

PROOF

STATE OF IOWA

Senate Journal

MONDAY, MARCH 15, 2010

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.)

JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 15, 2010

The Senate met in regular session at 1:10 p.m., President Kibbie presiding.

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Chloe Wilson.

The Journal of Thursday, March 11, 2010, was approved.

SPECIAL GUESTS

Senator Feenstra welcomed to the Senate chamber the 2010 Orange City Tulip Queen and her court.

The Senate rose and expressed its welcome.

Senator Jochum introduced to the Senate chamber her parents and nephew.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:20 p.m. until 5:30 p.m.

EVENING SESSION

The Senate reconvened at 5:47 p.m., President Kibbie presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 15, 2010, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 2366](#), a bill for an act relating to public funding and regulatory matters and making, reducing, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2009, and including effective date and retroactive applicability provisions. ([S-5248](#))

ALSO: That the House has on March 15, 2010, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 2519](#), a bill for an act relating to state and local financial matters by revising certain appropriations and appropriating federal funds made available from federal block grants, the federal American Recovery and Reinvestment Act of 2009, and other nonstate sources, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated, and including effective date and retroactive applicability provisions.

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

ALSO: That the House has on March 15, 2010, **insisted** on its amendment to [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, and the Conference Committee members on the part of the House are: The Representative from Jefferson, Representative Hanson and the Representative from Webster, Representative Tjepkes, Co-Chairs; the Representative from Polk, Representative Hagenow; the Representative from Scott, Representative Lykam; the Representative from Polk, Representative Rick Olson.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on [House File 2456](#) on the part of the Senate: Senators Danielson, Chair; Rielly, Heckroth, Reynolds, and Kapucian.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Fraise and Hogg, until they arrive, on request of Senator Gronstal.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2375, 2371, and 2361.

[Senate File 2375](#)

On motion of Senator Dotzler, [Senate File 2375](#), a bill for an act relating to the administration of the sales and use taxes under the streamlined sales tax agreement and including effective date provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" ([S.F. 2375](#)), the vote was:

Yeas, 48:

Appel	Dvorsky	Johnson	Rielly
Bartz	Feenstra	Kapucian	Schmitz
Beall	Gronstal	Kettering	Schoenjahn
Behn	Hahn	Kibbie	Seng
Black	Hamerlinck	Kreiman	Seymour
Boettger	Hancock	McCoy	Sodders
Bolkcom	Hartsuch	McKinley	Stewart
Courtney	Hatch	Noble	Ward
Dandekar	Heckroth	Olive	Warnstadt

Danielson	Horn	Quirnbach	Wieck
Dearden	Houser	Ragan	Wilhelm
Dotzler	Jochum	Reynolds	Zaun

Nays, none.

Absent, 2:

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

[Senate File 2371](#)

On motion of Senator Dandekar, [Senate File 2371](#), a bill for an act relating to royalty fees for removal of sand and gravel from state-owned lands and waters located on the Cedar river in certain counties and including effective date provisions, was taken up for consideration.

Senator Dotzler offered amendment [S-5189](#), filed by him on March 4, 2010, to page 1 of the bill, and moved its adoption.

Amendment [S-5189](#) was adopted by a voice vote.

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?" ([S.F. 2371](#)), the vote was:

Yeas, 48:

Appel	Dvorsky	Johnson	Rielly
Bartz	Feenstra	Kapucian	Schmitz
Beall	Gronstal	Kettering	Schoenjahn
Behn	Hahn	Kibbie	Seng
Black	Hamerlinck	Kreiman	Seymour
Boettger	Hancock	McCoy	Sodders
Bolkcom	Hartsuch	McKinley	Stewart
Courtney	Hatch	Noble	Ward
Dandekar	Heckroth	Olive	Warnstadt

Danielson	Horn	Quirnbach	Wieck
Dearden	Houser	Ragan	Wilhelm
Dotzler	Jochum	Reynolds	Zaun

Nays, none.

Absent, 2:

Fraise Hogg

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

[Senate File 2369](#)

On motion of Senator Jochum, [Senate File 2369](#), a bill for an act relating to the reporting of statewide school infrastructure funding expenditures to the general assembly, was taken up for consideration.

Senator Jochum 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. 2369](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Fraise Hogg

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 2369, 2371, and 2375** 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 2335](#).

[Senate File 2335](#)

On motion of Senator Ragan, [Senate File 2335](#), a bill for an act relating to utilization of environmentally preferable cleaning and maintenance products in school facilities and state buildings, placed on the Unfinished Business Calendar on March 11, 2010, was taken up for consideration.

Senator Ragan offered amendment [S-5180](#), filed by her on March 2, 2010, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-5180](#) was adopted by a voice vote.

With the adoption of amendment [S-5180](#), the Chair ruled amendment [S-5110](#), filed by Senator Johnson on February 22, 2010, to pages 1-3 and amending the title page of the bill, out of order.

Senator Ragan asked and received unanimous consent that [House File 823](#) be **substituted** for [Senate File 2335](#).

[House File 823](#)

On motion of Senator Ragan, [House File 823](#), a bill for an act relating to utilization of environmentally preferable cleaning and maintenance products in school facilities and state buildings, was taken up for consideration.

Senator Ragan 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. 823](#)), the vote was:

Yeas, 28:

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

Nays, 20:

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

Absent, 2:

Fraise	Hogg
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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.

WITHDRAWN

Senator Ragan asked and received unanimous consent that [Senate File 2335](#) be **withdrawn** from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED

[Senate File 2286](#)

Senator Dotzler called up for consideration [Senate File 2286](#), a bill for an act relating to the regulation of professional and amateur mixed martial arts matches and events by the labor commissioner and providing penalties, amended by the House in House amendment [S-5225](#), filed March 10, 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 a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2286](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Fraise	Hogg
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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 AMENDMENT CONSIDERED

[Senate File 2254](#)

Senator Schoenjahn called up for consideration [Senate File 2254](#), a bill for an act relating to the powers and duties of county treasurers to assess certain property associated with fence disputes and water districts, amended by the House in House amendment [S-5223](#), filed March 10, 2010.

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

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

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

On the question "Shall the bill pass?" ([S.F. 2254](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Fraise	Hogg
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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.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2254** and **2286** and [House File 823](#) be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

[Senate File 2224](#)

Senator Beall called up for consideration [Senate File 2224](#), a bill for an act relating to boards of administration for horizontal property, amended by the House in House amendment [S-5239](#), filed March 11, 2010.

Senator Beall 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 Beall 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. 2224](#)), the vote was:

Yeas, 46:

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

Nays, 2:

Kettering McKinley

Absent, 2:

Fraise Hogg

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 2156](#)

Senator Hatch called up for consideration [Senate File 2156](#), a bill for an act relating to the IowaCare program, and providing for repeals, amended by the House in House amendment [S-5221](#), filed March 10, 2010.

Senator Hatch 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 Hatch 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. 2156](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Fraise Hogg

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

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2461](#).

[House File 2461](#)

On motion of Senator Wilhelm, [House File 2461](#), a bill for an act relating to school business official training and authorization, placed on the Unfinished Business Calendar on March 11, 2010, with report of committee recommending passage, was taken up for consideration.

Senator Feenstra offered amendment [S-5204](#), filed by him on March 9, 2010, to page 2 of the bill, and moved its adoption.

On the question "Shall amendment [S-5204](#) be adopted?" ([H.F. 2461](#)), the vote was:

Yeas, 21:

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

Nays, 27:

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

Absent, 2:

Fraise	Hogg
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Amendment [S-5204](#) lost.

Senator Wilhelm 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. 2461](#)), the vote was:

Yeas, 27:

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

Nays, 21:

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

Absent, 2:

Fraise	Hogg
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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 Files 2156** and **2224** and [House File 2461](#) be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2418, 2409, and 2295.

[House File 2418](#)

On motion of Senator Wilhelm, [House File 2418](#), a bill for an act relating to periodic evaluations of certain air quality standards, placed on the Unfinished Business Calendar on March 11, 2010, with report of committee recommending passage, was taken up for consideration.

Senator Wilhelm 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. 2418](#)), the vote was:

Yeas, 37:

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

Nays, 11:

Bartz	Feenstra	Kettering	Seymour
Behn	Hamerlinck	McKinley	Wieck
Boettger	Hartsuch	Reynolds	

Absent, 2:

Fraise	Hogg
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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 2409](#)

On motion of Senator Schmitz, [House File 2409](#), a bill for an act eliminating specified mortgage loan disclosure statement filing requirements applicable to financial institutions, placed on the

Unfinished Business Calendar on March 11, 2010, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" ([H.F. 2409](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Fraise Hogg

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

[House File 2295](#)

On motion of Senator Schmitz, [House File 2295](#), a bill for an act establishing a task force to review the present mission, structure, governance, and funding of the area education agencies, placed on the Unfinished Business Calendar on March 11, 2010, with report of committee recommending passage, was taken up for consideration.

Senator McKinley offered amendment [S-5246](#), filed by him 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-5246](#) be adopted?" ([H.F. 2295](#)), the vote was:

Yeas, 18:

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

Nays, 30:

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

Absent, 2:

Fraise	Hogg
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Amendment [S-5246](#) lost.

Senator McKinley offered amendment [S-5244](#), filed by him 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-5244](#) be adopted?" ([H.F. 2295](#)), the vote was:

Yeas, 18:

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

Nays, 30:

Appel	Dotzler	Kibbie	Schoenjahn
Beall	Dvorsky	Kreiman	Seng
Black	Gronstal	McCoy	Sodders

Bolkcom	Hancock	Olive	Stewart
Courtney	Hatch	Quirnbach	Warnstadt
Dandekar	Heckroth	Ragan	Wilhelm
Danielson	Horn	Rielly	
Dearden	Jochum	Schmitz	

Absent, 2:

Fraise	Hogg
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Amendment [S-5244](#) lost.

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

On the question “Shall the bill pass?” ([H.F. 2295](#)), the vote was:

Yeas, 37:

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

Nays, 11:

Bartz	Hartsuch	McKinley	Wieck
Behn	Houser	Reynolds	Zaun
Hamerlinck	Kettering	Seymour	

Absent, 2:

Fraise	Hogg
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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 **House Files 2295, 2409, and 2418** 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:

Susan Bowersox, Architectural Examining Board

Karn Johansen (Palmer), Iowa Autism Council

Joseph Rodenkirk, Boiler and Pressure Vessel Board

Thomas Walton, Criminal and Juvenile Justice Planning Advisory Council

John Lisle, Iowa Economic Development Board

Russell Allen, Elevator Safety Board

Peter Fromm, Elevator Safety Board

H. Scott Sankey, Interior Design Examining Board

Kate Gronstal, Iowa Jobs Board

Thomas Cornwell, Commission on Native American Affairs

Mary Johnson, Board of Psychology

K. Alan Hillgren, Renewable Fuel Infrastructure Board

Cathryn Callaway, Commission on Tobacco Use Prevention and Control

Phyllis Peters, 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, 48:

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

Nays, none.

Absent, 2:

Fraise Hogg

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

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Richard Oshlo, Jr. as Director of the Department of Management, placed on the Individual Confirmation Calendar on March 9, 2010, found on page 752 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, 48:

Appel	Dvorsky	Johnson	Rielly
Bartz	Feenstra	Kapucian	Schmitz
Beall	Gronstal	Kettering	Schoenjahn
Behn	Hahn	Kibbie	Seng
Black	Hamerlinck	Kreiman	Seymour
Boettger	Hancock	McCoy	Sodders
Bolkcom	Hartsuch	McKinley	Stewart

Courtney	Hatch	Noble	Ward
Dandekar	Heckroth	Olive	Warnstadt
Danielson	Horn	Quirnbach	Wieck
Dearden	Houser	Ragan	Wilhelm
Dotzler	Jochum	Reynolds	Zaun

Nays, none.

Absent, 2:

Fraise Hogg

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 7:20 p.m. until 8:45 a.m., Tuesday, March 16, 2010.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Coach Casey Korn, Calamus Wheatland High School—For receiving second place in the 2010 Class 1-A Boys' State Basketball Tournament. Senator Hamerlinck (3/15/10).

Tim Olson, Ankeny—For his many years of service as an educator in the Ankeny Community School System and Coach for the Ankeny High School Boys' Basketball team. Senator Noble (3/15/10).

PRESENTATION OF VISITORS

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

Four high school students from Marshalltown High School, accompanied by Erin Weatherly, IJAG. Senator Sodders.

Members of the Information Operations Field Support Team A, Iowa National Guard, whose mobilization will be on March 16, 2010. Senator Warnstadt.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Monday, March 15, 2010, 2:10 p.m.

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

Members Absent: Fraise and Hogg (both excused).

Committee Business: Approved SSBs 3242 and 3243.

Recessed: 2:15 p.m.

Reconvened: 2:45 p.m.

Adjourned: 3:10 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Monday, March 1, 2010, 2:45 p.m.

Members Present: Courtney, Chair; Jochum, Vice Chair; Ward, Ranking Member; Dearden, Dotzler, Hatch, Horn, Houser, Wieck, and Zaun.

Members Absent: Gronstal (excused).

Committee Business: Passed [HF 681](#).

Adjourned: 2:50 p.m.

ALSO:

Convened: Thursday, March 4, 2010, 11:30 a.m.

Members Present: Courtney, Chair; Jochum, Vice Chair; Ward, Ranking Member; Dotzler, Hatch, Horn, Houser, Wieck, and Zaun.

Members Absent: Dearden and Gronstal (both excused).

Committee Business: Passed [HF 2485](#).

Adjourned: 11:35 a.m.

WAYS AND MEANS

Convened: Monday, March 15, 2010, 3:20 p.m.

Members Present: Bolkcom, Chair; McCoy, Vice Chair; Zaun, Ranking Member; Bartz, Dandekar, Dotzler, Feenstra, Hamerlinck, Houser, Jochum, Quirmbach, Schmitz, Seng, Stewart, Ward, and Wilhelm.

Members Absent: Hogg (excused).

Committee Business: Approved [SSB 3250](#).

Adjourned: 3:50 p.m.

INTRODUCTION OF BILLS

[Senate File 2376](#), by committee on Appropriations, 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 and applicability provisions.

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

[Senate File 2377](#), by committee on Appropriations, a bill for an act relating to and making appropriations to the judicial branch.

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

[Senate File 2378](#), by committee on Appropriations, a bill for an act relating to and making appropriations to the justice system, providing for fees and fines, and including effective date provisions.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: *[SENATE FILE 2376 \(SSB 3248\)](#), 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 and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Dvorsky, McCoy, Appel, Bolkcom, Danielson, Dearden, Dotzler, Fraise, Hancock, Hatch, Hogg, Jochum, Ragan, Schoenjahn, Seng, and Warnstadt. Nays, 9: Kettering, Bartz, Boettger, Feenstra, Hahn, Johnson, Kapucian, Noble, and Seymour. Absent, none.

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 2376](#), and they were attached to the committee report.

ALSO:

Bill Title: [SENATE FILE 2377 \(SSB 3242\)](#), a bill for an act relating to and making appropriations to the judicial branch.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Dvorsky, McCoy, Appel, Bolkcom, Danielson, Dearden, Dotzler, Hancock, Hatch, Jochum, Ragan, Schoenjahn, Seng, and Warnstadt. Nays, 9: Kettering, Bartz, Boettger, Feenstra, Hahn, Johnson, Kapucian, Noble, and Seymour. Absent, 2: Fraise and Hogg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 2378 \(SSB 3243\)](#), a bill for an act relating to and making appropriations to the justice system, providing for fees and fines, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dvorsky, McCoy, Appel, Bolkcom, Danielson, Dearden, Dotzler, Hancock, Jochum, Ragan, Schoenjahn, Seng, and Warnstadt. Nays, 9: Kettering, Bartz, Boettger, Feenstra, Hahn, Johnson, Kapucian, Noble, Seymour. Absent, 3: Fraise, Hatch, and Hogg.

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 2378](#), and they were attached to the committee report.

BILL 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 bill has 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 12th day of March, 2010:

[Senate File 2247](#).

MICHAEL E. MARSHALL
Secretary of the Senate

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 15, 2010, the Governor approved and transmitted to the Secretary of State the following bill:

[Senate File 2247](#) – Authorizing the modification of the designation of a gaming enforcement officer.

**WITHDRAWAL AND DEFERRAL OF
GOVERNOR'S APPOINTEE**

The following letters from the Governor were received in the office of the Secretary of the Senate on March 12, 2010:

I am withdrawing the name of Ruth MacDonald to serve as an Iowa Economic Development Board member from further consideration by the Senate.

Pursuant to Iowa Code section 15.103, please accept this letter as the notice of deferment of the appointment to the Iowa Economic Development Board, formerly held by Ruth MacDonald. 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.

Sincerely,
CHESTER J. CULVER
Governor

AMENDMENTS FILED

<u>S-5242</u>	<u>S.F. 2374</u>	Randy Feenstra James F. Hahn Hubert Houser Shawn Hamerlinck Brad Zaun Steve Kettering Paul McKinley Ron Wieck James A. Seymour David Hartsuch Merlin Bartz Pat Ward Larry Noble David Johnson Tim L. Kapucian Kim Reynolds Nancy J. Boettger
<u>S-5243</u>	<u>S.F. 2374</u>	Randy Feenstra James F. Hahn Hubert Houser Shawn Hamerlinck Steve Kettering Paul McKinley Ron Wieck James A. Seymour David Hartsuch Merlin Bartz Pat Ward Larry Noble David Johnson Tim L. Kapucian Kim Reynolds Nancy J. Boettger
<u>S-5244</u>	<u>H.F. 2295</u>	Paul McKinley
<u>S-5245</u>	<u>S.F. 2290</u>	Swati A. Dandekar Matt McCoy Jack Hatch Steven J. Soddars Steve Warnstadt

		William A. Dotzler, Jr.
		Shawn Hamerlinck
		David Johnson
		Kim Reynolds
		Jerry Behn
		Paul McKinley
S-5246	H.F. 2295	Paul McKinley
S-5247	S.F. 2374	Randy Feenstra
S-5248	S.F. 2366	House
S-5249	S.F. 2374	David Johnson
S-5250	S.F. 2374	Brad Zaun
		Larry Noble
		Pat Ward
		James A. Seymour
		Ron Wieck
		Paul McKinley
		Steve Kettering
		Nancy J. Boettger
		Kim Reynolds
		Tim L. Kapucian
		David Johnson
		Shawn Hamerlinck
		Hubert Houser
		James F. Hahn
		Randy Feenstra