

PROOF

STATE OF IOWA

Senate Journal

MONDAY, MARCH 22, 2010

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JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
FORTY-SECOND SESSION DAY

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

The Senate met in regular session at 1:40 p.m., President Kibbie presiding.

Prayer was offered by Reverend Todd Zuidema, pastor of the Hope Christian Reformed Church in Hull, Iowa. He was the guest of Senator Feenstra.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Trisha Kempton.

The Journal of Friday, March 19, 2010, was approved.

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 19, 2010, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2192](#), a bill for an act prohibiting the running of a transfer fee covenant with the title to real property and including effective date and applicability provisions.

ALSO: That the House has on March 19, 2010, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 2215](#), a bill for an act relating to the use of genetic information and samples for genetic testing and providing for civil enforcement. ([S-5288](#))

[Senate File 2226](#), a bill for an act relating to custody, physical care, and visitation provisions relating to a child of a parent who is serving active duty in the military service of the United States and including effective date provisions. ([S-5290](#))

[Senate File 2333](#), a bill for an act relating to health care facilities and programs, including hospital inspector requirements and dependent adult abuse. ([S-5289](#))

[Senate File 2367](#), a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, and including effective date and retroactive applicability provisions. ([S-5291](#))

[Senate File 2380](#), a bill for an act relating to taxation, including the administration and review of certain economic development programs and certain tax incentive programs and the reenactment of the estate tax and including effective date and retroactive and other applicability provisions. ([S-5292](#))

ALSO: That the House has on March 19, 2010, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

[House File 674](#), a bill for an act relating to reporting the treatment of serious wounds received as the result of a crime to a law enforcement agency and making penalties applicable.

ALSO: That the House has on March 19, 2010, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 2512](#), a bill for an act concerning weight limits for certain commercial motor vehicles on noninterstate highways.

Read first time and attached to **similar** [Senate File 2315](#).

The Senate stood at ease at 1:46 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:26 p.m., President Kibbie presiding.

HOUSE AMENDMENT CONSIDERED

[Senate File 2226](#)

Senator Warnstadt called up for consideration [Senate File 2226](#), a bill for an act relating to custody, physical care, and visitation provisions relating to a child of a parent who is serving active duty in the military service of the United States and including effective date provisions, amended by the House in House amendment [S-5290](#), filed March 22, 2010.

Senator Warnstadt 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 Warnstadt 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 a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2226](#)), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

HOUSE AMENDMENT CONSIDERED

[Senate File 2380](#)

Senator Bolkcom called up for consideration [Senate File 2380](#), a bill for an act relating to taxation, including the administration and review of certain economic development programs and certain tax incentive programs and the reenactment of the estate tax and including effective date and retroactive and other applicability provisions, amended by the House in House amendment [S-5292](#), filed March 22, 2010.

Senator Bolkcom 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 Bolkcom 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 a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2380](#)), the vote was:

Yeas, 31:

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

Nays, 19:

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

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 2382](#).

[Senate File 2382](#)

On motion of Senator Stewart, [Senate File 2382](#), a bill for an act relating to fuel, including standards for biodiesel blended fuel, and excise taxes imposed upon special fuel, including biodiesel fuel and diesel fuel used in the production of biodiesel blended fuel, was taken up for consideration.

Senator Stewart offered amendment [S-5295](#), filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment [S-5295](#) was adopted by a voice vote.

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. 2382](#)), the vote was:

Yeas, 49:

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

Nays, 1:

Hamerlinck

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 [Senate File 2290](#).

[Senate File 2290](#)

On motion of Senator Schoenjahn, [Senate File 2290](#), a bill for an act relating to the use of certain regular physical plant and equipment levy funds and including effective date provisions, placed on the Unfinished Business Calendar on March 11, 2010, was taken up for consideration.

Senator Warnstadt withdrew amendment [S-5166](#), filed by him on March 1, 2010, to page 1 of the bill.

Senator Warnstadt withdrew amendment [S-5167](#), filed by him on March 1, 2010, to page 1 of the bill.

Senator Warnstadt withdrew amendment [S-5169](#), filed by him on March 1, 2010, to pages 1 and 2 and amending the title page of the bill.

Senator Dandekar asked and received unanimous consent to withdraw amendment [S-5245](#), filed by Senator Dandekar, et al., on March 15, 2010, to page 1 of the bill.

Senator Dandekar asked and received unanimous consent to withdraw amendment [S-5272](#), filed by Senator Dandekar, et al., on March 17, 2010, to page 1 of the bill.

Senator Schoenjahn asked and received unanimous consent that [House File 2462](#) be **substituted** for [Senate File 2290](#).

[House File 2462](#)

On motion of Senator Schoenjahn, [House File 2462](#), a bill for an act relating to the use of certain regular physical plant and equipment levy funds and including effective date provisions, was taken up for consideration.

Senator Warnstadt offered amendment [S-5261](#), filed by him on March 16, 2010, to page 1 of the bill.

Senator Warnstadt asked and received unanimous consent that action on amendment [S-5261](#) be deferred.

Senator Courtney offered amendment [S-5296](#), filed by Senators Courtney, Dandekar, and McCoy 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-5296](#) be adopted?” ([H.F. 2462](#)), the vote was:

Yeas, 40:

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

Nays, 10:

Danielson	Feenstra	Kreiman	Wilhelm
Dotzler	Heckroth	Rielly	
Dvorsky	Kibbie	Schoenjahn	

Absent, none.

Amendment [S-5296](#) was adopted.

With the adoption of amendment [S-5296](#), the Chair ruled amendment [S-5261](#), previously deferred, out of order.

Senator Warnstadt withdrew amendment [S-5265](#), filed by him on March 17, 2010, to page 1 of the bill.

Senator Warnstadt offered amendment [S-5266](#), filed by him on March 17, 2010, to page 1 of the bill, and moved its adoption.

Amendment [S-5266](#) lost by a voice vote.

Senator Warnstadt offered amendment [S-5267](#), filed by him on March 17, 2010, to page 1 of the bill.

Senator Warnstadt asked and received unanimous consent that action on amendment [S-5267](#) be deferred.

Senator Warnstadt offered amendment [S-5268](#), filed by him on March 17, 2010, to pages 1 and 2 and amending the title page of the bill.

Senator Warnstadt asked and received unanimous consent that action on amendment [S-5268](#) be deferred.

Senator Dandekar asked and received unanimous consent to withdraw amendment [S-5284](#), filed by Senator Dandekar, et al., on March 18, 2010, to page 1 of the bill.

Senator Courtney offered amendment [S-5297](#), filed by Senator Courtney, et al., 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-5297](#) be adopted?" ([H.F. 2462](#)), the vote was:

Yeas, 38:

Appel	Fraise	Jochum	Rielly
Bartz	Gronstal	Johnson	Seng
Behn	Hahn	Kapucian	Seymour
Black	Hamerlinck	Kettering	Sodders
Bolkcom	Hancock	McCoy	Ward
Courtney	Hartsuch	McKinley	Warnstadt
Dandekar	Hatch	Noble	Wieck
Dearden	Hogg	Olive	Zaun
Dotzler	Horn	Ragan	
Feenstra	Houser	Reynolds	

Nays, 12:

Beall	Dvorsky	Kreiman	Schoenjahn
Boettger	Heckroth	Quirnbach	Stewart
Danielson	Kibbie	Schmitz	Wilhelm

Absent, none.

Amendment [S-5297](#) was adopted.

The Senate resumed consideration of amendment [S-5267](#), previously deferred.

Senator Warnstadt withdrew amendment [S-5267](#).

The Senate resumed consideration of amendment [S-5268](#), previously deferred.

Senator Gronstal asked and received unanimous consent that action on amendment [S-5268](#) and [House File 2462](#) be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hatch, until he returns, on request of Senator Fraise.

HOUSE AMENDMENT CONSIDERED

[Senate File 2378](#)

Senator Hancock called up for consideration [Senate File 2378](#), a bill for an act relating to and making appropriations to the justice system, providing for fees and fines, and including effective date provisions, amended by the House in House amendment [S-5287](#), filed March 19, 2010.

Senator Hancock offered amendment [S-5301](#), filed by him from the floor to pages 8–10 of House amendment [S-5287](#), and moved its adoption.

Amendment [S-5301](#) was adopted by a voice vote.

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

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

Senator Hancock moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last

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

On the question "Shall the bill pass?" ([S.F. 2378](#)), the vote was:

Yeas, 30:

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

Nays, 19:

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

Absent, 1:

Hatch

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 2226, 2378, 2380, and 2382** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

Nancy Magnall, Child Welfare Advisory Committee

Michaela "Shelley" Parbs, Credit Union Review Board

James Snyder, Commission on the Deaf

Robert Vizzini, Commission on the Deaf

Sara Monroy-Huddleston, Iowa Empowerment Board

Samantha Erickson, Iowa Great Places Board

Stanley Haugland, Board of Hearing Aid Dispensers

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

Wayne Clinton, Mental Health Risk Pool Board

Jane Hasek, Board of Nursing

Jeff Hove, Renewable Fuel Infrastructure Board

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Hatch

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

RECESS

On motion of Senator Gronstal, the Senate recessed at 4:54 p.m. until the completion of a meeting of the committee on Appropriations.

EVENING SESSION

The Senate reconvened at 5:37 p.m., President Pro Tempore Danielson presiding.

CONFERENCE COMMITTEE REPORT RECEIVED

[House File 2456](#)

A conference committee report, signed by the following Senate and House members, was filed March 22, 2010, on [House File 2456](#), a bill for an act concerning the use of electronic communication devices while driving, including prohibiting a person from writing or sending a text message while driving a motor vehicle and providing penalties:

On the part of the Senate:

JEFF DANIELSON, Chair
BILL HECKROTH
TOM RIELLY

On the part of the House:

CURT HANSON, Chair
CHRIS HAGENOW
JIM LYKAM
RICK OLSON
DAVID TJEPKES

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

HOUSE AMENDMENT CONSIDERED

[Senate File 2333](#)

Senator Dotzler called up for consideration [Senate File 2333](#), a bill for an act relating to health care facilities and programs, including hospital inspector requirements and dependent adult abuse, amended by the House in House amendment [S-5289](#), filed March 22, 2010.

Senator Dotzler 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 Dotzler 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. 2333](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

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

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2522 and 2525.

[House File 2522](#)

On motion of Senator Dotzler, [House File 2522](#), a bill for an act relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of regents institutions, the department of workforce development, and the public employment relations board, and related matters and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Kettering offered amendment [S-5299](#), filed by him from the floor to page 5 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5299](#) be adopted?" ([H.F. 2522](#)), the vote was:

Yeas, 22:

Appel	Feenstra	Johnson	Reynolds
Bartz	Hahn	Kapucian	Ward
Behn	Hamerlinck	Kettering	Wieck
Black	Hancock	Kreiman	Zaun
Boettger	Hartsuch	McKinley	
Dandekar	Houser	Noble	

Nays, 26:

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

Absent, 2:

Hatch	Seymour
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Amendment [S-5299](#) lost.

Senator Dotzler offered amendment [S-5294](#), filed by him from the floor to pages 11, 14, and 15 of the bill, and moved its adoption.

Amendment [S-5294](#) was adopted by a voice vote.

([House File 2522](#) was deferred.)

SPECIAL GUEST

Senator Danielson welcomed to the Senate chamber the Honorable Jeff Angelo, former member of the Senate from Union County, Creston, Iowa.

The Senate rose and expressed its welcome.

The Senate resumed consideration of [House File 2522](#).

Senator Hahn offered amendment [S-5298](#), filed by Senators Hahn and Feenstra from the floor to page 14 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5298](#) be adopted?" ([H.F. 2522](#)), the vote was:

Yeas, 17:

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

Nays, 31:

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

Absent, 2:

Hatch	Seymour
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Amendment [S-5298](#) lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

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?" ([H.F. 2522](#)), the vote was:

Yeas, 30:

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

Nays, 17:

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

Absent, 3:

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

[House File 2525](#)

On motion of Senator Seng, [House File 2525](#), a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Seng offered amendment [S-5300](#), filed by him from the floor to pages 1, 4, 8, and 14 of the bill.

Senator Bolkcom withdrew amendment [S-5303](#), filed by him from the floor to pages 1 and 2 of amendment [S-5300](#).

Senator Seng moved the adoption of amendment [S-5300](#).

Amendment [S-5300](#) was adopted by a voice vote.

Senator Kettering offered amendment [S-5293](#), filed by him from the floor to page 12 of the bill.

Senator Courtney asked and received unanimous consent that action on amendment [S-5293](#) be deferred.

Senator Heckroth offered amendment [S-5302](#), filed by him from the floor to page 14 of the bill, and moved its adoption.

Amendment [S-5302](#) was adopted by a voice vote.

([House File 2525](#) was deferred.)

The Senate stood at ease at 6:32 p.m. until the fall of the gavel.

The Senate resumed session at 6:33 p.m., President Pro Tempore Danielson presiding.

The Senate resumed consideration of [House File 2525](#) and amendment [S-5293](#), previously deferred.

Senator Kettering moved the adoption of amendment [S-5293](#).

Amendment [S-5293](#) was adopted by a voice vote.

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

On the question "Shall the bill pass?" ([H.F. 2525](#)), the vote was:

Yeas, 30:

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

Nays, 17:

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

Absent, 3:

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 2333](#) and **House Files 2522** and **2525** 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 22, 2010, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 2310](#), a bill for an act creating a natural resources and outdoor recreation trust fund to implement a proposed amendment to the Constitution of the State of Iowa, and providing for contingent implementation. ([S-5305](#))

ALSO: That the House has on March 22, 2010, **amended** the Senate amendment, **concurred** in the Senate amendment **as amended, and passed** the following bill in which the concurrence of the Senate is asked:

[House File 2438](#), a bill for an act relating to the criminal offense of enticing or attempting to entice a minor and providing penalties. ([S-5304](#))

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:38 p.m. until 8:45 a.m., Tuesday, March 23, 2010.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Joel Everist, Mason City—For being named one of the Top 10 High School Choir Directors in the United States. Senator Ragan (3/22/10).

Kathryn Gardemann, Shellsburg—For celebrating her 90th birthday. Senator Kapucian (3/22/10).

Roelofina Groenenboom, Oskaloosa—For celebrating her 90th birthday. Senator Rielly (3/22/10).

Alberta Sharp, Grundy Center—For celebrating her 90th birthday. Senator Kapucian (3/22/10).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Monday, March 22, 2010, 5:00 p.m.

Members Present: Dvorsky, Chair; McCoy, Vice Chair; Kettering, Ranking Member; Appel, Bartz, Boettger, Bolkom, Danielson, Dearden, Dotzler, Feenstra, Fraise, Hahn, Hancock, Hogg, Jochum, Johnson, Kapucian, Noble, Ragan, Schoenjahn, Seng, Seymour, and Warnstadt.

Members Absent: Hatch (excused).

Committee Business: Passed [HF 2526](#).

Recessed: 5:05 p.m.

Reconvened: 5:20 p.m.

Adjourned: 5:25 p.m.

RULES AND ADMINISTRATION

Convened: Monday, March 22, 2010, 6:40 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; McKinley, Ranking Member; Boettger, Danielson, Dearden, Dvorsky, Kettering, and Ragan.

Members Absent: Courtney and Zaun (both excused).

Committee Business: Passed [SR 113](#).

Adjourned: 6:45 p.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,
INFRASTRUCTURE, AND CAPITALS**

Convened: Monday, March 22, 2010, 12:10 p.m.

Members Present: McCoy, Chair; Warnstadt, Vice Chair; Seymour, Ranking Member; and Beall.

Members Absent: Hamerlinck (excused).

Committee Business: Discussion and overview of infrastructure spreadsheets.

Adjourned: 12:50 p.m.

INTRODUCTION OF RESOLUTIONS

[Senate Joint Resolution 2009](#), by Gronstal and McKinley, a joint resolution to nullify administrative rules of the department of public safety concerning automatic residential fire sprinkler systems and providing an effective date.

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

[Senate Resolution 113](#), by Quirnbach, a resolution honoring David K. Rehbein, National Commander of the American Legion, for his national service.

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

STUDY BILLS RECEIVED

[SSB 3254](#) **Ways and Means**

Relating to assessment of telecommunications company property for purposes of property taxation, and including effective date and applicability provisions.

SSB 3255 Ways and Means

Concerning live dog racing at pari-mutuel dog racetracks, establishing fees, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 2009**

STATE GOVERNMENT: Danielson, Chair; Feenstra and Sadders

House File 2526

APPROPRIATIONS: Hatch, Chair; Dvorsky and Johnson

SSB 3254

WAYS AND MEANS: Dotzler, Chair; Feenstra and Hogg

SSB 3255

WAYS AND MEANS: Jochum, Chair; Bolkcom and Hamerlinck

FINAL COMMITTEE REPORTS OF BILL ACTION**APPROPRIATIONS**

Bill Title: HOUSE FILE 2526 (HSB 736), a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, and providing effective, retroactive, and applicability date provisions.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 113, a resolution honoring David K. Rehbein, National Commander of the American Legion, for his national service.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Gronstal, Kibbie, McKinley, Boettger, Danielson, Dearden, Dvorsky, Kettering, and Ragan. Nays, none. Absent, 2: Courtney and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 22, 2010, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 2178](#) – Relating to textbooks and laptop computers or other personal portable computing devices adopted for use by school districts and provided to public and accredited nonpublic school students.

[Senate File 2197](#) – Relating to the enforcement of criminal law provisions including providing false identification information and public indecent exposure and providing penalties.

[Senate File 2202](#) – Relating to rights of persons with disabilities.

[Senate File 2224](#) – Relating to boards of administration for horizontal property.

[Senate File 2234](#) – Relating to the regulation of motor vehicle franchises.

[Senate File 2299](#) – Relating to grain transactions by regulating grain dealers and warehouse operators, providing for fees, and making penalties applicable.

[Senate File 2357](#) – Relating to prohibiting a person who is the subject of a no-contact order or a protective order or who has been convicted of a misdemeanor crime of domestic violence from possessing, transferring, or selling firearms and ammunition or offensive weapons and providing penalties.

BILL ASSIGNED TO COMMITTEE

President Kibbie announced the assignment of the following bill to committee:

[H.F. 2526](#) Appropriations

AMENDMENTS FILED

S-5288	S.F. 2215	House
S-5289	S.F. 2333	House
S-5290	S.F. 2226	House
S-5291	S.F. 2367	House
S-5292	S.F. 2380	House

<u>S-5293</u>	<u>H.F. 2525</u>	Steve Kettering
<u>S-5294</u>	<u>H.F. 2522</u>	William A. Dotzler, Jr.
<u>S-5295</u>	<u>S.F. 2382</u>	Roger Stewart
<u>S-5296</u>	<u>H.F. 2462</u>	Thomas G. Courtney Swati A. Dandekar Matt McCoy
<u>S-5297</u>	<u>H.F. 2462</u>	Thomas G. Courtney Swati A. Dandekar Matt McCoy Jack Hatch Steven J. Soddors Steve Warnstadt William A. Dotzler, Jr. Shawn Hamerlinck David Johnson Kim Reynolds Jerry Behn Paul McKinley Tim L. Kapucian
<u>S-5298</u>	<u>H.F. 2522</u>	James F. Hahn Randy Feenstra
<u>S-5299</u>	<u>H.F. 2522</u>	Steve Kettering
<u>S-5300</u>	<u>H.F. 2525</u>	Joe M. Seng
<u>S-5301</u>	<u>S.F. 2378</u>	Tom Hancock
<u>S-5302</u>	<u>H.F. 2525</u>	Bill Heckroth
<u>S-5303</u>	<u>H.F. 2525</u>	Joe Bolkom
<u>S-5304</u>	<u>H.F. 2438</u>	House
<u>S-5305</u>	<u>S.F. 2310</u>	House
<u>S-5306</u>	<u>H.F. 816</u>	Robert M. Hogg