

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, FEBRUARY 25, 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-SIXTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 25, 2010

The Senate met in regular session at 9:00 a.m., President Kibbie presiding.

Prayer was offered by Pastor Ron Burcham of the Gloria Dei Lutheran Church in Urbandale, Iowa. He was the guest of Senator Zaun.

The Journal of Wednesday, February 24, 2010, was approved.

SPECIAL GUESTS

Senator Beall introduced to the Senate chamber the Chinese Consul General, Ping Huang, accompanied by his wife, Aiping Zhang.

Consul General Huang addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

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 24, 2010, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2151](#), a bill for an act relating to public funding and regulatory matters by making and revising appropriations made for purposes of health and human services and providing effective dates.

[Senate File 2196](#), a bill for an act relating to the administration of the election laws by the secretary of state and including effective date provisions.

[Senate File 2291](#), a bill for an act relating to special education rights and duties and to the related duties and operations of the department of education and local school boards.

ALSO: That the House has on February 24, 2010, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 2199](#), a bill for an act relating to the collection of the use tax on manufactured housing, the licensing of manufactured home retailers, amending statutory references to certain types of home dealers, establishing titling procedures for certain manufactured and mobile homes, making penalties applicable, and including effective date provisions. ([S-5147](#))

ALSO: That the House has on February 24, 2010, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2229](#), a bill for an act prohibiting the imposition by a dental plan of fee schedules for the provision of dental services that are not covered by the plan.

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

[House File 2402](#), a bill for an act relating to the development of a plan for a stroke triage system and registry.

Read first time and attached to **similar** [Senate File 2334](#).

[House File 2466](#), a bill for an act relating to the license or authorization issued to a person who qualifies as a driver education instructor and including effective date and retroactive applicability provisions.

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

[House File 2478](#), a bill for an act relating to business organizations, including limited liability companies and business corporations, and providing for fees.

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

[House File 2488](#), a bill for an act relating to the appointment of young adults to appointive boards, commissions, committees, and councils.

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

[House File 2496](#), a bill for an act relating to recycling initiatives.

Read first time and referred to committee on **Environment and Energy Independence**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:30 a.m. until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:13 p.m., President Kibbie presiding.

The Senate stood at ease at 3:14 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:09 p.m., President Kibbie presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Houser, until he arrives, on request of Senator Kettering; and Senators Dandekar and Fraise, until they arrive, on request of Senator Gronstal.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2366](#).

[Senate File 2366](#)

On motion of Senator Dvorsky, [Senate File 2366](#), 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, was taken up for consideration.

Senator Dvorsky offered amendment [S-5136](#), filed by him on February 24, 2010, to pages 2, 6, 10, and 13 and amending the title page of the bill, and moved its adoption.

Amendment [S-5136](#) was adopted by a voice vote.

Senator Dvorsky 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. 2366](#)), the vote was:

Yeas, 30:

Appel	Dvorsky	Kibbie	Schoenjahn
Beall	Gronstal	Kreiman	Seng
Black	Hancock	McCoy	Sodders
Bolkcom	Hatch	Olive	Stewart
Courtney	Heckroth	Quirnbach	Warnstadt
Danielson	Hogg	Ragan	Wilhelm
Dearden	Horn	Rielly	
Dotzler	Jochum	Schmitz	

Nays, 17:

Bartz	Hamerlinck	McKinley	Wieck
Behn	Hartsuch	Noble	Zaun
Boettger	Johnson	Reynolds	
Feenstra	Kapucian	Seymour	
Hahn	Kettering	Ward	

Absent, 3:

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

UNFINISHED BUSINESS
(Deferred February 23, 2010)

[Senate File 2357](#)

The Senate resumed consideration of [Senate File 2357](#), a bill for an act relating to prohibiting a person who is the subject of a no-contact order or a protective order or who has been convicted of a misdemeanor crime of domestic violence from possessing, transferring, or selling firearms and ammunition or offensive weapons and providing penalties, and amendment [S-5126](#), deferred February 23, 2010.

Senator Hartsuch offered amendment [S-5144](#), filed by him on February 24, 2010, to page 1 of amendment [S-5126](#), and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5144](#) to amendment [S-5126](#) be adopted?" ([S.F. 2357](#)), the vote was:

Yeas, 15:

Bartz	Hahn	Kapucian	Reynolds
Behn	Hamerlinck	Kettering	Wieck
Boettger	Hartsuch	McKinley	Zaun
Feenstra	Johnson	Noble	

Nays, 32:

Appel	Dvorsky	Kibbie	Schoenjahn
Beall	Gronstal	Kreiman	Seng
Black	Hancock	McCoy	Seymour
Bolkcom	Hatch	Olive	Sodders
Courtney	Heckroth	Quirnbach	Stewart
Danielson	Hogg	Ragan	Ward
Dearden	Horn	Rielly	Warnstadt
Dotzler	Jochum	Schmitz	Wilhelm

Absent, 3:

Dandekar	Fraise	Houser
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Amendment [S-5144](#) lost.

Senator Hartsuch offered amendment [S-5142](#), filed by Senator Hartsuch, et al., on February 24, 2010, to page 1 of amendment [S-5126](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5142](#) to amendment [S-5126](#) be adopted?” ([S.F. 2357](#)), the vote was:

Yeas, 10:

Bartz	Hahn	Kettering	Zaun
Behn	Hartsuch	McKinley	
Boettger	Johnson	Seymour	

Nays, 37:

Appel	Gronstal	Kreiman	Seng
Beall	Hamerlinck	McCoy	Sodders
Black	Hancock	Noble	Stewart
Bolkcom	Hatch	Olive	Ward
Courtney	Heckroth	Quirnbach	Warnstadt
Danielson	Hogg	Ragan	Wieck
Dearden	Horn	Reynolds	Wilhelm
Dotzler	Jochum	Rielly	
Dvorsky	Kapucian	Schmitz	
Feenstra	Kibbie	Schoenjahn	

Absent, 3:

Dandekar	Fraise	Houser
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Amendment [S-5142](#) lost.

Senator Hartsuch offered amendment [S-5141](#), filed by Senator Hartsuch, et al., on February 24, 2010, to page 2 of amendment [S-5126](#), and moved its adoption.

Amendment [S-5141](#) was adopted by a voice vote.

Senator Hartsuch offered amendment [S-5156](#), filed by him from the floor to page 1 of amendment [S-5126](#).

Senator Hartsuch called for the following division of amendment [S-5156](#):

Division [S-5156A](#): Page 1, lines 3–6; and

Division [S-5156B](#): Page 1, lines 7–12.

Senator Hartsuch moved the adoption of division [S-5156A](#).

A record roll call was requested.

On the question “Shall division [S-5156A](#) be adopted?” ([S.F. 2357](#)), the vote was:

Yeas, 5:

Bartz	Feenstra	Hartsuch
Behn	Hahn	

Nays, 42:

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

Absent, 3:

Dandekar	Fraise	Houser
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Division [S-5156A](#) lost.

Senator Hartsuch moved the adoption of division [S-5156B](#).

A record roll call was requested.

On the question “Shall division [S-5156B](#) be adopted?” ([S.F. 2357](#)) the vote was:

Yeas, 1:

Hartsuch

Nays, 46:

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

Absent, 3:

Dandekar	Fraise	Houser
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Division [S-5156B](#) lost.

Senator Kreiman moved the adoption of amendment [S-5126](#), as amended.

Amendment [S-5126](#), as amended, 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. 2357](#)), the vote was:

Yeas, 36:

Appel	Hamerlinck	Kettering	Rielly
Beall	Hancock	Kibbie	Schmitz
Black	Hatch	Kreiman	Schoenjahn
Bolkcom	Heckroth	McCoy	Seng
Courtney	Hogg	Noble	Sodders
Danielson	Horn	Olive	Stewart
Dotzler	Jochum	Quirnbach	Ward
Dvorsky	Johnson	Ragan	Warnstadt
Gronstal	Kapucian	Reynolds	Wilhelm

Nays, 11:

Bartz	Dearden	Hartsuch	Wieck
Behn	Feenstra	McKinley	Zaun
Boettger	Hahn	Seymour	

Absent, 3:

Dandekar	Fraise	Houser
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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 Files 2357** and **2366** 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 2356](#).

[Senate File 2356](#)

On motion of Senator Hatch, [Senate File 2356](#), a bill for an act relating to health reform in Iowa by creating an IowaCare plus program and an Iowa insurance information exchange, was taken up for consideration.

Senator Kettering asked and received unanimous consent that action on [Senate File 2356](#) be **deferred**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2334 and 2324.

[Senate File 2334](#)

On motion of Senator Ragan, [Senate File 2334](#), a bill for an act relating to the development of a plan for a stroke triage system and registry, was taken up for consideration.

Senator Ragan offered amendment [S-5146](#), filed by her from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment [S-5146](#) was adopted by a voice vote.

Senator Ragan asked and received unanimous consent that [House File 2402](#) be **substituted** for [Senate File 2334](#).

[House File 2402](#)

On motion of Senator Ragan, [House File 2402](#), a bill for an act relating to the development of a plan for a stroke triage system and registry, 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. 2402](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Dandekar Fraise Houser

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

Senate File 2324

On motion of Senator Warnstadt, Senate File 2324, a bill for an act modifying provisions relating to franchises for the provision of cable service or video service, and including effective date provisions, was taken up for consideration.

Senator Warnstadt offered amendment S-5149, filed by him from the floor to pages 1–4 of the bill, and moved its adoption.

Amendment S-5149 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. 2324), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Dandekar Fraise Houser

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

WITHDRAWN

Senator Ragan asked and received unanimous consent that [Senate File 2334](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 2324](#) and [House File 2402](#) 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 2306 and 2302.

[Senate File 2306](#)

On motion of Senator Kreiman, [Senate File 2306](#), a bill for an act relating to grandparent and great-grandparent visitation, was taken up for consideration.

Senator Kreiman withdrew amendment [S-5150](#), filed by him from the floor, striking and replacing everything after the enacting clause of the bill.

Senator Kreiman offered amendment [S-5153](#), filed by him from the floor, striking and replacing everything after the enacting clause of the bill and moved its adoption.

Amendment [S-5153](#) 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. 2306](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

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

[Senate File 2302](#)

On motion of Senator Kreiman, [Senate File 2302](#), a bill for an act relating to grandparents' rights to receive notice regarding child in need of assistance and related reviews and proceedings, was taken up for consideration.

Senator Kreiman offered amendment [S-5148](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-5148](#) 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. 2302](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Dandekar	Fraise	Houser
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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 Files 2302** and **2306** 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 2217](#).

[Senate File 2217](#)

On motion of Senator Black, [Senate File 2217](#), a bill for an act concerning the purchasing of raffle tickets, was taken up for consideration.

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. 2217](#)), the vote was:

Yeas, 31:

Appel	Dvorsky	Jochum	Rielly
Bartz	Gronstal	Kapucian	Schoenjahn
Beall	Hahn	Kibbie	Seng
Black	Hancock	Kreiman	Sodders
Courtney	Hatch	McCoy	Stewart
Danielson	Heckroth	Olive	Warnstadt
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	

Nays, 16:

Behn	Hamerlinck	McKinley	Seymour
Boettger	Hartsuch	Noble	Ward
Bolkcom	Johnson	Reynolds	Wieck
Feenstra	Kettering	Schmitz	Zaun

Absent, 3:

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

UNFINISHED BUSINESS (Deferred February 22, 2010)

[Senate File 2316](#)

The Senate resumed consideration of [Senate File 2316](#), a bill for an act relating to flood plain management, deferred February 22, 2010.

Senator Hogg withdrew amendment [S-5096](#), filed by him on February 18, 2010, to pages 1–4 and 7–8 of the bill.

Senator Hogg offered amendment [S-5122](#), filed by him on February 23, 2010, to pages 1–3, 5, 7, and 8 of the bill.

Senator Hogg offered amendment [S-5157](#), filed by him from the floor to pages 1 and 2 of amendment [S-5122](#), and moved its adoption.

Amendment [S-5157](#) was adopted by a voice vote.

Senator Hogg offered amendment [S-5137](#), filed by him on February 24, 2010, to page 1 of amendment [S-5122](#), and moved its adoption.

Amendment [S-5137](#) was adopted by a voice vote.

Senator Hogg moved the adoption of amendment [S-5122](#), as amended.

Amendment [S-5122](#), as amended, was adopted by a voice vote.

Senator Hahn offered amendment [S-5123](#), filed by him on February 23, 2010, to page 1 of the bill, and moved its adoption.

Amendment [S-5123](#) was adopted by a voice vote.

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?” ([S.F. 2316](#)), the vote was:

Yeas, 26:

Appel	Dvorsky	Kibbie	Seng
Beall	Gronstal	Kreiman	Sodders
Black	Hatch	Olive	Stewart
Bolkcom	Heckroth	Quirnbach	Warnstadt
Danielson	Hogg	Ragan	Wilhelm
Dearden	Horn	Schmitz	
Dotzler	Jochum	Schoenjahn	

Nays, 20:

Bartz	Hahn	Kapucian	Reynolds
Behn	Hamerlinck	Kettering	Rielly
Boettger	Hancock	McCoy	Seymour
Courtney	Hartsuch	McKinley	Ward
Feenstra	Johnson	Noble	Wieck

Absent, 4:

Dandekar	Fraise	Houser	Zaun
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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 Files 2217** and **2316** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Boettger, until she returns, on request of Senator McKinley.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2252](#).

[Senate File 2252](#)

On motion of Senator Kreiman, [Senate File 2252](#), a bill for an act relating to the criminal and juvenile justice planning advisory council, establishing a public safety advisory board, and providing for implementation, was taken up for consideration.

Senator Kreiman offered amendment [S-5151](#), filed by him from the floor to pages 1–3, 5, and 6 of the bill, and moved its adoption.

Amendment [S-5151](#) 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. 2252](#)), the vote was:

Yeas, 45:

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

Nays, none.

Absent, 5:

Boettger	Fraise	Zaun
Dandekar	Houser	

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 2252](#) be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

[Senate File 2088](#)

Senator Appel called up for consideration [Senate File 2088](#), a bill for an act concerning state government reorganization and efficiency, making appropriations, establishing fees and penalties, and providing effective and applicability provisions, amended by the House in House amendment [S-5072](#), filed February 16, 2010.

Senator Appel offered amendment [S-5159](#), filed by her from the floor to pages 1-4, 7, 22, 30, 36-42, 44-59, and 90 of amendment [S-5072](#).

([Senate File 2088](#) and amendment [S-5159](#) to amendment [S-5072](#) were deferred.)

The Senate stood at ease at 6:38 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 6:52 p.m., President Kibbie presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator McCoy, until he returns, on request of Senator Heckroth; and Senator Warnstadt, until he returns, on request of Senator Gronstal.

The Senate resumed consideration of [Senate File 2088](#) and amendment [S-5159](#) to amendment [S-5072](#).

Senator Appel offered amendment [S-5161](#), filed by her from the floor to page 2 of amendment [S-5159](#) to amendment [S-5072](#), and moved its adoption.

Amendment [S-5161](#) was adopted by a voice vote.

Senator Appel moved the adoption of amendment [S-5159](#), as amended.

Amendment [S-5159](#), as amended, was adopted by a voice vote.

Senator Hartsuch offered amendment [S-5083](#), filed by him on February 17, 2010, to page 24 of amendment [S-5072](#), and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5083](#) to amendment [S-5072](#) be adopted?" ([S.F. 2088](#)), the vote was:

Yeas, 15:

Bartz	Hamerlinck	Kettering	Seymour
Behn	Hartsuch	McKinley	Ward
Feenstra	Johnson	Noble	Wieck
Hahn	Kapucian	Reynolds	

Nays, 28:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Jochum	Schmitz
Black	Gronstal	Kibbie	Schoenjahn
Bolkcom	Hancock	Kreiman	Seng
Courtney	Hatch	Olive	Sodders
Danielson	Heckroth	Quirnbach	Stewart
Dearden	Hogg	Ragan	Wilhelm

Absent, 7:

Boettger	Fraise	McCoy	Zaun
Dandekar	Houser	Warnstadt	

Amendment [S-5083](#) lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

Senator Hartsuch offered amendment [S-5084](#), filed by him on February 17, 2010, to pages 24 and 42 of amendment [S-5072](#), and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5084](#) to amendment [S-5072](#) be adopted?" ([S.F. 2088](#)), the vote was:

Yeas, 14:

Behn	Hartsuch	McKinley	Ward
Feenstra	Johnson	Noble	Wieck
Hahn	Kapucian	Reynolds	
Hamerlinck	Kettering	Seymour	

Nays, 28:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Jochum	Schmitz
Black	Gronstal	Kibbie	Schoenjahn
Bolkcom	Hancock	Kreiman	Seng
Courtney	Hatch	Olive	Sodders
Danielson	Heckroth	Quirnbach	Stewart
Dearden	Hogg	Ragan	Wilhelm

Absent, 8:

Bartz	Dandekar	Houser	Warnstadt
Boettger	Fraise	McCoy	Zaun

Amendment [S-5084](#) lost.

Senator Appel moved that the Senate concur in the House amendment, as amended.

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

Senator Appel moved that the bill, as amended by the House, further amended and concurred in by the Senate, 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. 2088](#)), the vote was:

Yeas, 41:

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

Nays, 2:

Behn	Wieck
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Absent, 7:

Bartz	Dandekar	Houser	Zaun
Boettger	Fraise	McCoy	

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

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 25, 2010, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2220](#), a bill for an act relating to the contents of certain motor carrier transportation contracts by declaring certain indemnity provisions to be unlawful and void.

[Senate File 2234](#), a bill for an act relating to the regulation of motor vehicle franchises.

[Senate File 2246](#), a bill for an act relating to the regulation of motor vehicles by the department of transportation, including modification of the definition of business-trade truck, provisions concerning licensing sanctions and penalties for vehicle recyclers and motor vehicle dealers, annual registration fees for certain vehicles equipped for a person with a disability or used by a person who relies on a wheelchair, requirements for the issuance of temporary persons with disabilities parking permits, and provisions for the operation of certain taxicabs and limousines.

ALSO: That the House has on February 25, 2010, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 2067](#), a bill for an act relating to ethics regulations for the executive branch, legislative branch, and local officials and employees and including effective date provisions. ([S-5162](#))

[Senate File 2345](#), a bill for an act relating to judicial branch administration, child custody and visitation matters. ([S-5163](#))

ALSO: That the House has on February 25, 2010, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2459](#), a bill for an act establishing a watershed planning advisory council.

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

[House File 2461](#), a bill for an act relating to school business official training and authorization.

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

[House File 2484](#), a bill for an act exempting certain boat harbors from certain dock requirements and including effective date provisions.

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

[House File 2485](#), a bill for an act relating to public employee collective bargaining.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 2088](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 7:20 p.m. until 10:00 a.m., Monday, March 1, 2010.

APPENDIX

CERTIFICATES OF RECOGNITION

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

The Honorable Ping Huang, Chinese Consul General from the Chinese Consulate in Chicago—In gratitude for his message to the assembled Iowa State Senate and for building bridges between the people of China and Iowa. Senator Beall (2/25/10).

Aiping Zhang from the Chinese Consulate in Chicago—In grateful recognition of her efforts to build bridges between the people of China and Iowa. Senator Beall (2/25/10).

Lavonne Henkel, Vinton—For celebrating her 80th birthday. Senator Kapucian (2/25/10).

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Thursday, February 25, 2010, 2:00 p.m.

Members Present: Warnstadt, Chair; Heckroth, Vice Chair; Wieck, Ranking Member; Behn, Bolkcom, Courtney, Dandekar, Kettering, McCoy, Olive, Rielly, Schmitz, Stewart, and Ward.

Members Absent: Hartsuch (excused).

Committee Business: Presentations by the Insurance Commissioner and Wellmark.

Adjourned: 3:35 p.m.

ECONOMIC GROWTH

Convened: Thursday, February 25, 2010, 12:40 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Beall, Dandekar, Dotzler, Heckroth, Kapucian, Reynolds, Rielly, Schmitz, Wieck, and Wilhelm.

Members Absent: Houser, Ranking Member; Hamerlinck and Hatch (all excused).

Committee Business: Passed [HF 2195](#).

Adjourned: 12:45 p.m.

VETERANS AFFAIRS

Convened: Thursday, February 25, 2010, 1:05 p.m.

Members Present: Beall, Chair; Warnstadt, Vice Chair; Seymour, Ranking Member; Danielson, Kibbie, Noble, Ragan, and Sadders.

Members Absent: Black, Hartsuch, and Wieck (all excused).

Committee Business: Presentation by the Veterans Home.

Adjourned: 1:40 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Wednesday, February 24, 2010, 10:25 a.m.

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

Members Absent: None.

Committee Business: Presentation by the Legislative Services Agency.

Adjourned: 11:00 a.m.

ALSO:

Convened: Thursday, February 25, 2010, 10:45 a.m.

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

Members Absent: Behn (excused).

Committee Business: Approved LSB 5087JA, as amended.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, February 24, 2010, 10:20 a.m.

Members Present: Hatch, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Hartsuch and Schmitz.

Members Absent: None.

Committee Business: Reviewed budget spreadsheet.

Adjourned: 10:55 a.m.

ALSO:

Convened: Thursday, February 25, 2010, 10:45 a.m.

Members Present: Hatch, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Hartsuch and Schmitz.

Members Absent: None.

Committee Business: Approved budget spreadsheet.

Adjourned: 11:15 a.m.

SUBCOMMITTEE ASSIGNMENTS

[House File 2229](#)

COMMERCE: Warnstadt, Chair; Kettering and McCoy

[House File 2306](#)

JUDICIARY: Jochum, Chair; Noble and Quirnbach

[House File 2307](#)

JUDICIARY: Quirnbach, Chair; Boettger and Jochum

[House File 2418](#)

ENVIRONMENT AND ENERGY INDEPENDENCE: Wilhelm, Chair; Behn and Hancock

[House File 2437](#)

ENVIRONMENT AND ENERGY INDEPENDENCE: Wilhelm, Chair; Bolkom and Reynolds

[House File 2478](#)

JUDICIARY: Hogg, Chair; Schoenjahn and Ward

[House File 2488](#)

STATE GOVERNMENT: Sodders, Chair; Danielson and Seymour

[House File 2496](#)

ENVIRONMENT AND ENERGY INDEPENDENCE: Bolkom, Chair; Stewart and Ward

FINAL COMMITTEE REPORT OF BILL ACTION

ECONOMIC GROWTH

Bill Title: [HOUSE FILE 2195 \(HSB 550\)](#), a bill for an act concerning fine arts projects in state buildings.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Stewart, Olive, Beall, Dandekar, Dotzler, Heckroth, Kapucian, Reynolds, Rielly, Schmitz, Wieck, and Wilhelm. Nays, none. Absent, 3: Houser, Hamerlinck, and Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PETITION

The following petition was presented and placed on file:

From 86 residents of Kossuth and Palo Alto Counties favoring legislation on the definition of marriage. Senator Kibbie.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 2151](#), the following correction was made:

1. Page 3, line 1: removed italics from "a".

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

S-5146	S.F. 2334	Amanda Ragan
S-5147	S.F. 2199	House
S-5148	S.F. 2302	Keith A. Kreiman
S-5149	S.F. 2324	Steve Warnstadt
S-5150	S.F. 2306	Keith A. Kreiman
S-5151	S.F. 2252	Keith A. Kreiman
S-5152	S.F. 2356	Jack Hatch Rich Olive
S-5153	S.F. 2306	Keith A. Kreiman
S-5154	S.F. 2354	David Hartsuch
S-5155	S.F. 2354	David Hartsuch
S-5156	S.F. 2357	David Hartsuch
S-5157	S.F. 2316	Robert M. Hogg
S-5158	S.F. 2356	Jack Hatch
S-5159	S.F. 2088	Staci Appel
S-5160	S.F. 2337	Thomas G. Courtney
S-5161	S.F. 2088	Staci Appel
S-5162	S.F. 2067	House
S-5163	S.F. 2345	House
S-5164	S.F. 2356	Jack Hatch Rich Olive