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**STATE OF IOWA**

**Senate Journal**

**TUESDAY, APRIL 15, 2008**

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Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

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# JOURNAL OF THE SENATE

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NINETY-THIRD CALENDAR DAY  
FIFTY-FIFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, April 15, 2008

The Senate met in regular session at 8:47 a.m., President Kibbie presiding.

Prayer was offered by Paul Hansen, pastor of the First Christian Reformed Church in Hull, Iowa. He was the guest of Senator Mulder.

The Journal of Monday, April 14, 2008, was approved.

## HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 14, 2008, **passed** the following bill in which the concurrence of the Senate is asked:

**House File 2679**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters and including effective date provisions.

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

## RECESS

On motion of Senator Gronstal, the Senate recessed at 8:53 a.m. until the completion of a meeting of the committee on Rules and Administration.

## RECONVENED

The Senate reconvened at 9:00 a.m., President Kibbie presiding.

The Senate stood at ease at 9:01 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:52 a.m., President Kibbie presiding.

CONSIDERATION OF BILL  
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2420](#).

[Senate File 2420](#)

On motion of Senator McCoy, [Senate File 2420](#), a bill for an act relating to and increasing motor vehicle and trailer registration fees and title fees, allocating new revenues from fees to the TIME-21 fund, requiring the department of transportation to conduct an analysis of TIME-21 funding and a study of public transit funding, increasing the motorcycle operator's license fee and allocating the increased revenue to the motorcycle rider education fund, reallocating certain fees collected by the department of transportation, repealing the use tax on vehicles subject to registration and the use tax on certain leased motor vehicles, establishing a fee for new registration of vehicles, providing penalties, and providing effective and applicability dates, was taken up for consideration.

Senator Kettering asked and received unanimous consent that action on [Senate File 2420](#) be **deferred**.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator McKibben, until he returns, on request of Senator Angelo; Senator Heckroth, until he arrives, on request of Senator Danielson; and Senator Hatch, until he returns, on request of Senator Gronstal.

## 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:

Siew-San Wong – Board of Behavioral Science

Barbara Oliver-Hall – Credit Union Review Board

Christine O'Brien – Board of Dietetics

Jeffrey Hughes – Iowa Drug Policy Advisory Council

Linda Larson-Melin – Grape and Wine Development Commission

David Bernstein – Iowa Great Places Advisory Board

Frank Osako – Commission on the Status of Iowans of Asian and Pacific Islander Heritage

Kathy Spencer-Jensen – Board of Massage Therapy

Lynne Pothast – Board of Nursing

Terry Brown – Board of Optometry

Patricia Daniels – Real Estate Commission

Mary Kathelene Semke – Board of Respiratory Care

Joyce Westphal – Board of Social Work

Lori Walton – Board of Speech Pathology and Audiology

David Odekirk – Vision Iowa Board

Chad Leonard – Commission on the Status of Women

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

On the question “Shall the appointees be confirmed?” the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

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

## HOUSE AMENDMENT CONSIDERED

### [Senate File 2350](#)

Senator Hogg called up for consideration [Senate File 2350](#), a bill for an act relating to trusts and estates including the administration of small estates, and including retroactive and other applicability provisions, amended by the House in House amendment [S-5319](#), filed April 10, 2008.

Senator Hogg 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 Hogg 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. 2350](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Heckroth                      McKibben

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 2348](#)

Senator Olive called up for consideration [Senate File 2348](#), a bill for an act relating to the management of cooperative associations, amended by the House in House amendment [S-5318](#), filed April 10, 2008.

Senator Olive 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 Olive 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. 2348](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Heckroth                      McKibben

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 2348** and **2350** be **immediately messaged** to the House.

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 11:28 a.m. until 1:00 p.m.

#### AFTERNOON SESSION

The Senate reconvened at 1:03 p.m., President Kibbie presiding.

## FINAL COMMITTEE REPORT OF BILL ACTION

## RULES AND ADMINISTRATION

**Bill Title:** [SENATE RESOLUTION 131](#), a resolution to recognize the 2008 annual Donna Reed Festival for the Performing Arts.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: Gronstal, Kibbie, Wieck, Courtney, Dearden, Dvorsky, Ragan, and Ziemann. Nays, none. Absent, 3: Angelo, Danielson, and Lundby.

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

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration [Senate Resolution 131](#).

[Senate Resolution 131](#)

On motion of Senator Seymour, [Senate Resolution 131](#), a resolution to recognize the 2008 annual Donna Reed Festival for the Performing Arts, with report of committee recommending passage, was taken up for consideration.

Senator Seymour moved the adoption of [Senate Resolution 131](#), which motion prevailed by a voice vote.

## RECESS

On motion of Senator Horn, the Senate recessed at 1:07 p.m. until 4:00 p.m.

## APPENDIX—1

### COMMUNICATION RECEIVED

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

#### DEPARTMENT OF WORKFORCE DEVELOPMENT

Iowa Unemployment Compensation Trust Fund 2007 Status Report, pursuant to Iowa Code section 96.35. Report received on April 14, 2008.

### PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Mr. and Mrs. Roy Voggeser, Mr. and Mrs. Mark Reinhert, and Mrs. Pat Flesher, who were representing the annual Donna Reed Festival for the Performing Arts held in Denison, Iowa. Senator Seymour.

### CERTIFICATES OF RECOGNITION

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

Samuel Beernink, Sioux Center—For achieving the rank of Eagle Scout, Boy Scout Troop 211. Senator Mulder (4/15/08).

Katherine Brack, Oxford—For 34 years of service to the Clear Creek-Amana School District. Senator Dvorsky (4/15/08).

Bill Kibby, Jefferson—For his induction into the Iowa High School Athletic Directors Association Hall of Fame. Senator Beall (4/15/08).

G. Verlee Lauderbaugh, Coralville—For 34 years of service to the Clear Creek-Amana School District. Senator Dvorsky (4/15/08).

Kurt Maas—For 30 years of service to the Clear Creek-Amana School District. Senator Dvorsky (4/15/08).

Jerry Pickell, Sioux Center—For achieving the rank of Eagle Scout, Boy Scout Troop 211. Senator Mulder (4/15/08).

David Yanecek, North Liberty—For 33 years of service to the Clear Creek-Amana School District. Senator Dvorsky (4/15/08).

Tula Zanios—For celebrating her 90th birthday. Senator Ragan (4/15/08).

## REPORT OF COMMITTEE MEETING

### RULES AND ADMINISTRATION

**Convened:** April 15, 2008, 8:53 a.m.

**Members Present:** Gronstal, Chair; Kibbie, Vice Chair; Wieck, Ranking Member; Courtney, Dearden, Dvorsky, Ragan, and Ziemann.

**Members Absent:** Angelo, Danielson, and Lundby (all excused).

**Committee Business:** Approved [SJR 2005](#) and SRs 131, 150, and 151.

**Adjourned:** 8:55 a.m.

### INTRODUCTION OF RESOLUTIONS

[Senate Resolution 152](#), by Beall, a resolution to honor the Meskwaki tribe members who served as Code Talkers in North Africa during World War II and to request that Congress and the President of the United States honor all Code Talkers who served in the United States armed forces.

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

[Senate Resolution 153](#), by Horn, Dvorsky, Hogg, Lundby, Bolcom, Schmitz, Rielly, Hancock, Putney, and Hahn, a resolution honoring Kirkwood Community College's women's basketball team for winning the National Junior College Athletic Association Division II National Tournament.

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

### INTRODUCTION OF BILL

[Senate File 2422](#), by committee on Appropriations, a bill for an act relating to energy independence initiatives, specifying procedures applicable to Iowa power fund applications, authorizing allocations

from the fund, directing that specified payments, repayments, or recaptures made to or received by the board shall be deposited in the fund, authorizing increased allocations for administrative costs, and providing an effective date and applicability provision.

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

## SUBCOMMITTEE ASSIGNMENT

### [House File 2679](#)

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

## FINAL COMMITTEE REPORTS OF BILL ACTION

### APPROPRIATIONS

**Bill Title:** [SENATE FILE 2422\\*](#) ([SSB 3285](#)), a bill for an act relating to energy independence initiatives, specifying procedures applicable to Iowa power fund applications, authorizing allocations from the fund, directing that specified payments, repayments, or recaptures made to or received by the board shall be deposited in the fund, authorizing increased allocations for administrative costs, and providing an effective date and applicability provision.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Dvorsky, McCoy, Black, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Hancock, Hatch, Hogg, Ragan, Seng, Warnstadt, and Wood. Nays, 9: Kettering, Angelo, Behn, Boettger, Gaskill, Hahn, Johnson, Putney, and Ward. Absent, 1: Seymour.

**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 Appropriations Committee on [Senate File 2422](#), and they were attached to the committee report.

### RULES AND ADMINISTRATION

**Bill Title:** [SENATE JOINT RESOLUTION 2005](#), a joint resolution authorizing the temporary use and consumption of wine and beer in the State Capitol, and the temporary display of ceremonial banners, in conjunction with the awards ceremony of the World Food Prize Foundation.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: Gronstal, Kibbie, Wieck, Courtney, Dearden, Dvorsky, Ragan, and Zieman. Nays, none. Absent, 3: Angelo, Danielson, and Lundby.

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

**ALSO:**

**Bill Title:** [SENATE RESOLUTION 150](#), a resolution supporting a proposal to invite the Republic of China (Taiwan) to participate in the upcoming meeting of the World Health Assembly as an observer.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: Gronstal, Kibbie, Wieck, Courtney, Dearden, Dvorsky, Ragan, and Zieman. Nays, none. Absent, 3: Angelo, Danielson, and Lundby.

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

**ALSO:**

**Bill Title:** [SENATE RESOLUTION 151](#), a resolution requesting the Congress of the United States to give due consideration to the readiness of the Republic of China on Taiwan for membership in the United Nations.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: Gronstal, Kibbie, Wieck, Courtney, Dearden, Dvorsky, Ragan, and Zieman. Nays, none. Absent, 3: Angelo, Danielson, and Lundby.

**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 15th day of April, 2008:

Senate Files 2036, 2129, 2281, and 2338.

MICHAEL E. MARSHALL  
Secretary of the Senate

## RECONVENED

The Senate reconvened at 4:06 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 April 15, 2008, **concurred in the Senate amendment and passed** the following bills in which the concurrence of the House was asked:

[House File 2310](#), a bill for an act requiring the departments of public health and human services to collect data and develop a protocol to address the relationship between substance misuse, abuse, or dependency by a child's parent, guardian, custodian, or other person responsible for the child's care and child abuse.

[House File 2450](#), a bill for an act relating to certain department of economic development programs including vision Iowa board membership, renewable fuels marketing, film project tax credits, the promotion of Iowa tourism experiences, the consolidation of reporting requirements, the administration of targeted industries development, and providing an effective date.

[House File 2526](#), a bill for an act relating to the disposition of school property.

[House File 2601](#), a bill for an act providing for the state interagency Missouri river authority.

ALSO: That the House has on April 15, 2008, **refused to concur in the Senate amendment to the House amendment** to the following bills in which the concurrence of the House was asked:

[Senate File 2308](#), a bill for an act relating to identity theft by providing for the notification of a breach in the security of personal information, and providing penalties.

[House File 2197](#), a bill for an act requiring institutions of higher learning and community colleges to provide students with specific textbook information.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Warnstadt, until he returns, on request of Senator Gronstal.

CONFIRMATION OF GOVERNOR'S APPOINTMENT  
(Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Monique Kuester as a member of the Employment Appeal Board, placed on the Individual Confirmation Calendar on March 31, 2008, and found on page 884 of the Senate Journal.

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

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

Yeas, 37:

Angelo	Dotzler	Kreiman	Schmitz
Appel	Dvorsky	Lundby	Schoenjahn
Beall	Fraise	McCoy	Seng
Black	Gaskill	McKibben	Seymour
Boettger	Gronstal	Mulder	Stewart
Bolkcom	Hancock	Olive	Ward
Cannolly	Hatch	Putney	Wood
Courtney	Hogg	Quirnbach	
Danielson	Horn	Ragan	
Dearden	Kibbie	Rielly	

Nays, 11:

Behn	Houser	McKinley	Zaun
Hahn	Johnson	Noble	Zieman
Hartsuch	Kettering	Wieck	

Absent, 2:

Heckroth	Warnstadt
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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 Gronstal called up the appointment of Karen Foster as a member of the Grape and Wine Development Commission, placed on the Individual Confirmation Calendar on April 2, 2008, and found on page 938 of the Senate Journal.

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

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

Yeas, 46:

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

Nays, 2:

Appel	Seng
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Absent, 2:

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

RECESS

On motion of Senator Gronstal, the Senate recessed at 4:15 p.m. until the completion of a meeting of the committee on Rules and Administration.

## RECONVENED

The Senate reconvened at 4:17 p.m., President Kibbie presiding.

## INTRODUCTION OF RESOLUTION

[Senate Resolution 154](#), by committee on Rules and Administration, a resolution deferring action on the confirmation of an appointment submitted by the Governor.

Read first time and **placed on calendar**.

## HOUSE AMENDMENT CONSIDERED

[Senate File 2337](#)

Senator Rielly called up for consideration [Senate File 2337](#), a bill for an act relating to the purchase of liability insurance by the association of Iowa fairs, amended by the House in House amendment [S-5331](#), filed April 14, 2008.

Senator Rielly 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 Rielly 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. 2337](#)), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kettering	Ragan
Appel	Fraise	Kibbie	Rielly
Beall	Gaskill	Kreiman	Schmitz
Behn	Gronstal	Lundby	Schoenjahn
Black	Hahn	McCoy	Seng
Boettger	Hancock	McKibben	Seymour
Bolkcom	Hartsuch	McKinley	Stewart
Connolly	Hatch	Mulder	Ward

Courtney	Hogg	Noble	Wieck
Danielson	Horn	Olive	Wood
Dearden	Houser	Putney	Zaun
Dotzler	Johnson	Quirnbach	Zieman

Nays, none.

Absent, 2:

Heckroth                      Warnstadt

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

CONSIDERATION OF BILL  
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2662](#).

**[House File 2662](#)**

On motion of Senator Seng, [House File 2662](#), a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Seng offered amendment [S-5352](#), filed by the committee on Appropriations on April 14, 2008, to page 9 of the bill.

Senator Zieman offered amendment [S-5360](#), filed by him from the floor to pages 1 and 9 and to the title provisions of amendment [S-5352](#), and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5360](#) be adopted?" ([H.F. 2662](#)), the vote was:

Yeas, 19:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck

Gaskill	Kettering	Noble	Zieman
Hahn	Lundby	Putney	

Nays, 29:

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

Absent, 2:

Heckroth	Warnstadt
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Amendment [S-5360](#) lost.

Senator Seng moved the adoption of amendment [S-5352](#).

A record roll call was requested.

On the question “Shall amendment [S-5352](#) be adopted?” ([H.F. 2662](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Heckroth	Warnstadt
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Amendment [S-5352](#) was adopted.

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. 2662](#)), the vote was:

Yeas, 37:

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

Nays, 11:

Angelo	Hartsuch	McKinley	Wieck
Behn	Kettering	Noble	Zaun
Boettger	McKibben	Ward	

Absent, 2:

Heckroth	Warnstadt
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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 Gronstal asked and received unanimous consent to take up for consideration [House File 2556](#).

### [House File 2556](#)

On motion of Senator Kettering, [House File 2556](#), a bill for an act relating to the regulatory duties of the banking division of the department of commerce regarding banking, debt management, delayed deposit services, mortgage banking, and industrial loan companies, and providing penalties, placed on the Unfinished

Business Calendar on April 3, 2008, with report of committee recommending passage, was taken up for consideration.

Senator Bolkcom withdrew amendment [S-5255](#), filed by him on April 1, 2008, to page 8 of the bill.

Senator Bolkcom withdrew amendment [S-5286](#), filed by him on April 7, 2008, to page 8 of the bill.

Senator Warnstadt asked and received unanimous consent to withdraw amendment [S-5265](#), filed by Senators Warnstadt and Kettering on April 2, 2008, to page 10 of the bill.

Senator Kettering 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. 2556](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Heckroth

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 2337](#) and **House Files 2556** and **2662** be **immediately messaged** to the House.

## BUSINESS PENDING

[Senate File 2420](#)

The Senate resumed consideration of [Senate File 2420](#), a bill for an act relating to and increasing motor vehicle and trailer registration fees and title fees, allocating new revenues from fees to the TIME-21 fund, requiring the department of transportation to conduct an analysis of TIME-21 funding and a study of public transit funding, increasing the motorcycle operator's license fee and allocating the increased revenue to the motorcycle rider education fund, reallocating certain fees collected by the department of transportation, repealing the use tax on vehicles subject to registration and the use tax on certain leased motor vehicles, establishing a fee for new registration of vehicles, providing penalties, and providing effective and applicability dates, previously deferred.

Senator Kettering offered amendment [S-5355](#), filed by him from the floor striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator McCoy raised the point of order that amendment [S-5355](#) was not germane to the bill.

The Chair ruled the point not well-taken and amendment [S-5355](#) in order.

Senator Kettering moved the adoption of amendment [S-5355](#).

A record roll call was requested.

On the question "Shall amendment [S-5355](#) be adopted?" ([S.F. 2420](#)), the vote was:

Yeas, 17:

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

Nays, 32:

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

Absent, 1:

Heckroth

Amendment [S-5355](#) lost.

Senator McKinley withdrew amendment [S-5356](#), filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Angelo withdrew amendment [S-5357](#), filed by him from the floor striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Hartsuch withdrew amendment [S-5358](#), filed by him from the floor to page 25 of the bill.

Senator Rielly offered amendment [S-5353](#), filed by him on April 14, 2008, to page 89 of the bill, and moved its adoption.

Amendment [S-5353](#) was adopted by a voice vote.

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. 2420](#)), the vote was:

Yeas, 35:

Appel	Dotzler	Johnson	Ragan
Beall	Dvorsky	Kibbie	Rielly
Black	Gaskill	Lundby	Seng
Boettger	Gronstal	McCoy	Seymour
Bolkcom	Hahn	McKibben	Stewart
Connolly	Hatch	Mulder	Ward
Courtney	Hogg	Olive	Warnstadt
Danielson	Horn	Putney	Zieman
Dearden	Houser	Quirnbach	

Nays, 14:

Angelo	Hartsuch	Noble	Wood
Behn	Kettering	Schmitz	Zaun
Fraise	Kreiman	Schoenjahn	
Hancock	McKinley	Wieck	

Absent, 1:

Heckroth

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 2420](#) be **immediately messaged** to the House.

### FINAL COMMITTEE REPORT OF BILL ACTION

#### RULES AND ADMINISTRATION

**Bill Title:** [SENATE RESOLUTION 154](#), a resolution deferring action on the confirmation of an appointment submitted by the Governor.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: Gronstal, Kibbie, Wieck, Courtney, Dearden, Dvorsky, Ragan, and Zieman. Nays, none. Absent, 3: Angelo, Danielson, and Lundby.

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

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 154](#).

[Senate Resolution 154](#)

On motion of Senator Gronstal, [Senate Resolution 154](#), a resolution deferring action on the confirmation of an appointment submitted by the Governor, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of [Senate Resolution 154](#), which motion prevailed by a voice vote.

SENATE INSISTS

[Senate File 2308](#)

Senator Warnstadt called up for consideration [Senate File 2308](#), a bill for an act relating to identity theft by providing for the notification of a breach in the security of personal information, and providing penalties, amended by the Senate, further amended by the House, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on [Senate File 2308](#) on the part of the Senate: Senators Warnstadt, Chair; Courtney, Heckroth, Behn, and Kettering.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 2308](#) 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 April 15, 2008, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 2417](#), a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund, and providing for the repeal of the healthy Iowans tobacco trust, and providing effective dates. ([S-5362](#))

ALSO: That the House has on April 15, 2008, **concurred in the Senate amendment and passed** the following bill in which the concurrence of the Senate was asked:

[House File 2558](#), a bill for an act relating to economic development by providing for the confidentiality of certain details contained in contracts and applications for financial assistance.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:30 p.m. until 8:45 a.m., Wednesday, April 16, 2008.

**APPENDIX—2****REPORTS OF COMMITTEE MEETINGS****STATE GOVERNMENT**

**Convened:** April 15, 2008, 3:35 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:** Passed [SF 2414](#).

**Adjourned:** 3:40 p.m.

**WAYS AND MEANS**

**Convened:** April 15, 2008, 2:35 p.m.

**Members Present:** Bolkcom, Chair; McCoy, Vice Chair; McKibben, Ranking Member; Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Zieman.

**Members Absent:** None.

**Committee Business:** Passed [SF 2291](#) and HF's 2663, 2668, and 2669.

**Adjourned:** 3:05 p.m.

**INTRODUCTION OF BILL**

[Senate File 2423](#), by committee on Ways and Means, a bill for an act concerning department of administrative services operations.

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

**FINAL COMMITTEE REPORTS OF BILL ACTION****RULES AND ADMINISTRATION**

**Bill Title:** [SENATE RESOLUTION 153](#), a resolution honoring Kirkwood Community College's women's basketball team for winning the National Junior College Athletic Association Division II National Tournament.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: Gronstal, Kibbie, Wieck, Courtney, Dearden, Dvorsky, Ragan, and Zieman. Nays, none. Absent, 3: Angelo, Danielson, and Lundby.

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

## STATE GOVERNMENT

**Bill Title:** [SENATE FILE 2414](#), a bill for an act prohibiting the use of campaign funds as compensation to a candidate and providing an effective date.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Connolly, Horn, Zieman, Appel, Behn, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, 1: Black.

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

## WAYS AND MEANS

**Bill Title:** [SENATE FILE 2423](#), (formerly [SF 2291](#)) a bill for an act concerning department of administrative services operations.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 17: Bolkom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Zieman. Nays, none. Absent, none.

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

## ALSO:

**Bill Title:** [HOUSE FILE 2663](#), a bill for an act relating to the repeal of the local option sales and services tax for school infrastructure purposes by using the revenues from the increase in the state sales and use taxes for replacing lost school district revenues resulting from the repeal, providing property tax relief, providing for the reduction in the state sales and use tax, providing a penalty, and including an effective date provision.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Bolkom, McCoy, Appel, Connolly, Dotzler, Hogg, Schmitz, Seng, and Stewart. Nays, 5: McKibben, Angelo, Noble, Ward, and Zieman. Present, 2: Houser and Putney. Absent, 1: Quirnbach.

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

**ALSO:**

**Bill Title:** [HOUSE FILE 2668](#), a bill for an act relating to the disposal and recycling of used oil filters.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Ziemann. Nays, none. Absent, none.

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

**ALSO:**

**Bill Title:** [HOUSE FILE 2669](#), a bill for an act relating to the collection and recycling of mercury-added thermostats.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Ziemann. Nays, none. Absent, none.

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

## WITHDRAWAL OF GOVERNOR'S APPOINTEES

The following letters from the Governor were received in the office of the Secretary of the Senate on April 15, 2008:

I am withdrawing the name of Marilyn Spina to serve as a Board of Massage Therapy member from further consideration by the Senate.

I am withdrawing the name of Kevin Lewis to serve as a Renewable Fuels and Coproducts Advisory Committee member from further consideration by the Senate.

I am withdrawing the name of Saralee Sickles to serve as a Commission of Veterans Affairs member from further consideration by the Senate.

## GOVERNOR'S DEFERRAL LETTERS

Pursuant to Iowa Code section 147.14(17), please accept this letter as the notice of deferment of the appointment to the Board of Massage Therapy, formerly held by Marilyn Spina. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 159A.4, please accept this letter as the notice of deferment of the appointment to the Renewable Fuels and Coproducts Advisory

Committee, formerly held by Kevin Lewis. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 35A.2, please accept this letter as the notice of deferment of the appointment to the Commission of Veterans Affairs, formerly held by Saralee Sickles. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

### AMENDMENTS FILED

<a href="#"><u>S-5354</u></a>	<a href="#"><u>H.F. 2660</u></a>	Michael Connolly
<a href="#"><u>S-5355</u></a>	<a href="#"><u>S.F. 2420</u></a>	Steve Kettering
<a href="#"><u>S-5356</u></a>	<a href="#"><u>S.F. 2420</u></a>	Paul McKinley
<a href="#"><u>S-5357</u></a>	<a href="#"><u>S.F. 2420</u></a>	Jeff Angelo
<a href="#"><u>S-5358</u></a>	<a href="#"><u>S.F. 2420</u></a>	David L. Hartsuch
<a href="#"><u>S-5359</u></a>	<a href="#"><u>H.F. 2633</u></a>	Robert M. Hogg
<a href="#"><u>S-5360</u></a>	<a href="#"><u>H.F. 2662</u></a>	Mark Ziemann
<a href="#"><u>S-5361</u></a>	<a href="#"><u>S.F. 2413</u></a>	Thomas G. Courtney
<a href="#"><u>S-5362</u></a>	<a href="#"><u>S.F. 2417</u></a>	House
<a href="#"><u>S-5363</u></a>	<a href="#"><u>H.F. 2612</u></a>	Dick L. Dearden
		David Johnson
		Dennis H. Black