

PROOF

STATE OF IOWA

Senate Journal

MONDAY, FEBRUARY 22, 2010

Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE SENATE

FORTY-THIRD CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 22, 2010

The Senate met in regular session at 1:13 p.m., President Kibbie presiding.

Prayer was offered by Reverend Chris Piersma, pastor of the Trinity Reformed Church in Pella, Iowa. He was the guest of Senator McKinley.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Aaron Pope.

The Journal of Thursday, February 18, 2010, was approved.

MOTION TO RECONSIDER WITHDRAWN

[House File 2376](#)

Senator Hamerlinck withdrew the motion to reconsider [House File 2376](#), a bill for an act providing for the severance and annexation of real property upon petition of the real property owners and approval of the city development board, filed by him on February 18, 2010, found on page 501 of the Senate Journal.

The Senate stood at ease at 1:30 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:37 p.m., President Pro Tempore Danielson presiding.

RECESS

On motion of Senator Courtney, the Senate recessed at 3:38 p.m. until 4:00 p.m.

RECONVENED

The Senate reconvened at 4:04 p.m., President Pro Tempore Danielson presiding.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Joint Resolution 2007](#).

[Senate Joint Resolution 2007](#)

On motion of Senator Kibbie, [Senate Joint Resolution 2007](#), a joint resolution supporting the preservation efforts for the Battleship Iowa, BB-61, was taken up for consideration.

President Kibbie moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the resolution was read the last time.

[Senate Joint Resolution 2007](#), a joint resolution supporting the preservation efforts for the Battleship Iowa, BB-61.

WHEREAS, BB-61, the USS Iowa, is the namesake for the most powerful class of warships ever made; and

WHEREAS, navy members recruited from Iowa have received preference for assignment to service on board the USS Iowa through most of its service life; and

WHEREAS, the USS Iowa would remain a continuing marketing display for the talented and well-educated workforce in the State of Iowa throughout a period of museum duty; and

WHEREAS, there is now a proposal to assign the USS Iowa to museum duty in the San Francisco Bay area of California; and

WHEREAS, former Governors Robert D. Ray and Terry E. Branstad and former Governor and current United States Secretary of Agriculture Thomas J. Vilsack serve as honorary chairpersons of

efforts to preserve the USS Iowa as a national museum and memorial, truly a source of pride for all Iowans; and

WHEREAS, those efforts include restoration of the USS Iowa and future service as an educational museum and tourist attraction, and perhaps, with her many facilities still intact, service as an emergency response center; and

WHEREAS, the restoration and preservation of the USS Iowa will honor all veterans of the State of Iowa, inspire youth, and educate the public; NOW THEREFORE,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. STATE OF IOWA SUPPORT. The state of Iowa hereby supports the assignment of the USS Iowa as a museum to an appropriate location in the Bay area of California.

Sec. 2. COMMITTEE CREATED. A committee of ten is created, to be appointed by the governor and to serve at the pleasure of the governor, to support efforts for the preservation and relocation of the Battleship Iowa.

a. The committee shall annually select its own chairperson and establish its rules of procedure. The committee shall meet as may be deemed necessary by the chairperson. A majority of the members of the committee shall constitute a quorum.

b. Members shall serve without compensation or reimbursement for actual expenses.

c. The committee shall raise all of the funds necessary for the operation of the committee; and shall solicit donations to be used for the preservation and relocation of the Battleship Iowa.

Sec. 3. ADMINISTRATIVE SUPPORT. The department of cultural affairs shall provide all necessary administrative support for the committee and shall administer the BB-61 fund.

Sec. 4. BB-61 FUND. A BB-61 fund is created in the state treasury, to be administered by the department of cultural affairs. The proceeds of the fund shall be used for the purposes specified in section 2 of this resolution. The department may accept gifts, grants, bequests, and other moneys, including but not limited to state or federal moneys, and in-kind contributions for deposit in the fund. Notwithstanding section 12C.7, interest or earnings on moneys in the fund shall be credited to the fund. Notwithstanding section 8.33, any unexpended or unencumbered moneys remaining in the fund at the end of a fiscal year shall not revert to the general fund of the state, but shall remain available from the fund for expenditure by the

department in succeeding fiscal years for the purposes specified in section 2 of this resolution.

Senator Kibbie offered amendment [S-5102](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-5102](#) was adopted by a voice vote.

On the question "Shall the resolution be adopted?" ([S.J.R. 2007](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	Rielly	

Nays, none.

Absent, none.

The resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2365](#).

[Senate File 2365](#)

On motion of Senator McCoy, [Senate File 2365](#), a bill for an act providing for the treatment of animals other than agricultural

animals, by providing for regulation of commercial establishments, providing for reporting of threatened animals, providing for fees, providing penalties, and including effective date provisions, was taken up for consideration.

Senator McCoy offered amendment [S-5100](#), filed by him from the floor to pages 1–17 and amending the title page of the bill, and moved its adoption.

Amendment [S-5100](#) was adopted by a voice vote.

Senator McCoy asked and received unanimous consent that [House File 2280](#) be **substituted** for [Senate File 2365](#).

[House File 2280](#)

On motion of Senator McCoy, [House File 2280](#), a bill for an act providing for the treatment of animals other than agricultural animals, by providing for regulation of commercial establishments, providing for reporting of threatened animals, providing for fees, providing penalties, and including effective date provisions, was taken up for consideration.

Senator McCoy 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. 2280](#)), the vote was:

Yeas, 41:

Appel	Dvorsky	Jochum	Seng
Bartz	Feenstra	Kibbie	Seymour
Beall	Fraise	Kreiman	Sodders
Behn	Gronstal	McCoy	Stewart
Black	Hamerlinck	Noble	Ward
Bolkcom	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wilhelm
Dandekar	Heckroth	Ragan	Zaun
Danielson	Hogg	Rielly	
Dearden	Horn	Schmitz	
Dotzler	Houser	Schoenjahn	

Nays, 9:

Boettger	Johnson	McKinley
Hahn	Kapucian	Reynolds
Hartsuch	Kettering	Wieck

Absent, none.

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

WITHDRAWN

Senator McCoy asked and received unanimous consent that [Senate File 2365](#) be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2358, 2345, 2325, 2316, 2313, and 2298.

[Senate File 2358](#)

On motion of Senator Seng, [Senate File 2358](#), a bill for an act providing for the taking of crops on land classified as a farm tenancy, was taken up for consideration.

Senator Seng asked and received unanimous consent that [House File 2380](#) be **substituted** for [Senate File 2358](#).

[House File 2380](#)

On motion of Senator Seng, [House File 2380](#), a bill for an act providing for the taking of crops on land classified as a farm tenancy, was taken up for consideration.

Senator Seng 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. 2380](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	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.

WITHDRAWN

Senator Seng asked and received unanimous consent that [Senate File 2358](#) be **withdrawn** from further consideration of the Senate.

President Kibbie took the chair at 4:38 p.m.

[Senate File 2345](#)

On motion of Senator Kreiman, [Senate File 2345](#), a bill for an act relating to judicial branch administration, child custody and visitation matters, was taken up for consideration.

Senator Kreiman 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. 2345](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	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.

[Senate File 2325](#)

On motion of Senator Heckroth, [Senate File 2325](#), a bill for an act relating to the practice of mortuary science and to the preneed sale of cemetery and funeral merchandise and funeral services and providing a penalty, was taken up for consideration.

Senator Heckroth offered amendment [S-5066](#), filed by him on February 16, 2010, to page 1 of the bill, and moved its adoption.

Amendment [S-5066](#) was adopted by a voice vote.

Senator Heckroth 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. 2325](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng

Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	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.

[Senate File 2316](#)

On motion of Senator Hogg, [Senate File 2316](#), a bill for an act relating to flood plain management, with report of committee without recommendation, was taken up for consideration.

Senator Hogg asked and received unanimous consent that action on [Senate File 2316](#) be **deferred**.

[Senate File 2313](#)

On motion of Senator Hancock, [Senate File 2313](#), a bill for an act modifying provisions applicable to the formation and operation of electric power agencies, was taken up for consideration.

Senator Hancock 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. 2313](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders

Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	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.

[Senate File 2298](#)

On motion of Senator Kreiman, [Senate File 2298](#), a bill for an act relating to the attendance of a child at juvenile court hearings or meetings during the pendency of a child in need of assistance case, was taken up for consideration.

Senator Kreiman offered amendment [S-5091](#), filed by him on February 17, 2010, to page 1 of the bill, and moved its adoption.

Amendment [S-5091](#) was adopted by a voice vote.

Senator Kreiman 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. 2298](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun

Dotzler	Houser	Reynolds
Dvorsky	Jochum	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 Joint Resolution 2007](#), **Senate Files 2298, 2313, 2325, and 2345**, and **House Files 2280 and 2380** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2295 and 2274.

[Senate File 2295](#)

On motion of Senator Beall, [Senate File 2295](#), a bill for an act providing for the development of programs to attract qualified disabled veterans for job opportunities in state government, was taken up for consideration.

Senator Beall offered amendment [S-5107](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-5107](#) was adopted by a voice vote.

Senator Beall 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. 2295](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	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.

[Senate File 2274](#)

On motion of Senator Warnstadt, [Senate File 2274](#), a bill for an act relating to certain national security and military education benefits and programs, was taken up for consideration.

Senator Warnstadt offered amendment [S-5075](#), filed by him on February 17, 2010, to pages 1 and 2 of the bill, and moved its adoption.

Amendment [S-5075](#) was adopted by a voice vote.

Senator Warnstadt 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. 2274](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng

Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	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 MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 22, 2010, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2407, a bill for an act establishing certain definitions relating to instruments affecting real estate and specifying information to be contained in index records.

Read first time and attached to **companion Senate File 2269**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2269, 2243, and 2246.

Senate File 2269

On motion of Senator Beall, **Senate File 2269**, a bill for an act establishing certain definitions relating to instruments affecting real estate and specifying information to be contained in index records, was taken up for consideration.

Senator Beall asked and received unanimous consent that [House File 2407](#) be **substituted** for [Senate File 2269](#).

[House File 2407](#)

On motion of Senator Beall, [House File 2407](#), a bill for an act establishing certain definitions relating to instruments affecting real estate and specifying information to be contained in index records, was taken up for consideration.

Senator Beall 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. 2407](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	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.

WITHDRAWN

Senator Beall asked and received unanimous consent that [Senate File 2269](#) be **withdrawn** from further consideration of the Senate.

[Senate File 2243](#)

On motion of Senator Black, [Senate File 2243](#), a bill for an act regarding matters under the purview of the department of natural resources, and including effective date provisions, was taken up for consideration.

Senator Black offered amendment [S-5111](#), filed by Senators Black and Johnson from the floor to page 3 of the bill.

Senator Dearden raised the point of order that amendment [S-5111](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-5111](#) out of order.

Senator Black 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. 2243](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	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.

[Senate File 2246](#)

On motion of Senator Rielly, [Senate File 2246](#), a bill for an act relating to the regulation of motor vehicles by the department of transportation, including clarification of the definition of business-trade truck and requirements for the issuance of temporary persons with disabilities parking permits, was taken up for consideration.

Senator Rielly offered amendment [S-5104](#), filed by him from the floor to pages 1 and 2 and amending the title page of the bill, and moved its adoption.

Amendment [S-5104](#) was adopted by a voice vote.

Senator Rielly 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. 2246](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	Rielly	

Nays, none.

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 **Senate Files 2243, 2246, 2274, and 2295** and [House File 2407](#) be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2200 and 2189.

[Senate File 2200](#)

On motion of Senator Kreiman, [Senate File 2200](#), a bill for an act relating to transfer of guardianship for a child in need of assistance to the probate court, was taken up for consideration.

Senator Kreiman offered amendment [S-5103](#), filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment [S-5103](#) was adopted by a voice vote.

Senator Kreiman 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. 2200](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm

Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	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.

[Senate File 2189](#)

On motion of Senator Hogg, [Senate File 2189](#), a bill for an act relating to judgment liens on homesteads, was taken up for consideration.

Senator Hogg asked and received unanimous consent that [House File 2282](#) be **substituted** for [Senate File 2189](#).

[House File 2282](#)

On motion of Senator Hogg, [House File 2282](#), a bill for an act relating to judgment liens on homesteads, was taken up for consideration.

Senator Hogg 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. 2282](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck

Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	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.

WITHDRAWN

Senator Hogg asked and received unanimous consent that [Senate File 2189](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 2200](#) and [House File 2282](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2326](#).

[Senate File 2326](#)

On motion of Senator Stewart, [Senate File 2326](#), a bill for an act modifying disciplinary provisions applicable to real estate brokers and salespersons, was taken up for consideration.

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?" ([S.F. 2326](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	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 2326](#) and [House File 2376](#) 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 February 22, 2010, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2181](#), a bill for an act relating to employment practices and public safety programs administered by the division of labor services of the department of workforce development.

[Senate File 2195](#), a bill for an act relating to campaign finance requirements and reporting.

[Senate File 2202](#), a bill for an act relating to rights of persons with disabilities.

[Senate File 2237](#), a bill for an act relating to nonsubstantive Code corrections and providing effective dates and for retroactive applicability.

[Senate File 2299](#), a bill for an act relating to grain transactions by regulating grain dealers and warehouse operators, providing for fees, and making penalties applicable.

[Senate File 2340](#), a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective date and applicability provisions.

[Senate File 2300](#), a bill for an act relating to the service of notice requirements for landlords and tenants and the service of notice requirements in an action for forcible entry and detainer and including effective date provisions.

ALSO: That the House has on February 22, 2010, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2409](#), a bill for an act eliminating specified mortgage loan disclosure statement filing requirements applicable to financial institutions.

Read first time and **passed on file**.

[House File 2422](#), a bill for an act relating to disaster recovery case management.

Read first time and attached to **companion** [Senate File 2268](#).

[House File 2438](#), a bill for an act relating to the criminal offense of enticing or attempting to entice a minor and providing penalties.

Read first time and **passed on file**.

[House File 2454](#), a bill for an act providing for the development of programs to attract qualified disabled veterans for job opportunities in state government.

Read first time and **passed on file**.

[House File 2458](#), a bill for an act relating to restrictions on mowing within the right-of-way of interstates, primary highways, and secondary roads.

Read first time and **passed on file**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:53 p.m. until 8:45 a.m., Tuesday, February 23, 2010.

APPENDIX

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

International students and Fulbright Scholars from Kirkwood Community College. Senators Beall, Hogg, and Horn.

Linn County students from Central City and Springville, accompanied by Jennifer Huseman. Senator Dandekar.

CERTIFICATES OF RECOGNITION

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

Ken and Evelyn Feuerbach, Van Horne—For celebrating their 65th wedding anniversary. Senator Kapucian (2/22/10).

Cindy Fish—For her service to the Ankeny Chamber of Commerce. Senator Noble (2/22/10).

Duane Fisher—In appreciation of his 37 years of service with the Vinton-Shellsburg Community School District. Senator Kapucian (2/22/10).

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Monday, February 22, 2010, 3:35 p.m.

Members Present: Fraise, Chair; Olive, Vice Chair; Johnson, Ranking Member; Appel, Behn, Black, Boettger, Courtney, Hahn, Hancock, Kapucian, Kibbie, Rielly, and Seng.

Members Absent: Soddors (excused).

Committee Business: Passed HFs 763 and 2273.

Adjourned: 3:45 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND
REGULATION

Convened: Thursday, February 18, 2010, 10:50 a.m.

Members Present: Danielson, Chair; Jochum, Vice Chair; Bartz, Ranking Member; and Kreiman.

Members Absent: Behn (excused).

Committee Business: Presentations by the Auditor of State and the Department of Inspections and Appeals.

Adjourned: 11:30 a.m.

INTRODUCTION OF BILL

[Senate File 2366](#), by committee on Appropriations, a bill for an act making, reducing, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2009, and including effective date provisions.

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

STUDY BILL RECEIVED

[SSB 3235](#) **Appropriations**

Relating to and making appropriations for health and human services and including other related provisions and appropriations, and providing effective, retroactive, and applicability date provisions.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 2174](#)

APPROPRIATIONS: Dvorsky, Chair; and Kettering

[Senate File 2259](#)

APPROPRIATIONS: Dvorsky, Chair; and Kettering

[House File 2403](#)

HUMAN RESOURCES: Wilhelm, Chair; Hartsuch and Schmitz

[House File 2405](#)

COMMERCE: Heckroth, Chair; Behn and Warnstadt

[SSB 3235](#)

APPROPRIATIONS: Dvorsky, Chair; Hatch and Kettering

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: [HOUSE FILE 763](#) (formerly [HF 606](#)), a bill for an act relating to administrative costs to support the watershed improvement review board.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Fraise, Olive, Johnson, Appel, Behn, Black, Boettger, Courtney, Hahn, Hancock, Kapucian, Kibbie, Rielly, and Seng. Nays, none. Absent, 1: Soddors.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2273](#), a bill for an act relating to drainage districts, by modifying the amount of a bid security required to be submitted by bidders proposing to make improvements and modifying the threshold amount requiring the letting of bids to construct an improvement, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Fraise, Olive, Johnson, Appel, Behn, Black, Boettger, Courtney, Hahn, Hancock, Kapucian, Kibbie, Rielly, and Seng. Nays, none. Absent, 1: Soddors.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPROPRIATIONS

Bill Title: *[SENATE FILE 2366 \(SSB 3197\)](#), a bill for an act making, reducing, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2009, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Dvorsky, Appel, Bolkcom, Danielson, Dearden, Dotzler, Fraise, Hancock, Hatch, Hogg, Jochum, Ragan, Schoenjahn, Seng, and Warnstadt. Nays, 9: Kettering, Bartz, Boettger, Feenstra, Hahn, Johnson, Kapucian, Noble, and Seymour. Absent, 1: McCoy.

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 [Senate File 2366](#), and they were attached to the committee report.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following reports:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have 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 22nd day of February, 2010:

Senate Files 2076, 2117, 2146, and 2149.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

S-5098	S.F. 2234	Swati A. Dandekar
S-5099	S.F. 2336	Swati A. Dandekar
		Wally E. Horn
S-5100	S.F. 2365	Matt McCoy
S-5101	S.F. 2235	Steven J. Soddors
S-5102	S.J.R. 2007	John P. Kibbie
S-5103	S.F. 2200	Keith A. Kreiman
S-5104	S.F. 2246	Tom Rielly
S-5105	S.F. 2343	Keith A. Kreiman
S-5106	S.F. 2321	Brad Zaun
		Shawn Hamerlinck
		James F. Hahn
		Randy Feenstra

		James A. Seymour
		Jerry Behn
		Paul McKinley
S-5107	S.F. 2295	Daryl Beall
S-5108	S.F. 2192	Roger Stewart
		Kim Reynolds
		John P. Kibbie
S-5109	S.F. 2289	Brian Schoenjahn
S-5110	S.F. 2335	David Johnson
S-5111	S.F. 2243	Dennis H. Black
		David Johnson
S-5112	S.F. 2288	Paul McKinley
S-5113	S.F. 2288	Nancy J. Boettger
S-5114	S.J.R. 2002	Mary Jo Wilhelm
S-5115	S.F. 2288	David Johnson

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letters from the Governor were received in the office of the Secretary of the Senate on February 19, 2010:

I am withdrawing the name of Carrie LaSeur to serve as an Environmental Protection Commission member from further consideration by the Senate.

Sincerely,
CHESTER J. CULVER
Governor