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**STATE OF IOWA**

**Senate Journal**

**TUESDAY, MARCH 24, 2009**

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# JOURNAL OF THE SENATE

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SEVENTY-SECOND CALENDAR DAY  
FORTY-SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, March 24, 2009

The Senate met in regular session at 8:52 a.m., President Kibbie presiding.

Prayer was offered by Reverend Allan Wiese, pastor of the First United Methodist Church in Chariton, Iowa. He was the guest of Senator McKinley.

The Journal of Monday, March 23, 2009, was approved.

## INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced Judy Jeffrey, the governor's appointee, to be the Director of Education. She was the guest of Senators Schmitz and Schoenjahn and the committee on Education.

The Secretary of the Senate introduced Timothy Orr, the governor's appointee, to be the Adjutant General of the State of Iowa. He was the guest of Senators Beall and Seymour and the committee on Veterans Affairs.

## 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 23, 2009, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 154](#), a bill for an act relating to the authorized uses of local exchange service information by specified individuals and entities.

[Senate File 199](#), a bill for an act relating to the uniform athlete agents Act and providing remedies and penalties.

[Senate File 268](#), a bill for an act providing for the award of local watershed improvement grants.

[Senate File 280](#), a bill for an act relating to disaster emergency assistance immunity.

[Senate File 311](#), a bill for an act relating to the regulation of the business of debt management and making penalties applicable.

[Senate File 320](#), a bill for an act relating to charitable trusts by providing for filing documents with the attorney general and providing for the attorney general's investigative authority.

[Senate File 446](#), a bill for an act relating to nonsubstantive Code corrections and providing effective dates and for retroactive applicability.

ALSO: That the House has on March 23, 2009, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 266](#), a bill for an act relating to publication of property assessment equalization orders. ([S-3136](#))

ALSO: That the House has on March 23, 2009, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 375](#), a bill for an act specifying a duty of agency applicable to licensed mortgage brokers and making penalties applicable.

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

[House File 400](#), a bill for an act relating to the licensing of persons installing fire protection systems.

Read first time and attached to **similar** [Senate File 245](#).

[House File 552](#), a bill for an act concerning the appointment of airport commissioners.

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

[House File 580](#), a bill for an act relating to reimbursement of nonparticipating providers for eligible services provided to IowaCare program members.

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

[House File 682](#), a bill for an act requiring a postelection audit after each general election and including effective and applicability date provisions.

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

[House File 708](#), a bill for an act relating to absentee ballots delivered to applicants who are patients or residents of hospitals or health care facilities.

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

[House File 722](#), a bill for an act relating to regulation of certain conservation and recreation activities under the jurisdiction of the department of natural resources, modifying fees, establishing an upland game bird study advisory committee, making penalties applicable, and providing an immediate effective date.

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

[House File 726](#), a bill for an act providing for unincorporated nonprofit associations, and providing for fees and penalties.

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

RECESS

On motion of Senator Gronstal, the Senate recessed at 8:59 a.m. until 2:30 p.m.

**APPENDIX—1****COMMUNICATIONS RECEIVED**

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

**IOWA CHILD ADVOCACY BOARD**

2008 Annual Report, pursuant to Iowa Code section 237.18(8). Report received on March 23, 2009.

**BOARD OF REGENTS**

University of Iowa Hospitals and Clinics Annual Reports for FYs 2006–2008, pursuant to Iowa Code section 263A.13. Reports received on March 20, 2009.

**CERTIFICATE OF RECOGNITION**

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

Senator Dennis Black, Grinnell—For receiving the 2009 Herbert Hoover Uncommon Public Service Award in recognition of his lifelong commitment to conservation and natural resources. Iowa Senate (3/24/09).

**REPORTS OF COMMITTEE MEETINGS****LOCAL GOVERNMENT**

**Convened:** Thursday, March 12, 2009, 10:15 a.m.

**Members Present:** Quirnbach, Chair; Beall, Vice Chair; Reynolds, Ranking Member; Hamerlinck, Houser, Kapucian, Kreiman, McCoy, Olive, Rielly, and Schoenjahn.

**Members Absent:** None.

**Committee Business:** Passed [SF 255](#), as amended, and SFs 240, 260, and 316. Approved SSBs 1293 and 1297, both as amended, and 1292.

**Adjourned:** 11:10 a.m.

**STATE GOVERNMENT**

**Convened:** Monday, March 23, 2009, 3:25 p.m.

**Members Present:** Appel, Chair; Feenstra, Ranking Member; Behn, Black, Courtney, Danielson, Dearden, Hartsuch, Horn, Jochum, Seymour, Sodders, and Wieck.

**Members Absent:** Kibbie, Vice Chair; and Hatch (both excused).

**Committee Business:** Approved governor's appointments.

**Adjourned:** 3:45 p.m.

#### VETERANS AFFAIRS

**Convened:** Thursday, March 12, 2009, 1:05 p.m.

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

**Members Absent:** Hartsuch and Wieck (both excused).

**Committee Business:** Passed [SF 257](#) and approved [SSB 1300](#).

**Adjourned:** 1:20 p.m.

#### WAYS AND MEANS

**Convened:** Monday, March 23, 2009, 4:10 p.m.

**Members Present:** Bolkom, Chair; McCoy, Vice Chair; Zaun, Ranking Member; Bartz, Dandekar, Dotzler, Feenstra, Hamerlinck, Hogg, Houser, Jochum, Quirnbach, Schmitz, Seng, Stewart, and Wilhelm.

**Members Absent:** Ward (excused).

**Committee Business:** Passed [SF 344](#) without recommendation, SFs 216, 363, and 426, all as amended, and [SF 362](#).

**Adjourned:** 5:10 p.m.

#### APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

**Convened:** Tuesday, March 24, 2009, 10:10 a.m.

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

**Members Absent:** None.

**Committee Business:** Budget discussion.

**Adjourned:** 10:20 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES**

**Convened:** Thursday, March 19, 2009, 10:20 a.m.

**Members Present:** Seng, Chair; Black, Vice Chair; Hahn, Ranking Member; and Wilhelm.

**Members Absent:** Houser (excused).

**Committee Business:** Budget discussion with the Secretary of Agriculture.

**Adjourned:** 12:00 p.m.

**APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT**

**Convened:** Tuesday, March 17, 2009, 10:25 a.m.

**Members Present:** Dotzler, Chair; Kapucian, Ranking Member; Dandekar and Reynolds.

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

**Committee Business:** Presentation by the Councils of Government. Budget work.

**Adjourned:** 10:55 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** Tuesday, March 24, 2009, 10:10 a.m.

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

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 10:20 a.m.

**SUBCOMMITTEE ASSIGNMENTS**

**[Senate File 373](#)**

APPROPRIATIONS: Hancock, Chair; Hogg and Johnson

**[Senate File 453](#)**

ECONOMIC GROWTH: Stewart, Chair; Dotzler and Houser

[House File 502](#)

LOCAL GOVERNMENT: McCoy, Chair; Hamerlinck and Rielly

[House File 722](#)

NATURAL RESOURCES: Black, Chair; Noble and Schoenjahn

[SSB 1314](#)

APPROPRIATIONS: Dvorsky, Chair; and Kettering

## AFTERNOON SESSION

The Senate reconvened at 2:36 p.m., President Kibbie presiding.

## QUORUM CALL

Senator Hatch requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent, and a quorum present.

The Senate stood at ease at 2:40 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:45 p.m., President Kibbie presiding.

CONSIDERATION OF BILL  
(Appropriations Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration [Senate File 452](#).

[Senate File 452](#)

On motion of Senator Bolkcom, [Senate File 452](#), a bill for an act directing the office of energy independence to establish a community grant program for energy efficiency projects, and allocating appropriated amounts for purposes of funding the program, was taken up for consideration.

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

Yeas, 36:

Appel	Dearden	Horn	Rielly
Bartz	Dotzler	Jochum	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng

Boettger	Gronstal	McCoy	Sodders
Bolkcom	Hahn	Olive	Ward
Courtney	Hatch	Quirnbach	Warnstadt
Dandekar	Heckroth	Ragan	Wilhelm
Danielson	Hogg	Reynolds	Zaun

Nays, 14:

Behn	Hartsuch	Kettering	Stewart
Feenstra	Houser	McKinley	Wieck
Hamerlinck	Johnson	Noble	
Hancock	Kapucian	Seymour	

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  
(Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration [Senate File 444](#).

[Senate File 444](#)

On motion of Senator Jochum, [Senate File 444](#), a bill for an act relating to the uniform adult guardianship and protective proceedings Act relating to the establishment, transfer, and recognition of guardianships and conservatorships in multistate cases, and including effective date and applicability provisions, was taken up for consideration.

Senator Kreiman asked and received unanimous consent that action on [Senate File 444](#) be **deferred**.

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that [Senate File 452](#) be **immediately messaged** to the House.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration Senate Files 435 and 343.

[Senate File 435](#)

On motion of Senator Rielly, [Senate File 435](#), a bill for an act relating to the entry upon land by a surveyor for land survey purposes, was taken up for consideration.

Senator Kreiman asked and received unanimous consent to withdraw amendment [S-3138](#), filed by Senators Kreiman and Reynolds from the floor to page 1 of the bill.

Senator Kreiman offered amendment [S-3139](#), filed by Senators Kreiman and Reynolds from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-3139](#) was adopted by a voice vote.

With the adoption of amendment [S-3139](#), the Chair ruled amendment [S-3080](#), filed by Senator Kreiman on March 17, 2009, to page 1 of the bill, out of order.

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. 435](#)), 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.

### [Senate File 343](#)

On motion of Senator Quirmbach, [Senate File 343](#), a bill for an act relating to local regulation of certain lawn applications, was taken up for consideration.

Senator Quirmbach 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. 343](#)), the vote was:

Rule 23, requiring all senators present to vote except those who express a conflict of interest, was invoked.

Yeas, 28:

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

Nays, 22:

Bartz	Hamerlinck	Kapucian	Stewart
Behn	Hancock	Kettering	Ward
Boettger	Hartsuch	McKinley	Wieck

Dandekar	Horn	Noble	Zaun
Feenstra	Houser	Reynolds	
Hahn	Johnson	Seymour	

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 Courtney asked and received unanimous consent that **Senate Files 343** and **435** be **immediately messaged** to the House.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dearden, until he returns, on request of Senator Courtney.

#### CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Courtney called up the appointment of Preston Daniels as Director of the Department of Human Rights, placed on the Individual Confirmation Calendar on March 23, 2009, found on page 803 of the Senate Journal.

Senator Hatch moved that the foregoing appointment be confirmed by the Senate.

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

Yeas, 49:

Appel	Fraise	Kapucian	Schoenjahn
Bartz	Gronstal	Kettering	Seng
Beall	Hahn	Kibbie	Seymour
Behn	Hamerlinck	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

Dotzler	Houser	Reynolds
Dvorsky	Jochum	Rielly
Feenstra	Johnson	Schmitz

Nays, none.

Absent, 1:

Dearden

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

**CONFIRMATION OF GOVERNOR'S APPOINTMENT**  
(Individual Confirmation Calendar)

Senator Courtney called up the appointment of Timothy Orr as Adjutant General of the State of Iowa, placed on the Individual Confirmation Calendar on March 10, 2009, found on page 597 of the Senate Journal.

Senator Beall moved that the foregoing appointment be confirmed by the Senate.

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

Yeas, 49:

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	Wieck
Dandekar	Heckroth	Olive	Wilhelm
Danielson	Hogg	Quirnbach	Zaun
Dearden	Horn	Ragan	
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	Rielly	

Nays, none.

Present, 1:

Warnstadt

Absent, none.

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

#### CONFIRMATION OF GOVERNOR'S APPOINTMENTS

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

Robert Brecke – Boiler and Pressure Vessel Board

John Calisesi – Board of Chiropractic  
Michael Powell – Board of Chiropractic  
Sharon Tate – Board of Chiropractic

Marc Lindeen – Commission on Community Action Agencies

Jerry Talbott – Board of Cosmetology Arts and Sciences

Theresa Legg – Commission on the Deaf

Marijo Beasler – Board of Dentistry  
Gary Roth – Board of Dentistry

Susan Reams – Board of Dietetics

Elizabeth Cacak – Board of Educational Examiners  
Carol Trueg – Board of Educational Examiners

Kevin Perley – Electrical Examining Board  
Duane Quirk – Electrical Examining Board  
Rodrick Van Wart – Electrical Examining Board

Kristine Kesterson – Elevator Safety Board  
Jennifer McConkey – Elevator Safety Board  
Wayne Sims – Elevator Safety Board

Terry Butler – Iowa Emergency Response Commission

Christopher Carman – Iowa Empowerment Board

Cathy Ryba – Iowa Empowerment Board

Christy VanBuskirk – Engineering and Land Surveying  
Examining Board

Saima Zafar – Iowa Ethics and Campaign Disclosure Board

Jodi Grover – Generation Iowa Commission

Dorothy Walters – Board of Hearing Aid Dispensers

Dennis Barnum – Iowa Higher Education Loan Authority

Jennifer Voorhees – Interior Design Examining Board

David Creighton, Sr. – Investment Board of the IPERS

David Fjare – Landscape Architectural Examining Board

Analisa Haberman – Board of Medicine

Siroos Shirazi – Board of Medicine

Bradley Hawn – Board of Mortuary Science

Paul Johnson – Board of Mortuary Science

Connie Boyd – Board of Nursing

Patrice Herrera – Board of Nursing Home Administrators

Daniel Larmore – Board of Nursing Home Administrators

Michael Svejda – Board of Nursing Home Administrators

Michael Ohlson – Board of Optometry

Barbara Washburn – Board of Optometry

Mark Anliker – Board of Pharmacy

Susan Frey – Board of Pharmacy

Helen McNurlen – Board of Physical and Occupational Therapy

John Olson – Board of Physician Assistants

Mickey Gage – Plumbing and Mechanical Systems Examining Board

Susan Salsman – Plumbing and Mechanical Systems Examining Board

Bridget Maher – Board of Podiatry

Ronelle Langley – Board of Psychology

Maxine Ballard – Real Estate Appraiser Examining Board  
(Appointment and Reappointment)

Laurie Dawley – Real Estate Commission

Richard Robert – Real Estate Commission

Robert Downer – State Board of Regents

Ruth Harkin – State Board of Regents

Arlene Lee – Board of Respiratory Care

Robert Zeman – Board of Respiratory Care

Jane Babcock – School Budget Review Committee

David Stout – Board of Social Work

Rebecca Vilda – Board of Speech Pathology and Audiology

Susan Leatherwood – Technology Governance Board

Ernest Greiner – Vision Iowa Board

Cathy Reece – Vision Iowa Board

Charese Yanney – Vision Iowa Board

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

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

Yeas, 44:

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

Nays, 6:

Behn	Hamerlinck	McKinley
Feenstra	Hartsuch	Zaun

Absent, none.

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

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sodders, until he returns, on request of Senator Courtney.

#### CONSIDERATION OF BILL (Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration [Senate File 119](#).

#### [Senate File 119](#)

On motion of Senator Quirnbach, [Senate File 119](#), a bill for an act relating to domestic abuse protective orders and animals owned or held by a petitioner, respondent, or minor child of the petitioner or respondent in domestic abuse cases, was taken up for consideration.

Senator Quirnbach offered amendment [S-3137](#), filed by him from the floor striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment [S-3137](#) was adopted by a voice vote.

Senator Quirnbach 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. 119](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Sodders

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

#### IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that [Senate File 119](#) be **immediately messaged** to the House.

The Senate stood at ease at 4:50 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 5:16 p.m., President Kibbie presiding.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

#### CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Dennis Molden as a member of the Plumbing and Mechanical Systems Examining Board, placed on the Individual Confirmation Calendar on March 23, 2009, found on page 803 of the Senate Journal.

Senator Jochum moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee 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	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, none.

Absent, 1:

Hartsuch

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

CONSIDERATION OF BILL  
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 180](#).

[House File 180](#)

On motion of Senator Dandekar, [House File 180](#), a bill for an act providing for the development of a complaint response process by the superintendent of credit unions and relating to the confidentiality of information obtained during the course of that process, placed on the Unfinished Business Calendar on March 19, 2009, with report of committee recommending passage, was taken up for consideration.

Senator Dandekar 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. 180](#)), 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.

## WITHDRAWN

Senator Dandekar asked and received unanimous consent that [Senate File 148](#) be **withdrawn** from further consideration of the Senate.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House File 180](#) be **immediately messaged** to the House.

The Senate stood at ease at 5:27 p.m. until the fall of the gavel.

The Senate resumed session at 6:31 p.m., President Kibbie presiding.

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 224](#).

[Senate File 224](#)

On motion of Senator Danielson, [Senate File 224](#), a bill for an act relating to the licensing and regulation of plumbers, mechanical professionals, and contractors, and including an applicability provision, was taken up for consideration.

Senator Danielson offered amendment [S-3141](#), filed by him from the floor to pages 1, 3, 4, and 8 of the bill.

Senator Black offered amendment [S-3142](#), filed by him from the floor to page 2 of amendment [S-3141](#), and moved its adoption.

A nonrecord roll call was requested.

The ayes were 24, nays 26.

Amendment [S-3142](#) lost.

Senator Danielson moved the adoption of amendment [S-3141](#).

Amendment [S-3141](#) was adopted by a voice vote.

Senator Zaun offered amendment [S-3140](#), filed by him from the floor to page 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3140](#) be adopted?" ([S.F. 224](#)) the vote was:

Yeas, 19:

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

Nays, 31:

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

Absent, none.

Amendment [S-3140](#) lost.

Senator Danielson 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. 224](#)), the vote was:

Yeas, 30:

Appel	Dvorsky	Kibbie	Seng
Beall	Fraise	Kreiman	Sodders
Bolkcom	Gronstal	McCoy	Stewart
Courtney	Hatch	Quirnbach	Ward

Dandekar	Heckroth	Ragan	Warnstadt
Danielson	Hogg	Rielly	Wilhelm
Dearden	Horn	Schmitz	
Dotzler	Jochum	Schoenjahn	

Nays, 20:

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

Absent, none.

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

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 224](#) be **immediately messaged** to the House.

#### CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 276](#).

#### [Senate File 276](#)

On motion of Senator Soddors, [Senate File 276](#), a bill for an act making technical changes to the laws relating to elections and voter registration, making a penalty applicable, and including effective date and applicability date provisions, placed on the Unfinished Business Calendar on March 19, 2009, was taken up for consideration.

Senator Soddors offered amendment [S-3143](#), filed by him from the floor to pages 9, 15, 26, 28, 29, 32, 36, 37, and 40 of the bill, and moved its adoption.

Amendment [S-3143](#) was adopted by a voice vote.

Senator Sodders asked and received unanimous consent that [House File 475](#) be **substituted** for [Senate File 276](#).

### [House File 475](#)

On motion of Senator Sodders, [House File 475](#), a bill for an act making technical changes to the laws relating to elections and voter registration, making a penalty applicable, and including effective date and applicability date provisions, placed on the Unfinished Business Calendar on March 19, 2009, with report of committee recommending passage, was taken up for consideration.

Senator Sodders 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. 475](#)), 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.

### WITHDRAWN

Senator Sodders asked and received unanimous consent that [Senate File 276](#) be **withdrawn** from further consideration of the Senate.

## 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 24, 2009, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 278](#), a bill for an act requiring notification of occupancy rates for certain premises licensed to permit on-premises consumption of alcohol.

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

[House File 687](#), a bill for an act relating to certain reporting requirements or actions required of the department of education, school districts, accredited nonpublic schools, and community colleges.

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

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House File 475](#) be **immediately messaged** to the House.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 7:29 p.m. until 8:45 a.m., Wednesday, March 25, 2009.

**APPENDIX—2****CERTIFICATES OF RECOGNITION**

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

The Reverend Michael Crawford, Pastor, Grace Baptist Church, Fort Dodge—For serving as Chaplain of the Day. Senator Beall (3/24/09).

Leland and Barb Nelsen, Anita—For celebrating their 50<sup>th</sup> wedding anniversary. Senator Boettger (3/24/09).

Ronald Rahlf, Moscow—For receiving the National Defense Medal, the Republic of Vietnam Service Medal, the Vietnam Campaign Medal, three Purple Hearts, five Bronze Stars, and numerous other commendations. Senator Hahn (3/24/09).

**REPORTS OF COMMITTEE MEETINGS****COMMERCE**

**Convened:** Tuesday, March 24, 2009, 2:10 p.m.

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

**Members Absent:** Courtney and Kettering (both excused).

**Committee Business:** Passed [HF 477](#). Approved governor's appointments.

**Adjourned:** 2:20 p.m.

**ECONOMIC GROWTH**

**Convened:** Tuesday, March 24, 2009, 1:05 p.m.

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

**Members Absent:** None.

**Committee Business:** Approved governor's appointments.

**Adjourned:** 1:20 p.m.

**REBUILD IOWA**

**Convened:** Tuesday, March 24, 2009, 1:35 p.m.

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

**Members Absent:** Dvorsky and Houser (both excused).

**Committee Business:** Presentation by the Rebuild Iowa Office.

**Adjourned:** 2:05 p.m.

**TRANSPORTATION**

**Convened:** Monday, March 23, 2009, 5:05 p.m.

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

**Members Absent:** None.

**Committee Business:** Approved governor's appointments.

**Adjourned:** 5:15 p.m.

**VETERANS AFFAIRS**

**Convened:** Tuesday, March 24, 2009, 1:40 p.m.

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

**Members Absent:** Black and Danielson (both excused).

**Committee Business:** Discussion of the Vietnam Veterans Tribute and the Gold Star Museum trip.

**Adjourned:** 1:45 p.m.

## INTRODUCTION OF BILLS

[Senate File 456](#), by committee on Ways and Means, a bill for an act modifying provisions applicable to facilities qualifying for wind energy production and renewable energy tax credits and including effective and retroactive applicability date provisions.

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

[Senate File 457](#), by committee on Ways and Means, a bill for an act relating to disaster recovery by legalizing certain actions taken and proceedings conducted by cities and counties in response to a natural disaster, designating certain activities as essential corporate purposes and essential county purposes, amending provisions related to local bonding authority and contract letting requirements, amending provisions relating to emergency contract letting requirements for joint governmental entities and institutions under the control of the board of regents, amending provisions related to city and county lease contracts and loan agreements, modifying provisions relating to municipal support of certain projects, amending provisions related to expenditures from certain revolving loan funds, and including effective date and retroactive applicability date provisions.

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

[Senate File 458](#), by committee on Ways and Means, a bill for an act authorizing cities to establish storm water drainage system utility districts for purposes of special assessments.

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

[Senate File 459](#), by committee on Ways and Means, a bill for an act providing a property tax exemption for construction or installation of a geothermal heating or cooling system and including an applicability date provision.

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

## STUDY BILL RECEIVED

**SSB 1314 Appropriations**

Relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund and related matters.

## SUBCOMMITTEE ASSIGNMENTS

**House File 315**

HUMAN RESOURCES: Hatch, Chair; Boettger and Kreiman

**House File 375**

COMMERCE: Olive, Chair; Kettering and Stewart

**House File 552**

TRANSPORTATION: Heckroth, Chair; Danielson and Reynolds

**House File 562**

HUMAN RESOURCES: Quirnbach, Chair; Bartz and Wilhelm

**House File 580**

HUMAN RESOURCES: Ragan, Chair; Seymour and Wilhelm

**House File 672**

HUMAN RESOURCES: Bolkcom, Chair; Johnson and Schmitz

**House File 682**

STATE GOVERNMENT: Courtney, Chair; Feenstra and Horn

**House File 708**

STATE GOVERNMENT: Jochum, Chair; Dearden and Hartsuch

**House File 726**

JUDICIARY: Hogg, Chair; Horn and Noble

## FINAL COMMITTEE REPORTS OF BILL ACTION

## COMMERCE

**Bill Title:** [HOUSE FILE 477 \(HSB 154\)](#), a bill for an act relating to declaration of value forms for the conveyance of real estate by making social security numbers and tax identification numbers confidential.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Warnstadt, Heckroth, Wieck, Behn, Bolkcom, Dandekar, Hartsuch, McCoy, Olive, Rielly, Schmitz, Stewart, and Ward. Nays, none. Absent, 2: Courtney and Kettering.

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

## WAYS AND MEANS

**Bill Title:** \*[SENATE FILE 456](#) (formerly [SF 216](#)), a bill for an act modifying provisions applicable to facilities qualifying for wind energy production and renewable energy tax credits and including effective and retroactive applicability date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 16: Bolkcom, McCoy, Zaun, Bartz, Dandekar, Dotzler, Feenstra, Hamerlinck, Hogg, Houser, Jochum, Quirnbach, Schmitz, Seng, Stewart, and Wilhelm. Nays, none. Absent, 1: Ward.

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

\*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on [Senate File 456](#), and they were attached to the committee report.

## ALSO:

**Bill Title:** \*[SENATE FILE 457](#) (formerly [SF 363](#)), a bill for an act relating to disaster recovery by legalizing certain actions taken and proceedings conducted by cities and counties in response to a natural disaster, designating certain activities as essential corporate purposes and essential county purposes, amending provisions related to local bonding authority and contract letting requirements, amending provisions relating to emergency contract letting requirements for joint governmental entities and institutions under the control of the board of regents, amending provisions related to city and county lease contracts and loan agreements, modifying provisions relating to municipal support of certain projects, amending provisions related to expenditures from certain revolving loan funds, and including effective date and retroactive applicability date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Bolkcom, McCoy, Dandekar, Dotzler, Hogg, Jochum, Quirnbach, Schmitz, Seng, Stewart, and Wilhelm. Nays, 5: Zaun, Bartz, Feenstra, Hamerlinck, and Houser. Absent, 1: Ward.

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

\*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on [Senate File 457](#), and they were attached to the committee report.

**ALSO:**

**Bill Title:** [SENATE FILE 458](#) (formerly [SF 362](#)), a bill for an act authorizing cities to establish storm water drainage system utility districts for purposes of special assessments.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Bolkcom, McCoy, Dotzler, Hogg, Jochum, Quirnbach, Schmitz, Seng, Stewart, and Wilhelm. Nays, 5: Zaun, Bartz, Feenstra, Hamerlinck, and Houser. Present, 1: Dandekar. Absent, 1: Ward.

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

**ALSO:**

**Bill Title:** \*[SENATE FILE 459](#) (formerly [SF 426](#)), a bill for an act providing a property tax exemption for construction or installation of a geothermal heating or cooling system and including an applicability date provision.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 16: Bolkcom, McCoy, Zaun, Bartz, Dandekar, Dotzler, Feenstra, Hamerlinck, Hogg, Houser, Jochum, Quirnbach, Schmitz, Seng, Stewart, and Wilhelm. Nays, none. Absent, 1: Ward.

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

\*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on [Senate File 459](#), and they were attached to the committee report.

**BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR**

The Secretary of the Senate submitted the following reports:

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 24th day of March, 2009:

Senate Files 27, 50, and 288.

MICHAEL E. MARSHALL  
Secretary of the Senate

**BILL SIGNED BY THE GOVERNOR**

A communication was received announcing that on March 23, 2009, the Governor approved and transmitted to the Secretary of State the following bill:

[Senate File 177](#) – Relating to requirements for school districts providing transportation to students participating in open enrollment.

**GOVERNOR'S APPOINTEE PLACED ON  
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar without recommendation for confirmation:

**ECONOMIC GROWTH**

Carrie LaSeur – Iowa Power Fund Board

**GOVERNOR'S APPOINTEES PLACED ON  
EN BLOC CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendation for confirmation:

**COMMERCE**

Denise Dolan – Credit Union Review Board

Robert Berntsen – Chair of the Utilities Board

Robert Berntsen – Utilities Board  
Krista Tanner – Utilities Board

**ECONOMIC GROWTH**

Daniel Rogers – Iowa Capital Investment Board

Scott Brennan – Iowa Great Places Board

Quentin Hart – Iowa Great Places Board

Rita Vargas – Iowa Great Places Board

Peter Hemken – Iowa Power Fund Board

Mary Norton – Iowa Power Fund Board

Bryan Dalton – Small Business Advisory Council

James Petro – Small Business Advisory Council

**HUMAN RESOURCES**

Lonnie Marshall – Board of Behavioral Science

Barbara O'Rourke – Board of Behavioral Science

Joseph DeHart – Child Advocacy Board

Michael Isaacson – Child Advocacy Board

Katherine Kaminsky – Child Advocacy Board

George Estle – Child Welfare Advisory Committee

Miriam Landsman – Child Welfare Advisory Committee

Jean McAleer – Child Welfare Advisory Committee

David VanNingen – Child Welfare Advisory Committee

Christopher Atchison – Prevention of Disabilities Policy Council

Cheryll Jones – Prevention of Disabilities Policy Council

Diane Schroeder – Prevention of Disabilities Policy Council

Daniel Ernst – Commission of Elder Affairs

Frank Leu – Commission of Elder Affairs

Kenneth Petersen – Commission of Elder Affairs

Cynthia Beauman – Health Facilities Council

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

Selden Spencer – Healthy and Well Kids in Iowa (HAWK-I) Board

Neil Broderick – Mental Health, Mental Retardation, Developmental Disabilities,  
and Brain Injury Commission

Janice Heikes – Mental Health, Mental Retardation, Developmental Disabilities,  
and Brain Injury Commission

Cindy Kaestner – Mental Health, Mental Retardation, Developmental Disabilities,  
and Brain Injury Commission

Linda Langston – Mental Health, Mental Retardation, Developmental Disabilities,  
and Brain Injury Commission

Brent Welsch – Board of Sign Language Interpreters and Transliterators Board

Bobby Russell – Commission on Tobacco Use Prevention and Control

**TRANSPORTATION**

Michael Blouin – State Transportation Commission  
Loree Miles – State Transportation Commission

**AMENDMENTS FILED**

<a href="#">S-3136</a>	<a href="#">S.F. 266</a>	House
<a href="#">S-3137</a>	<a href="#">S.F. 119</a>	Herman C. Quirnbach
<a href="#">S-3138</a>	<a href="#">S.F. 435</a>	Keith A. Kreiman Kim Reynolds
<a href="#">S-3139</a>	<a href="#">S.F. 435</a>	Keith A. Kreiman Kim Reynolds
<a href="#">S-3140</a>	<a href="#">S.F. 224</a>	Brad Zaun
<a href="#">S-3141</a>	<a href="#">S.F. 224</a>	Jeff Danielson
<a href="#">S-3142</a>	<a href="#">S.F. 224</a>	Dennis H. Black
<a href="#">S-3143</a>	<a href="#">S.F. 276</a>	Steven J. Soddors
<a href="#">S-3144</a>	<a href="#">S.F. 456</a>	Robert M. Hogg