

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, MARCH 20, 2007

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JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
FORTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 20, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa, and the Honorable Dwayne Alons, member of the House of Representatives from Sioux County, Hull, Iowa.

The Journal of Monday, March 19, 2007, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:05 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:08 a.m., President Kibbie presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:10 a.m. until 1:00 p.m.

APPENDIX—1**REPORT OF THE COMMITTEE ON
RULES AND ADMINISTRATION**

The committee on Rules and Administration referred the following Governor's appointments to state boards, commissions, and departments to Senate standing committees, as indicated for investigation on March 20, 2007:

AGRICULTURE

Edwin Hershberger – Iowa Grain Indemnity Fund Board
Thomas Kaldenberg – Iowa Grain Indemnity Fund Board

Ron Mark – Grape and Wine Development Commission
Paul Tabor – Grape and Wine Development Commission

Susan Ammons – State Soil Conservation Committee

COMMERCE

John R. Perkins – Consumer Advocate

Paul Becker – Credit Union Review Board
Becky Hansen – Credit Union Review Board
Carl Martin – Credit Union Review Board

John P. Gillispie – Executive Director of the Iowa Telecommunications and Technology Commission

Michael Mahaffey – Iowa Telecommunications and Technology Commission

Patricia Schneider – Title Guaranty Division Board

John Norris – Chair of Utilities Board

Curtis Stamp – Utilities Board
Krista Tanner – Utilities Board

ECONOMIC GROWTH

Suzanna de Baca – Iowa Capital Investment Board

Robin Anderson – Iowa Great Places Advisory Board
Samantha Erickson – Iowa Great Places Advisory Board
Mark Ginsberg – Iowa Great Places Advisory Board
Theresa Lynch – Iowa Great Places Advisory Board

Timothy Neugent – Small Business Advisory Council
 Nikita Rainey – Small Business Advisory Council
 Loretta Sieman – Small Business Advisory Council

EDUCATION

Cyndi Pederson – Director of the Department of Cultural Affairs

Bradley Dirks – Board of Educational Examiners
 Judy Jeffrey – Board of Educational Examiners
 Merle Johnson – Board of Educational Examiners
 Greg Robinson – Board of Educational Examiners

Bonnie Campbell – State Board of Regents
 Jack Evans – State Board of Regents
 Craig Lang – State Board of Regents
 David Miles – State Board of Regents

Leland Tack – School Budget Review Committee

Atul Gupta – Technology Governance Board
 Terri Pitcher – Technology Governance Board

HUMAN RESOURCES

Troy Kleese – Board of Athletic Training Examiners
 Shaun McCarthy – Board of Athletic Training Examiners

James Anastasi – Board of Behavioral Science Examiners
 Kenneth Fann – Board of Behavioral Science Examiners
 Brenda Langstraat-Janisch – Board of Behavioral Science Examiners

Michael Hoenig – Commission for the Blind

Lionel Foster – Child Advocacy Board
 Roberta Payne – Child Advocacy Board

William Brand – Administrator of the Division of Community Action Agencies

G. Kevin Middleswart – Commission on Community Action Agencies
 Rhonda Newman – Commission on Community Action Agencies
 Robert Tyson – Commission on Community Action Agencies

Muhammad Chowdhry – Commission on the Deaf
 Rachel Nemmers – Commission on the Deaf

John McCalley – Director of the Department of Elder Affairs

Dava James – Commission of Elder Affairs
 Nancy Nichols – Commission of Elder Affairs

Darshini Jayawardena – Iowa Empowerment Board
Sara Monroy-Huddleston – Iowa Empowerment Board
John White – Iowa Empowerment Board

Susan Salter – Healthy and Well Kids in Iowa (HAWK-I) Board
Seldon Spencer – Healthy and Well Kids in Iowa (HAWK-I) Board

Susan Cell – Health Facilities Council
Marc Elcock – Health Facilities Council

Roger Hartman – Council on Human Services
James Miller – Council on Human Services

Kevin Concannon – Director of the Department of Human Services

Judy Gouldsmith – Board of Interpreters for the Hearing Impaired Examiners
David Moorman-Rice – Board of Interpreters for the Hearing Impaired Examiners

Lynn Crannell – Mental Health, Mental Retardation, Developmental Disabilities,
and Brain Injury Commission

Richard Heitmann – Mental Health, Mental Retardation, Developmental
Disabilities, and Brain Injury Commission

David Johnson – Mental Health, Mental Retardation, Developmental Disabilities,
and Brain Injury Commission

Carl Smith – Mental Health, Mental Retardation, Developmental Disabilities, and
Brain Injury Commission

Raymond Todd – Mental Health, Mental Retardation, Developmental Disabilities,
and Brain Injury Commission

Gano Whetstone – Mental Health, Mental Retardation, Developmental Disabilities,
and Brain Injury Commission

Edward Friedmann – Board of Physician Assistant Examiners
Anila Khan – Board of Physician Assistant Examiners

Claibourne Dungy – Prevention of Disabilities Policy Council
Scott Lindgren – Prevention of Disabilities Policy Council
Maggie Tinsman – Prevention of Disabilities Policy Council

Cathryn Callaway – Commission on Tobacco Use Prevention and Control
Gary Streit – Commission on Tobacco Use Prevention and Control

JUDICIARY

Alicia Claypool – Iowa State Civil Rights Commission
Rich Eychaner – Iowa State Civil Rights Commission
Debbie Gitchell – Iowa State Civil Rights Commission

Michael Coleman – Board of Corrections
Robyn Mills – Board of Corrections
Arthur Neu – Board of Corrections
Michael Sadler – Board of Corrections

Gary Kendell – Coordinator of the Office of Drug Control Policy

John Garringer – Iowa Drug Policy Advisory Council
Jane Larkin – Iowa Drug Policy Advisory Council

David Cochran – State Judicial Nominating Commission
Mary Beth Lawler – State Judicial Nominating Commission
Madalin Williams – State Judicial Nominating Commission

Shelly French – Commission on Judicial Qualifications

LABOR AND BUSINESS RELATIONS

Jerome Amos, Jr. – Iowa Workforce Development Board
Kimberline Ingram – Iowa Workforce Development Board

LOCAL GOVERNMENT

Patrick Gill – County Finance Committee
Ben Lacey – County Finance Committee
Suzanne Ruble – County Finance Committee
Dale Sunderman – County Finance Committee

Wayne Clinton – Mental Health Risk Pool Board
Marjorie Pitts – Mental Health Risk Pool Board

NATURAL RESOURCES

Dale Cochran – Environmental Protection Commission
Susan Heathcote – Environmental Protection Commission
Charlotte Hubbell – Environmental Protection Commission
Ralph Klemme – Environmental Protection Commission

Richard Leopold – Director of the Department of Natural Resources

William Bird – Natural Resource Commission
Gregory Drees – Natural Resource Commission
Janelle Rettig – Natural Resource Commission

Jacqueline Johnson – Iowa Comprehensive Petroleum Underground Storage Tank Fund Board
Nancy Lincoln – Iowa Comprehensive Petroleum Underground Storage Tank Fund Board

STATE GOVERNMENT

Linda Schmitt – Accountancy Examining Board
Carol Schuster – Accountancy Examining Board
Donald Timmins – Accountancy Examining Board

Mollie Anderson – Director of the Department of Administrative Services

Mary Hunter – Alcoholic Beverages Commission

Dale McKinney – Architectural Examining Board
Susan McKinney – Architectural Examining Board

Charles Wubbena – Board of Barber Examiners

Susan Oltrogge – Boiler and Pressure Vessel Board
Keith Taeger – Boiler and Pressure Vessel Board

Rod Rebarcak – Board of Chiropractic Examiners

Jack Morlan – Board of Cosmetology Arts and Sciences Examiners

Lynn Curry – Board of Dental Examiners
Deena Kuempel – Board of Dental Examiners
Michael Rovner – Board of Dental Examiners

Mary Sand – Board of Dietetic Examiners

Marvin Schumacher – Elevator Safety Board

Patricia Heagel – Engineering and Land Surveying Examining Board
Craig Johnstone – Engineering and Land Surveying Examining Board

Gregory Hoyman – Board for the Licensing and Regulation of Hearing Aid Dispensers
Gregory Moore – Board for the Licensing and Regulation of Hearing Aid Dispensers

Dean Lerner – Director of the Department of Inspections and Appeals

Cigdem Akkurt – Interior Design Examining Board
H. Scott Sankey – Interior Design Examining Board

Daniel McGinn – IOWAccess Advisory Council
Terrence Neuzil – IOWAccess Advisory Council
Teresa Selberg – IOWAccess Advisory Council

Michael Beary – Investment Board of the IPERS

Helen Kimes – Landscape Architectural Examining Board
Christopher Seeger – Landscape Architectural Examining Board

Elaine Baxter – Iowa Lottery Authority Board of Directors
Thomas Rial – Iowa Lottery Authority Board of Directors

Mary Belieu – Board of Massage Therapy Examiners
Doug Carlson – Board of Massage Therapy Examiners
Kimberly Eaton – Board of Massage Therapy Examiners

Tom Drew – Board of Medical Examiners
Shahid Habib – Board of Medical Examiners
Blaine Houmes – Board of Medical Examiners
Yasyn Lee – Board of Medical Examiners

Charles Krogmeier – Director of the Department of Management

Margaret Eicher – Board of Mortuary Science Examiners
LuJean Welander – Board of Mortuary Science Examiners

Clyde Bradley – Board of Nursing Examiners
Jane Hasek – Board of Nursing Examiners
Mark Hilliard – Board of Nursing Examiners

Margaret Beaty – State Board of Examiners for Nursing Home Administrators
Jan Reis – State Board of Examiners for Nursing Home Administrators

Connie Connolly – Board of Optometry Examiners
Christopher Olson – Board of Optometry Examiners

DeeAnn Wedemeyer-Oleson – Board of Pharmacy Examiners
Margaret Whitworth – Board of Pharmacy Examiners

Denise Behrends – Board of Physical and Occupational Therapy Examiners
Susan Callanan – Board of Physical and Occupational Therapy Examiners
Martin Ungs – Board of Physical and Occupational Therapy Examiners

Eric Barp – Board of Podiatry Examiners
Denise Mandi – Board of Podiatry Examiners
Jill Scholz – Board of Podiatry Examiners

Mary Johnson – Board of Psychology Examiners
James Moody – Board of Psychology Examiners

Gregory Seyfer – State Racing and Gaming Commission

James Kesterson – Real Estate Appraiser Examining Board
Gregory Morehead – Real Estate Appraiser Examining Board

Judith Stevens – Real Estate Commission

Kerry George – State Board for Respiratory Care

Christine Hoffman – Board of Social Work Examiners
Katinka Keith – Board of Social Work Examiners
Ken Zimmerman – Board of Social Work Examiners

Jason Aird – Board of Speech Pathology and Audiology Examiners
Coral Jud – Board of Speech Pathology and Audiology Examiners

Jon Murphy – Director of the Office for State-Federal Relations

Dean Upton – Iowa Board of Veterinary Medicine

Fred Diehl – Vision Iowa Board

Melanie Cloud Gross – Vision Iowa Board

Terry Lutz – Vision Iowa Board

Marilyn Monroe – Vision Iowa Board

TRANSPORTATION

James Romar – Iowa Law Enforcement Academy Council

Eugene Meyer – Commissioner of Public Safety

Wayne Sawtelle – State Transportation Commission

VETERANS AFFAIRS

Donald Delamore – Commission of Veterans Affairs

Steven Mulcahy – Commission of Veterans Affairs

Rosetta Waychus – Commission of Veterans Affairs

WAYS AND MEANS

Roger Caudron – Iowa Finance Authority

David Erickson – Iowa Finance Authority

Heather Kramer – Iowa Finance Authority

Kathleen Koenig – State Board of Tax Review

AFTERNOON SESSION

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

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 20, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 749](#), a bill for an act concerning existing and new special motor vehicle registration plates associated with military service, crediting fees from the sale of certain special motor vehicle registration plates to the emergency medical services fund and the veterans license fee fund, and providing effective dates.

Read first time and referred to committee on **Veterans Affairs**.

[House File 793](#), a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to the placement of advertising devices along primary highways, qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, the maximum length limitation for single trucks, requirements for operation of certain self-propelled implements of husbandry on secondary roads, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates.

Read first time and **attached to similar** [Senate File 401](#).

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:07 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 1:09 p.m., President Kibbie presiding.

The Senate stood at ease at 1:10 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:02 p.m., President Kibbie presiding.

CONSIDERATION OF RESOLUTION
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House Joint Resolution 3](#).

[House Joint Resolution 3](#)

On motion of Senator Connolly, [House Joint Resolution 3](#), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualification of electors, placed on the Unfinished Business Calendar on March 15, 2007, with report of committee recommending passage, was taken up for consideration.

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

[House Joint Resolution 3](#), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualification of electors.

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

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

Section 5 of Article II of the Constitution of the State of Iowa is repealed and the following adopted in lieu thereof:

DISQUALIFIED PERSONS. SEC. 5. A person adjudged mentally incompetent to vote or a person convicted of any infamous crime shall not be entitled to the privilege of an elector.

Sec. 2. RATIFICATION. The foregoing proposed amendment to the Constitution of the State of Iowa, having been adopted and agreed to by the Eighty-first General Assembly, 2006 Session, thereafter duly published, and now adopted and agreed to by the Eighty-second General Assembly in this joint resolution, shall be submitted to the people of the State of Iowa at the general election in November of the year 2008 in the manner required by the Constitution of the State of Iowa and the laws of the State of Iowa.

On the question "Shall the resolution be adopted?" ([H.J.R. 3](#)), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

HOUSE AMENDMENT CONSIDERED

Senate File 70

Senator Schoenjahn called up for consideration Senate File 70, a bill for an act relating to crime victim compensation, amended by the House in House amendment S-3050, filed March 5, 2007.

Senator Schoenjahn 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 Schoenjahn 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. 70), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 558](#).

[Senate File 558](#)

On motion of Senator Dearden, [Senate File 558](#), a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program, was taken up for consideration.

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

On the question "Shall the bill pass?" ([S.F. 558](#)), the vote was:

Yeas, 46:

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

Nays, 4:

Hartsuch	Kettering	McKinley	Zaun
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Absent, none.

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 Files 539 and 534.

Senate File 539

On motion of Senator Connolly, **Senate File 539**, a bill for an act establishing uniform finance procedures for obligations issued by the state, was taken up for consideration.

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

On the question “Shall the bill pass?” (**S.F. 539**), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

Senate File 534

On motion of Senator Hancock, **Senate File 534**, a bill for an act relating to civil protective orders and criminal no-contact orders, was taken up for consideration.

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

On the question “Shall the bill pass?” ([S.F. 534](#)), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 70, 534, 539, and 558** and [House Joint Resolution 3](#) 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 518, 515, and 504.

[Senate File 518](#)

On motion of Senator McCoy, [Senate File 518](#), a bill for an act reorganizing Code chapter provisions relating to the authority to engage in the business of insurance other than life insurance by

transferring provisions, eliminating outdated provisions, and amending corresponding provisions, as necessary, was taken up for consideration.

Senator McCoy asked and received unanimous consent that action on [Senate File 518](#) be **deferred**.

President Pro Tempore Danielson took the chair at 2:32 p.m.

[Senate File 515](#)

On motion of Senator McCoy, [Senate File 515](#), a bill for an act permitting rate-regulated gas and electric utilities to aggregate energy efficiency program funding, administration, and delivery, and to utilize a third party for such administration and delivery secured through a competitive bidding process, was taken up for consideration.

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

On the question “Shall the bill pass?” ([S.F. 515](#)), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

Senate File 504

On motion of Senator Kibbie, Senate File 504, a bill for an act providing for the regulation of packers and the purchase of swine from producers, and providing for penalties, was taken up for consideration.

Senator Kibbie withdrew amendment S-3133, filed by him from the floor to pages 1-7 of the bill.

Senator Kibbie offered amendment S-3134, filed by him from the floor to pages 1-7 of the bill, and moved its adoption.

Amendment S-3134 was adopted by a voice vote.

Senator Kibbie 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. 504), the vote was:

Yeas, 34:

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

Nays, 16:

Angelo	Hartsuch	McKinley	Ward
Behn	Johnson	Noble	Wieck
Boettger	Kettering	Putney	Zaun
Hahn	McKibben	Seymour	Zieman

Absent, none.

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

President Kibbie took the chair at 3:55 p.m.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 554](#).

[Senate File 554](#)

On motion of Senator Warnstadt, [Senate File 554](#), a bill for an act relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date, was taken up for consideration.

Senator Warnstadt offered amendment [S-3124](#), filed by him on March 19, 2007, to pages 2, 4-6, 8, and 13 of the bill, and moved its adoption.

Amendment [S-3124](#) was adopted by a voice vote.

Senator Danielson asked and received unanimous consent to withdraw amendment [S-3126](#), filed by Senators Danielson and Wood on March 19, 2007, to pages 3 and 8 of the bill.

Senator Danielson offered amendment [S-3137](#), filed by Senator Danielson, et al., from the floor to pages 3, 8, 12, and 13 of the bill, and moved its adoption.

A nonrecord roll call was requested.

The ayes were 8, nays 35.

Amendment [S-3137](#) lost.

Senator Dvorsky took the chair at 4:17 p.m.

Senator Warnstadt offered amendment [S-3135](#), filed by him from the floor to page 10 of the bill, and moved its adoption.

Amendment [S-3135](#) 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. 554](#)), the vote was:

Yeas, 44:

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

Nays, 6:

Danielson	Hahn	Olive
Dvorsky	Johnson	Schoenjahn

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 Files 504, 515, and 554** be **immediately messaged** to the House.

President Kibbie took the chair at 4:30 p.m.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 502, 487, 479, and 360.

Senate File 502

On motion of Senator Heckroth, [Senate File 502](#), a bill for an act relating to the regulation of savings and loan associations by the division of banking of the department of commerce, was taken up for consideration.

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

On the question “Shall the bill pass?” ([S.F. 502](#)), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

Senate File 487

On motion of Senator Kreiman, [Senate File 487](#), a bill for an act requiring the state fire marshal to assess the practice and impact of selling novelty lighters, was taken up for consideration.

Senator Zaun asked and received unanimous consent that action on [Senate File 487](#) be **deferred**.

Senate File 479

On motion of Senator Connolly, [Senate File 479](#), a bill for an act making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting, was taken up for consideration.

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

On the question "Shall the bill pass?" ([S.F. 479](#)), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

Senate File 360

On motion of Senator Stewart, [Senate File 360](#), a bill for an act relating to the regulatory duties of the division of banking of the department of commerce regarding banking, debt management, mortgage banking, industrial loan companies, and professional licensing, was taken up for consideration.

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

On the question "Shall the bill pass?" ([S.F. 360](#)), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 360, 479, and 502** 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 347 and 138.

[Senate File 347](#)

On motion of Senator Bolkcom, [Senate File 347](#), a bill for an act relating to the authority of creditors and credit unions in consumer credit or credit union transactions, was taken up for consideration.

Senator Bolkcom offered amendment [S-3127](#), filed by him on March 19, 2007, to page 1 of the bill, and moved its adoption.

Amendment [S-3127](#) was adopted by a voice vote.

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

Yeas, 50:

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

Nays, none.

Absent, none.

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

[Senate File 138](#)

On motion of Senator Fraise, [Senate File 138](#), a bill for an act relating to jury service compensation, reimbursement, and confidentiality and exempting certain governmental employees from jury service compensation, was taken up for consideration.

Senator Fraise offered amendment [S-3083](#), filed by him on March 7, 2007, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-3083](#) was adopted by a voice vote.

The Chair ruled the following amendment out of order:

[S-3028](#), filed by Senators Fraise and Behn on February 13, 2007, to page 1 of the bill.

Senator Fraise 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. 138](#)), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 367](#).

[House File 367](#)

On motion of Senator Ward, [House File 367](#), a bill for an act relating to wage payment collection of direct deposit wages as administered by the division of labor services of the department of workforce development, placed on the Unfinished Business Calendar

on March 15, 2007, with report of committee recommending passage, was taken up for consideration.

Senator Ward 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. 367](#)), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 138** and **347** and [House File 367](#) be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 20, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 353](#), a bill for an act relating to public safety communications by establishing an Iowa statewide interoperable communications system board.

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

[House File 566](#), a bill for an act relating to the definition of a free clinic for the purposes of the volunteer health care provider program.

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

[House File 615](#), a bill for an act relating to the membership of the board of educational examiners.

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

[House File 653](#), a bill for an act allowing a voter to register to vote and to vote after regular registration and prior to voting in an election and making a penalty applicable and providing an applicability date.

Read first time and **attached to similar** [Senate File 352](#).

[House File 752](#), a bill for an act relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

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

[House File 780](#), a bill for an act relating to the issuance of temporary orders modifying an order of child support.

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

[House File 787](#), a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:27 p.m. until 8:45 a.m., Wednesday, March 21, 2007.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Gary and Nola Antidel, Atlantic—For celebrating their 50th wedding anniversary. Senator Boettger (3/20/07).

Robert Bergmann, Frederika—For celebrating his 80th birthday. Senator Heckroth (3/20/07).

Chris de Regnier—For achieving the rank of Eagle Scout, Boy Scout Troop 121. Senator Appel (3/20/07).

Marie Heller, Dunlap—For celebrating her 90th birthday. Senators Boettger and Seymour (3/20/07).

Vern Jacobs—For celebrating his 80th birthday. Senator Heckroth (3/20/07).

Dale and Connie Jensen, Anita—For celebrating their 50th wedding anniversary. Senator Boettger (3/20/07).

Frances Kirchhoff, Tripoli—For celebrating her 80th birthday. Senator Heckroth (3/20/07).

Robert and Lilly Kuster, Persia—For celebrating their 50th wedding anniversary. Senator Boettger (3/20/07).

Josephine Kwapiszeski, Harlan—For celebrating her 95th birthday. Senator Boettger (3/20/07).

Betty and John Lusk, Sioux City—For celebrating their 40th wedding anniversary. Senator Boettger (3/20/07).

Isabelle Bruhl Martin—For celebrating her 80th birthday. Senator Heckroth (3/20/07).

Bonnie McCaskey, Anita—For celebrating her 90th birthday. Senator Boettger (3/20/07).

Oran Nathanael Perkins, Atlantic—For achieving the rank of Eagle Scout, Boy Scout Troop 54. Senator Boettger (3/20/07).

Edna Schilling—For celebrating her 90th birthday. Senator Heckroth (3/20/07).

Jennie Schipper, Aplington—For celebrating her 90th birthday. Senator Heckroth (3/20/07).

Merlin and Donna Schult, Oelwein—For celebrating their 50th wedding anniversary. Senator Heckroth (3/20/07).

Berdine Seehase—For celebrating her 80th birthday. Senator Heckroth (3/20/07).

George and Bernice Seehusen—For celebrating their 60th wedding anniversary. Senator Heckroth (3/20/07).

Vern Tech, Jr.—For celebrating his 80th birthday. Senator Seymour (3/20/07).

Lois Winter, West Union—For celebrating her 80th birthday. Senator Heckroth (3/20/07).

REPORTS OF COMMITTEE MEETINGS

STATE GOVERNMENT

Convened: Monday, March 19, 2007, 3:05 p.m.

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

Members Absent: Black (excused).

Committee Business: Discussed Governor's appointments. Subcommittee assignments.

Adjourned: 3:20 p.m.

APPROPRIATIONS

Convened: Tuesday, March 20, 2007, 11:10 a.m.

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

Members Absent: McCoy, Vice Chair; Seymour and Ward (all excused).

Committee Business: Approved [SSB 1336](#).

Recessed: 11:15 a.m.

Reconvened: 11:45 a.m.

Adjourned: 11:50 a.m.

RULES AND ADMINISTRATION

Convened: Tuesday, March 20, 2007, 9:05 a.m.

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

Members Absent: None.

Committee Business: Approved Governor's appointments to standing committees.

Adjourned: 9:10 a.m.

ALSO:

Convened: Tuesday, March 20, 2007, 1:05 p.m.

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

Members Absent: None.

Committee Business: Approved [SCR 4](#).

Adjourned: 1:10 p.m.

INTRODUCTION OF RESOLUTIONS

[Senate Resolution 23](#), by Warnstadt, a resolution declaring May 2007 Amyotrophic Lateral Sclerosis (ALS) Awareness Month.

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

[Senate Resolution 24](#), by Rielly, Angelo, Appel, Beall, Behn, Black, Boettger, Bolkcom, Connolly, Courtney, Danielson, Dearden, Dotzler, Dvorsky, Fraise, Gaskill, Gronstal, Hahn, Hancock, Hartsuch, Hatch, Heckroth, Hogg, Horn, Houser, Johnson, Kettering, Kibbie, Kreiman, Lundby, McCoy, McKibben, McKinley, Mulder, Noble, Olive, Putney, Quirmbach, Ragan, Schmitz, Schoenjahn, Seng, Seymour, Stewart, Ward, Warnstadt, Wieck, Wood, Zaun, and Zieman, a resolution honoring Iowan Eugene Ely, a pioneer in Naval aviation.

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

[Senate Resolution 25](#), by Ragan and Seymour, a resolution to declare November 2007 Iowa Diabetes Awareness Month.

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

STUDY BILLS RECEIVED

[SSB 1337](#) **Appropriations**

Relating to and making appropriations to the judicial branch.

[SSB 1338](#) **Appropriations**

Relating to and making appropriations to the justice system.

[SSB 1339](#) **Appropriations**

Relating to mental health, mental retardation, developmental disabilities, and brain injury services by revising and making appropriations, addressing county and state responsibilities for such services, revising property tax relief payment provisions, allowed growth, and other funding distribution requirements, revising county levy authority provisions for such services, and providing effective and applicability dates.

[SSB 1340](#) **Ways and Means**

Creating a provisional driver's permit for the purpose of licensing an applicant for a driver's license who does not possess or is ineligible to receive a social security number.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 447](#)

APPROPRIATIONS: Wood, Chair; Angelo, Boettger, Connolly, and Dvorsky

[Senate File 556](#)

WAYS AND MEANS: Dotzler, Chair; Stewart and Wieck

[SSB 1337](#)

APPROPRIATIONS: Hogg, Chair; Angelo and Dvorsky

[SSB 1338](#)

APPROPRIATIONS: Hancock, Chair; Angelo and Dvorsky

[SSB 1339](#)

APPROPRIATIONS: Hatch, Chair; Dvorsky and Johnson

[SSB 1340](#)

WAYS AND MEANS: Bolkcom, Chair; McCoy and Noble

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE CONCURRENT RESOLUTION 4](#), a concurrent resolution relating to recommendations proposed by the United States Department of Agriculture for the federal farm bill of 2007.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 20th day of March, 2007:

Senate Files 58, 67, 75, 130, 272, and 319.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

<u>S-3131</u>	<u>S.F. 535</u>	Keith A. Kreiman
<u>S-3132</u>	<u>S.F. 345</u>	Thomas Rielly
<u>S-3133</u>	<u>S.F. 504</u>	John P. Kibbie
<u>S-3134</u>	<u>S.F. 504</u>	John P. Kibbie
<u>S-3135</u>	<u>S.F. 554</u>	Steve Warnstadt
<u>S-3136</u>	<u>S.F. 445</u>	Robert E. Dvorsky
		Keith A. Kreiman
<u>S-3137</u>	<u>S.F. 554</u>	Jeff Danielson
		William Dotzler
		Jack Hatch
		Frank B. Wood
		Robert E. Dvorsky
		Brain Schoenjahn
<u>S-3138</u>	<u>H.F. 368</u>	Thomas G. Courtney
<u>S-3139</u>	<u>S.F. 535</u>	Keith A. Kreiman
		Larry McKibben
<u>S-3140</u>	<u>S.F. 545</u>	Keith A. Kreiman
<u>S-3141</u>	<u>S.F. 517</u>	Robert M. Hogg