION OF RESOLUTIONS

[Senate Joint Resolution 5](#), by Gronstal, a joint resolution authorizing the temporary use and consumption of alcoholic beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

[Senate Joint Resolution 6](#), by Gronstal, a joint resolution approving the permanent acknowledgement of elementary and secondary schools and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an effective date.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

[Senate Concurrent Resolution 6](#), by Black and Zaun, a concurrent resolution requesting the establishment of an interim study committee by the legislative council to conduct a study of issues related to amyotrophic lateral sclerosis.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

[Senate Resolution 47](#), by Ragan, a resolution encouraging the Iowa congressional delegation to support legislation to improve Medicare payments to Iowa physicians under the Medicare Part B program.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

[Senate Resolution 48](#), by Johnson, a resolution to recognize the city of Ashton, Iowa, on its quasiquicentennial anniversary.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

[Senate File 602](#), by committee on Appropriations, a bill for an act requiring children enrolling in elementary or high school to have a dental screening and providing an effective date.

Read first time under Rule 28 and **placed on Appropriations calendar**.

[Senate File 603](#), by Gronstal, a bill for an act relating to consumption of alcoholic beverages at the state capitol complex.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate File 604](#), by committee on Ways and Means, a bill for an act relating to the percentage of actual value at which residential property and certain commercial residential property are assessed for purposes of property taxation and providing an annual appropriation

for a specified number of years to replace commercial property tax revenues lost to counties and cities.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: [SENATE FILE 602 \(SSB 1358\)](#), a bill for an act requiring children enrolling in elementary or high school to have a dental screening and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 25: Dvorsky, McCoy, Angelo, Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: [SENATE JOINT RESOLUTION 5](#), a joint resolution authorizing the temporary use and consumption of alcoholic beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Ragan, and Wieck. Nays, 1: Mulder. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE JOINT RESOLUTION 6](#), a joint resolution approving the permanent acknowledgement of elementary and secondary schools and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE CONCURRENT RESOLUTION 6](#), a concurrent resolution requesting the establishment of an interim study committee by the legislative council to conduct a study of issues related to amyotrophic lateral sclerosis.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 40](#), a resolution to recognize the sesquicentennial of the city of Williamsburg.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 47](#), a resolution encouraging the Iowa congressional delegation to support legislation to improve Medicare payments to Iowa physicians under the Medicare Part B program.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: [*SENATE FILE 604 \(SSB 1356\)](#), a bill for an act relating to the percentage of actual value at which residential property and certain commercial residential property are assessed for purposes of property taxation and providing an annual appropriation for a specified number of years to replace commercial property tax revenues lost to counties and cities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Bolkcom, McCoy, Appel, Connolly, Dotzler, Hogg, Quirnbach, Schmitz, Seng, and Stewart. Nays, 7: McKibben, Angelo, Houser, Noble, Putney, Ward, and Wieck. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on [Senate File 604](#), and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 1:05 p.m., President Kibbie presiding.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 24, 2007, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 435](#), a bill for an act relating to youth deer hunting licenses.

[Senate File 539](#), a bill for an act establishing uniform finance procedures for obligations issued by the state.

[Senate File 557](#), a bill for an act relating to the regulation of credit unions by revising and reorganizing the Iowa credit union Act, making conforming changes, and providing for taxes, fees, and penalties.

ALSO: That the House has on April 24, 2007, **concurred in the Senate amendment and passed** the following bills in which the concurrence of the House was asked:

[House File 773](#), a bill for an act establishing an energy city designation program.

[House File 783](#), a bill for an act relating to certain city utilities or city enterprises by making changes to procedures for notice and collection of delinquent charges and by making changes to billing notifications for water service and other services provided to certain residential rental property.

ALSO: That the House has on April 24, 2007, **concurred in the Senate amendment to the House amendment and passed** the following bill in which the concurrence of the House was asked:

[Senate File 546](#), a bill for an act relating to a hospital lien and providing an effective date.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration [Senate Resolution 26](#).

[Senate Resolution 26](#)

On motion of Senator Ragan, [Senate Resolution 26](#), a resolution commemorating the life and service of Command Sergeant Major Galen Kittleson of Toeterville, Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Ragan moved the adoption of [Senate Resolution 26](#), which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Ragan welcomed to the Senate chamber family and friends of Command Sergeant Major Galen Kittleson and members of the Alamo Scouts of St. Ansgar, Iowa.

The Senate rose and expressed its welcome.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration [House File 829](#).

[House File 829](#)

On motion of Senator Stewart, [House File 829](#), a bill for an act relating to the development and commercialization of businesses in the targeted industry areas of advanced manufacturing, bioscience, and information technology and including a contingent effective date provision, placed on the Unfinished Business Calendar on April 12, 2007, with reports of committees on Economic Growth and Appropriations recommending amendment and passage, was taken up for consideration.

The Senate stood at ease at 1:15 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 1:50 p.m., President Kibbie presiding.

Senator Dotzler offered amendment [S-3434](#), filed by the committee on Appropriations on April 23, 2007, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Dotzler offered amendment [S-3438](#), filed by him from the floor to page 6 of amendment [S-3434](#), and moved its adoption.

Amendment [S-3438](#) was adopted by a voice vote.

Senator Dotzler moved the adoption of amendment [S-3434](#), as amended.

Amendment [S-3434](#) was adopted by a voice vote.

With the adoption of amendment [S-3434](#), the Chair ruled amendment [S-3299](#), filed by the committee on Economic Growth on April 5, 2007, to page 4 of the bill, out of order.

Senator Stewart moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 829](#)), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Rielly
Appel	Fraise	Kreiman	Schmitz
Beall	Gaskill	Lundby	Schoenjahn
Behn	Gronstal	McCoy	Seng
Black	Hahn	McKibben	Seymour
Boettger	Hancock	McKinley	Stewart
Bolkcom	Hatch	Mulder	Ward
Connolly	Heckroth	Noble	Warnstadt
Courtney	Hogg	Olive	Wieck
Danielson	Horn	Putney	Wood
Dearden	Houser	Quirnbach	Zaun
Dotzler	Johnson	Ragan	Zieman

Nays, 2:

Hartsuch Kettering

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House File 829](#) be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 2:08 p.m. until the completion of a meeting of the committee on State Government.

RECONVENED

The Senate reconvened at 2:51 p.m., President Kibbie presiding.

CONFERENCE COMMITTEE REPORT RECEIVED

[Senate File 472](#)

A conference committee report, signed by the following Senate and House members, was filed April 24, 2007, on [Senate File 472](#), a bill for an act requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty:

On the part of the Senate:

DICK L. DEARDEN, Chair
THOMAS G. COURTNEY
STEVE WARNSTADT
PAT WARD

On the part of the House:

JIM LYKAM, Chair
DELORES M. MERTZ
TODD TAYLOR

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Dearden called up the conference committee report on [Senate File 472](#), filed on April 24, 2007, and moved its adoption.

The motion prevailed by a voice vote, and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 472](#)), the vote was:

Yeas, 33:

Angelo	Dotzler	Kibbie	Schoenjahn
Appel	Dvorsky	Kreiman	Seng
Beall	Fraise	McCoy	Stewart
Black	Gronstal	Mulder	Ward
Bolkcom	Hancock	Olive	Warnstadt
Connolly	Hatch	Quirmbach	Wood
Courtney	Heckroth	Ragan	
Danielson	Hogg	Rielly	
Dearden	Horn	Schmitz	

Nays, 17:

Behn	Houser	McKinley	Zaun
Boettger	Johnson	Noble	Zieman
Gaskill	Kettering	Putney	
Hahn	Lundby	Seymour	
Hartsuch	McKibben	Wieck	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 472](#) be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 2:58 p.m. until the completion of a meeting of the committee on Appropriations.

APPENDIX—2

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Lorraine Bral, Denison—For celebrating her 80th birthday. Senator Seymour (4/24/07).

John and Mary Brouwer, Waterloo—For celebrating their 50th wedding anniversary. Senator Dotzler (4/24/07).

Art Dorland, Woodbine—For celebrating his 90th birthday. Senator Seymour (4/24/07).

Gladys Elliott, Waterloo—For celebrating her 80th birthday. Senator Dotzler (4/24/07).

Francis and Myrna Jacoby, Waterloo—For celebrating their 50th wedding anniversary. Senator Dotzler (4/24/07).

Gust, Jr., and Vivian Johnson, Waterloo—For celebrating their 50th wedding anniversary. Senator Dotzler (4/24/07).

Eugene “Dinty” Moore, Waterloo—For celebrating his 80th birthday. Senator Dotzler (4/24/07).

Arnold and Zetta Nielson, Waterloo—For celebrating their 60th wedding anniversary. Senator Dotzler (4/24/07).

Arlo and Marlys Riessen—For celebrating their 50th wedding anniversary. Senator Seymour (4/24/07).

Myrna Shaffer, Woodbine—For celebrating her 80th birthday. Senator Seymour (4/24/07).

Mike and Mary Jane Staebell, Waterloo—For celebrating their 60th wedding anniversary. Senator Dotzler (4/24/07).

Norbert and Marcie Trainor, Waterloo—For celebrating their 50th wedding anniversary. Senator Dotzler (4/24/07).

Julia Wakehouse, Onawa—For celebrating her 90th birthday. Senator Seymour (4/24/07).

Doak and Sherry Walker, Woodbine—For celebrating their 50th wedding anniversary. Senator Seymour (4/24/07).

REPORT OF COMMITTEE MEETING

STATE GOVERNMENT

Convened: Tuesday, April 24, 2007, 2:10 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Ziemann, Ranking Member; Appel, Behn, Black, Gaskill, Hahn, Kettering, Kibbie, McKibben, Schmitz, and Wood.

Members Absent: Danielson and Hatch (both excused).

Committee Business: Passed [SF 603](#).

Adjourned: 2:20 p.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 49](#), by Black, Beall, Boettger, Bolkom, Behn, and Danielson, a resolution supporting a free trade agreement between the Republic of China on Taiwan and the United States.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

STUDY BILL RECEIVED

[SSB 1360](#) **Government Oversight**

Relating to student loans, including the protection of students and parents from certain lenders and institutions of higher education with conflicts of interest, and establishing penalties and a student lending education fund.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 603](#)

STATE GOVERNMENT: Connolly, Chair; Kibbie and Ziemann

[House File 911](#)

APPROPRIATIONS: McCoy, Chair; Angelo, Dvorsky, Putney, and Warnstadt

[SSB 1360](#)

GOVERNMENT OVERSIGHT: Courtney, Chair; Connolly, Lundby, Schmitz, and Wieck

FINAL COMMITTEE REPORT OF BILL ACTION

STATE GOVERNMENT

Bill Title: [SENATE FILE 603](#), a bill for an act relating to consumption of alcoholic beverages at the state capitol complex.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Connolly, Horn, Zieman, Appel, Behn, Black, Gaskill, Hahn, Kettering, Kibbie, McKibben, and Wood. Nays, 1: Schmitz. Absent, 2: Danielson and Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RECONVENED

The Senate reconvened at 4:40 p.m., President Kibbie presiding.

QUORUM CALL

Senator Gronstal requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent, and a quorum present.

UNFINISHED BUSINESS
(Deferred April 19, 2007)[Senate File 455](#)

The Senate resumed consideration of [Senate File 455](#), a bill for an act restricting the presence of a registered sex offender on the real property comprising a school or child care facility and providing a penalty, deferred April 19, 2007.

Senator Kreiman asked and received unanimous consent to withdraw amendment [S-3394](#), filed by Senators Kreiman, Dvorsky, and Hogg on April 19, 2007, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator McKibben asked and received unanimous consent that action on [Senate File 455](#) be **deferred**.

CONSIDERATION OF BILLS
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 648 and 749.

[House File 648](#)

On motion of Senator Olive, [House File 648](#), a bill for an act relating to distress criteria for enterprise zones, placed on the Unfinished Business Calendar on April 12, 2007, with report of committee recommending passage, was taken up for consideration.

Senator Olive moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([H.F. 648](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[House File 749](#)

On motion of Senator Danielson, [House File 749](#), a bill for an act concerning existing and new special motor vehicle registration plates associated with military service, crediting fees from the sale of certain special motor vehicle registration plates to the emergency medical services fund and the veterans license fee fund, and providing effective dates, placed on the Unfinished Business Calendar on April 12, 2007, with report of committee recommending passage, was taken up for consideration.

Senator Black asked and received unanimous consent to withdraw amendment [S-3321](#), filed by Senators Black and Warnstadt on April 11, 2007, to pages 2–4 of the bill.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([H.F. 749](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Connolly asked and received unanimous consent that **House Files 648** and **749** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Connolly asked and received unanimous consent to take up for consideration [Senate File 603](#).

[Senate File 603](#)

On motion of Senator Connolly, [Senate File 603](#), a bill for an act relating to consumption of alcoholic beverages at the state capitol

complex, with report of committee recommending passage, was taken up for consideration.

Senator Connolly moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 603](#)), the vote was:

Yeas, 43:

Angelo	Dvorsky	Kettering	Rielly
Appel	Fraise	Kibbie	Schoenjahn
Beall	Gaskill	Lundby	Seng
Behn	Gronstal	McCoy	Seymour
Black	Hahn	McKibben	Stewart
Bolkcom	Hancock	McKinley	Ward
Connolly	Hatch	Noble	Wieck
Courtney	Heckroth	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	

Nays, 7:

Boettger	Hogg	Mulder	Warnstadt
Hartsuch	Kreiman	Schmitz	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that [Senate File 603](#) be **immediately messaged** to the House.

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: [HOUSE FILE 906](#), a bill for an act requiring children enrolling in elementary or high school to have a dental screening and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 25: Dvorsky, McCoy, Angelo, Behn, Black, Boettger, Bolkom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 907](#), a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 25: Dvorsky, McCoy, Angelo, Behn, Black, Boettger, Bolkom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration House Files 907 and 906.

[House File 907](#)

On motion of Senator Bolkom, [House File 907](#), a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund and providing an effective date, with report of committee recommending passage, was taken up for consideration.

The Senate stood at ease at 5:18 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 5:40 p.m., President Kibbie presiding.

Senator Angelo offered amendment [S-3443](#), filed by him from the floor to pages 7 and 8 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3443](#) be adopted?” ([H.F. 907](#)), the vote was:

Yeas, 21:

Angelo	Houser	Mulder	Wieck
Behn	Johnson	Noble	Zaun
Boettger	Kettering	Putney	Zieman
Gaskill	Lundby	Ragan	
Hahn	McKibben	Seymour	
Hartsuch	McKinley	Ward	

Nays, 29:

Appel	Dotzler	Horn	Schoenjahn
Beall	Dvorsky	Kibbie	Seng
Black	Fraise	Kreiman	Stewart
Bolkcom	Gronstal	McCoy	Warnstadt
Connolly	Hancock	Olive	Wood
Courtney	Hatch	Quirnbach	
Danielson	Heckroth	Rielly	
Dearden	Hogg	Schmitz	

Absent, none.

Amendment [S-3443](#) lost.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([H.F. 907](#)), the vote was:

Yeas, 44:

Angelo	Dotzler	Johnson	Ragan
Appel	Dvorsky	Kibbie	Rielly
Beall	Fraise	Kreiman	Schmitz
Behn	Gaskill	Lundby	Schoenjahn
Black	Gronstal	McCoy	Seng
Boettger	Hahn	McKibben	Seymour
Bolkcom	Hancock	Mulder	Stewart
Connolly	Hatch	Noble	Ward
Courtney	Heckroth	Olive	Warnstadt
Danielson	Hogg	Putney	Wieck
Dearden	Horn	Quirnbach	Wood

Nays, 6:

Hartsuch	Kettering	Zaun
Houser	McKinley	Zieman

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 906

On motion of Senator Ragan, [House File 906](#), a bill for an act requiring children enrolling in elementary or high school to have a dental screening and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Ragan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([H.F. 906](#)), the vote was:

Yeas, 36:

Appel	Dvorsky	Kreiman	Rielly
Beall	Fraise	Lundby	Schmitz
Black	Gronstal	McCoy	Schoenjahn
Bolkcom	Hancock	McKibben	Seng
Connolly	Hatch	Mulder	Seymour
Courtney	Hogg	Olive	Stewart
Danielson	Horn	Putney	Ward
Dearden	Houser	Quirnbach	Warnstadt
Dotzler	Kibbie	Ragan	Wood

Nays, 14:

Angelo	Hahn	Kettering	Zaun
Behn	Hartsuch	McKinley	Zieman
Boettger	Heckroth	Noble	
Gaskill	Johnson	Wieck	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 906** and **907** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 24, 2007, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 447](#), a bill for an act relating to incentives for school district reorganizations and shared operational functions, and making an appropriation.

[Senate File 566](#), a bill for an act relating to historic preservation and cultural and entertainment district tax credits, making appropriations, and providing applicability date provisions.

ALSO: That the House has on April 24, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

[Senate File 558](#), a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program. ([S-3442](#))

ALSO: That the House has on April 24, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 901](#), a bill for an act concerning the training and certification of designated security personnel working at commercial establishments with a liquor control license or wine or beer permit.

Read first time and referred to committee on **Ways and Means**.

HOUSE AMENDMENT CONSIDERED

Senate File 558

Senator Dearden called up for consideration Senate File 558, a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program, amended by the House in House amendment S-3442, filed April 24, 2007.

Senator Dearden moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Dearden moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 558), the vote was:

Yeas, 41:

Angelo	Dvorsky	Kibbie	Rielly
Appel	Fraise	Kreiman	Schmitz
Beall	Gaskill	Lundby	Schoenjahn
Black	Gronstal	McCoy	Seng
Boettger	Hancock	McKibben	Stewart
Bolkcom	Hatch	Mulder	Ward
Connolly	Heckroth	Noble	Warnstadt
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	
Dearden	Houser	Quirmbach	
Dotzler	Johnson	Ragan	

Nays, 9:

Behn	Kettering	Wieck
Hahn	McKinley	Zaun
Hartsuch	Seymour	Zieman

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that [Senate File 558](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:00 p.m. until 8:45 a.m., Wednesday, April 25, 2007.

APPENDIX—3

CONFERENCE COMMITTEE REPORT RECEIVED

[House File 808](#)

A conference committee report, signed by the following Senate and House members, was filed April 24, 2007, on [House File 808](#), a bill for an act concerning accountability requirements for entities, administrators, and boards created for joint exercise of governmental powers and providing effective dates:

On the part of the Senate:

KEITH A. KREIMAN, Chair
DICK L. DEARDEN
HERMAN C. QUIRMBACH
DAVID L. HARTSUCH
BRAD ZAUN

On the part of the House:

GERI HUSER, Chair
MARY GASKILL
DONOVAN OLSON
DAN CLUTE
DAN RASMUSSEN

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: Tuesday, April 24, 2007, 3:10 p.m.

Members Present: Dvorsky, Chair; McCoy, Vice Chair; Angelo, Ranking Member; Behn, Black, Boettger, Bolkom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood.

Members Absent: None.

Committee Business: Passed HF's 902, 907, and 909 (as amended).

Recessed: 3:15 p.m.

Reconvened: 3:55 p.m.

Adjourned: 4:25 p.m.

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: *[HOUSE FILE 909](#), a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3445](#).

Final Vote: Ayes, 15: Dvorsky, McCoy, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Hatch, Hogg, Ragan, Seng, Warnstadt, and Wood. Nays, 10: Angelo, Behn, Gaskill, Hahn, Hancock, Johnson, Kettering, Putney, Seymour, and Ward. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [House File 909](#), and they were attached to the committee report.

BILL ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 24th day of April, 2007:

[Senate File 277](#).

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

S-3438	H.F. 829	William Dotzler
S-3439	H.F. 912	Jeff Danielson
S-3440	S.F. 604	Jeff Angelo
S-3441	S.F. 604	Matt McCoy
S-3442	S.F. 558	House
S-3443	H.F. 907	Jeff Angelo
S-3444	S.F. 604	Joe Bolkcom
S-3445	H.F. 909	Appropriations