

**PROOF**

---

---

**STATE OF IOWA**

**Senate Journal**

**TUESDAY, JANUARY 27, 2009**

---

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

---

SIXTEENTH CALENDAR DAY  
TENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, January 27, 2009

The Senate met in regular session at 8:42 a.m., President Kibbie presiding.

Prayer was offered by Reverend Wendy Abrahamson, pastor of the St. John's Episcopal Church in Mason City, Iowa. She was the guest of Senator Ragan.

The Journal of Monday, January 26, 2009, was approved.

The Senate stood at ease at 8:48 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:32 a.m., President Kibbie presiding.

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 43 and 45.

### [Senate File 43](#)

On motion of Senator Schoenjahn, [Senate File 43](#), a bill for an act relating to the abatement or refund of property taxes for certain religious, literary, and charitable societies and including effective and retroactive applicability date provisions, was taken up for consideration.

Senator Schoenjahn 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. 43](#)), 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	Quirmbach	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 45](#)

On motion of Senator Schoenjahn, [Senate File 45](#), a bill for an act relating to issuance of certain county general obligation bonds by requiring published notice and modifying the ballot proposition, and including effective date, validation, and retroactive applicability provisions, was taken up for consideration.

Senator Schoenjahn 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. 45](#)), 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.

#### CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 44](#).

#### [Senate File 44](#)

On motion of Senator Bolkcom, [Senate File 44](#), a bill for an act relating to the imposition of a local option sales tax after a disaster and providing an effective date, was taken up for consideration.

Senator Zaun asked and received unanimous consent that action on [Senate File 44](#) be **deferred**.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 43 and 45** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 4](#).

[Senate Resolution 4](#)

On motion of Senator Dearden, [Senate Resolution 4](#), a resolution relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Eighty-third General Assembly, was taken up for consideration.

Senator Dearden moved the adoption of [Senate Resolution 4](#), which motion prevailed by a voice vote.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 3 and 27.

[Senate File 3](#)

On motion of Senator Johnson, [Senate File 3](#), a bill for an act providing for a .08 blood alcohol limit for motorboat or sailboat operating while intoxicated offenses, with report of committee recommending passage, was taken up for consideration.

Senator Johnson asked and received unanimous consent that action on [Senate File 3](#) be **deferred**.

[Senate File 27](#)

On motion of Senator Soddors, [Senate File 27](#), a bill for an act relating to the crime of human trafficking, was taken up for consideration.

Senator Soddors 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. 27](#)), 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 27](#) be **immediately messaged** to the House.

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 9:50 a.m. until 4:15 p.m.

**APPENDIX—1****CERTIFICATES OF RECOGNITION**

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

Jeanne and David Branam, Adel—For celebrating their 60<sup>th</sup> wedding anniversary. Senator Boettger (1/27/09).

Larry and Dee Burch, Burlington—For celebrating their 50<sup>th</sup> wedding anniversary. Senator Courtney (1/27/09).

Allen and Marilyn Drake, Patterson—For celebrating their 50<sup>th</sup> wedding anniversary. Senator Boettger (1/27/09).

Vince Ehrman, Anita—For celebrating his 80<sup>th</sup> birthday. Senator Boettger (1/27/09).

Adrian Fuller, Osceola—For celebrating his 89<sup>th</sup> birthday. Senator Reynolds (1/27/09).

Clark (Sam) Kauffman, Audubon—For being named 2008 Audubon, Iowa Citizen of the Year. Senator Boettger (1/27/09).

Lucille Koch, Panama—For celebrating her 80<sup>th</sup> birthday. Senator Boettger (1/27/09).

Marion and Irma Kuntz, Burlington—For celebrating their 70<sup>th</sup> wedding anniversary. Senator Courtney (1/27/09).

Dorothy Lind, Burlington—For celebrating her 90<sup>th</sup> birthday. Senator Courtney (1/27/09).

Bill and Beverly Love, Stuart—For celebrating their 50<sup>th</sup> wedding anniversary. Senator Boettger (1/27/09).

Neola Norris, Waterloo—For celebrating her 100<sup>th</sup> birthday. Senator Dotzler (1/27/09).

Dudley and Jonell Owen, Audubon—For celebrating their 50<sup>th</sup> wedding anniversary. Senator Boettger (1/27/09).

Lucille Plummer, Anita—For celebrating her 90<sup>th</sup> birthday. Senator Boettger (1/27/09).

Caroll Robison, Corning—For celebrating his 92<sup>nd</sup> birthday. Senator Reynolds (1/27/09).

Rudolph Rust, Burlington—For celebrating his 85th birthday. Senator Courtney (1/27/09).

James and Eva Simpson, Atlantic—For celebrating their 50<sup>th</sup> wedding anniversary. Senator Boettger (1/27/09).

Alice Steckelberg, Avoca—For celebrating her 90<sup>th</sup> birthday. Senator Boettger (1/27/09).

Janis and Dick Taylor, Diagonal—For celebrating their 50<sup>th</sup> wedding anniversary. Senator Reynolds (1/27/09).

Darwin Warner, Harlan—For celebrating his 80<sup>th</sup> birthday. Senator Boettger (1/27/09).

## REPORTS OF COMMITTEE MEETINGS

### ECONOMIC GROWTH

**Convened:** Tuesday, January 27, 2009, 1:05 p.m.

**Members Present:** Stewart, Chair; Olive, Vice Chair; Houser, Ranking Member; Beall, Dandekar, Dotzler, Hamerlinck, Hatch, Heckroth, Kapucian, Reynolds, Rielly, Schmitz, Wieck, and Wilhelm.

**Members Absent:** None.

**Committee Business:** Presentations by the Innovation and Commercialization Division.

**Adjourned:** 2:00 p.m.

### ETHICS

**Convened:** Tuesday, January 27, 2009, 3:30 p.m.

**Members Present:** Kibbie, Chair; Dearden, Vice Chair; Behn, Ranking Member; Fraise, Kettering, and McKinley.

**Members Absent:** None.

**Committee Business:** Approved [SSB 1017](#).

**Adjourned:** 3:35 p.m.

### NATURAL RESOURCES

**Convened:** Tuesday, January 27, 2009, 1:00 p.m.

**Members Present:** Dearden, Chair; Hancock, Vice Chair; Hahn, Ranking Member; Bartz, Black, Bolkcom, Fraise, Johnson, Kettering, Noble, Ragan, Schoenjahn, and Seng.

**Members Absent:** None.

**Committee Business:** Presentations by the Department of Natural Resources.

**Adjourned:** 1:55 p.m.

#### REBUILD IOWA

**Convened:** Tuesday, January 27, 2009, 2:35 p.m.

**Members Present:** Hogg, Chair; Heckroth, Vice Chair; Hamerlinck, Ranking Member; Appel, Dandekar, Dvorsky, Feenstra, Hahn, Horn, Houser, Jochum, Reynolds, and Stewart.

**Members Absent:** None.

**Committee Business:** Approved [SSB 1075](#).

**Adjourned:** 3:20 p.m.

#### TRANSPORTATION

**Convened:** Monday, January 26, 2009, 5:05 p.m.

**Members Present:** Rielly, Chair; Beall, Vice Chair; Noble, Ranking Member; Dandekar, Danielson, Hahn, Hancock, Kapucian, McCoy, Reynolds, and Zaun.

**Members Absent:** Heckroth and Warnstadt (both excused).

**Committee Business:** Presentation by the Director of the DOT on Road Use Tax Fund Overview, TIME-21 update.

**Adjourned:** 5:55 p.m.

#### VETERANS AFFAIRS

**Convened:** Tuesday, January 27, 2009, 2:40 p.m.

**Members Present:** Beall, Chair; Warnstadt, Vice Chair; Seymour, Ranking Member; Black, Danielson, Hartsuch, Kibbie, Noble, Ragan, Soddors, and Wieck.

**Members Absent:** None.

**Committee Business:** Presentation by the Iowa Commission of Veterans Affairs on the Iowa Veterans Trust Fund Expenditures.

**Adjourned:** 3:15 p.m.

**APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

**Convened:** Tuesday, January 27, 2009, 10:15 a.m.

**Members Present:** Schoenjahn, Chair; Quirnbach, Vice Chair; Boettger, Ranking Member; Feenstra and Horn.

**Members Absent:** None.

**Committee Business:** Presentation by the Department of Education.

**Adjourned:** 11:00 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** Tuesday, January 27, 2009, 10:10 a.m.

**Members Present:** Hancock, Chair; Hogg, Vice Chair; Noble, Ranking Member; Fraise and Zaun.

**Members Absent:** None.

**Committee Business:** Presentation by the Director of the Civil Rights Commission.

**Adjourned:** 10:30 a.m.

**INTRODUCTION OF RESOLUTIONS**

[Senate Concurrent Resolution 1](#), by McKinley, a concurrent resolution claiming state sovereignty under the Tenth Amendment to the Constitution of the United States over certain mandates imposed on states by the federal government.

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

[Senate Resolution 5](#), by Dvorsky, Bolcom, and Schmitz, a resolution to congratulate the city of Iowa City on being designated as the world's third City of Literature.

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

## INTRODUCTION OF BILLS

[Senate File 46](#), by Bolkom, a bill for an act relating to Iowa national pollutant discharge elimination system program signage and providing a penalty.

Read first time under Rule 28 and referred to committee on **Environment and Energy Independence**.

[Senate File 47](#), by Danielson, a bill for an act concerning residency requirements for city civil service employees.

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

[Senate File 48](#), by Hatch, a bill for an act relating to health care, health care providers, and health care coverage, providing for appropriations, providing penalties, and providing retroactive and other effective dates.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate File 49](#), by committee on State Government, a bill for an act relating to the administration of campaign disclosure laws.

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

[Senate File 50](#), by committee on State Government, a bill for an act relating to the payment of a salary or other compensation to a candidate's family member, and making a penalty applicable.

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

[Senate File 51](#), by committee on State Government, a bill for an act relating to electronic filing of campaign finance disclosure statements and reports by certain political committees and providing an effective date.

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

[Senate File 52](#), by committee on State Government, a bill for an act relating to ethics regulations for the executive branch, legislative branch, and local officials and employees.

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

[Senate File 53](#), by Bolkcom, Black, Quirmbach, Stewart, Ragan, Beall, Schmitz, Schoenjahn, Dotzler, Heckroth, Wilhelm, Hogg, Horn, Olive, Dandekar, Dearden, Appel, Courtney, Gronstal, Kibbie, Jochum, Kreiman, McCoy, and Hatch, a bill for an act relating to and making an appropriation for the case management program for the frail elderly.

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

[Senate File 54](#), by Bolkcom, Black, Quirmbach, Stewart, Ragan, Beall, Schmitz, Schoenjahn, Dotzler, Heckroth, Wilhelm, Hogg, Horn, Olive, Dandekar, Dearden, Appel, Courtney, Kibbie, Jochum, Kreiman, McCoy, and Hatch, a bill for an act making an appropriation for case management under the Medicaid elderly waiver.

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

[Senate File 55](#), by Bolkcom, Black, Quirmbach, Stewart, Ragan, Beall, Schmitz, Schoenjahn, Dotzler, Heckroth, Wilhelm, Horn, Hogg, Dandekar, Dearden, Appel, Courtney, Kibbie, Kreiman, McCoy, and Hatch, a bill for an act establishing an older Iowans' legislature fund and providing an appropriation.

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

[Senate File 56](#), by Bolkcom, Black, Quirnbach, Stewart, Ragan, Beall, Schmitz, Schoenjahn, Dotzler, Heckroth, Wilhelm, Horn, Olive, Dandekar, Dearden, Fraise, Appel, Courtney, Gronstal, Kibbie, Jochum, Seng, Kreiman, McCoy, and Hatch, a bill for an act providing for and making an appropriation to the department of elder affairs for expansion of the elder abuse initiative program.

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

[Senate File 57](#), by Bolkcom, Quirnbach, Beall, Heckroth, Dvorsky, Wilhelm, Hogg, Olive, Dearden, Fraise, Appel, Courtney, Jochum, Rielly, McCoy, and Hatch, a bill for an act relating to the exemption of gaming floors from the prohibitions of the smokefree air Act.

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

[Senate File 58](#), by Bolkcom, Black, Quirnbach, Stewart, Ragan, Beall, Schmitz, Schoenjahn, Dotzler, Dvorsky, Wilhelm, Hogg, Horn, Olive, Dandekar, Dearden, Fraise, Appel, Courtney, Gronstal, Kibbie, Jochum, Seng, Danielson, Kreiman, McCoy, and Hatch, a bill for an act providing for standardized requirements and a consumer guide for long-term care insurance policies and providing an applicability date.

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

[Senate File 59](#), by Stewart and McCoy, a bill for an act relating to the transport of passengers under eighteen years of age in an open truck bed and providing a penalty.

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

[Senate File 60](#), by Bolkcom, Black, Quirnbach, Stewart, Ragan, Beall, Schmitz, Schoenjahn, Dotzler, Heckroth, Soddars, Wilhelm, Hogg, Horn, Hancock, Dandekar, Dearden, Fraise, Appel, Courtney, Kibbie, Jochum, Kreiman, Rielly, Danielson, McCoy, and Hatch, a bill for an act relating to reimbursement for services provided under a medical assistance home and community-based services waiver for the elderly.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate File 61](#), by Danielson, a bill for an act concerning the statewide fire and police retirement system by establishing a presumption that cancer is work-related for purposes of disability and death benefits for fire fighters and by increasing the contribution rate for fire fighters.

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

[Senate File 62](#), by Hancock, a bill for an act providing volunteer fire fighters and emergency medical services personnel with an individual income tax credit and including effective and applicability date provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 63](#), by Schoenjahn and Beall, a bill for an act relating to claims of adverse possession concerning cemeteries or pioneer cemeteries.

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

[Senate File 64](#), by committee on Judiciary, a bill for an act specifying those authorized to solemnize marriages in this state.

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

[Senate File 65](#), by Schmitz, a bill for an act exempting the sale of wood pellets to residential customers from sales tax.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

#### STUDY BILLS RECEIVED

[SSB 1099](#)      **Rebuild Iowa**

Relating to disaster emergency assistance immunity.

[SSB 1100](#)      **Rebuild Iowa**

Relating to disaster recovery for businesses through the loan and guarantee program and other activities by the department of economic development and providing an effective date.

[SSB 1101](#)      **Education**

Relating to the accreditation of school districts and nonpublic schools and the reorganization of school districts.

[SSB 1102](#)      **State Government**

Relating to the licensing and regulation of plumbers, mechanical professionals, and contractors, and including an applicability provision.

[SSB 1103](#)      **Human Resources**

Relating to the public health system by providing for the voluntary accreditation of certain public health agencies, the adoption of Iowa public health standards, the establishment of an accreditation data collection system, creating a fund, and providing for a penalty and an effective date.

**SSB 1104 Human Resources**

Relating to administrative and planning requirements involving children for whom the department of human services has responsibility under state or federal law.

**SSB 1105 Human Resources**

Requiring record checks for persons who are prospective or current employees or volunteers for the Iowa veterans home.

**SSB 1106 Labor and Business Relations**

Relating to the imposition of penalty benefits in workers' compensation cases.

**SSB 1107 Labor and Business Relations**

Relating to workers' compensation benefits for certain work-related injuries that occur outside this state.

**SSB 1108 Labor and Business Relations**

Requiring additional workers' compensation payments for scheduled injuries that result in a reduction in the injured employee's earning capacity.

**SSB 1109 Judiciary**

Relating to the sale of pseudoephedrine product by a pharmacy or retailer, and providing penalties and contingent applicability.

**SSB 1110 Judiciary**

Relating to the possession, distribution, and reporting of obscene material and making penalties applicable.

**SSB 1111      Judiciary**

Relating to courthouse security, lease purchase agreements, and the issuance of bonds for building projects on certain buildings occupied by the judicial branch, and making an appropriation.

**SSB 1112      Judiciary**

Relating to judicial branch records and providing effective dates.

**SSB 1113      Agriculture**

Relating to the grain depositors and sellers indemnity fund.

**SSB 1114      Commerce**

Requiring licensure of and regulating escrow agents, making an appropriation, and providing a penalty and an effective date.

**SSB 1115      Commerce**

Prohibiting the use of insurance scores calculated using the occupation and education levels of consumers when underwriting or rating personal insurance risks.

**SSB 1116      Environment and Energy Independence**

Relating to solid waste tonnage fees and making a penalty applicable.

**SSB 1117      Environment and Energy Independence**

Relating to the administration of the Iowa water pollution control works and drinking water facilities financing program.

## SUBCOMMITTEE ASSIGNMENTS

[Senate File 29](#)

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

[Senate File 32](#)

TRANSPORTATION: McCoy, Chair; Danielson and Hahn

[Senate File 33](#)

TRANSPORTATION: McCoy, Chair; Danielson and Hahn

[Senate File 34](#)

TRANSPORTATION: McCoy, Chair; Beall and Reynolds

[Senate File 36](#)

EDUCATION: Quirnbach, Chair; Dvorsky and McKinley

[Senate File 37](#)

EDUCATION: Quirnbach, Chair; Dvorsky and Feenstra

[Senate File 38](#)

HUMAN RESOURCES: Wilhelm, Chair; Ragan and Seymour

[Senate File 39](#)

JUDICIARY: Kreiman, Chair; Boettger and Fraise

[Senate File 42](#)

JUDICIARY: Kreiman, Chair; Boettger and Warnstadt

[Senate File 46](#)

ENVIRONMENT AND ENERGY INDEPENDENCE: Bolkcom, Chair; Behn and Hogg

[Senate File 57](#)

STATE GOVERNMENT: Kibbie, Chair; Black and Hartsuch

[SSB 1101](#)

EDUCATION: Dvorsky, Chair; Boettger and Schoenjahn

[SSB 1102](#)

STATE GOVERNMENT: Danielson, Chair; Jochum and Wieck

[SSB 1103](#)

HUMAN RESOURCES: Wilhelm, Chair; Bartz and Schmitz

[SSB 1104](#)

HUMAN RESOURCES: Kreiman, Chair; Hartsuch and Ragan

[SSB 1105](#)

HUMAN RESOURCES: Dotzler, Chair; Johnson and Ragan

[SSB 1106](#)

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Hatch and Zaun

[SSB 1107](#)

LABOR AND BUSINESS RELATIONS: Courtney, Chair; Horn and Ward

[SSB 1108](#)

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Jochum and Ward

[SSB 1109](#)

JUDICIARY: Kreiman, Chair; Noble and Quirnbach

[SSB 1110](#)

JUDICIARY: Kreiman, Chair; Sodders and Ward

[SSB 1111](#)

JUDICIARY: Warnstadt, Chair; Kettering and Schoenjahn

[SSB 1112](#)

JUDICIARY: Quirnbach, Chair; Kreiman and Ward

[SSB 1113](#)

AGRICULTURE: Fraise, Chair; Boettger and Olive

[SSB 1114](#)

COMMERCE: Olive, Chair; Dandekar and Kettering

[SSB 1115](#)

COMMERCE: Olive, Chair; Rielly and Wieck

[SSB 1116](#)

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

[SSB 1117](#)

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

## FINAL COMMITTEE REPORTS OF BILL ACTION

### JUDICIARY

**Bill Title:** \*[SENATE FILE 64](#) (formerly [SF 15](#)), a bill for an act specifying those authorized to solemnize marriages in this state.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Kreiman, Hogg, Kettering, Boettger, Fraise, Hancock, Horn, Jochum, Noble, Quirnbach, Schoenjahn, Soddors, Ward, Warnstadt, and Zaun. Nays, none. 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 Judiciary Committee on [Senate File 64](#), and they were attached to the committee report.

### STATE GOVERNMENT

**Bill Title:** [SENATE FILE 49](#) ([SSB 1049](#)), a bill for an act relating to the administration of campaign disclosure laws.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Appel, Feenstra, Behn, Black, Courtney, Danielson, Dearden, Hartsuch, Hatch, Horn, Jochum, Seymour, and Soddors. Nays, none. Absent, 2: Kibbie and Wieck.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 50 \(SSB 1044\)](#), a bill for an act relating to the payment of a salary or other compensation to a candidate's family member, and making a penalty applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Appel, Feenstra, Behn, Black, Courtney, Danielson, Dearden, Hartsuch, Hatch, Horn, Jochum, Seymour, and Sodders. Nays, none. Absent, 2: Kibbie and Wieck.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 51 \(SSB 1045\)](#), a bill for an act relating to electronic filing of campaign finance disclosure statements and reports by certain political committees and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Appel, Feenstra, Behn, Black, Courtney, Danielson, Dearden, Hartsuch, Hatch, Horn, Jochum, Seymour, and Sodders. Nays, none. Absent, 2: Kibbie and Wieck.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 52 \(SSB 1046\)](#), a bill for an act relating to ethics regulations for the executive branch, legislative branch, and local officials and employees.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Appel, Feenstra, Behn, Black, Courtney, Danielson, Dearden, Hartsuch, Hatch, Horn, Jochum, Seymour, and Sodders. Nays, none. Absent, 2: Kibbie and Wieck.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## AFTERNOON SESSION

The Senate reconvened at 4:21 p.m., President Kibbie presiding.

The Senate stood at ease at 4:22 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:49 p.m., President Kibbie presiding.

## BUSINESS PENDING

[Senate File 3](#)

The Senate resumed consideration of [Senate File 3](#), a bill for an act providing for a .08 blood alcohol limit for motorboat or sailboat operating while intoxicated offenses, previously deferred.

Senator Bartz offered amendment [S-3001](#), filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment [S-3001](#) was adopted by a voice vote.

Senator Johnson 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. 3](#)), the vote was:

Yeas, 49:

Appel	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	
Feenstra	Johnson	Schmitz	

Nays, 1:

Bartz

Absent, none.

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

### BUSINESS PENDING

#### Senate File 44

The Senate resumed consideration of Senate File 44, a bill for an act relating to the imposition of a local option sales tax after a disaster and providing an effective date, previously deferred.

Senator Feenstra offered amendment S-3008, filed by him from the floor striking and replacing everything after the enacting clause of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3008 be adopted?" (S.F. 44), the vote was:

Yeas, 15:

Bartz	Hamerlinck	Kettering	Seymour
Boettger	Hartsuch	McKinley	Wieck
Feenstra	Houser	Noble	Zaun
Hahn	Kapucian	Reynolds	

Nays, 35:

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

Absent, none.

Amendment [S-3008](#) lost.

Senator Ward offered amendment [S-3004](#), filed by her from the floor to pages 1 and 2 and amending the title page of the bill.

Senator Bolkcom raised the point of order that amendment [S-3004](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3004](#) out of order.

Senator Bolkcom offered amendment [S-3002](#), 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-3002](#) was adopted by a voice vote.

Senator Zaun offered amendment [S-3005](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3005](#) be adopted?” ([S.F. 44](#)), the vote was:

Yeas, 18:

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

Nays, 32:

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

Absent, none.

Amendment [S-3005](#) lost.

Senator Zaun offered amendment [S-3007](#), filed by him from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3007](#) be adopted?” ([S.F. 44](#)), the vote was:

Yeas, 18:

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

Nays, 32:

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

Absent, none.

Amendment [S-3007](#) lost.

Senator Kettering offered amendment [S-3003](#), filed by him from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3003](#) be adopted?” ([S.F. 44](#)), the vote was:

Yeas, 18:

Bartz	Hamerlinck	Kettering	Ward
Behn	Hartsuch	McKinley	Wieck
Boettger	Houser	Noble	Zaun

Feenstra	Johnson	Reynolds
Hahn	Kapucian	Seymour

Nays, 32:

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

Absent, none.

Amendment [S-3003](#) lost.

Senator Zaun offered amendment [S-3006](#), filed by him from the floor to page 2 and amending the title page of the bill.

Senator Bolkcom raised the point of order that amendment [S-3006](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3006](#) out of order.

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?" ([S.F. 44](#)), the vote was:

Yeas, 32:

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

Nays, 18:

Bartz	Hamerlinck	Kettering	Ward
Behn	Hartsuch	McKinley	Wieck

Boettger	Houser	Noble	Zaun
Feenstra	Johnson	Reynolds	
Hahn	Kapucian	Seymour	

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 3 and 44** be **immediately messaged** to the House.

#### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:50 p.m. until 8:45 a.m., Wednesday, January 28, 2009.

#### APPENDIX—2

#### CERTIFICATE OF RECOGNITION

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

25<sup>th</sup> Annual Northwest Iowa Ag Conference and Trade Show, Spencer—For supporting the agricultural community by providing opportunities for education and communication. Senators Johnson and Kibbie (1/27/09).

#### REPORTS OF COMMITTEE MEETINGS

##### APPROPRIATIONS

**Convened:** Tuesday, January 27, 2009, 2:05 p.m.

**Members Present:** Dvorsky, Chair; Appel, Bartz, Boettger, Danielson, Dearden, Feenstra, Fraise, Hahn, Hancock, Hatch, Hogg, Jochum, Johnson, Kapucian, Noble, Ragan, Schoenjahn, Seng, Seymour, and Warnstadt.

**Members Absent:** McCoy, Vice Chair; Kettering, Ranking Member; Bolcom and Dotzler (all excused).

**Committee Business:** Presentation by the Legislative Services Agency on economic indicators.

**Adjourned:** 2:30 p.m.

**ENVIRONMENT AND ENERGY INDEPENDENCE**

**Convened:** Tuesday, January 27, 2009, 3:50 p.m.

**Members Present:** Black, Chair; Behn, Ranking Member; Bolcom, Hancock, Hartsuch, Reynolds, Rielly, Stewart, Ward, and Wilhelm.

**Members Absent:** Hogg, Vice Chair (excused).

**Committee Business:** Assignment of bills ([SF 29](#), [SF 46](#), [SSB 1116](#), [SSB 1117](#)). Discussion of land-use policy.

**Adjourned:** 4:15 p.m.

**INTRODUCTION OF BILL**

[Senate File 66](#), by Warnstadt, a bill for an act requiring the department of cultural affairs to prioritize and award tax credits for the preservation of historic property according to certain criteria.

Read first time under Rule 28 and referred to committee on **Economic Growth**.

**SUBCOMMITTEE ASSIGNMENTS**[Senate File 53](#)

APPROPRIATIONS: Dvorsky, Chair; and Kettering

[Senate File 54](#)

APPROPRIATIONS: Dvorsky, Chair; and Kettering

[Senate File 55](#)

APPROPRIATIONS: Dvorsky, Chair; and Kettering

[Senate File 56](#)

APPROPRIATIONS: Dvorsky, Chair; and Kettering

[Senate File 58](#)

COMMERCE: Heckroth, Chair; Dandekar and Hartsuch

[Senate File 61](#)

STATE GOVERNMENT: Danielson, Chair; Seymour and Sadders

[Senate File 63](#)

COMMERCE: Schmitz, Chair; Behn and Courtney

AMENDMENTS FILED

<a href="#">S-3001</a>	S.F.	3	Merlin Bartz
<a href="#">S-3002</a>	<a href="#">S.F.</a>	<a href="#">44</a>	Joe Bolkcom
<a href="#">S-3003</a>	<a href="#">S.F.</a>	<a href="#">44</a>	Steve Kettering
<a href="#">S-3004</a>	<a href="#">S.F.</a>	<a href="#">44</a>	Pat Ward
<a href="#">S-3005</a>	<a href="#">S.F.</a>	<a href="#">44</a>	Brad Zaun
<a href="#">S-3006</a>	<a href="#">S.F.</a>	<a href="#">44</a>	Brad Zaun
<a href="#">S-3007</a>	<a href="#">S.F.</a>	<a href="#">44</a>	Brad Zaun
<a href="#">S-3008</a>	<a href="#">S.F.</a>	<a href="#">44</a>	Randy Feenstra