

PROOF

STATE OF IOWA

Senate Journal

MONDAY, MARCH 17, 2008

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JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 17, 2008

The Senate met in regular session at 1:00 p.m., President Kibbie presiding.

Prayer was offered by the Honorable Dave Mulder, member of the Senate from Sioux County, Sioux Center, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Michael Palsic.

The Journal of Thursday, March 13, 2008, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:05 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 1:08 p.m., President Kibbie presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 108](#), a resolution recognizing the Uncommon Public Service Award.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Gronstal, Kibbie, Wieck, Angelo, Courtney, Dvorsky, and Ragan. Nays, none. Absent, 4: Danielson, Dearden, Lundby, and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 108](#).

[Senate Resolution 108](#)

On motion of Senator Dvorsky, [Senate Resolution 108](#), a resolution recognizing the Uncommon Public Service Award, with report of committee recommending passage, was taken up for consideration.

Senator Dvorsky moved the adoption of [Senate Resolution 108](#), which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Johnson welcomed to the chamber former Governor Robert E. Ray, who was present to announce the 2008 recipients of the Uncommon Public Service Award. This award is given to Iowa legislators who demonstrate uncommon service and commitment to the people of Iowa. This year's recipients were Senator David Johnson and Representative Mark Smith.

Senator Johnson and Representative Smith addressed the Senate with brief remarks.

The Senate rose and expressed its appreciation of Senator Johnson and Representative Smith's public service to Iowa.

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 March 13, 2008, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 2266](#), a bill for an act relating to the regulation of explosives, and the possession of an incendiary or explosive device or material, and providing penalties.

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

ALSO: That the House has on March 13, 2008, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 2154](#), a bill for an act relating to inclined or vertical wheelchair lifts regulated by the elevator safety board. ([S-5111](#))

ALSO: That the House has on March 13, 2008, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2156](#), a bill for an act relating to regulation of commercial motor vehicle operators by the state department of transportation and providing penalties.

[Senate File 2221](#), a bill for an act relating to workers' compensation benefit payments for burial expenses.

[Senate File 2304](#), a bill for an act relating to the boiler and pressure vessel safety and elevator safety revolving funds under the control of the labor commissioner.

[Senate File 2317](#), 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 and retroactive applicability date provisions.

The Senate stood at ease at 1:32 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:53 p.m., President Kibbie presiding.

RECESS

On motion of Senator Dvorsky, the Senate recessed at 2:54 p.m. until 4:30 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

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

Dubuque Wahlert Golden Eagles Boys' Basketball Team and Coach Tom English—For winning the 3-A Boys' Basketball State Championship. Senator Connolly (3/17/08).

Gerald and Mary Grosenbach, Grinnell—For celebrating their 70th wedding anniversary. Senator Rielly (3/17/08).

David Phillips, Norwalk—For achieving the rank of Eagle Scout, Boy Scout Troop 301. Senator Appel (3/17/08).

Branche Rivera, Muscatine—For being named to the 2008 Louisville Slugger Preseason High School All-American Baseball Team. Senator Hahn (3/17/08).

Myron and Tina Widmer—For celebrating 70 years in business at Winegarden Hardware. Senator Rielly (3/17/08).

Leland and Lois Winegarden—For Winegarden Hardware's 70-year celebration. Senator Rielly (3/17/08).

Helen Winters, Davenport—For celebrating her 100th birthday. Senator Seng (3/17/08).

REPORTS OF COMMITTEE MEETINGS

GOVERNMENT OVERSIGHT

Convened: March 12, 2008, 11:30 a.m.

Members Present: Connolly, Vice Chair; and Schmitz.

Members Absent: Courtney, Chair; Ward, Ranking Member; and Lundby (all excused).

Committee Business: Presentations on unsewered rural communities and finance of wastewater system upgrades and presentations on child welfare system reforms, juvenile justice, and mental health systems.

Adjourned: 12:45 p.m.

LOCAL GOVERNMENT

Convened: March 17, 2008, 3:40 p.m.

Members Present: Quirnbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Angelo, Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart.

Members Absent: None.

Committee Business: Passed [HF 247](#).

Adjourned: 3:45 p.m.

TRANSPORTATION

Convened: March 17, 2008, 3:05 p.m.

Members Present: Rielly, Chair; Danielson, Vice Chair; Noble, Ranking Member; Beall, Dearden, Hancock, Heckroth, Houser, McCoy, Putney, Warnstadt, Zaun, and Zieman.

Members Absent: None.

Committee Business: Passed [HF 2196](#).

Adjourned: 3:10 p.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 116](#), by Bolkcom, a resolution urging the United States Congress to address the trade in goods manufactured with toxic materials.

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

STUDY BILLS RECEIVED

[SSB 3283](#) **Appropriations**

Relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection.

SSB 3284 Ways and Means

Relating to improved energy efficiency in schools, by authorizing integrated project delivery contracts for energy conservation measures or construction projects undertaken by a school corporation, providing for energy efficiency contracting pursuant to such contracts under specified circumstances, identifying and authorizing revenue sources for the purpose of providing designated contract guarantees, modifying provisions applicable to school districts receiving distributions from the energy loan fund, and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2358**

APPROPRIATIONS: Dvorsky, Chair; Danielson and Seymour

Senate File 2374

APPROPRIATIONS: Dvorsky, Chair; Danielson, Hogg, Kettering, and Putney

Senate File 2389

WAYS AND MEANS: McCoy, Chair; Bolcom and Putney

House File 2266

JUDICIARY: Kreiman, Chair; Hancock and Noble

SSB 3283

APPROPRIATIONS: Seng, Chair; Black, Dvorsky, Gaskill, and Kettering

SSB 3284

WAYS AND MEANS: Hogg, Chair; Dotzler, and Noble

RECONVENED

The Senate reconvened at 4:26 p.m., President Kibbie presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Ward, until she arrives, on request of Senator Wieck.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2383, 2379, and 2357.

Senate File 2383

On motion of Senator Seng, **Senate File 2383**, a bill for an act relating to hybrid cats, by providing that a person may possess, breed, and transport the offspring of a domestic cat and a cat classified as a dangerous wild animal or a subsequent generation originating from that offspring, and providing an effective date, was taken up for consideration.

Senator McCoy asked and received unanimous consent that action on **Senate File 2383** be **deferred**.

Senate File 2379

On motion of Senator Hatch, **Senate File 2379**, a bill for an act relating to the regulation of the practice of certified public accounting and providing an effective date, was taken up for consideration.

Senator Hatch offered amendment **S-5098**, filed by him on March 12, 2008, to pages 5 and 15 of the bill, and moved its adoption.

Amendment **S-5098** was adopted by a voice vote.

Senator Hatch 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. 2379](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ward

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

[Senate File 2357](#)

On motion of Senator Rielly, [Senate File 2357](#), a bill for an act requiring disclosure of employer group health benefit claims and premium information to certain employers, was taken up for consideration.

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. 2357](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Warnstadt

Bolkcom	Hatch	Mulder	Wieck
Connolly	Heckroth	Noble	Wood
Courtney	Hogg	Olive	Zaun
Danielson	Horn	Putney	Zieman
Dearden	Houser	Quirnbach	
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, 1:

Ward

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 **2379** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hartsuch, until he returns, on request of Senator Wieck.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2344, 2308, and 2302.

[Senate File 2344](#)

On motion of Senator Dotzler, [Senate File 2344](#), a bill for an act relating to the imposition of penalty benefits in workers' compensation cases, was taken up for consideration.

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

On the question "Shall the bill pass?" ([S.F. 2344](#)), the vote was:

Yeas, 30:

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

Nays, 18:

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

Absent, 2:

Hartsuch	Ward
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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 2308](#)

On motion of Senator Warnstadt, [Senate File 2308](#), a bill for an act relating to identity theft by providing for the notification of a breach in the security of computerized data that includes personal information, and providing penalties, was taken up for consideration.

Senator Warnstadt withdrew amendment [S-5105](#), filed by him on March 13, 2008, to pages 1 and 2 and to the title page of the bill.

Senator Warnstadt withdrew amendment [S-5113](#), filed by him from the floor to pages 1 and 2 and to the title page of the bill.

Senator Warnstadt offered amendment [S-5115](#), filed by him from the floor to pages 1 and 2 and to the title page of the bill, and moved its adoption.

Amendment [S-5115](#) 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. 2308](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Hartsuch Ward

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

[Senate File 2302](#)

On motion of Senator Stewart, [Senate File 2302](#), a bill for an act specifying a duty of agency applicable to licensed mortgage brokers and making penalties applicable, was taken up for consideration.

Senator Stewart offered amendment [S-5120](#), filed by him from the floor to page 1 and to the title page of the bill.

Senator Dearden asked and received unanimous consent that action on amendment [S-5120](#) and [Senate File 2302](#) be **deferred**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2308** and **2344** 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 2280, 2277, and 2267.

[Senate File 2280](#)

On motion of Senator Schoenjahn, [Senate File 2280](#), a bill for an act relating to reporting requirements for traffic accidents involving the operation of motor vehicles by reserve peace officers, 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. 2280](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ward

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

Senate File 2277

On motion of Senator Warnstadt, Senate File 2277, a bill for an act relating to offenses against identity by establishing a procedure to secure credit information and providing a penalty, was taken up for consideration.

Senator Warnstadt offered amendment S-5076, filed by him on March 11, 2008, to pages 1–4 of the bill, and moved its adoption.

Amendment S-5076 was adopted by a voice vote.

Senator Warnstadt offered amendment S-5041, filed by him on March 3, 2008, to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-5041 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. 2277), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ward

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

Senate File 2267

On motion of Senator Gaskill, [Senate File 2267](#), a bill for an act relating to rules for discharging wastewater from water well drilling sites, was taken up for consideration.

Senator Gaskill 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. 2267](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ward

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 2267, 2277, and 2280** 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 2278, 2252, 2251, and 2246.

Senate File 2278

On motion of Senator Appel, **Senate File 2278**, a bill for an act relating to the duties and operations of the state board of education, the department of education, and local school boards, was taken up for consideration.

Senator Putney offered amendment **S-5112**, filed by him from the floor to pages 8, 15, and 25 of the bill, and moved its adoption.

Amendment **S-5112** was adopted by a voice vote.

Senator Johnson withdrew amendment **S-5070**, filed by him on March 10, 2008, to pages 22 and 23 of the bill.

Senator Johnson withdrew amendment **S-5117**, filed by him from the floor to pages 22 and 23 of the bill.

Senator Johnson asked and received unanimous consent that action on **Senate File 2278** be **deferred**.

Senate File 2252

On motion of Senator Schmitz, **Senate File 2252**, a bill for an act relating to the inclusion of licensed marital and family therapists as behavioral health participating providers under the medical assistance program, was taken up for consideration.

Senator Schmitz withdrew amendment [S-5050](#), filed by her on March 10, 2008, to page 1 and to the title page of the bill.

Senator Schmitz offered amendment [S-5104](#), filed by her on March 13, 2008, to page 1 and to the title page of the bill, and moved its adoption.

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

Senator Schmitz 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, 49:

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

Nays, none.

Absent, 1:

Ward

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

[Senate File 2251](#)

On motion of Senator Wood, [Senate File 2251](#), a bill for an act requiring certification of the performance of an eye examination, and submission of the results of such examination, when a child is enrolled in kindergarten, was taken up for consideration.

Senator Wood withdrew amendment [S-5100](#), filed by him on March 12, 2008, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Wood offered amendment [S-5119](#), filed by him from the floor striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-5119](#) was adopted by a voice vote.

Senator Wood 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. 2251](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ward

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

[Senate File 2246](#)

On motion of Senator Olive, [Senate File 2246](#), a bill for an act relating to required disclosures in real estate transactions, was taken up for consideration.

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

On the question "Shall the bill pass?" ([S.F. 2246](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ward

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 2246, 2251, and 2252** 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 2197, 2175, 2172, 2160, and 2159.

Senate File 2197

On motion of Senator Schoenjahn, [Senate File 2197](#), a bill for an act relating to water quality by establishing a water resources coordinating council, authorizing a marketing campaign, directing assistance to local communities for monitoring and measurement, and creating a regional assessment program, a community-based improvement program, and a wastewater and storm water infrastructure program, was taken up for consideration.

Senator Schoenjahn offered amendment [S-5080](#), filed by him on March 11, 2008, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-5080](#) was adopted by a voice vote.

Senator Schoenjahn asked and received unanimous consent that [House File 2400](#) be **substituted** for [Senate File 2197](#).

House File 2400

On motion of Senator Schoenjahn, [House File 2400](#), a bill for an act relating to water quality by establishing a water resources coordinating council, authorizing a marketing campaign, directing assistance to local communities for monitoring and measurement, and creating a regional assessment program, a community-based improvement program, and a wastewater and storm water infrastructure program, 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?" ([H.F. 2400](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart

Boettger	Hartsuch	McKinley	Warnstadt
Bolkcom	Hatch	Mulder	Wieck
Connolly	Heckroth	Noble	Wood
Courtney	Hogg	Olive	Zaun
Danielson	Horn	Putney	Zieman
Dearden	Houser	Quirnbach	
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, 1:

Ward

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

WITHDRAWN

Senator Schoenjahn asked and received unanimous consent that [Senate File 2197](#) be **withdrawn** from further consideration of the Senate.

[Senate File 2175](#)

On motion of Senator Warnstadt, [Senate File 2175](#), a bill for an act increasing the penalties that may be imposed by courts-martial under the Iowa code of military justice, was taken up for consideration.

Senator Warnstadt asked and received unanimous consent that [House File 2287](#) be **substituted** for [Senate File 2175](#).

[House File 2287](#)

On motion of Senator Warnstadt, [House File 2287](#), a bill for an act increasing the penalties that may be imposed by courts-martial under the Iowa code of military justice, was taken up for consideration.

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?" ([H.F. 2287](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ward

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

WITHDRAWN

Senator Warnstadt asked and received unanimous consent that [Senate File 2175](#) be **withdrawn** from further consideration of the Senate.

[Senate File 2172](#)

On motion of Senator Schmitz, [Senate File 2172](#), a bill for an act relating to dental homes for children, was taken up for consideration.

Senator Schmitz offered amendment [S-5061](#), filed by her on March 10, 2008, to page 1 of the bill, and moved its adoption.

Amendment [S-5061](#) was adopted by a voice vote.

Senator Schmitz 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. 2172](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ward

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

[Senate File 2160](#)

On motion of Senator Courtney, [Senate File 2160](#), a bill for an act relating to employers' participation in unemployment insurance adjudications, was taken up for consideration.

Senator Courtney 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. 2160](#)), the vote was:

Yeas, 31:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Kibbie	Schmitz
Black	Fraise	Kreiman	Schoenjahn
Bolkcom	Gronstal	Lundby	Seng
Connolly	Hancock	McCoy	Stewart
Courtney	Hatch	Olive	Warnstadt

Danielson	Heckroth	Quirnbach	Wood
Dearden	Hogg	Ragan	

Nays, 18:

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

Absent, 1:

Ward

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

[Senate File 2159](#)

On motion of Senator Appel, [Senate File 2159](#), a bill for an act relating to the statewide preschool program for four-year-old children and funding associated with the program and providing an effective date, was taken up for consideration.

Senator Appel 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. 2159](#)), the vote was:

Yeas, 47:

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

Nays, 2:

McKinley Zaun

Absent, 1:

Ward

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 2159, 2160, and 2172** and **House Files 2287 and 2400** 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 2132 and 2131.

[Senate File 2132](#)

On motion of Senator Horn, [Senate File 2132](#), a bill for an act relating to notices regarding the disposition of seized property and providing an effective date, was taken up for consideration.

Senator Kreiman offered amendment [S-5106](#), filed by Senators Kreiman, Horn, and Rielly on March 13, 2008, to page 1 of the bill, and moved its adoption.

Amendment [S-5106](#) was adopted by a voice vote.

Senator Horn 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. 2132](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ward

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

[Senate File 2131](#)

On motion of Senator Appel, [Senate File 2131](#), a bill for an act relating to the promotion of equines, by establishing an equine industry promotional commission and an equine industry promotional fund, and providing an appropriation, with report of committee on Appropriations recommending amendment and passage, was taken up for consideration.

Senator Seng offered amendment [S-5046](#), filed by the committee on Appropriations on March 6, 2008, to pages 3–5 and to the title page of the bill.

Senator Lundby asked and received unanimous consent that action on amendment [S-5046](#) and [Senate File 2131](#) be **deferred**.

HOUSE AMENDMENT CONSIDERED

[Senate File 2111](#)

Senator Schmitz called up for consideration [Senate File 2111](#), a bill for an act relating to requirements for blood lead testing and dental screening of children, amended by the House in House amendment [S-5079](#), filed March 11, 2008.

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

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

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

On the question "Shall the bill pass?" ([S.F. 2111](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ward

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 2111** and **2132** be **immediately messaged** to the House.

BUSINESS PENDING

[Senate File 2278](#)

The Senate resumed consideration of [Senate File 2278](#), a bill for an act relating to the duties and operations of the state board of education, the department of education, and local school boards, previously deferred.

Senator Johnson offered amendment [S-5125](#), filed by him from the floor to page 22 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5125](#) be adopted?" ([S.F. 2278](#)), the vote was:

Yeas, 21:

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

Nays, 28:

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

Absent, 1:

Ward

Amendment [S-5125](#) lost.

Senator Appel 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. 2278](#)), the vote was:

Yeas, 34:

Appel	Dotzler	Kibbie	Ragan
Beall	Fraise	Kreiman	Rielly
Black	Gaskill	Lundby	Schmitz
Boettger	Gronstal	McKibben	Schoenjahn
Bolkcom	Hancock	McKinley	Seng
Connolly	Hatch	Mulder	Stewart
Courtney	Heckroth	Olive	Warnstadt
Danielson	Horn	Putney	
Dearden	Houser	Quirmbach	

Nays, 15:

Angelo	Hartsuch	McCoy	Wood
Behn	Hogg	Noble	Zaun
Dvorsky	Johnson	Seymour	Zieman
Hahn	Kettering	Wieck	

Absent, 1:

Ward

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2109](#) and [House File 2215](#).

[Senate File 2109](#)

On motion of Senator Stewart, [Senate File 2109](#), a bill for an act making specified revisions to the consumer credit code to conform to federal statutory updates and prohibit the transfer of ownership of a motor vehicle pursuant to a consumer rental purchase agreement, was taken up for consideration.

Senator Stewart asked and received unanimous consent that [House File 2268](#) be **substituted** for [Senate File 2109](#).

[House File 2268](#)

On motion of Senator Stewart, [House File 2268](#), a bill for an act making specified revisions to the consumer credit code to conform to federal statutory updates and prohibit the transfer of ownership of a motor vehicle pursuant to a consumer rental purchase agreement, 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?" ([H.F. 2268](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ward

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

WITHDRAWN

Senator Stewart asked and received unanimous consent that [Senate File 2109](#) be **withdrawn** from further consideration of the Senate.

[House File 2215](#)

On motion of Senator Beall, [House File 2215](#), a bill for an act relating to private activity bond allocation procedures and single-project limitations, placed on the Unfinished Business Calendar on March 6, 2008, with report of committee recommending passage, 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. 2215](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ward

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 2278](#) and **House Files 2215** and **2268** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that [Senate File 2371](#) be referred from the Regular Calendar to the committee on **Appropriations**.

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 March 17, 2008, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2390](#), a bill for an act relating to the licensing and regulation of plumbers and mechanical professionals and providing effective dates.

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

[House File 2410](#), a bill for an act relating to alarm system installer or contractor certification and electrician licensure provisions, and providing an effective date.

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

[House File 2411](#), a bill for an act providing for changes in electrician licensure requirements for specified licensure classifications, and providing an effective date.

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

[House File 2452](#), a bill for an act relating to vehicle titles and registration plates for specialty vehicles, and providing a penalty and an effective date.

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

[House File 2547](#), a bill for an act modifying provisions relating to statewide licensure and certification of electricians and alarm system contractors and installers, and providing an effective date.

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

ALSO: That the House has on March 17, 2008, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2292](#), a bill for an act expanding the time period during which a complaint may be filed with the Iowa civil rights commission.

[Senate File 2320](#), a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:50 p.m. until 8:45 a.m., Tuesday, March 18, 2008.

APPENDIX—2**CERTIFICATE OF RECOGNITION**

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

Mataya Chantell Huling, Garner—For receiving the Girl Scout Gold Award.
Senator Gaskill (3/17/08)

INTRODUCTION OF BILLS

[Senate File 2397](#), by Zieman, a bill for an act establishing a state sales tax rebate program for certain select cities to be used for revitalization projects in those cities.

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

FINAL COMMITTEE REPORTS OF BILL ACTION**LOCAL GOVERNMENT**

Bill Title: [HOUSE FILE 247](#), a bill for an act providing voting member representation on joint E911 service boards for cities or townships providing fire protection services through a volunteer fire department.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Quirnbach, Beall, Zaun, Angelo, Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: [HOUSE FILE 2196](#), a bill for an act requiring the department of transportation to study the acceptance of electronic payments at its customer service sites and sites operated by county treasurers.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Rielly, Danielson, Noble, Beall, Dearden, Hancock, Heckroth, Houser, McCoy, Putney, Warnstadt, Zaun, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5111	S.F. 2154	House
S-5112	S.F. 2278	John Putney
S-5113	S.F. 2308	Steve Warnstadt
S-5114	S.F. 2395	Robert M. Hogg
S-5115	S.F. 2308	Steve Warnstadt
S-5116	S.F. 2342	Herman C. Quirnbach
S-5117	S.F. 2278	David Johnson
S-5118	S.F. 2319	Joe Bolcom
S-5119	S.F. 2251	Frank B. Wood
S-5120	S.F. 2302	Roger Stewart
S-5121	S.F. 2302	Dick L. Dearden
S-5122	S.F. 2302	Dick L. Dearden
S-5123	S.F. 2279	Staci Appel
S-5124	S.F. 2323	Daryl Beall
S-5125	S.F. 2278	David Johnson