

State of Iowa

JOURNAL OF THE SENATE

**EIGHTY-FIRST
GENERAL ASSEMBLY**

**2006 REGULAR SESSION AND
EXTRAORDINARY SESSION**

Volume I

JOHN P. KIBBIE, President of the Senate
JEFFREY M. LAMBERTI, President of the Senate
MICHAEL E. MARSHALL, Secretary of the Senate

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Des Moines

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EIGHTY-FIRST GENERAL ASSEMBLY
2006 Regular Session

OFFICERS OF THE SENATE

JOHN P. "JACK" KIBBIE, <i>President of the Senate</i>	Emmetsburg
JEFF LAMBERTI, <i>President of the Senate</i>	Ankeny
ROBERT E. DVORSKY, <i>President Pro Tempore</i>	Coralville
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MICHAEL E. GRONSTAL, <i>Democratic Floor Leader</i>	Council Bluffs
STEWART E. IVERSON, JR., <i>Republican Floor Leader</i>	Clarion
JERRY BEHN, <i>Republican Assistant Leader</i>	Boone
JOE BOLKCOM, <i>Democratic Assistant Leader</i>	Iowa City
MICHAEL CONNOLLY, <i>Democratic Assistant Leader</i>	Dubuque
THOMAS G. COURTNEY, <i>Democratic Whip</i>	Burlington
WILLIAM A. DOTZLER, JR., <i>Democratic Assistant Leader</i>	Waterloo
E. THURMAN GASKILL, <i>Republican Assistant Leader</i>	Corwith
DAVID JOHNSON, <i>Republican Assistant Leader</i>	Ocheyedan
JOHN PUTNEY, <i>Republican Assistant Leader</i>	Gladbrook
AMANDA RAGAN, <i>Democratic Assistant Leader</i>	Mason City
MARK ZIEMAN, <i>Republican Assistant Leader</i>	Postville
MICHAEL E. MARSHALL, <i>Secretary of the Senate</i>	West Des Moines
TOM ASHWORTH, <i>Republican Caucus Research Analyst</i>	West Des Moines
ERIC BAKKER, Sr. <i>Administrative Assistant to Democratic Leader</i>	Des Moines
BECKY BEACH, Sr. <i>Administrative Assistant to Republican President</i>	Des Moines
K'ANN BRANDT, <i>Confidential Secretary to Secretary of the Senate</i>	Ankeny
LOIS J. BROWNELL, Sr. <i>Finance Officer</i>	Ankeny
JERRY CARLSON, <i>Doorkeeper</i>	Des Moines
SVEND A. CHRISTENSEN, <i>Postmaster</i>	Des Moines
SARAH CLARK, <i>Assistant Journal Editor</i>	Grimes

CYNTHIA A. CLINGAN, <i>Sr. Assistant Secretary of the Senate</i>	West Des Moines
STEVE CONWAY, <i>Sr. Administrative Asst. to Democratic President</i> ...	West Des Moines
ANGELA COX, <i>Assistant Journal Editor</i>	Des Moines
CREIGHTON COX, <i>Administrative Assistant to Republican Leader</i>	Des Moines
KATHLEEN CUROE, <i>Indexer/Records and Supply</i>	Des Moines
JAMES DOUGLAS, <i>Doorkeeper</i>	Huxley
PAMELA DUGDALE, <i>Republican Caucus Sr. Research Analyst</i>	West Des Moines
KARI DUMMERMUTH, <i>Legislative Secretary</i>	Johnston
MARC ELCOCK, <i>Administrative Assistant to Republican Leader</i>	Des Moines
ALYCE ELMITT, <i>Confidential Secretary to Republican President</i>	Urbandale
CATHERINE ENGEL, <i>Legislative Secretary</i>	West Des Moines
JIM FRIEDRICH, <i>Republican Caucus Research Analyst</i>	Ankeny
TIFFANY GILBERT, <i>Staff Assistant</i>	Johnston
BRIDGET GODES, <i>Democratic Caucus Research Analyst</i>	Des Moines
CHARLES GOYER, <i>Legislative Secretary</i>	Ames
JANET HAWKINS, <i>Journal Editor</i>	Bondurant
MEGAN HENEKE, <i>Legislative Secretary</i>	Spirit Lake
SUE ELLEN HUDSON, <i>Switchboard Operator</i>	Carlisle
VICKI IVERSON, <i>Confidential Secretary to Republican Leader</i>	Clarion
CAROLANN JENSEN, <i>Republican Caucus Senior Research Analyst</i>	Osceola
DEBBIE KATTENHORN, <i>Administrative Asst. to Democratic Leader</i>	Norwalk
THERESA L. KEHOE, <i>Democratic Caucus Senior Research Analyst</i>	Des Moines
KAY KIBBIE, <i>Confidential Secretary to Democratic President</i>	Emmetsburg
WILLIAM L. KRIEG, <i>Sergeant-at-Arms</i>	Des Moines
ROBERT LANGBEHN, <i>Doorkeeper</i>	Des Moines
JO ANN LARSON, <i>Switchboard Operator</i>	Indianola
LINDA LAURENZO, <i>Senior Finance Officer</i>	Clive

EMBER LEONARD, <i>Administrative Secretary to Secretary of the Senate</i>	Ames
ANGIE LEWIS, <i>Republican Caucus Research Analyst</i>	West Des Moines
FRANK LOEFFEL, <i>Doorkeeper</i>	Des Moines
RUSTY MARTIN, <i>Democratic Caucus Communications Director</i>	Perry
PETER MATTHES, <i>Republican Caucus Research Analyst</i>	Ankeny
JACE MIKELS, <i>Democratic Caucus Research Analyst</i>	Des Moines
SUE MONAHAN, <i>Democratic Caucus Research Analyst</i>	Des Moines
JAY MOSHER, <i>Bill Clerk</i>	Milo
KATHY OLAH, <i>Senior Indexer</i>	West Des Moines
RICHARD OSHLO, <i>Democratic Caucus Senior Research Analyst</i>	Des Moines
RON PARKER, <i>Democratic Caucus Senior Staff Director</i>	Des Moines
TOM SHELD AHL, <i>Assistant Sergeant-at-Arms</i>	West Des Moines
ERICA SHORKEY, <i>Democratic Caucus Communications Specialist</i>	Des Moines
JULIE T. SIMON, <i>Democratic Caucus Research Analyst</i>	Des Moines
KIMBERLY STEENHOEK, <i>Republican Caucus Communications Dir.</i>	Des Moines
KERMIT A. TANNATT, <i>Doorkeeper</i>	Pleasant Hill
RUSS TRIMBLE, <i>Republican Caucus Research Analyst</i>	West Des Moines
ANDY WARREN, <i>Republican Caucus Staff Director</i>	West Des Moines
KAITLYN WELTHA, <i>Legislative Secretary</i>	Winterset
BOB WHITE, <i>Doorkeeper</i>	West Des Moines
TRICIA WILLEMSEN, <i>Assistant to Legal Counsel</i>	Johnston
KERRY WRIGHT, <i>Democratic Caucus Research Analyst</i>	Waukee

JOINT EMPLOYEES OF THE SENATE AND HOUSE

MARK L. WILLEMSEN, <i>Facilities Manager</i>	Johnston
MARK S. LUNDBERG, <i>Conservation/Restoration Specialist</i>	Des Moines
SHAWNA S. FERGUSON, <i>Security Officer</i>	Norwalk
NICKOLAS S. BROWN, <i>Security Officer</i>	Des Moines
RICHARD A. CRAWFORD, <i>Security Officer</i>	Des Moines

MARSHALL T. IRWIN, <i>Security Officer</i>	Des Moines
CARL E. LAMI, <i>Security Officer</i>	Grimes
MAHLON Y. LAMP, <i>Security Officer</i>	Atlantic
STEVEN D. MARSH, <i>Security Officer</i>	Madrid
ROY E. PARADISE, <i>Security Officer</i>	Des Moines
ROBERT J. PORTER, <i>Security Officer</i>	Osceola
JUDITH A. SALIER, <i>Security Officer</i>	Monroe
CURTIS SCOTT, <i>Security Officer</i>	Waukee
LEO R. SKEFFINGTON, <i>Security Officer</i>	Adel
KENT STEVENS, <i>Security Officer</i>	Granger

ELECTED STATE OFFICIALS

Official Address: Des Moines, Iowa

THOMAS J. VILSACK, *Governor*..... Mt. Pleasant
SALLY J. PEDERSON, *Lieutenant Governor*..... Des Moines
CHET CULVER, *Secretary of State*..... West Des Moines
DAVID A. VAUDT, *Auditor of State*..... West Des Moines
MICHAEL L. FITZGERALD, *Treasurer of State*..... Urbandale
PATTY JUDGE, *Secretary of Agriculture*..... Albia
TOM MILLER, *Attorney General*..... Des Moines

JUSTICES OF THE IOWA SUPREME COURT

LOUIS A. LAVERATO, *Chief Justice*..... West Des Moines
MARK S. CADY, *Justice*..... Fort Dodge
JAMES H. CARTER, *Justice*..... Cedar Rapids
JERRY L. LARSON, *Justice*..... Harlan
MICHAEL J. STREIT, *Justice*..... Johnston
MARSHA K. TERNUS, *Justice*..... Grimes
DAVID WIGGINS, *Justice*..... West Des Moines

JUDGES OF THE IOWA COURT OF APPEALS

ROSEMARY SHAW SACKETT, *Chief Judge*..... Okoboji
LARRY J. EISENHAUER, *Judge*..... Ankeny
DARYL L. HECHT, *Judge*..... Sioux City
TERRY L. HUITINK, *Judge*..... Ireton
ROBERT E. MAHAN, *Judge*..... Ames
JOHN C. MILLER, *Judge*..... Burlington
ANURADHA VAITHESWARAN, *Judge*..... Des Moines
GAYLE NELSON VOGEL, *Judge*..... Spirit Lake
VAN D. ZIMMER, *Judge*..... Vinton

MEMBERS OF THE SENATE

EIGHTY-FIRST GENERAL ASSEMBLY 2006 REGULAR SESSION

(Xs refer to extraordinary sessions.)

JEFF ANGELO

Address.....Creston
Age.....41
Occupation.....Media Consultant
Senatorial District.....48-Adams, Clarke, Decatur, Montgomery
Ringgold, Taylor, Union
Former Legislative Service.....77th, 78th, 79th, 79thX-XXXX, 80th,
80thX & XX, 81st (1st)

DARYL BEALL

Address.....Fort Dodge
Age.....59
Occupation.....Journalist
Senatorial District.....25-Calhoun, Greene, Webster
Former Legislative Service.....80th, 80thX & XX, 81st (1st)

JERRY BEHN

Address.....Boone
Age.....51
Occupation.....Farmer/Agribusiness
Senatorial District.....24-Boone, Dallas
Former Legislative Service.....77th, 78th, 79th, 79thX-XXXX, 80th,
80thX & XX, 81st (1st)

DENNIS H. BLACK

Address.....Grinnell
Age.....66
Occupation.....Conservationist
Senatorial District.....21-Jasper, Polk
Former Legislative Service.....70th, 71st, 72nd, 72ndX & XX, 73rd, 74th, 74thX & XX,
75th, 76th, 77th, 78th, 79th, 79thX-XXXX, 80th, 80thX & XX, 81st (1st)

NANCY J. BOETTGER

Address.....Harlan
Age.....62
Occupation.....Farmer/Former Educator
Senatorial District.....29-Adair, Audubon, Cass, Guthrie,
Pottawattamie, Shelby
Former Legislative Service.....76th, 77th, 78th, 79th, 79thX-XXXX, 80th,
80thX & XX, 81st (1st)

JOE BOLKCOM

Address Iowa City
 Age 49
 Senatorial District 39-Johnson
 Former Legislative Service 78th, 79th, 79thX-XXXX, 80th, 80thX & XX, 81st (1st)

BOB BRUNKHORST

Address Waverly
 Age 39
 Occupation Computer Analyst
 Senatorial District 9-Black Hawk, Bremer, Butler, Fayette
 Former Legislative Service 75th, 76th, 77th, 78th, 79th, 79thX-XXXX,
 80th, 80thX & XX, 81st (1st)

MICHAEL CONNOLLY

Address Dubuque
 Age 60
 Occupation Legislator
 Senatorial District 14-Dubuque
 Former Legislative Service 68th, 69th, 69thX & XX, 70th, 71st, 72nd,
 72ndX & XX, 73rd, 74th, 74thX & XX, 75th, 76th, 77th, 78th,
 79th, 79thX-XXXX, 80th, 80thX & XX, 81st (1st)

THOMAS G. COURTNEY

Address Burlington
 Age 58
 Occupation Retired
 Senatorial District 44-Des Moines, Louisa, Muscatine
 Former Legislative Service 80th, 80thX & XX, 81st (1st)

JEFF DANIELSON

Address Cedar Falls
 Age 35
 Occupation Professional Firefighter
 Senatorial District 10-Black Hawk
 Former Legislative Service 81st (1st)

DICK L. DEARDEN

Address Des Moines
 Age 67
 Occupation Retired, Job Developer-5th Judicial District
 Senatorial District 34-Polk
 Former Legislative Service 76th, 77th, 78th, 79th, 79thX-XXXX,
 80th, 80thX & XX, 81st (1st)

WILLIAM A. DOTZLER, JR.

Address.....Waterloo
 Age.....56
 Occupation.....Retired—John Deere
 Senatorial District.....11—Black Hawk
 Former Legislative Service.....77th, 78th, 79th, 79thX—XXXX, 80th,
 80thX & XX, 81st (1st)

ROBERT E. DVORSKY

Address.....Coralville
 Age.....57
 Occupation.....Job Developer, 6th Jud. District—Dept. of Correctional Services
 Senatorial District.....15—Johnson, Linn
 Former Legislative Service.....72nd, 72ndX & XX, 73rd, 74th, 74thX & XX,
 75th, 76th, 77th, 78th, 79th, 79thX—XXXX, 80th, 80thX & XX, 81st (1st)

GENE FRAISE

Address.....Fort Madison
 Age.....73
 Occupation.....Farmer
 Senatorial District.....46—Henry, Lee
 Former Legislative Service.....71st (2nd), 72nd, 72ndX & XX, 73rd, 74th,
 74thX & XX, 75th, 76th, 77th, 78th, 79th, 79thX—XXXX, 80th, 80thX & XX, 81st (1st)
 (Elected in special election held on January 7, 1986.)

E. THURMAN GASKILL

Address.....Corwith
 Age.....70
 Occupation.....Farmer
 Senatorial District.....6—Cerro Gordo, Franklin, Hancock, Winnebago, Worth
 Former Legislative Service.....77th (2nd), 78th, 79th, 79thX—XXXX,
 80th, 80thX & XX, 81st (1st)
 (Elected in special election held on February 3, 1998.)

MICHAEL E. GRONSTAL

Address.....Council Bluffs
 Age.....55
 Senatorial District.....50—Pottawattamie
 Former Legislative Service.....70th, 71st, 72nd, 72ndX & XX, 73rd, 74th, 74thX & XX,
 75th, 76th, 77th, 78th, 79th, 79thX—XXXX, 80th, 80thX & XX, 81st (1st)

JAMES F. HAHN

Address Muscatine
 Age 70
 Occupation Property Management
 Senatorial District 40—Cedar, Johnson, Muscatine
 Former Legislative Service 74th, 74thX & XX, 75th, 76th, 77th, 78th,
 79th, 79thX—XXXX, 80th, 80thX & XX, 81st (1st)

TOM HANCOCK

Address Epworth
 Age 57
 Occupation Retired—United States Postal Service
 Senatorial District 16—Delaware, Dubuque, Jones
 Former Legislative Service 81st (1st)

JACK HATCH

Address Des Moines
 Age 55
 Occupation Real Estate Developer
 Senatorial District 33—Polk
 Former Legislative Service 71st, 72nd, 72ndX & XX, 73rd, 74th, 74thX & XX,
 79th, 79thX—XXXX, 80th, 80thX & XX, 81st (1st)

WALLY E. HORN

Address Cedar Rapids
 Age 72
 Occupation Legislator
 Senatorial District 17—Linn
 Former Legislative Service 65th, 66th, 67th, 67thX, 68th, 69th, 69thX & XX,
 70th, 71st, 72nd, 72ndX & XX, 73rd, 74th, 74thX & XX,
 75th, 76th, 77th, 78th, 79th, 79thX—XXXX, 80th, 80thX & XX, 81st (1st)

HUBERT HOUSER

Address Carson
 Age 63
 Occupation Farmer
 Senatorial District 49—Fremont, Mills, Page, Pottawattamie
 Former Legislative Service 75th, 76th, 77th, 78th, 79th, 79thX—XXXX,
 80th, 80thX & XX, 81st (1st)

STEWART E. IVERSON, JR.

Address Clarion
 Age 55
 Occupation Farmer, Arbitrator, Mediator, Consultant
 Senatorial District 5—Franklin, Hamilton, Story, Webster, Wright
 Former Legislative Service 73rd (2nd), 74th, 74thX & XX, 75th, 76th, 77th, 78th,
 79th, 79thX—XXXX, 80th, 80thX & XX, 81st (1st)
 (Elected in special election held on November 7, 1989.)

DAVID JOHNSON

Address Ocheyedan
 Age 54
 Occupation Dairy Farming
 Senatorial District 3—Clay, Dickinson, O'Brien, Osceola, Sioux
 Former Legislative Service 78th, 79th, 79thX—XXXX, 80th, 80thX & XX, 81st (1st)

STEVE KETTERING

Address Lake View
 Age 61
 Occupation Community Banker
 Senatorial District 26—Buena Vista, Carroll, Crawford, Sac
 Former Legislative Service 78th, 79th, 79thX—XXXX, 80th, 80thX & XX, 81st (1st)

JOHN P. "JACK" KIBBIE

Address Emmetsburg
 Age 76
 Occupation Farmer
 Senatorial District 4—Emmet, Humboldt, Kossuth,
Palo Alto, Pocahontas, Webster
 Former Legislative Service 59th, 60th, 60thX, 61st, 62nd, 73rd, 74th, 74thX & XX,
 75th, 76th, 77th, 78th, 79th, 79thX—XXXX, 80th, 80thX & XX, 81st (1st)

KEITH A. KREIMAN

Address Bloomfield
 Age 50
 Occupation Attorney
 Senatorial District 47—Appanoose, Davis, Wapello, Wayne
 Former Legislative Service 75th, 76th, 77th, 78th, 79th, 79thX—XXXX,
 80th, 80thX & XX, 81st (1st)

JEFF LAMBERTI

Address Ankeny
 Age 43
 Occupation Attorney
 Senatorial District 35-Polk
 Former Legislative Service 76th, 77th, 78th, 79th, 79thX-XXXX, 80th,
 80thX & XX, 81st (1st)

CHARLES W. LARSON, JR.

Address Cedar Rapids
 Age 36
 Occupation Attorney
 Senatorial District 19-Linn
 Former Legislative Service 75th, 76th, 77th, 78th, 79th, 79thX-XXXX,
 80th, 80thX & XX, 81st (1st)

MARY LUNDBY

Address Marion
 Age 57
 Occupation Legislator
 Senatorial District 18-Linn
 Former Legislative Service 72nd, 72ndX & XX, 73rd, 74th, 74thX & XX,
 75th, 76th, 77th, 78th, 79th, 79thX-XXXX, 80th, 80thX & XX, 81st (1st)

MATT McCOY

Address Des Moines
 Age 39
 Occupation Vice President, Downtown Dev. Corp.
 Senatorial District 31-Polk
 Former Legislative Service 75th, 76th, 77th, 78th, 79th, 79thX-XXXX,
 80th, 80thX & XX, 81st (1st)

LARRY McKIBBEN

Address Marshalltown
 Age 59
 Occupation Lawyer
 Senatorial District 22-Hardin, Marshall
 Former Legislative Service 77th, 78th, 79th, 79thX-XXXX, 80th,
 80thX & XX, 81st (1st)

PAUL McKINLEY

Address Chariton
 Age 58
 Occupation Businessman
 Senatorial District 36-Jasper, Lucas, Mahaska, Marion, Monroe
 Former Legislative Service 79th, 79thX-XXXX, 80th, 80thX & XX, 81st (1st)

Address..... Fairfield
Age.....59
Occupation Attorney/Farmer
Senatorial District45—Jefferson, Johnson, Van Buren, Wapello, Washington
Former Legislative Service78th, 79th, 79thX—XXXX, 80th, 80thX & XX, 81st (1st)

Address.....Sioux Center
Age.....66
Occupation.....Retired College Professor
Senatorial District.....2-Lyon, Plymouth, Sioux
Former Legislative Service.....81st (1st)

Address..... Gladbrook
Age61
OccupationExecutive Director of Iowa State Fair Blue Ribbon Foundation
Senatorial District20—Benton, Grundy, Iowa, Tama
Former Legislative Service80th, 80thX & XX, 81st (1st)

Address..... Ames
Age.....55
Occupation Associate Professor of Economics—Iowa State University
Senatorial District..... 23—Boone, Story
Former Legislative Service 80th, 80thX & XX, 81st (1st)

Address Mason City
Age 51
Occupation Exec. Dir. of Community Kitchen of North Iowa/
Exec. Dir. of Meals on Wheels
Senatorial District 7—Cerro Gordo, Floyd, Howard, Mitchell
Former Legislative Service 79th (2nd), 79thXXX & XXXX, 80th, 80thX & XX
81st (1st)

Address.....Oskaloosa
Age.....39
Occupation.....Insurance Sales
Senatorial District.....38—Iowa, Keokuk, Mahaska, Poweshiek, Tama
Former Legislative Service.....81st (1st)

BRIAN SCHOENJAHN

Address.....Arlington
 Age.....56
 Occupation.....Legislator/Custom Wood Business
 Senatorial District.....12-Black Hawk, Buchanan, Clayton, Delaware, Fayette
 Former Legislative Service.....81st (1st)

JOE M. SENG

Address.....Davenport
 Age.....58
 Occupation.....Veterinarian
 Senatorial District.....43-Scott
 Former Legislative Service.....79th, 79thX-XXXX, 80th, 80thX & XX, 81st (1st)

JAMES A. SEYMOUR

Address.....Woodbine
 Age.....66
 Occupation.....Hospital Administrator/CEO
 Senatorial District.....28-Crawford, Harrison, Ida, Monona,
 Pottawattamie, Woodbury
 Former Legislative Service.....80th, 80thX & XX, 81st (1st)

DOUG SHULL

Address.....Indianola
 Age.....62
 Occupation.....Retired/Community Service
 Senatorial District.....37-Dallas, Madison, Warren
 Former Legislative Service.....68th, 69th, 80th, 80thX & XX, 81st (1st)

ROGER STEWART

Address.....Preston
 Age.....74
 Occupation.....Banker/Farmer
 Senatorial District.....13-Clinton, Dubuque, Jackson
 Former Legislative Service.....80th, 80thX & XX, 81st (1st)

MAGGIE TINSMAN

Address.....Davenport
 Age.....69
 Occupation.....Social Worker/Legislator
 Senatorial District.....41-Scott
 Former Legislative Service.....73rd, 74th, 74thX & XX, 75th, 76th, 77th, 78th,
 79th, 79thX-XXXX, 80th, 80thX & XX, 81st (1st)

PAT WARD

Address..... West Des Moines
 Age.....48
 OccupationFormer Public and Government Relations Executive
 Senatorial District.....30-Polk
 Former Legislative Service80th (2nd), 80thXX, 81st (1st)
 (Elected in special election held on February 3, 2004.)

STEVE WARNSTADT

Address..... Sioux City
 Age.....37
 OccupationLegislator/National Guard
 Senatorial District.....1-Woodbury
 Former Legislative Service76th, 77th, 78th, 79th, 79thX-XXXX,
 80th, 80thX & XX, 81st (1st)

RON WIECK

Address..... Sioux City
 Age.....61
 OccupationInsurance Agent
 Senatorial District.....27-Cherokee, Plymouth, Woodbury
 Former Legislative Service80th, 80thX & XX, 81st (1st)

FRANK B. WOOD

Address..... Eldridge
 Age.....54
 OccupationHigh School Associate Principal
 Senatorial District.....42-Clinton, Scott
 Former Legislative Service81st (1st)

BRAD ZAUN

Address..... Urbandale
 Age.....43
 OccupationV.P. of R & R Realty Marketing Group
 Senatorial District.....32-Polk
 Former Legislative Service81st (1st)

MARK ZIEMAN

Address..... Postville
 Age.....60
 OccupationFarmer/Trucking Co. Owner
 Senatorial District.....8-Allamakee, Chickasaw, Howard, Winneshiek
 Former Legislative Service79th, 79thX-XXXX, 80th, 80thX & XX, 81st (1st)

JOURNAL OF THE SENATE

FIRST CALENDAR DAY FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 9, 2006

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the 2006 Regular Session of the Eighty-first General Assembly convened at 10:10 a.m. The Senate was called to order by President Kibbie.

Prayer was offered by Father Clem Currans of the Holy Family Church in Emmetsburg, Iowa. He was the guest of President Kibbie.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Steve Warnstadt, member of the Senate from Woodbury County, Sioux City, Iowa.

REMARKS BY DEMOCRATIC PRESIDENT OF THE SENATE

President Kibbie addressed the Senate with the following remarks:

Welcome back to the 2006 session of the Eighty-first General Assembly.

When we came into session in 2005 after the results of the election showed a 25-25 tie, Iowans expected us to cooperate and find common ground. It was a difficult time, for some more than others, but in general, the power sharing between two parties worked, and we were able to accomplish much.

I would just take a moment to express my appreciation for the cooperative and professional attitude that our Co-President Senator Lamberti and his staff exhibited throughout the 2005 session. I deeply appreciate their help and pledge that my office will continue to work together this session.

We need to build on our successes of the 2005 session so that this historic General Assembly will be remembered as one that, while tied, was never gridlocked.

As we approach this second session, there are no shortages of challenges facing us. We have but 100 days to leave our legacy, and I believe the cornerstone of that legacy is one word—ethanol.

The bounty of our land provides us a huge resource from which we can make a strong statement about Iowa's commitment to leading the nation in the search for less energy dependence. Our corn crop provides the raw material from which we can replace millions of barrels of oil with ethanol that can and will help fuel not only our vehicles, but those across the country.

Now is the time to require that every gallon of gasoline contain 10 percent ethanol. I disagree that such a mandate is an infringement on personal freedom. Instead, I look at it as a statement of our personal responsibility to help lessen our dependence on foreign sources of energy, as well as a contribution to growing our economy by providing a huge new market for our agricultural products.

In addition to a 10 percent ethanol requirement, we need to dramatically expand the availability and use of Ethanol-85. The details of such expansion will be a major task of this Legislature, but at the least we should have an Ethanol-85 outlet in every county at the earliest possible time.

We need to harness the creative energy of our research universities, community colleges, and entrepreneurs in this massive economic development initiative. We must become not only a national, but a world, leader in renewable and alternative energy, including biodiesel and wind which are equally important in a comprehensive energy strategy.

All the easy energy in America has already been discovered. Any domestic oil we produce from this point on will be expensive and will take years to get to the consumers from its discovery. The lead time for Iowa's energy resources is in months, as every harvest season produces new resources from which we see the benefits almost immediately.

This is an Iowa issue that should not be partisan. I urge the appropriate committees to begin this work immediately. This is not only an issue of common ground, but common sense, and we should focus our efforts on the goal of less energy dependence as if our economic life and standard of living depend on it, because it does.

Another part of our economic development efforts should be toward rewarding those Iowans who work hard and play by the rules every day. They are the unsung Iowans who go to work at low-wage jobs every day. They are the workers employers depend upon, and they answer the call. They raise our children, support our communities, and help their neighbors—they deserve a raise.

It has been nine years since we raised Iowa's minimum wage, and in that time, inflation has eroded away much of the value of that wage. We should act quickly to increase the minimum wage by \$1. The current minimum wage is barely above the poverty level for an individual and does not even provide a yearly wage on which you can raise a family.

The only argument I ever hear against raising the minimum wage is that it costs jobs. Well, just saying that often enough doesn't make it true. I have seen no reputable studies to indicate that argument has any merit. If we really care about personal responsibility, let's reward work. It is the right thing to do.

Recent revelations about our standing in terms of teacher pay in Iowa versus the rest of the country should be a wake-up call we need to answer. Our best and brightest are not going into teaching, and we need to send our teachers a message that we value the work they do in developing our children. Teacher compensation cannot continue to decline, and we must make solid commitments to salary increases for our teachers.

We will also be faced with an additional review of our sex offender laws. This review should focus on our penalty structures; on prioritizing those who most require electronic monitoring; on the effectiveness of our assessment tools; and if sufficient treatment is available. We made a down payment on these areas last year and knew, full well, additional resources would be needed in this session. Our efforts last year

were bipartisan, and I urge that same type of cooperation this year. We should not play political games with this issue, and I think those we have as leaders in this body and in the House can craft solutions which we all can support.

Our task also includes other issues. These include education at all levels with a particular emphasis on community college funding because of the crucial role they play as an engine for economic development; help for small businesses that are facing a crisis in finding affordable health insurance for their employees; venture capital; property tax relief; Medicaid; responsible budgeting practices; ensuring that our public pension funds are actuarially sound; and last but not least, reviewing the needs of our veterans and their families to see that they receive the support they deserve. These are the common priorities of Iowans that will allow our state to grow and prosper.

Last year was unique and historic. The record we left from that session is one in which we all can take pride. I look at this session with optimism because this divided Legislature now knows what we need to do to make those divisions not stand in the way of responsible governing.

I am confident that in early April we will all be able to walk up to each other and say, "Well done."

We have a lot to do, and I, for one, am anxious to get started.

Thank you very much.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and notified the Senate that the House was duly organized and ready to receive any communication the Senate might be ready to transmit.

President Lamberti took the chair at 10:18 a.m.

REMARKS BY REPUBLICAN PRESIDENT OF THE SENATE

President Lamberti addressed the Senate with the following remarks:

As I have been preparing for my last legislative session, I have spent a lot of time thinking about this place. This is a timeless place that reflects the heritage and values of Iowa—we use the same desks that were used when the Legislature eliminated racial discrimination in Iowa; the desk that the first woman senator used; and the desk that the first African-American senator used. This chamber exudes history and we should be humbled. I am always humbled at the great responsibility to serve you as the Republican President—and to serve the people of Iowa.

Iowans again expect great things from us as their representatives. Government's role is to provide people with opportunities for success—whether it's helping them through rough times or creating an environment where businesses can grow and prosper. Quite simply, the people of Iowa have entrusted us with the heavy responsibility of improving their quality of life.

This Legislature has a difficult road ahead of us—we have many obstacles to our success, but look at what we accomplished in 2005:

- We established the New Jobs Tax Credit to provide incentives for any new, good-paying job created in Iowa;
- We made a long-term commitment to economic development;
- We provided \$13 million for the Community Attractions and Tourism program (CAT);
- We toughened penalties on sex offenders to protect Iowa's children; and
- We passed the toughest law in the nation to rid the state of meth manufacturing.

There is no reason to expect less from us this year, but we cannot rest on our past accomplishments.

I believe we, as senators, should think big—we should have big ideas—there is always time to compromise with those who never dare to dream. Robert Jarvik, the inventor of the artificial heart, describes leaders as “visionaries with a poorly developed sense of fear and no concept of the odds against them.” With that as my premise, here are a few big ideas to try this year:

- We should encourage small businesses in Iowa to offer health insurance to their employees—or maintain health insurance coverage—by offering a tax credit to offset the rising cost of health insurance;
- We should provide our students the opportunity to learn more by ensuring that they spend more hours in the classroom with their teachers concentrating on academics;
- We should provide seniors on fixed incomes the opportunity to remain in their homes—by freezing their property taxes after they retire;
- We should honor the service of our veterans by assisting them with the purchase of a home, and by making sure they are receiving all of the benefits to which they are entitled;
- We should seize the opportunity to move renewable fuels into the future—and avoid old arguments that are a thing of the past. The future is E-85 and biodiesel, and we must ensure that these fuels are available throughout the state; and
- We should adopt a “zero tolerance” policy for sex offenders who prey on young children, by removing them from our streets.

Albert Einstein once said, “In the middle of every difficulty lies opportunity.” Let us find that opportunity to make Iowa a better place. The people of Iowa trust us to lead this state to a brighter future—we cannot fail them.

Thank you.

President Kibbie took the chair at 10:25 a.m.

REMARKS BY THE DEMOCRATIC FLOOR LEADER

Senator Gronstal addressed the Senate as follows:

Welcome to the opening of the second session of the historic Eighty-first General Assembly in the Iowa Senate. One year ago, I said that it was safe to say that none of us expected to be here with a 25–25 tie. I also said that it was safe to say that none of us was completely sure of what to expect during the 2005 session.

Well, what did happen? When the dust settled, it was clear that we significantly exceeded expectations last spring. That success should be the road map for this session, too.

The only question today is this: Will we all continue using that road map or will some of us take a wrong turn that will spark partisan bickering and political games?

I am an optimist who expects the best for this session. After all, Iowa voters gave us, the Iowa Senate, an incredible opportunity to show our politically divided nation how to work effectively together.

We can lead the nation by showing how elected leaders can put good policy before partisan politics.

We can lead the nation by conducting our work in the open and working together in a bipartisan way. Last session, we opened up more of our subcommittee meetings and working groups to our constituents, the news media, and lobbyists.

We can lead the nation by showing how to put the common concerns of Iowans ahead of the differences that divide us. Last session, we dropped our partisan rhetoric and passed—often unanimously in the Senate—major initiatives to:

- Expand educational opportunities for our schoolchildren;
- Create a new statewide commitment to improving early childhood opportunities;
- Restore the state's long-term commitment to creating good jobs;
- Increase efforts to create more alternative energy; and
- Increase public safety on several fronts.

Finally, the simple truth is that despite the tough election campaigns in 2004 and the approaching fall campaigns, not a single senator in this chamber ran for office because they wanted to beat up on the other party. Instead, each of us ran for office because we want to accomplish good things for our state, our communities, and our neighbors.

On that note, let me issue three challenges today to my Republican and Democratic colleagues:

First: Don't get distracted by the upcoming election. There will be plenty of time after we adjourn—hopefully in mid-April—to knock on doors, take partisan shots, and worry about 125 legislative races, the governor's race, and the other statewide and congressional races.

Second: Stay focused on issues that unite us as Iowans, not divide us. Last year, we all focused our time and energy on education, health care, good jobs, and public safety—and we accomplished things that are already improving the lives of thousands and thousands of Iowans. Sound, bipartisan public policy should be our focus during this session, not bumper-sticker slogans and sound bites.

Finally: Let the legacy of this Legislature be a bipartisan legacy that improves the quality of life for all Iowans.

Can that really happen? I believe it can. All we have to do is follow last session's roadmap. Here are a few specific examples:

- Thanks to the bipartisan efforts of Senators Tinsman and Hatch, along with Representatives Carroll and Foege, thousands of Iowans now have improved access to affordable health care.
- Because of the bipartisan leadership of Senators Larson and Kreiman, the Legislature approved a tough new package of initiatives that is providing Iowa communities and children additional protections from sexual predators.
- Thanks to the bipartisan work of Senators Kreiman and Brunkhorst, and Representatives Baudler and McCarthy, the Legislature passed what many national experts have called "the toughest antimethamphetamine law in the country." We're already seeing the positive results of this new law.
- Because of the bipartisan work of Senator Black, Senator Kettering, Senator Schoenjahn, and Senator Ragan, the Legislature created the Watershed

Improvement Fund, which is the first piece of significant environmental legislation in our state in more than a decade.

Here's the bottom line. Those are the kinds of achievements that both parties told the voters they would accomplish—and I believe that we can do even more this year, including:

- Expanding the use of ethanol to create more good-paying jobs, raise grain prices for farmers, and make our state energy efficient;
- Addressing abuses of the state's eminent domain laws; and
- Fulfilling our commitment to increase student achievement by reducing class sizes and increasing teacher quality.

I hope you join me in looking forward with excitement and optimism to working hard this year in an Iowa Senate that again puts aside partisanship and puts the interests of our constituents—good jobs, good schools, and quality health care—first.

Thank you, Mr. President.

REMARKS BY THE REPUBLICAN FLOOR LEADER

Senator Iverson addressed the Senate as follows:

I want to take this opportunity to welcome everyone back for the 2006 Regular Session of our great state's Eighty-first General Assembly.

Last January we experienced an Iowa Senate divided evenly for the first time in our lives, but that divided Senate worked as a single body when legislation important to Iowans needed to be discussed. Many said that little would be accomplished and that the only news coming from this chamber would be that of fighting and true partisanship. They say this year will be a “do nothing” session where the only concern is adjourning to begin the campaigns. My friends, we proved them wrong last year; we will prove them wrong again.

This session, I know we will work together to keep Iowa moving forward in helping to provide for a stronger economy, better education, and increased public safety and health care.

When we adjourned last May, we gave a boost to every employer in Iowa, large and small, by enacting the New Jobs Tax Credit that gave each employer a tax credit for any full-time job created. When Iowa's largest export is our youth, giving an incentive to employers to create good, high-paying jobs is the greatest thing we can do to keep young people in Iowa. We need to keep working together to reduce regulations on small businesses and do more for all Iowa businesses and their employees to ensure that Iowa is competitive with surrounding states on all levels and that we keep giving incentives to grow Iowa's economy and grow our state.

Iowa is a top producer of corn and soybeans, and will soon be number 1 in the manufacturing of ethanol and biodiesel. We need to lead the nation in ethanol and biodiesel consumption as well. To do that, I believe we need to promote these products by giving incentives to retailers who sell E-85 and other renewable fuels. These incentives will help our farmers, our economy, and our environment.

Education remains a priority in this chamber. Last session, we set the “allowable growth rate” at 4 percent to increase funding for K–12 schools by \$100 million. Under the 4 percent allowable growth, total funding for schools during the 2006–2007 school year will top \$3.1 billion with two-thirds coming from the state and one-third coming from local property taxes. This year I want to focus on the classroom by stressing the importance of the basics: reading, writing, and arithmetic. We must make sure

teachers are prepared to teach and that our children are not being pushed to the next grade if they are not reading and comprehending at their current level.

Public safety and the health of all Iowans remain a top concern for this chamber.

Last year we dramatically reduced the number of meth labs in Iowa by placing tough new restrictions on the sale of pseudoephedrine, a key ingredient in meth manufacturing. We also overhauled Iowa's Medicaid program to extend healthcare coverage to more of Iowa's needy without spending more money. The first-in-the-nation program changed the way Iowa covers costs for health care at Broadlawns and University of Iowa Hospitals in order to qualify for more federal matching funds. This year we will continue to work on public safety and healthcare initiatives, including protecting our children from criminals and ensuring that rural Iowans do not need to drive to another county for medical treatment by working on medical malpractice reform.

Finally, I look out at this chamber as a proud Iowan, knowing that we will work together, not as Democrats and Republicans, but as a single legislative body working for the good of the citizens of Iowa.

Thank you, Mr. President.

SPECIAL GUESTS

Senator Kibbie introduced the Honorable Leonard L. Boswell, U.S. Representative from Iowa's Third District and former member of the Iowa Senate.

The Senate rose and expressed its welcome.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Iverson moved that a committee of four be appointed to notify the Governor that the Senate was organized and ready to receive any communication that he might be ready to transmit.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Bolkcom and Tinsman, Co-chairs, and Senators Warnstadt and Zieman.

COMMITTEE TO NOTIFY THE HOUSE

Senator Iverson moved that a committee of four be appointed to notify the House of Representatives that the Senate was organized and ready for business.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Black and Shull, Co-chairs, and Senators Gaskill and Seng.

APPOINTMENT OF PERMANENT
OFFICERS AND EMPLOYEES

Senator Iverson asked and received unanimous consent to take up the following supplemental report of the committee on Rules and Administration:

MR. PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following individuals as permanent officers and employees of the Senate for the 2006 Session of the Eighty-first General Assembly:

Journal

Assistant EditorAngela Cox

President of the Senate's Office—Democrats

SecretaryMegan Heneke

President of the Senate's Office—Republicans

Secretary Kari Dummermuth

Democratic Caucus

SecretaryCharles Goyer

Republican Caucus

Administrative Assistant to Republican Leader II.....Creighton Cox

Administrative Assistant to Republican Leader II..... Marc Elcock

Legislative Research Analyst Angie Lewis

Legislative Research Analyst III Russ Trimble

SecretaryTiffany Gilbert

Secretary Kaitlyn Weltha

Secretaries to Senators

Committee SecretarySarah Kobliska

Committee Secretary Tom Mack

Committee Secretary Carole Martin

Committee Secretary Deborah Wells

Committee Secretary Jessica Jones

Committee Secretary Keith Johnson

Committee SecretaryKristin Miller

Committee SecretaryFrances Wilke

Committee SecretaryJoyce Castonguay

Secretary Elyse Beenken

SecretaryRichard Capparell

SecretaryLaureen Deublein

Secretary Pete Hackeman
 Secretary Jeff Yanecek

MICHAEL E. GRONSTAL, Co-chair

STEWART E. IVERSON, JR., Co-chair

Senator Iverson moved the adoption of the supplemental report and appointment of the permanent officers and employees of the Senate.

The motion prevailed by a voice vote, and the foregoing officers and employees appeared before the rostrum of the Senate and were duly sworn.

APPOINTMENT OF PAGES

Senator Iverson asked and received unanimous consent to take up the following report of the committee on Rules and Administration:

MR. PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following persons as Pages for the Senate for the 2006 Session of the Eighty-first General Assembly:

RACHAEL CRESWELL, Cedar Falls
 BRITTANY DU BOIS, Dunkerton
 BROOKE DUMMERMUTH, Elgin
 MADELYNN EATON, Davenport
 JACQUELYN ERNST, Cresco
 SARAH GIDLEWSKI, Ames
 MEGAN HART, Eldridge
 JONATHON KEMPF, Jamaica
 MOLLY KUHN, Bettendorf
 ELIZABETH MOORE, Jolley
 HANNAH OLSON, Burlington
 JOHNATHON RACINE, Essex
 LUCAS STRITTMATTER, Monticello
 NORA TOBIN, Clive
 TIA UPCHURCH-FREELOVE, Colo
 LARRY YEAGER, Des Moines

MICHAEL E. GRONSTAL, Co-chair

STEWART IVERSON, JR., Co-chair

Senator Iverson moved the adoption of the report and the appointment of the Senate Pages.

The motion prevailed by a voice vote and the foregoing Senate Pages appeared before the rostrum of the Senate and were duly sworn to their oaths of office.

INTRODUCTION OF RESOLUTION

Senate Resolution 101, by Johnson, a resolution to recognize and honor photographer Robert Nandell.

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

INTRODUCTION OF BILLS

Senate File 2001, by Courtney, a bill for an act allowing school districts to use biometric fingerprint identification systems for certain restricted purposes.

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

Senate File 2002, by Beall, a bill for an act relating to the reimbursement amount paid to dealers or persons operating redemption centers who redeem empty beverage containers.

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

Senate File 2003, by Beall and Boettger, a bill for an act relating to the amount of the charitable deduction for host families of foreign exchange and other students under the individual income tax and including a retroactive applicability date provision.

Read first time and referred to committee on **Ways and Means**.

Senate File 2004, by Hatch, a bill for an act relating to energy assistance including providing supplemental funding for the low-income home energy assistance program, providing for a household heating tax credit, allocating unclaimed utility refunds, requiring low-income customer rates by rate-regulated public utilities providing gas or electric service, and providing an effective date.

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

REPORT OF THE COMMITTEE TO NOTIFY THE HOUSE

Senator Shull reported that the committee assigned to notify the House that the Senate was organized and ready for business had performed its duty.

The report was accepted and the committee discharged.

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 January 9, 2006, **adopted** the following resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 101, a concurrent resolution for a joint convention on Tuesday, January 10, 2006, at 10:00 a.m. for Governor Thomas J. Vilsack to deliver his condition of the budget message.

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

House Concurrent Resolution 102, a concurrent resolution for a joint convention on Wednesday, January 11, 2006, at 10:00 a.m. for Chief Justice Louis A. Lavorato to deliver his condition of the judicial branch message.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 11:00 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 11:05 a.m., President Kibbie presiding.

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: HOUSE CONCURRENT RESOLUTION 101, a concurrent resolution for a joint convention on Tuesday, January 10, 2006, at 10:00 a.m. for Governor Thomas J. Vilsack to deliver his condition of the budget message.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE CONCURRENT RESOLUTION 102, a concurrent resolution for a joint convention on Wednesday, January 11, 2006, at 10:00 a.m. for Chief Justice Louis A. Lavorato to deliver his condition of the judicial branch message.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House Concurrent Resolutions 101 and 102.

House Concurrent Resolution 101

On motion of Senator Iverson, **House Concurrent Resolution 101**, a concurrent resolution for a joint convention on Tuesday, January 10, 2006, at 10:00 a.m. for Governor Thomas J. Vilsack to deliver his condition of the budget message, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved the adoption of House Concurrent Resolution 101, which motion prevailed by a voice vote.

House Concurrent Resolution 102

On motion of Senator Iverson, **House Concurrent Resolution 102**, a concurrent resolution for a joint convention on Wednesday, January 11, 2006, at 10:00 a.m. for Chief Justice Louis A. Lavorato to deliver his condition of the judicial branch message, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved the adoption of House Concurrent Resolution 102, which motion prevailed by a voice vote.

REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

Senator Bolkcom reported that the committee assigned to notify the Governor that the Senate was organized and ready to receive communication had performed its duty.

The report was accepted and the committee discharged.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Concurrent Resolutions 101 and 102** be **immediately messaged** to the House.

RECESS

On motion of Senator Iverson, the Senate recessed at 11:07 a.m. until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:45 p.m., President Lamberti presiding.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:46 p.m. until 8:30 a.m., Tuesday, January 10, 2006.

APPENDIX

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 during the 2005 interim:

DEPARTMENT OF ADMINISTRATIVE SERVICES

Fiscal year 2005 Affirmative Action in Iowa report, pursuant to Iowa Code section 19B.5. Report received on September 30, 2005.

Fiscal year 2005 Human Resources Enterprise report. Report received on November 7, 2005.

AUDITOR OF STATE

County Real Estate Electronic Government Advisory Committee Report, pursuant to 2005 Acts, House File 882. Report received on October 31, 2005.

County Recorders Electronic Transaction Fee accounts for July 1, 2003, through September 30, 2005, pursuant to 2005 Acts, House File 882. Report received on November 1, 2005.

DEPARTMENT OF COMMERCE

Iowa Utilities Board 2004 annual report, pursuant to Iowa Code sections 7A.1, 7A.10, and 476.16. Report received on November 30, 2005.

IOWA COUNTY RECORDERS ASSOCIATION

Long-Range Business Plan and Integration Plan report, pursuant to 2005 Acts, House File 882. Report received on November 1, 2005.

OFFICE OF DRUG CONTROL POLICY

2006 Drug Control Strategy annual report, pursuant to Iowa Code section 80E.1. Report received on November 1, 2005.

Application to the U.S. Department of Justice for funds under the Edward Byrne Memorial Justice Assistance Grant. Report received on December 27, 2005.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Memo on the Commodities Promotion Program and Plan, pursuant to Iowa Code section 15.203(2). Report received on August 3, 2005.

January 31–June 30, 2005, semi-annual report on the progress in Value-Added Agricultural Products and Processes Financial Assistance Program. Report received on August 10, 2005.

Report on the Rural Microenterprise Program. Report received on October 31, 2005.

Annual Report on the New Jobs and Income Program's exemption from land ownership restrictions for nonresident aliens, pursuant to Iowa Code section 15.331B(4). Report received on December 16, 2005.

DEPARTMENT OF HUMAN RIGHTS

Division of Persons with Disabilities 2005 Annual Performance Plan. Report received on October 24, 2005.

DEPARTMENT OF HUMAN SERVICES

July 2005 system redesign for the Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission, pursuant to Iowa Code section 225C.6A. Report received on August 24, 2005.

Annual report on youth who received independent living foster care services, pursuant to Iowa Code section 234.35(4). Report received on December 28, 2005.

DEPARTMENT OF INSPECTIONS AND APPEALS

Registration of Electrical and Mechanical Amusement Devices report, pursuant to 2004 Acts, House Files 594 and 2562. Report received on September 1, 2005.

IOWA'S CENTER FOR AGRICULTURAL SAFETY AND HEALTH

I-CASH annual report. Report received on December 27, 2005.

DEPARTMENT OF JUSTICE

Report on the department's costs and an estimate of the time expended enforcing the Iowa competition law, pursuant to 2005 Acts, House File 811. Report received on November 22, 2005.

Report on the operation of the 2005 Iowa Prosecutor Intern Program, pursuant to Iowa Code section 13.2(12). Report received on December 19, 2005.

IOWA MEDICAID ENTERPRISE

Report on options for increasing savings relative to psychotropic drugs, while maintaining patient care quality. Report received on January 3, 2006.

MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA

Annual report, pursuant to Iowa Code section 411.5. Report received on January 4, 2006.

DEPARTMENT OF NATURAL RESOURCES

Annual Compliance Report on the Public Drinking Water Program. Report received on July 29, 2005.

Annual Report on the Oil Overcharge Restitution Program. Report received on October 5, 2005.

Report on Household Hazardous Waste Materials Program, pursuant to Iowa Code section 455F.8. Report received on January 6, 2006.

PUBLIC EMPLOYMENT RELATIONS BOARD

Annual report, pursuant to Iowa Code section 7E.3(4). Report received on December 27, 2005.

IOWA DEPARTMENT OF PUBLIC HEALTH

Stillbirth Evaluation Report, pursuant to Iowa Code chapter 136A. Report received on July 18, 2005.

Report on access to obstetrical care, pursuant to Iowa Code section 135.11(18). Report received on January 6, 2006.

Department of Public Health Annual Report, pursuant to Iowa Code section 135.11 (17). Report received on January 6, 2006.

Report on nursing, medical, dental, and pharmacy boards' sharing of administrative staff, pursuant to 2005 Acts, House File 825. Report received on January 6, 2006.

Report on organ procurement, pursuant to Iowa Code section 142C.17. Report received on January 6, 2006.

DEPARTMENT OF PUBLIC SAFETY

2004 Iowa Uniform Crime Report. Report received on October 19, 2005.

BOARD OF REGENTS

Report on the operation of the Veterinary Diagnostic Laboratory, pursuant to 2005 Acts, House File 816. Report received on September 20, 2005.

Economic Development and Technology Transfer annual report, pursuant to 2005 Acts, House File 809. Report received on November 16, 2005.

Report on International Relations. Report received on November 16, 2005.

Annual report on the College Bound and IMAGES programs, pursuant to Iowa Code sections 262.92 and 269.93. Report received on November 28, 2005.

Report on patents and licenses, pursuant to 2005 Acts, House File 868. Report received on December 12, 2005.

DEPARTMENT OF REVENUE

Report on progress in developing a system to track and analyze tax credits, pursuant to 2005 Acts, House File 810. Report received on December 29, 2005.

STATE BOARD OF TAX REVIEW

Annual Report, pursuant to Iowa Code section 421.1(5). Report received on December 23, 2005.

IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

Commission's Five-Year Financial Plan, pursuant to Iowa Code section 8D.3(3)(f). Report received on November 22, 2005.

DEPARTMENT OF TRANSPORTATION

Quarterly report regarding the progress of the building project for the Motor Vehicle Division, pursuant to 2005 Acts, House File 466. Report received on October 13, 2005.

Report of purchasing activity for soy-based inks and recycled content trash bags. Report received on December 6, 2005.

Annual report on the Highway Division's highway research and development. Report received on December 19, 2005.

Annual report on the Secondary Road Research Fund and the Street Research Fund. Report received on December 22, 2005.

Annual report for the Office of Contracts Letting, pursuant to Iowa Code section 307.12(14). Report received on January 3, 2006.

Quarterly report on the building projects for the Motor Vehicle Division, pursuant to 2005 Acts, House File 466. Report received on January 3, 2006.

TREASURER OF STATE

Annual report on the Tobacco Settlement Authority, pursuant to Iowa Code section 12E.15. Report received on December 30, 2005.

IOWA UTILITIES BOARD

Annual report on the status of utility customer contribution funds, pursuant to Iowa Code section 476.66(6). Report received on January 9, 2006.

AGENCY ICN REPORTS

Iowa Communications Network (ICN) usage reports for FY 2005, pursuant to Iowa Code section 8D.10, were received from the following agencies:

IOWA DIVISION OF BANKING – Report received on September 6, 2005.

DEPARTMENT FOR THE BLIND – Report received on September 3, 2005.

IOWA CIVIL RIGHTS COMMISSION – Report received on August 30, 2005.

DEPARTMENT OF COMMERCE – Report received on September 1, 2005.

DEPARTMENT OF EDUCATION – Reports received on November 22 and November 30, 2005.

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD – Report received on August 16, 2005.

DEPARTMENT OF HUMAN RIGHTS – Report received on September 19, 2005.

DEPARTMENT OF HUMAN SERVICES – Report received on September 28, 2005.

IPERS – Report received on September 13, 2005.

IOWA LOTTERY – Report received on September 29, 2005.

DEPARTMENT OF MANAGEMENT – Report received on November 28, 2005.

DEPARTMENT OF PUBLIC DEFENSE – Report received on November 28, 2005.

BOARD OF REGENTS – Report received on January 9, 2006.

DEPARTMENT OF REVENUE – Report received on September 28, 2005.

STATE LIBRARY OF IOWA – Report received on January 3, 2006.

IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION – Report received on October 20, 2005.

TREASURER OF STATE – Report received on September 6, 2005.

IOWA VETERANS HOME – Reports received on November 22 and December 22, 2005.

IOWA VOCATIONAL REHABILITATION SERVICES – Report received on October 24, 2005.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 3, the committee on Rules and Administration submits the following names of officers and employees of the Senate for the 81st General Assembly, 2006 Session, and their respective classifications, grades and steps:

		<u>CLASS</u>	<u>GRADE</u>	<u>STEP</u>
Admin. Asst. to Ldr. II	Creighton Cox	P-FT	32	3
Admin. Asst. to Ldr. II	Marc Elcock	P-FT	32	3
Legislative Secretary	Tiffany Gilbert	S-O	18	1
Legislative Secretary	Kari Dummermuth	S-O	18	2
Legislative Secretary	Charles Goyer	S-O	18	1
Legislative Secretary	Kaitlyn Weltha	S-O	18	1
Legis. Research Analyst	Angie Lewis	P-FT	27	1
Legis. Research Analyst III	Russ Trimble	P-FT	35	1
Legislative Secretary	Megan Heneke	S-O	18	1
Asst. Journal Editor	Angela Cox	P-FT	19	2
Legis. Committee Secretary	Sarah Kobliska	S-O	17	1
Legis. Committee Secretary	Tom Mack	S-O	18	1
Legis. Committee Secretary	Carole Martin	S-O	18	1
Legis. Committee Secretary	Deborah Wells	S-O	17	1
Legis. Committee Secretary	Jessica Jones	S-O	18	1
Legis. Committee Secretary	Keith Johnston	S-O	18	1
Legis. Committee Secretary	Kristin Miller	S-O	17	1
Legis. Committee Secretary	Frances Wilke	S-O	17	1
Legis. Committee Secretary	Joyce Castonguay	S-O	17	1
Legislative Secretary	Elyse Beenken	S-O	15	1
Legislative Secretary	Richard Capparell	S-O	15	1
Legislative Secretary	Laureen Deublein	S-O	15	1
Legislative Secretary	Pete Hackeman	S-O	15	1
Legislative Secretary	Jeff Yanecek	S-O	15	1
Page	Rachael Creswell	S-O	9	1
Page	Brittany Du Bois	S-O	9	1
Page	Brooke Dummermuth	S-O	9	1
Page	Madelynn Eaton	S-O	9	1
Page	Jacquelyn Ernst	S-O	9	1
Page	Sarah Gidlewski	S-O	9	1
Page	Megan Hart	S-O	9	1
Page	Jonathon Kempf	S-O	9	1
Page	Molly Kuhn	S-O	9	1
Page	Elizabeth Moore	S-O	9	1
Page	Hannah Olson	S-O	9	1
Page	Johnathon Racine	S-O	9	1
Page	Lucas Strittmatter	S-O	9	1
Page	Nora Tobin	S-O	9	1
Page	Tia Upchurch-Freelove	S-O	9	1
Page	Larry Yeager	S-O	9	1

MICHAEL E. GRONSTAL, Co-chair

STEWART IVERSON, JR., Co-chair

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 3, the committee on Rules and Administration submits the following increases, reclassifications, and the effective dates of Senate employees:

Sr. Admin. Asst. to Ldr.	Eric Bakker	Step 3 to Step 5 Effective 6/05
Admin. Asst. to Ldr. to Admin Asst. to Ldr. I	Debbie Kattenhorn	Grade 27, Step 4 to Grade 29, Step 4 Effective 7/05
Sr. Admin. Asst. to Ldr.	Steve Conway	Step 6 to Step 7 Effective 7/05
Sr. Caucus Staff Director	Ron Parker	Step 4 to Step 5 Effective 9/05
Sr. Legis. Research Analyst	Theresa Kehoe	Step 6 to Step 7 Effective 7/05
Sr. Legis. Research Analyst	Richard Oshlo	Step 2 to Step 4 Effective 8/05
Legis. Research Analyst II	Julie Simon	Step 3 to Step 4 Effective 1/06
Legis. Research Analyst II	Kerry Wright	Step 2 to Step 3 Effective 7/05
Legis. Research Analyst II to Legis. Research Analyst III	Rusty Martin	Grade 32, Step 3 to Grade 35, Step 2 Effective 7/05
Legis. Research Analyst I to Legis. Research Analyst II	Bridget Godes	Grade 29, Step 2 to Grade 32, Step 1 Effective 7/05
Legis. Research Analyst	Jace Mikels	Step 2 to Step 3 Effective 7/05
Legis. Research Analyst	Sue Monahan	Step 1 to Step 2 Effective 7/05
Conf. Sec. to Ldr.	Kay Kibbie	Step 2 to Step 3 Effective 6/05
Conf. Sec. to Ldr.	Erica Shorkey	Step 2 to Step 3 Effective 6/05
Admin. Asst. to Ldr. II	Creighton Cox	Step 1 to Step 2 Effective 1/06
Admin. Asst. to Ldr. III to Caucus Staff Director	Andy Warren	Grade 35, Step 3 to Grade 38, Step 5 Effective 7/05
Admin. Asst. to Ldr.	Katie Koberg	Step 1 to Step 3 Effective 7/05 Resigned 7/29/05
Sr. Legis. Research Analyst	Carolann Jensen	Step 6 to Step 7 Effective 7/05
Sr. Legis. Research Analyst	Pam Dugdale	Step 6 to Step 7 Effective 7/05
Legis. Research Analyst II to Legis. Research Analyst III	Jim Friedrich	Grade 32, Step 3 to Grade 35, Step 2 Effective 7/05
Legis. Research Analyst I	Tom Ashworth	Step 2 to Step 3 Effective 2/06
Legis. Research Analyst I	Josh Bronsink	Step 2 to Step 3 Effective 3/06 Resigned 10/6/05

Legis. Research Analyst I	Daren Jaques	Step 2 to Step 3 Effective 2/06 Resigned 9/21/05
Legis. Research Analyst I to Legis. Research Analyst II	Kimberly Steenhoek	Grade 29, Step 3 to Grade 32, Step 2 Effective 7/05
Legis. Research Analyst to Legis. Research Analyst I	Peter Matthes	Grade 27, Step 2 to Grade 29, Step 2 Effective 7/05
Conf. Sec. to Ldr.	Vicki Iverson	Step 2 to Step 3 Effective 5/05
Sr. Admin. Asst. to Ldr.	Rebecca Beach	Step 6 to Step 7 Effective 7/05
Conf. Sec. to Ldr.	Alyce Elmitt	Step 2 to Step 3 Effective 6/05
Secretary of the Senate	Michael E. Marshall	Step 5 to Step 6 Effective 6/05
Sr. Assist. Sec. of Senate	Cynthia Clingan	Step 6 to Step 7 Effective 7/05
Sr. Finance Officer II to Sr. Finance Officer III	Linda Laurenzo	Grade 35, Step 5 to Grade 38, Step 4 Effective 7/05
Finance Officer II to Sr. Finance Officer I	Lois Brownell	Grade 27, Step 6 to Grade 31, Step 4 Effective 7/05
Conf. Sec. II to Sec.	K'Ann Brandt	Step 3 to Step 4 Effective 7/05
Journal Editor II	Janet Hawkins	Step 3 to Step 4 Effective 10/05
Journal Editor I	Megan Thompson	Step 2 to Step 3 Effective 10/05 Resigned 9/8/05
Asst. Journal Editor	Sarah Clark	Step 1 to Step 2 Effective 7/05
Sr. Indexer	Kathy Olah	Step 4 to Step 5 Effective 6/05
Indexer/Records & Supply	Kathleen Curoe	Step 6 to Step 7 Effective 7/05
Admin. Sec. to Secretary	Ember Leonard	Step 1 to Step 2 Effective 1/06
Asst. to Legal Counsel	Patricia Willemssen	Step 2 to Step 3 Effective 4/06
Sgt.-at-Arms II	William Krieg	Step 4 to Step 5 Effective 1/06
Doorkeeper	Carl (Bob) Langbehn	Step 4 to Step 5 Effective 1/06
Asst. Sgt.-at-Arms	Tommy Sheldahl	Step 3 to Step 4 Effective 1/06
Postmaster	Svend Christensen	Step 6 to Step 7 Effective 1/06
Switchboard Operator	Sue Hudson	Step 1 to Step 2 Effective 2/06

Sec. to Leader	Catherine Engel	Step 1 to Step 2 Effective 2/06
Legis. Committee Secretary	Martha Connolly	Step 1 to Step 2 Effective 1/06
Legis. Committee Secretary	Gerry Gaskill	Step 2 to Step 3 Effective 1/06
Legis. Committee Secretary	Audrey Gibson	Step 6 to Step 7 Effective 1/06
Legis. Committee Secretary	Benjamin Humphrey	Step 1 to Step 2 Effective 2/06
Legis. Committee Secretary	Jennifer Larson	Step 1 to Step 2 Effective 3/06
Legis. Committee Secretary	Jennifer Long	Step 2 to Step 3 Effective 1/06
Legis. Committee Secretary	Phyllis Peterson	Step 1 to Step 2 Effective 1/06
Legis. Committee Secretary	Dorothy Pothoff	Step 6 to Step 7 Effective 1/06
Legis. Committee Secretary	LuAnn Randleman	Step 5 to Step 6 Effective 3/06
Legis. Committee Secretary	Ellen Wagner-Kerber	Step 1 to Step 2 Effective 1/06
Legis. Committee Secretary	JoAnne Wengert	Step 6 to Step 7 Effective 1/06
Legis. Committee Secretary	JoAnn West	Step 6 to Step 7 Effective 1/06
Legislative Secretary	Mardi Deluhery	Step 1 to Step 2 Effective 3/06
Legislative Secretary	Madonna Hauge	Step 4 to Step 5 Effective 2/06
Legislative Secretary	Dot Mulder	Step 1 to Step 2 Effective 2/06

MICHAEL E. GRONSTAL, Co-chair

STEWART IVERSON, JR., Co-chair

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: January 9, 2006, 9:30 a.m.

Members Present: Gronstal and Iverson, Co-chairs; Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan.

Members Absent: None.

Committee Business: Approved resolutions concerning Senate staff, chamber access, and Bob Nandell.

Adjourned: 9:45 a.m.

ALSO:

Convened: January 9, 2006, 11:00 a.m.

Members Present: Iverson, Co-chair; Angelo, Boettger, Courtney, Dvorsky, Kibbie, Lamberti, and Ragan.

Members Absent: Gronstal, Co-chair; and Hahn (both excused).

Committee Business: Approved HCRs 101 and 102.

Adjourned: 11:05 a.m.

INTRODUCTION OF BILLS

Senate File 2005, by Lamberti, an act to credit fees from the sale of certain special motor vehicle registration plates to the veterans trust fund.

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

Senate File 2006, by Lamberti, an act relating to lifetime hunting or fishing licenses for veterans who were disabled or were prisoners of war during their military service and providing for fees.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2007, by Lamberti, an act relating to the exemption from income tax of federal active duty pay of members of the armed forces military reserve and national guard and including a retroactive applicability date provision.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2008, by Kreiman, an act relating to access to certain burial sites located on private property.

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

Senate File 2009, by Kreiman, an act relating to the use of handheld two-way communication devices by motor vehicle operators under age eighteen and making penalties applicable.

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

Senate File 2010, by McKibben, Wieck, Behn, Lamberti, Iverson, Boettger, Seymour, Kettering, Miller, Hahn, Brunkhorst, Angelo, Ward, McKinley, Putney, Shull, and Houser, an act creating the penalty of death for the commission of murder in the first degree, kidnapping, and sexual abuse against the same minor, providing a penalty, and providing an effective date.

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

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 101, a resolution to recognize and honor photographer Robert Nandell.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

SECOND CALENDAR DAY SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 10, 2006

The Senate met in regular session at 8:30 a.m., President Lamberti presiding.

Prayer was offered by the Reverend Marvin Arnpriester, pastor of the Broadway United Methodist Church in Council Bluffs, Iowa. He was the guest of Senator Gronstal.

The Journal of Monday, January 9, 2006, was approved.

The Senate stood at ease at 8:38 a.m. until the fall of the gavel.

The Senate resumed session at 9:45 a.m., President Lamberti presiding.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

In accordance with House Concurrent Resolution 101, duly adopted, the Senate proceeded to the House chamber under the direction of the Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION

The joint convention convened at 9:51 a.m., President Lamberti presiding.

Senator Gronstal moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present, which motion prevailed by a voice vote.

President Lamberti declared a quorum present and the joint convention duly organized.

Senator Gronstal moved that a committee of seven, four members from the Senate and three members from the House, be appointed to notify Governor Thomas J. Vilsack that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Ragan, Ward, Johnson, and McCoy on the part of the Senate, and Representatives Schickel, Sands, and Smith on the part of the House.

Secretary of State Chet Culver, Treasurer of State Michael L. Fitzgerald, Secretary of Agriculture Patty Judge, Auditor of State David A. Vaudt, and Attorney General Tom Miller were escorted into the House chamber.

Chief Justice Louis A. Lavorato and the Justices of the Supreme Court and Chief Judge Rosemary Shaw Sackett and the Judges of the Court of Appeals were escorted into the House chamber.

Lieutenant Governor Sally J. Pederson was escorted into the House chamber.

First Lady Christie Vilsack, wife of the Governor, and their sons, Jess and Doug, were escorted into the House chamber.

The committee waited upon Governor Thomas J. Vilsack and escorted him to the Speaker's station.

President Lamberti presented Governor Thomas J. Vilsack, who delivered the following Condition of the State Address:

During the holidays, I traveled to my hometown of Mount Pleasant. At home I decided to go for a run around the high school track at the Mapleleaf Athletic Complex. Built in 1978, the complex serves as the athletic and band fields for the Mount Pleasant Community School District and Iowa Wesleyan College. As I ran around the track, my thoughts kept returning to how we built the complex and the amazing power and value of strong community.

Prior to 1978, the school district attempted to pass several bond issues to improve the facilities without success. Several of us decided to do something about the poor conditions of our facilities. We teamed up with a group of high school students from the fellowship of Christian athletes; we conducted a marathon telethon over the local

radio station and we encouraged people to call in pledges. We set a high goal—to raise \$100,000 in a single weekend. We surpassed the goal and raised over \$200,000. Children brought in jars of pennies while others called in pledges of a thousand dollars or more. The project grew as carpenters, bricklayers, steelworkers, and other construction workers gave of their time and talent. Businesses followed suit with in-kind and cash contributions. Together we built a state-of-the-art facility where later I would enjoy watching my sons perform in the band and play football. From that experience I learned a valuable lesson about the value and power of strong community—that in a strong community, people working together with a shared goal and common purpose can make the impossible, possible.

Mr. President, Mr. President, Mr. Speaker, my friends in the General Assembly, today I want to visit about the condition of our community, the great state of Iowa—how our work has strengthened our community and how by continuing to work together we can make Iowa the best place to live, work, and raise a family.

Before I begin, I want to acknowledge the Chief Justice, members of our Supreme Court and Court of Appeals, statewide elected officials, and members of the General Assembly for the dedicated service each of you provides to the people of Iowa. I want to welcome U.S. Congressman Leonard Boswell and former governor Robert Fulton. I want to especially recognize our Lieutenant Governor Sally Pederson for her extraordinary effort on behalf of all Iowans—particularly those with disabilities. I also want to recognize my first lady and our first lady, Christie Vilsack, for her full-time volunteer work promoting literacy and libraries—which has had a positive impact on the young readers of Iowa. Please join me in acknowledging each of these Iowans for their contributions to our state.

A strong community honors service. Joining us today are two Iowans that deserve our thanks for their service. Several weeks ago Christie and I traveled to Walter Reed Hospital to visit Sergeant Bobby Briggs and his wife Michelle Briggs. Bobby is a proud member of the 224th Engineering Battalion of our National Guard from southeast Iowa. The 224th distinguished itself with incredible bravery and effectiveness in Iraq. During their tour of duty, the Army National Guard's 224th Engineer Battalion lost four brave men in Iraq: Second Lieutenant Brian Gienau, Sergeant Seth Garceau, Specialist John Wayne Miller, and Sergeant Casey Byers. Our thoughts and prayers go to the families of those four soldiers and all who have lost loved ones during this war.

While Bobby Briggs was in Iraq, he sustained serious injuries after a rocket was fired into the base camp. During our brief visit, Bobby bravely talked of his hope for the future while Michelle shared her feelings about Bobby's service, his deployment, his injury, and the impact on her family. Michelle gave up her job in Mount Pleasant to have the time to take care of Bobby and their children, and to ensure he got the care he deserved. She pointed out how expensive the travel was for trips to and from hospitals in and out of state. She gave me a sheet of paper with an outline of a plan in Minnesota to provide a one-time payment of up to \$10,000 to those in the National Guard and Reserve who were seriously injured in combat. I made a promise to them that I would ask the General Assembly to adopt a similar plan for Iowa. Today, I keep that promise. The National Guard and Reserve are all about community. Our Guard and reserve members dedicate themselves to protecting us. They do it to make our state, our community safer and more secure. A strong community values that service. When a member of the community hurts, a strong community helps. That is why the first bill passed and signed into law should be Bobby and Michelle's bill to help injured soldiers and their families. Please acknowledge Bobby and Michelle, who are seated in the gallery, for their service and as representatives of all who sacrifice for us.

A strong community supports quality schools and depends upon well-educated citizens. In this grand Capitol, we dedicated much of our work and effort to improving learning in Iowa.

When we focused on reducing class sizes and emphasized better reading and math skills for our early learners, our children reversed an eight-year decline in Iowa Basic Skills test scores. Today we take pride in five straight years of improved scores. We should expect even greater gains in the future as a result of our Strong Start, early childhood efforts that now provide more help to parents as their child's first and best teacher, improve the quality of child care, and expand preschool opportunities.

A strong community recognizes that access to health care remains a right and should never be recognized as a privilege. As a result of our work, more of our children, more of our seniors, more of our veterans, more of those struggling to make ends meet, and more of those coping with mental illness receive health care as their right and not as a result of privilege.

A strong community creates opportunity. We worked hard on the Values Fund, venture capital, and utility regulation to create more jobs and increase incomes for Iowans. Today, a record number of Iowans are at work and incomes rose here at rates higher than all other states in the nation. Iowans should be encouraged by the fact that our economy is the fastest-growing economy in the Midwest and 8th fastest in the nation.

A strong community protects its people. When we focused on safety and security, we cracked down on drunk drivers, sex offenders, and meth makers. Our efforts combined with the dedication of law enforcement means our highways are safer, our communities are more secure, and our children are better protected. Our efforts must continue in the area of Homeland Security, from support for a new hygienic lab to creating a greater awareness in the private sector of risks and responsibilities. Additional efforts must also be made to ensure that when prisoners go to prison, they stay in prison.

A strong community preserves its natural resources. God blessed us with rich soil, abundant water, and clean air. Iowans value good stewardship. Iowa's national leadership in clean energy and renewable fuel combined with our recent efforts at soil conservation and improved water quality reflect that preservation ethic. These efforts must be continued and expanded this year, with an additional \$50 million dollar commitment to improve water quality.

Working together we've made a difference. Iowa changed and lives improved. Iowa is a stronger community and became an even better place to live, work, and raise a family. But, our work is not finished. A strong community never stops striving to be stronger.

While Iowans worked hard to improve, so did the rest of the world.

Thomas Friedman, columnist for the New York Times, wrote a best-selling book last year entitled *The World Is Flat*. He wrote of the convergence of three technologies that will forever change most of what we do and how we do it. The combination of the personal computer, the worldwide web, and compatible software packages meant that anyone or everyone could instantaneously transmit unlimited information to anywhere or everywhere. The rules of the game have forever changed. Friedman's advice to his readers and to all of us is that opportunity and success in the future will belong to the most creative and innovative among us.

In the future, strong communities must be creative and innovative. Our effort this session must help to prepare Iowa for that future. Strong communities, through innovation and creativity, will help to create a pathway to our future. We have work to do, and no time to waste.

For Iowa's communities to be creative, innovative, and strong, we must continue to improve our children's education.

One of the greatest gifts God gives to children is a vivid imagination. Children depend upon parents, teachers, and others to nurture it. Several months ago, I visited a preschool center in Ames. I will never forget the four-year-old child I met there who used large Legos to build a structure taller than him. When I asked him what he was building, he quickly told me a skyscraper on wheels. Imagine a skyscraper on wheels. If we do our job at improving education, can you imagine what his future will be? Can you imagine what our future will be?

Last year we launched Strong Start—a coordinated early childhood effort with the goal that every child starts school healthy and ready to learn. This year we must build upon that effort. Investment in Strong Start ensures that we will always have the new discoveries that our state and country need to create opportunity and support community.

To meet this important responsibility, every four-year-old child should have access to quality preschool. Last year we helped more children access that important opportunity, but we can not rest until all of our children have that opportunity. During this session we must increase our investment in Strong Start until quality preschool is accessible to all. For all of our children who have dreams bigger than a skyscraper on wheels—a strong start will make those dreams their reality.

I am blessed. I married a classroom teacher and consider it a great privilege. I watched for years as Christie worked hard to teach and reach every child in the middle school in Mount Pleasant, and later college students at Iowa Wesleyan College. I learned a valuable lesson—dedicated teachers are an invaluable community resource and deserve our respect.

But, our respect is not enough when our teacher compensation ranks 41st in the nation.

Several years ago we embarked on an effort to improve teacher quality and teacher compensation. We worked in a bipartisan effort to establish a real mentoring program for beginning teachers, quality standards for teachers, a career pathway focused on professional development, and better professional evaluations coupled with the opportunity to earn more. The fiscal challenges of several years ago slowed down our effort. We must finish this important work.

Strong communities rely on great schools, and great teachers make great schools. Let us commit this year to an effort over the next five years to raise salaries to the national average—moving Iowa from the bottom half of the class to the top half of the class. Our teachers deserve it, and more importantly, our children's future depends on it.

In a future dependent upon creativity and innovation, what more needs to be done in education that is not being done? Now is not the time and Iowa is not the place for complacency. Schools more than ever before must be creative learning centers where innovation and experimentation are encouraged.

Children from all over the world spend more time learning during the school day and school year than our children. Students in many lands use computers for personalized study. Creative school districts in other states expand music and art instruction and hire certified teacher-librarians. Schools experiment with class and school size, by consolidating or developing schools within schools, as an effort to find the optimum size for best learning. One state, Delaware, is now being encouraged to restructure its entire K–12 system.

Recently, I met with Kevin Johnson, former NBA star who played for the Phoenix Suns. Kevin retired and moved back to Sacramento, his hometown, to start several charter schools. Kevin understood that parental involvement is key to student success. His charter schools developed an innovative way to engage parents, particularly

parents of poorer performing students. This example of innovation in education should permeate our efforts in Iowa.

We must not rest on the fact that our children score higher on ACT and SAT than most students or that Iowa graduates a higher percentage from high school. We must press forward.

Districts longing to extend the school day or school year to individualize learning, to consolidate or to create schools within schools, to recruit teachers in shortage areas, to bring back music and art classes, or to staff libraries with certified teacher-librarians should be encouraged to do so.

Iowa should be the first state in the country to explore research and development for the K-12 system. We should create a Vanguard Schools grant program that should empower our state Board of Education to do for schools what the Vision Iowa board did with cities and towns—spur transformation. Strong communities never fear the challenge of change. Strong communities embrace it.

The future will challenge us. Finishing our work in early childhood and teacher compensation and instilling innovation in education will equip our children to meet that challenge. Our work here will enable our children to shape a brighter and better future for themselves, their state, and their nation. We have no more important work.

A strong community shapes its own future and never stops working to grow. Iowa must continue its economic transformation if we are to shape our future and continue our recent growth.

Our national leader's position in clean energy and renewable fuel production in Iowa provides a solid foundation for that effort. I pledge to work with members of the General Assembly to expand ethanol and biodiesel use and production in Iowa. Let us dedicate ourselves to make E-85 and biodiesel the future fuel of Iowa and America.

As important as that is we must expand our efforts to support innovation and creativity in more areas.

Our strategic plan for continued transformation and growth focuses on the areas of most potential for the state: agriculture and chemical biotechnology, advanced manufacturing and information solutions, and financial services, while emphasizing the important role that higher education will play. Specifically, the plan crafted by the Battelle Group encourages us to invest in the human capital and physical infrastructure necessary for innovation. Endowed chairs and faculty recruitment efforts would enable our regents universities to attract the brightest and the best to our campuses. Building and equipping more labs and incubators would enable the ideas from those bright minds to become new products and new opportunities.

Higher education—our colleges, universities, and community colleges have made great strides over the last few years to increase their commitment to the economic well-being of all of us. An additional \$50 million investment from the restructured tobacco settlement and additional investments from the Rebuild Iowa Infrastructure Fund should be invested in the human capital and physical infrastructure needed to grow our economy and continue our momentum.

A strong community embraces change. New discoveries require new approaches. One area that calls for a new approach is the area of medical research. Several years ago, we limited medical research involving nuclear cell transplants at the University of Iowa Hospitals and Clinics. At the time we never dreamt that new treatments dependent upon such transplants would be developed so quickly. Well, they have been, and as a result we should revisit our ban on nuclear cell transplants. We should remove the restrictions and allow lifesaving treatments to be administered to Iowans here in Iowa rather than forcing them to leave our state. A strong community would never do otherwise.

A strong community depends on small business for most of its new jobs. Small business remains the lifeblood of our Iowa economy. Innovation and opportunity intersect at small business. Small business owners in Iowa face unprecedented challenges from competitors around the globe. We should do more to help them effectively compete.

Many small business owners confront the dilemma of choosing either to competitively price their products or pay for health insurance for employees. There are steps we can take and should take to avoid having our small business owners make this false choice.

The key concept of insurance is the sharing and spreading of risk. The more people who shoulder the risk, the less each pays. Small steps were taken last year to spread the risk and more fairly allocate it. More must be done this year. If we allow small business to pool their risk, we will lower costs and make their businesses more competitive.

We must also recognize that when a small business owner wants to provide his or her employees with health insurance, the cost of treatment for a serious illness or injury is allocated among a very small number of people. In a strong community, we all have a stake in making sure that good, hard-working people get the help they need without bankrupting their family or their employer. By creating a state reinsurance fund, patterned after successful efforts in New York and Arizona, we can help small businesses better shoulder the burden of catastrophic illness or injury, keep their costs down, make them more competitive, and make our community stronger.

The budget we submit to the General Assembly proposes a \$30 million a year reinsurance effort funded from an increase in the fees on cigarettes and tobacco products. While I appreciate that some may not agree with the increase, the public supports it. The research is clear. When the cost of cigarettes goes up, fewer young people start smoking. Your vote will save lives, allow thousands of young people to enjoy a full and complete life, make our small businesses more competitive, and our community stronger.

Too many of our young people also die tragic deaths—car crashes that could have been avoided. Our children, fresh from getting their driver's licenses, distracted by friends in the car or a ringing cell phone, lose control and lose their lives. High school students growing up too fast think they can buck the odds by drinking and driving. We must do all we can to prevent these tragedies from repeating themselves year in and year out.

One of those youngsters needlessly killed was Nick Bisignano, son of former senator Tony Bisignano and his wife, Kim Bisignano. My first encounter with Nick was when Tony and I were sworn in as state senators in 1993. On that day Nick and the rest of the Bisignano family sat behind my family in the Senate balcony. He proudly pointed out his dad on the Senate floor. For many years later I heard stories from a proud father about his hopes for his son. My heart ached when I heard of his loss.

The Department of Public Safety, the Department of Transportation, and the Department of Public Health in conjunction with local law enforcement prepared the Keep Young Drivers Safe (KYDS) program that proposes to improve our graduated driver's license program and stiffen penalties for those providing alcohol to minors.

In honor of Nick and all of those we lost too soon, let us limit the use of cell phones and the number of passengers riding in a car with a young person operating under the graduated license. In honor of Nick and all of those we lost too soon, let us do a better job of educating young drivers about the deadly consequences of drinking and driving. In honor of Nick and all of those we lost too soon, let us toughen the penalties for those who make alcohol available to minors.

Tony and Kim are with us today. I want to thank them for their efforts to keep our kids safe after losing one of theirs. They are here today representing all the parents of children we lost too soon.

Let us, by our actions, keep our kids safe and honor the memory of those no longer here. A strong community never forgets.

Joseph Stephen Akwharti of Tanzania was a world-class runner. He trained and won the right to represent his country in the Olympic Games in the marathon. The marathon covers 26.2 miles and is a race that tests the determination of all who run it. When the race began, he hoped to medal. Early in the race, Joseph stayed near the lead. About midway in the race, he suffered a severe and disabling injury that slowed him to a jog. He kept on competing. He fell behind. He fell way behind. An hour after all other racers finished, Joseph entered the stadium and crossed the finish line to the cheers of those still in the stadium. After the race, the press asked him why he finished. He had no need to prove himself. He responded, "My country did not send me 5,000 miles to start the race; they sent me to finish the race." He understood that his community counted on him to give his best effort.

So it is with us. The citizens of this state expect us to give our best effort. They want us to put aside partisanship and dedicate our efforts to solving the people's problems and strengthen our community. People are counting on us.

Children with dreams are counting on us. Families with needs are counting on us. Small business owners with high hopes are counting on us. Patients in need of cures are counting on us. Parents protecting their children are counting on us. For all those counting on us, let us finish what we started—to strengthen our community and make Iowa the best place to live, work, and raise a family. May God bless us in this work and may God bless the great state of Iowa and these United States.

Governor Thomas J. Vilsack was escorted from the House chamber by the committee previously appointed.

Representative Jacobs moved that the joint convention be dissolved, which motion prevailed by a voice vote.

The Senate returned to the Senate chamber.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 10:50 a.m., upon the dissolution of the joint convention, until 8:30 a.m., Wednesday, January 11, 2006.

APPENDIX

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 ADMINISTRATIVE SERVICES

State's Comprehensive Annual Financial Report, pursuant to Iowa Code section 8A.502(8). Report received on January 10, 2006.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: January 10, 2006, 3:00 p.m.

Members Present: Behn and Warnstadt, Co-chairs; Beall, Bolckcom, Gronstal, Larson, McKinley, Rielly, Stewart, Zaun, and Ziemann.

Members Absent: Angelo, Courtney, Kettering, McCoy, and Wieck (all excused).

Committee Business: Organizational meeting.

Adjourned: 3:05 p.m.

ECONOMIC GROWTH

Convened: January 10, 2006, 1:15 p.m.

Members Present: Brunkhorst and Hatch, Co-chairs; Beall, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Seymour, Shull, Stewart, and Zaun.

Members Absent: None.

Committee Business: Reassigned SFs 65, 77, 117, 129, and 231 and assigned HF 720 to committee co-chairs.

Adjourned: 1:30 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 102, by Johnson and Boettger, a resolution honoring the life and accomplishments of Hugh Sidey.

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

INTRODUCTION OF BILLS

Senate File 2011, by Brunkhorst, a bill for an act relating to the operation of or travel in an all-terrain vehicle with a firearm in a person's possession and providing a penalty.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment.**

Senate File 2012, by Johnson, a bill for an act appropriating moneys to reimburse commissioners of soil and water conservation districts for administrative expenses, and providing an effective date.

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

Senate File 2013, by Zieman, a bill for an act relating to elections by making changes concerning requirements for entrances to certain polling places, arrangements of names on the ballot for nonpartisan offices, and election registers.

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

Senate File 2014, by Zieman, a bill for an act relating to the possession of marijuana, and providing a penalty.

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

Senate File 2015, by Kettering, a bill for an act increasing the speed limit on primary highways.

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

Senate File 2016, by Kibbie, a bill for an act relating to an increase in per diem paid to trustees of sanitary districts.

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

Senate File 2017, by Courtney, a bill for an act prohibiting inducements to purchase certain insurance contracts, providing penalties, and providing an applicability date.

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

Senate File 2018, by Kibbie, a bill for an act concerning the purchase of service under the Iowa public employees' retirement system and the Iowa department of public safety peace officers' retirement, accident, and disability system.

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

Senate File 2019, by Kibbie, a bill for an act concerning the purchase of credit and recalculation of benefits for certain city managers under the Iowa public employees' retirement system.

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

STUDY BILLS RECEIVED

SSB 3001 Rules and Administration

To approve and confirm the appointment of the Citizens' Aide.

SSB 3002 Judiciary

Relating to exemptions for certain personal property from execution by creditors in state court debt collection and federal bankruptcy actions.

SSB 3003 Judiciary

Prohibiting a donation or contribution to an agency, organization, or political subdivision of the state in a criminal proceeding.

SSB 3004 Judiciary

Relating to peace officer examinations of logbooks signed by purchasers of pseudoephedrine products.

SSB 3005 Judiciary

Relating to definitions in the Iowa consumer credit code.

SSB 3006 Judiciary

Concerning the appointment and removal of the chief administrative officer of the board of parole.

SUBCOMMITTEE ASSIGNMENTS

Senate File 65
(Reassignment)

ECONOMIC GROWTH: Brunkhorst and Hatch, Co-chairs

Senate File 77
(Reassignment)

ECONOMIC GROWTH: Brunkhorst and Hatch, Co-chairs

Senate File 117
(Reassignment)

ECONOMIC GROWTH: Brunkhorst and Hatch, Co-chairs

Senate File 129
(Reassignment)

ECONOMIC GROWTH: Brunkhorst and Hatch, Co-chairs

Senate File 231
(Reassignment)

ECONOMIC GROWTH: Brunkhorst and Hatch, Co-chairs

Senate File 2001

EDUCATION: Brunkhorst and Wood, Co-chairs; Connolly and McKinley

Senate File 2003

WAYS AND MEANS: Quirnbach and Zaun, Co-chairs; Miller and Stewart

Senate File 2007

WAYS AND MEANS: Danielson and Larson, Co-chairs; McCoy and Ziemann

House File 720

ECONOMIC GROWTH: Brunkhorst and Hatch, Co-chairs

SSB 3001

RULES AND ADMINISTRATION: Iverson and Gronstal, Co-chairs; Kibbie and Lamberti

SSB 3002

JUDICIARY: Fraise and McKibben, Co-chairs; Ward and Warnstadt

SSB 3003

JUDICIARY: Kreiman and McKibben, Co-chairs; Dvorsky and Ward

SSB 3004

JUDICIARY: Kreiman and Brunkhorst, Co-chairs; Hancock and Larson

SSB 3005

JUDICIARY: Hancock and Zaun, Co-chairs; Boettger and Kreiman

SSB 3006

JUDICIARY: Fraise and Larson, Co-chairs; Brunkhorst and Dvorsky

JOURNAL OF THE SENATE

THIRD CALENDAR DAY
THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 11, 2006

The Senate met in regular session at 8:33 a.m., President Kibbie presiding.

Prayer was offered by the Reverend Bruce Klapp, pastor of the Abundant Life Church in Dows, Iowa. He was the guest of Senator Iverson.

The Journal of Tuesday, January 10, 2006, was approved.

SPECIAL GUEST

Senator Tinsman introduced The Most Reverend Frank Griswold, Presiding Bishop of the Episcopalian Church of the United States.

The Most Reverend Griswold addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Resolution 101.

Senate Resolution 101

On motion of Senator Johnson, **Senate Resolution 101**, a resolution to recognize and honor photographer Robert Nandell, was taken up for consideration.

Senator Johnson moved the adoption of Senate Resolution 101, which motion prevailed by a voice vote.

The Senate stood at ease at 8:44 a.m. until the fall of the gavel.

The Senate resumed session at 9:47 a.m., President Kibbie presiding.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

In accordance with House Concurrent Resolution 102, duly adopted, the Senate proceeded to the House chamber under the direction of the Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 102, duly adopted, the joint convention was called to order at 9:51 a.m., President Kibbie presiding.

Senator Iverson moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present, which motion prevailed by a voice vote.

President Kibbie declared a quorum present and the joint convention duly organized.

Senator Iverson moved that a committee of seven, four members from the Senate and three members from the House, be appointed to escort Governor Thomas J. Vilsack to the Condition of the Iowa Judiciary Message.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Beall, Behn, Larson, and Stewart on the part of the Senate, and Representatives Anderson, Mertz, and Tymeson on the part of the House.

Senator Iverson moved that a committee of seven, four members from the Senate and three members from the House, be appointed to notify the Honorable Louis A. Lavorato, Chief Justice of the Iowa Supreme Court, that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Kreiman, McKibben, Miller, and Quirmbach on the part of the Senate, and Representatives Horbach, Paulsen, and Quirk on the part of the House.

Treasurer of State Michael L. Fitzgerald, Auditor of State David A. Vaudt, and Attorney General Tom Miller were escorted into the House chamber.

The Justices of the Supreme Court, Chief Judge Sackett and the Judges of the Court of Appeals, and the Chief Judges of the District Courts were escorted into the House chamber.

Lieutenant Governor Sally J. Pederson was escorted into the House chamber.

Mrs. Janis Lavorato, wife of the Chief Justice; his son, Nick Lavorato, and daughter-in-law, Lori Lavorato; his stepdaughter, Jenna Green; his mother-in-law, Rachel Busing; his sister-in-law, Delayne Johnson; his brother-in-law, Edward Busing; and his nephews Jacob Johnson and Matt Johnson, and friend Meghan Sullivan, were escorted into the House chamber.

The committee waited upon Governor Thomas J. Vilsack and escorted him into the House chamber.

The committee waited upon Chief Justice Louis A. Lavorato and escorted him to the Speaker's station.

President Lamberti then presented Chief Justice Louis A. Lavorato, who delivered the following Condition of the Judiciary Message:

On behalf of the court and all judges and court personnel across Iowa, I want to thank you for the invitation to speak about the State of the Iowa Judiciary. The court regards this annual report as the best opportunity to provide you, as well as the people of Iowa, with our assessment of the state's justice system.

This is the sixth time I've had the great privilege to speak to you from this podium, and it is my last. Later this year, I will retire. Serving as Iowa's chief justice has been the honor of my life. Today standing at this podium, I feel, as I did five years ago, a genuine sense of humility and awe.

This is the perfect occasion to reflect back over the years, take stock of our accomplishments, and confront our greatest challenges. My first thought was to use 1979 as the starting point for this review. That was the year I began my career as a judge, and the changes since that time have been dramatic. But then I remembered that you want to adjourn by April 18.

ADMINISTRATION OF JUSTICE

With this in mind, the starting point for my review will be 2001, the year of my first report to you. In that report, I outlined steps that would make the court system more accessible, more convenient, and more accountable. So much has happened since that day: events that remind us time and time again that the only thing certain is uncertainty.

For the past five years, we've struggled with many problems, but the problem that stands out, of course, is the state's serious financial difficulties that brought about drastic budget cuts. These have been tough years for all of us. My reason for mentioning this now is not to dredge up bad times, but to observe with pride that we pulled through. In the face of unprecedented budget cuts, the Iowa Judicial Branch managed to fulfill its mission to the people.

Last year, I reported that the years of fiscal austerity were taking a toll. Court resources were spread painfully thin and the quality of justice was at stake. We are grateful to you for heeding our concerns. The resources you provided were enough to return the courts to near normal operations. We believe we can maintain the current level of service with only a modest increase in our operating budget and sufficient salary adjustment funds to cover rising personnel expenses.

Despite the financial hardships of the past five years, we've achieved many of the goals I presented to you in 2001—and we've achieved more. Today, I will highlight some of those achievements. I will also discuss some of our present concerns.

I'll begin with our continuous efforts to expand access to justice.

ACCESS TO JUSTICE

Our mission is to administer justice under the law, equally to all people. To fulfill this mission, courts must be accessible to the people they serve. Access means more than having a courthouse with convenient parking nearby. It also means such things as providing interpreters, facilitating self-representation, and making courthouses safe.

Interpreters

Iowa's population is becoming much more diverse as a result of steady growth in the state's immigrant population. As I said in my first state of the judiciary message, we must be vigilant to provide access to all who come to the courts regardless of the language they speak.

Today, I'm proud to report we've made progress in this regard. Over the past few years, we have adopted a series of measures to ensure quality language interpretation for litigants. For example, our courts now have:

- A code of professional conduct and a professional oath for court interpreters;
- A partnership with colleges and agencies to provide orientation training and to test potential court interpreters on the code of conduct;
- Standardized application forms and screening questions;
- A statewide roster of trained court interpreters; and
- Membership in a national consortium that develops and provides test materials for certification of language interpreters.

These measures were relatively easy and inexpensive to implement. They are just the beginning. Our next goal is to establish a certification process for interpreters.

Assisting Pro Se Litigants

Another necessary corollary to achieving equal access to justice is self-representation. Courts throughout the nation, including Iowa, are experiencing more and more cases in which litigants represent themselves, a practice known as "pro se representation." There are several reasons for this trend, but whatever the reasons, self-representation in court is a right.

In today's complicated world, however, merely acknowledging the right of litigants to represent themselves in court is not enough. The vast majority of pro se litigants are ill-equipped to represent themselves effectively. They are typically unfamiliar with intricate but necessary court procedures; uninformed about the precise meaning and implications of controlling legal authority; and unaware of the potential for adverse legal consequences resulting from their actions.

Their lack of knowledge and skill affects more than the outcome of their cases. Pro se litigation places additional burdens on an already overtaxed court system. Pro se litigants frequently expect judges and court employees to help them with their lawsuits. This takes time away from other cases and court services. It also places judges and court employees in the awkward position of trying to be helpful public servants without giving legal advice or creating the appearance of favoring a pro se litigant over other litigants.

In line with what other states have done, our court recently established a new committee to develop easy-to-use forms and instructions to facilitate pro se litigation. We have directed the committee to focus its efforts in family law because this area draws the most pro se litigants.

Unbundled Legal Services

Although do-it-yourself forms and instructions are helpful, they will never be a substitute for professional legal advice. Even limited legal representation is better than none at all. Therefore, we encourage people to obtain, at a minimum, legal help for some of the more complicated aspects of their case. This piecemeal approach is commonly referred to as "unbundled legal services." Our old rules prohibited this practice and required an all or nothing approach to legal representation. Our new rules now permit unbundled legal services.

Both steps I have just described, self-help forms and unbundled legal services, are significant policy shifts that will benefit litigants and the public immensely. These steps will:

- Facilitate pro se litigation;
- Encourage more people to secure professional legal help;
- Lessen pro se litigants' dependence on judges and court staff;
- Eliminate delays in court proceedings involving pro se litigants; and
- Hopefully, encourage more pro bono work by attorneys.

I want to acknowledge and commend the joint task force of the Iowa Judges Association and the Iowa State Bar Association that provided the impetus and ideas for these policies.

Safe and Secure Courts

All of our efforts to expand access to the justice system mean little if our courthouses are unsafe, and court participants and personnel are targets of intimidation, threats, and violence. Last year, our nation experienced a number of murders of court officials, litigants, and, in one incident, the husband and mother of a federal judge.

These senseless tragedies shatter our complacency and shake us to the core. Incidents such as these jeopardize several crucial principles of America's justice system:

- Our courts, like other governmental institutions, must operate in the open;
- Participation of jurors and witnesses must not be checked or influenced by intimidation; and
- Judges must operate independently.

We, therefore, must do our utmost to ensure the safety of every person who comes to, and works in, the courthouse.

In Iowa, county governments have a large stake in courthouse security. The vast majority of courthouses throughout the state contain county government offices along with the courts. Iowa law requires counties to provide and maintain physical facilities for local court operations and to provide the courts with bailiff and other law enforcement services upon the request of a judicial officer.

Earlier this year, an Iowa State Bar Association task force observed that the growth in "pro se litigation, the explosion of domestic relations and domestic violence cases, and the onslaught of drug-related criminal prosecutions" combine to "heighten volatility within courthouses." The task force concluded that security in most courthouses is insufficient.

Let's face it: most counties outside of Iowa's urban centers do not have the financial resources to install and staff sophisticated security equipment, retrofit old courthouses, or provide deputies around the clock—nor should counties shoulder the responsibility alone. The incidents I mentioned earlier clearly demonstrate that it's time for the three branches of state government to join with the counties in a meaningful discussion about strengthening courthouse security throughout the state. This is of paramount importance. Let's act before a tragedy occurs in Iowa.

EFFICIENT AND CONVENIENT COURT SERVICES

As I mentioned earlier, access to justice takes different forms. Access to justice now comes in a variety of media thanks to modern technology. Technology also adds convenience and efficiency. In my first state of the judiciary message, I discussed a number of new initiatives that would make the courts more convenient and efficient. Since then, we've made steady and solid progress in this direction.

Online Court Records

In 2002 we began our online records service. This service provides public access to court dockets from all ninety-nine counties and the appellate courts. The docket contains a summary of information such as criminal charges and dispositions, child support payments, judgments and liens, scheduled violations, fines, and court costs.

Our docket information is up-to-the-minute. Most of the information is accessible free of charge. This online service is tremendously popular. It attracts an average of 500,000 hits a day from a broad range of users—private citizens to insurance companies, lawyers to private investigators, and government agencies to private employers.

E-Pay

In 2003 we added another online service: E-Pay. E-Pay enables people to pay their fines and court costs online. As many people have discovered, this service is highly convenient. Consequently, last year the judicial branch collected nearly five million dollars through this service.

Our online services bring tremendous advantages. They enable us to serve the public with remarkable speed and efficiency, expand access to the courts beyond the courthouse walls, and allow busy court officials to devote more time to other important court duties. But the online records and E-Pay are only the beginning.

Electronic Data Management

In my first state of the judiciary message, I told you of another online service—electronic data management, or EDMS. In 2001 we were ready to test EDMS, but then the state's budget woes prevented us from doing so. Now, we're gearing up again, and we plan to launch a pilot project later this year. EDMS will enable people to file their court documents and access complete documents, indeed entire court files, electronically. It is likely our most ambitious undertaking ever.

ACCOUNTABILITY

So far I have addressed access to justice as well as convenient and efficient service. Now I want to turn your attention to accountability—in other words, our duty to maintain the integrity of our courts. Because accountability involves the judiciary as well as attorneys, with whom the courts are closely linked, I will discuss both.

The Legal Profession

As the supervisory head of the judicial branch, our court is responsible for regulating the practice of law in Iowa. The practice of law is a privilege, and lawyers, as officers of the court, have a duty to their clients, to the court, and to the public.

This is the first time I have ever talked with you about this aspect of our responsibilities. I mention this today because last year we approved several reforms aimed at raising the already high standards of professionalism possessed by Iowa lawyers.

Code of Conduct

Last year, we updated our attorney rules of ethical conduct so that they closely follow the American Bar Association Model Rules. This was an enormously time-consuming undertaking, but well worth the effort. Our new rules of conduct:

- Provide lawyers and the court clear and detailed guidance for each ethical standard;

- Address the complexities of the modern day practice of law; and
- Increase ethical standards in many respects, and thus, better protect the public.

Reform of Disciplinary System

At the same time that we approved the new rules of conduct, we overhauled our attorney disciplinary system. Among other things, we strengthened the procedures for investigating and prosecuting complaints, and added more enforcement alternatives.

The Iowa Supreme Court Attorney Disciplinary Board is responsible for investigating and prosecuting complaints alleging unethical conduct on the part of attorneys. For years, local bar associations around the state assisted the disciplinary board with the intake and initial investigation of complaints. Our new disciplinary procedures consolidate control of investigations and prosecutions in our board alone. Local bar associations and other bar groups are no longer authorized to receive and dispose of complaints through dismissal or private admonition.

We also added some new enforcement alternatives in addition to our traditional disciplinary sanctions of reprimand, license suspension, and license revocation. These new procedures are intended to cure problems affecting a lawyer's practice before they lead to more serious disciplinary infractions.

For example, one new procedure enables the disciplinary board to intervene when there is probable cause to believe an attorney's drug or alcohol addiction, or mental health condition, is impairing the attorney's discharge of his or her professional responsibilities. The rule authorizes the board to require the attorney to submit to evaluation and treatment.

Through all of these reforms we hope to strengthen the integrity of our attorney disciplinary system, and thereby assure the public that the system is effective and beyond reproach.

The Judiciary

I cannot cover the state of the judiciary without talking about our judges.

Iowa's judiciary is recognized as among the best in the nation. In surveys conducted by the Harris Poll for the United States Chamber of Commerce, our state judiciary has consistently ranked in the top five state court systems in terms of fairness, competence, and creating a fair and reasonable litigation environment.

Iowa's high standing is, in large part, a result of its merit selection process for appointing judges. Because merit selection emphasizes professional qualifications above all else, Iowa's judges possess the attributes most valued in judges—fairness, integrity, legal excellence, civility, diligence, and prudence.

Two other factors contribute to the state's top-rated bench: our ability to draw the most qualified attorneys into judicial service and our efforts to make sure they stay. Naturally, lawyers become judges for many reasons, including professional satisfaction, interest in public service, and quality of life issues. But, as with all professions—doctors, lawyers, engineers, professors, and others—compensation is of utmost importance.

Judicial compensation should reflect the vital and difficult role judges play in our society. It should be sufficient to attract the best lawyers to the bench and to keep our first-rate judiciary motivated and committed for the long term. We believe the salary levels recommended by the Iowa State Bar Association's Judicial Compensation Task Force would achieve these important goals.

We are pleased and grateful that you approved the first phase of the task force plan to raise judges' salaries over a period of three years. We hope you will follow through this year with the second phase of the plan.

I would be remiss if I did not talk about the role of judges and judicial independence, given the present climate surrounding the judiciary. In recent years, we've seen an escalating national discourse about judges and judicial decisions.

I'm all for vigorous public debate regarding the merits of judicial decisions and the role of the courts. But the quality of discourse about the courts has degenerated. Rather than legitimate criticism and thoughtful commentary intended to inform and enlighten, the public is barraged with rash generalizations, loaded sound bites, and alarmist overstatements, intended to exploit and inflame. The sole purpose of these tactics is to politicize our courts so that judges are servants of popular ideologies rather than servants of the law. These attacks are designed to weaken the very institution Americans rely on to uphold the Constitution and protect their rights. It's time to replace the excessive rhetoric with plain facts and measured responses.

Judicial Independence Means Fair and Impartial Courts

Our government is not only one of checks and balances between the three branches, but also one of limitations and constraint between the individual citizen and the government. The indispensable role of an independent judiciary is to preserve this vital balance. By judicial independence, I mean fair and impartial courts that uphold the Constitution and laws free from intimidation and interference. Former Chief Justice William Rehnquist referred to judicial independence as "the crown jewel of our system of government."

Independent Courts Protect Our Rights

Independent courts protect the rights of the powerless. The drafters of our Constitution were keenly aware of the dangers and excesses that can occur when the majority in government controls virtually all matters, a situation James Madison referred to as the "tyranny of the majority." To prevent those dangers, our founders painstakingly designed a balanced government with a wall of separation between the branches, an independent judiciary, and a Constitution that is supreme in all respects.

Today happens to be the birthday of Alexander Hamilton, one of the founders of our government and the first Secretary of the Treasury. Hamilton was a brilliant constitutional lawyer and one of the authors of *The Federalist*, a series of 85 essays that explain and defend the Constitution. *The Federalist* is considered one of the world's most important pieces of political theory. Hamilton recognized the need for judges to be insulated from political intimidation and interference when he wrote, "There is no liberty if the power of judging be not distinct from both the legislative and executive powers."

Independent Courts Follow the Rule of Law

Independent courts guarantee that judges follow the rule of law, the foundation of our civilized society. Under the rule of law, judicial decisions are based strictly on our statutes and constitutions as well as prior judicial decisions known as legal precedent. The rule of law creates predictability in the application of our laws.

If you followed the confirmation process of Chief Justice Roberts, you heard or read statements by members of Congress, the president, and Chief Justice Roberts himself about the duty of judges to render decisions based upon the rule of law, not personal

views or the views of politicians or special interest groups. This is how the judiciary works.

Although it may be appropriate for politicians to consider public opinion and the views of special interest groups when drafting laws and regulations, it is never appropriate for judges to do so when deciding cases. In this respect, the judiciary is very different from the other two branches of government. Judges are accountable to the Constitution and the law—not political pressure.

Independent Courts Foster Respect for the Law

Independent courts foster respect for the law. As journalist Theodore Olson explains: “[I]n this country we accept decisions of judges, even when we disagree on the merits, because the process itself is vastly more important than any individual decision. . . . Americans understand that no system is perfect and no judge immune from error, but also that our society would crumble if we did not respect the judicial process and the judges who make it work.”

Surely, respect for the work of all government is critical to the continued vitality of our society. The current popular sport of lodging spurious and vitriolic attacks against the nation’s judiciary threatens not only to diminish respect for our courts, but also to further diminish the public’s opinion of government.

Independent Courts Are Accountable Courts

Some detractors of our fair and impartial courts would like people to believe that courts are not accountable. This is wrong. Our system of government is carefully designed to foster fair and impartial courts while maintaining strict judicial accountability through a series of checks on judicial power. Let me give you several examples of established procedures that keep courts accountable.

State court judges issue nearly all of the millions of judicial decisions in this country every year. On occasion, when a trial court judge renders a controversial decision, supporters of the losing side will express alarm that the ruling sets “bad precedent.” First, I want to make it clear that trial court decisions are not legal precedent. Setting precedent is the function of appellate courts. More important, however, if a party believes a trial court judge made an error, the party may appeal to a higher court to review the judge’s ruling. This is an appropriate and effective check on judicial power.

Here’s another example.

Every day judges are called upon to construe the meaning of statutes—a fundamental function of the courts. If the legislature disagrees with the way a court has applied or interpreted a law, it may pass legislation to amend the law and prospectively change the impact of the court decision. In a manner of speaking, you get to critique our work. And on certain occasions, I’ve observed that you have proven yourself quite able, even eager, to do this. This is another appropriate and effective check on judicial power.

I have one other example.

Courts are frequently called upon to determine whether a statute violates the Constitution. As Hamilton recognized, this is the most important function of the courts. When analyzing a statute in this context, courts strive to construe a statute broadly in order to avoid declaring it unconstitutional. This is a cardinal rule of constitutional interpretation. But there are well-defined limits to how far courts may go to save a statute.

Naturally, there are times when people disagree with our conclusions. When they do, the people have the power to amend the Constitution to undo our interpretation. Without question, amending the Constitution is an appropriate check on judicial power and on legislative power as well.

The examples I have mentioned clearly illustrate some of the many ways in which courts are accountable. Courts are accountable to the laws, and above all else, to the Constitution. And in this way the courts are always accountable to the people.

In conclusion, accountability—this is one of our most important values. It's why we are here today—to account to the people of Iowa about the condition of their justice system.

Certainly, we have done everything in our power to ensure the effective delivery of justice. Despite recent budget cuts and prolonged fiscal hardships, the judicial branch has continued to perform its constitutional responsibilities. The remarkable resilience and unwavering dedication of Iowa's judges and court employees make this possible. Their profound commitment to justice is truly gratifying.

We also forged ahead, making Iowa's court system more accessible, more efficient, and more accountable. While we are proud of our achievements, we will not rest on our laurels. We will continue to anticipate and attend to the changing needs of Iowans.

We will also continue to identify and address problems that threaten to impede the delivery of justice. A looming problem that we must deal with now is courthouse security. Citizens must feel confident that they can come to court without risking their safety or the safety of their families.

Finally, nothing matters more than safeguarding the independence of our courts. Americans must believe that their courts are fair and impartial, accountable only to the law and the Constitution. Yet, these values are under attack. Around the nation there are forces working to undermine judicial independence, a principle that has served the people well for over two hundred years.

Thankfully, Iowa's far-sighted constitutional merit selection process ensures that we have high-caliber judges of utmost integrity, who are selected based upon their professional qualifications—not ideologies. Judicial independence ensures that our judges base their decisions on the law and the Constitution and nothing else. Ultimately, however, the preservation of our fair, impartial, and independent court system requires more than the integrity and fortitude of individual judges, it requires the fervent and steadfast support of the people.

Thank you.

Chief Justice Louis A. Lavorato was escorted from the House chamber by the committee previously appointed.

Governor Thomas J. Vilsack was escorted from the House chamber by the committee previously appointed.

Representative Gipp moved that the joint convention be dissolved, which motion prevailed by a voice vote.

The Senate returned to the Senate chamber.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 10:46 a.m. until 8:30 a.m., Thursday, January 12, 2006.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Jay Cook, Huxley—For achieving the rank of Eagle Scout. Senator Iverson (1/11/06).

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:

DEPARTMENT OF ADMINISTRATIVE SERVICES

Annual Report of the Technology Governance Board, pursuant to Iowa Code section 8A.204. Report received on January 11, 2006.

IOWA DEPARTMENT OF CORRECTIONS

Report on electronic monitoring of sex offenders, pursuant to 2005 Acts, House File 811. Report received on January 11, 2006.

AGENCY ICN REPORT

Iowa Communications Network (ICN) usage report for FY 2005, pursuant to Iowa Code section 8D.10, was received from the following agency:

OFFICE OF DRUG CONTROL POLICY – Report received on January 11, 2006.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: January 11, 2006, 1:05 p.m.

Members Present: Fraise and Johnson, Co-chairs; Black, Brunkhorst, Courtney, Gaskill, Hahn, Hancock, Kibbie, Mulder, Putney, Ragan, and Rielly.

Members Absent: Houser (excused).

Committee Business: Organizational meeting.

Adjourned: 1:45 p.m.

LOCAL GOVERNMENT

Convened: January 11, 2006, 3:00 p.m.

Members Present: Quirnbach and Shull, Co-chairs; Lundby, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun.

Members Absent: Houser and Kreiman (both excused).

Committee Business: Organizational meeting.

Adjourned: 3:15 p.m.

STATE GOVERNMENT

Convened: January 11, 2006, 3:00 p.m.

Members Present: Horn and McKibben, Co-chairs; Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman.

Members Absent: Black and Brunkhorst.

Committee Business: Organizational meeting.

Adjourned: 3:15 p.m.

INTRODUCTION OF BILLS

Senate File 2020, by Dvorsky, a bill for an act relating to the information required to be submitted with a request to the department of public safety for criminal history data.

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

Senate File 2021, by Johnson, a bill for an act making nonresident owners of farm units and their family members eligible for special landowner deer and wild turkey hunting licenses.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2022, by Johnson, a bill for an act relating to the hours of operation of a motor vehicle by a person with a special minor's license.

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

Senate File 2023, by Miller, a bill for an act relating to transportation safety by directing the state department of transportation to develop a deer fence program.

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

Senate File 2024, by Lamberti, a bill for an act relating to the naming of a national bank or a federal savings association and including a retroactive applicability provision.

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

Senate File 2025, by Boettger and Beall, a bill for an act providing for the inclusion of foreign exchange students in the actual enrollment of a school district.

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

STUDY BILL RECEIVED

SSB 3007 State Government

Relating to elections by making changes concerning requirements for entrances to certain polling places, arrangement of names on the

ballot for nonpartisan offices, and election registers, and including effective and applicability date provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 4 (Reassignment)

STATE GOVERNMENT: Black and Miller, Co-chairs; Wieck and Wood

Senate Resolution 102

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate File 307

JUDICIARY: Kreiman and Ward, Co-chairs; Dvorsky and Zaun

Senate File 310

JUDICIARY: McKibben and Quirmbach, Co-chairs; Miller and Warnstadt

Senate File 337

AGRICULTURE: Fraise and Johnson, Co-chairs; Gaskill and Rielly

Senate File 374

JUDICIARY: Hancock and Larson, Co-chairs; Kreiman and Tinsman

Senate File 381

JUDICIARY: Kreiman and Tinsman, Co-chairs; Hancock and Larson

Senate File 401

WAYS AND MEANS: Danielson and Miller, Co-chairs; Bolkom and Zieman

Senate File 2005

TRANSPORTATION: Ward and Warnstadt, Co-chairs; Beall and Hahn

Senate File 2009

TRANSPORTATION: Danielson and Shull, Co-chairs; McCoy and Putney

Senate File 2010

JUDICIARY: Kreiman and McKibben, Co-chairs; Brunkhorst and Dvorsky

Senate File 2014

JUDICIARY: Kreiman and Tinsman, Co-chairs; Fraise and Larson

Senate File 2015

TRANSPORTATION: Fraise and Kettering, Co-chairs; Dearden and Zieman

Senate File 2017

COMMERCE: Courtney and Wieck, Co-chairs; McCoy and Zaun

House File 833

WAYS AND MEANS: Danielson and Larson, Co-chairs; McCoy and Zaun

House File 835

WAYS AND MEANS: Dotzler and Wieck, Co-chairs; Bolckcom and Zieman

SSB 3007

STATE GOVERNMENT: Danielson and Ward, Co-chairs; Wood and Kettering

JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 12, 2006

The Senate met in regular session at 8:38 a.m., President Lamberti presiding.

Prayer was offered by the Reverend George Werner. He is the president of the House of Deputies of the Episcopal Church of America. He was the guest of Senator Tinsman.

The Journal of Wednesday, January 11, 2006, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:43 a.m. until 9:00 a.m., Friday, January 13, 2006.

APPENDIX

APPOINTMENTS

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

<u>BY THE GOVERNOR</u>	<u>TERM</u>
BOARD OF BARBER EXAMINERS (Sec. 147.14(1))	
Kristina Lusk, Des Moines	07/26/2005 – 04/30/2006
Robert VanVooren, Durant	05/01/2005 – 04/30/2008
BOARD OF CORRECTIONS (Sec. 904.104)	
Frank (Marty) Martinez, Ames	08/05/2005 – 04/30/2007
BOARD OF COSMETOLOGY ARTS AND SCIENCES EXAMINERS (Sec. 147.14(14))	
David Lyn Weatherwax, Delhi	05/09/2005 – 04/30/2008
STATE BOARD OF EDUCATION (Sec. 256.3)	
Max Phillips, Woodward	10/03/2005 – 04/30/2008
ELEVATOR SAFETY BOARD (Sec. 89A.13)	
Robert Olney, Urbandale	08/22/2005 – 04/30/2006
BOARD OF EXAMINERS FOR THE LICENSING AND REGULATION OF HEARING AID DISPENSERS (Sec. 154A.2-3)	
Mary Ricketts, Davenport	06/20/2005 – 04/30/2008
IOWACCESS ADVISORY COUNCIL (Sec. 8A.221)	
Lawrence Lentz, Davenport	09/22/2005 – 04/30/2006
COMMISSION ON JUDICIAL QUALIFICATIONS (Sec. 602.2102)	
Robert Huffman, Fort Madison	06/15/2005 – 04/30/2011
LANDSCAPE ARCHITECTURAL EXAMINING BOARD (Sec. 544B.3)	
Mark Ripplinger, Cedar Falls	05/01/2005 – 04/30/2008
BOARD OF EXAMINERS FOR MASSAGE THERAPY (Sec. 147.14(17))	
Doug Carlson, Cedar Rapids	05/09/2005 – 04/30/2007
Aaron Landmesser, St. Anthony	05/05/2005 – 04/30/2008
MENTAL HEALTH, MENTAL RETARDATION, DEVELOPMENTAL DISABILITIES, AND BRAIN INJURY COMMISSION (Sec. 225C.5(1))	
Rick Hecht, Sac City	05/01/2005 – 04/30/2008
Janice Heikes, Mabel, MN	09/06/2005 – 04/30/2006
BOARD OF MORTUARY SCIENCE EXAMINERS (Sec. 147.14 (16))	
Tyrone Orr, Davenport	07/21/2005 – 04/30/2008

BOARD OF PHYSICIAN ASSISTANT EXAMINERS (Sec. 147.14(12))

Mary Charlton, Runnells	05/24/2005 – 04/30/2008
Donald Klitgaard, Harlan	05/20/2005 – 04/30/2008

PREVENTION OF DISABILITIES POLICY COUNCIL (Sec. 225B.3)

Marianne (Mary) Nehus, Davenport	05/01/2005 – 04/30/2008
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STATE RACING AND GAMING COMMISSION (Sec. 99D.5)

Gregory Seyfer, Cedar Rapids	12/07/2005 – 04/30/2007
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IOWA RAILWAY FINANCE AUTHORITY (Sec. 327I.5-6)

Wanda Carlson, Keokuk	06/03/2005 – 04/30/2006
Dianna Darold, Hudson	06/10/2005 – 04/30/2008

REAL ESTATE COMMISSION (Sec. 543B.8)

Laurel (Lori) Diehl, Mason City	07/01/2005 – 04/30/2008
E. Karl Reichert, Muscatine	07/01/2005 – 04/30/2008

BOARD OF SOCIAL WORK EXAMINERS (Sec. 147.14(20))

Katinka Keith, Waterloo	12/21/2005 – 04/30/2007
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TECHNOLOGY GOVERNANCE BOARD (Sec. 8A.204)

Sandra Cowie, West Des Moines	10/18/2005 – 04/30/2007
Randall Ramundt, Des Moines	07/15/2005 – 04/30/2006

IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION (Sec. 8D.3)

Michael Mahaffey, Montezuma	12/07/2005 – 04/30/2007
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COMMISSION ON TOBACCO USE PREVENTION AND CONTROL (Sec. 142A.3)

Andrea Coziahr, Council Bluffs	08/17/2005 – 04/30/2006
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STATE TRANSPORTATION COMMISSION (Sec. 307.3)

Wayne Sawtelle, Marshalltown	06/24/2005 – 04/30/2007
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UTILITIES BOARD (Sec. 474.1)

Curtis W. Stamp, Des Moines	09/26/2005 – 04/30/2007
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COMMISSION ON THE STATUS OF WOMEN (Sec. 216A.52-53)

Carla Espinoza, Ames	09/12/2005 – 04/30/2006
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IOWA WORKFORCE DEVELOPMENT BOARD (Sec. 84A.1A)

David Owen, Granger	10/20/2005 – 04/30/2006
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REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to state boards, commissions, and departments to Senate standing committees, as indicated for investigation on January 12, 2006:

BUSINESS AND LABOR RELATIONS

David Owen – Iowa Workforce Development Board

COMMERCE

Michael Mahaffey – Iowa Telecommunications and Technology Commission

Curtis W. Stamp – Utilities Board

EDUCATION

Max Phillips – State Board of Education

Sandra Cowie – Technology Governance Board

Randall Ramundt – Technology Governance Board

HUMAN RESOURCES

Rick Hecht – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission

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

Mary Charlton – Board of Physician Assistant Examiners

Donald Klitgaard – Board of Physician Assistant Examiners

Marianne (Mary) Nehus – Prevention of Disabilities Policy Council

Andrea Coziahr – Commission on Tobacco Use Prevention and Control

Carla Espinoza – Commission on the Status of Women

JUDICIARY

Frank (Marty) Martinez – Board of Corrections

Robert Huffman – Commission on Judicial Qualifications

STATE GOVERNMENT

Kristina Lusk – Board of Barber Examiners

Robert VanVooren – Board of Barber Examiners

David Lyn Weatherwax – Board of Cosmetology Arts and Sciences Examiners

Robert Olney – Elevator Safety Board

Mary Ricketts – Board of Examiners for the Licensing and Regulation of Hearing Aid Dispensers

Lawrence Lentz – IowaAccess Advisory Council

Mark Ripplinger – Landscape Architectural Examining Board

Doug Carlson – Board of Examiners for Massage Therapy

Aaron Landmesser – Board of Examiners for Massage Therapy

Tyrone Orr – Board of Mortuary Science Examiners

Gregory Seyfer – State Racing and Gaming Commission

Laurel (Lori) Diehl – Real Estate Commission

E. Karl Reichert – Real Estate Commission

Katinka Keith – Board of Social Work Examiners

TRANSPORTATION

Wayne Sawtelle – State Transportation Commission

WAYS AND MEANS

Wanda Carlson – Iowa Railway Finance Authority

Dianna Darold – Iowa Railway Finance Authority

CERTIFICATE OF RECOGNITION

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

Kyle Steffen, Indianola—For achieving the rank of Eagle Scout. Senator Shull (1/12/06).

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:

DEPARTMENT OF ECONOMIC DEVELOPMENT

Report on the Workforce Development Fund for the calendar quarter ending December 31, 2005, pursuant to Iowa Code section 15.343(3a). Report received on January 12, 2006.

INSTITUTE FOR TOMORROW'S WORKFORCE

Report and audit of the first six months, pursuant to 2005 Acts, House File 816. Report received on January 11, 2006.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: January 12, 2006, 10:35 a.m.

Members Present: Connolly and McKinley, Co-chairs; Angelo, Beall, Boettger, Brunkhorst, Dvorsky, Mulder, Quirnbach, Schoenjahn, Ward, and Wood.

Members Absent: Kreiman and Larson (both excused).

Committee Business: Organizational meeting.

Adjourned: 10:45 a.m.

BUSINESS AND LABOR RELATIONS

Convened: January 12, 2006, 10:30 a.m.

Members Present: Dearden and Wieck, Co-chairs; Behn, Courtney, Dotzler, Horn, McKibben, Seng, Seymour, and Shull.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:35 a.m.

RULES AND ADMINISTRATION

Convened: January 12, 2006, 8:45 a.m.

Members Present: Gronstal and Iverson, Co-chairs; Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan.

Members Absent: Angelo (excused).

Committee Business: Approved Governor's appointments.

Adjourned: 8:50 a.m.

WAYS AND MEANS

Convened: January 12, 2006, 1:05 p.m.

Members Present: Bolkom and Zieman, Co-chairs; Connolly, Danielson, Hahn, Seng, Stewart, Wieck, and Zaun.

Members Absent: Dotzler, Larson, McCoy, McKibben, McKinley, Miller, and Quirnbach (all excused).

Committee Business: Organizational meeting.

Adjourned: 1:10 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 103, by Warnstadt, Wieck, and Mulder, a resolution requesting that the United States Postal Service retain the area mail processing center in Sioux City, Iowa.

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

INTRODUCTION OF BILLS

Senate File 2026, by McCoy, a bill for an act creating a support the arts motor vehicle registration plate, establishing fees, and making an appropriation.

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

Senate File 2027, by Tinsman, Boettger, Brunkhorst, Mulder, Hahn, Kettering, Miller, Seymour, Zieman, Iverson, Lundby, Putney, Ward, McKinley, Johnson, and Ragan, a bill for an act relating to human trafficking and related offenses, including the provision of law enforcement training and victim assistance programs, and providing penalties.

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

Senate File 2028, by McCoy, a bill for an act relating to the two thousand-foot residency restriction for sex offenders, and providing a penalty.

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

Senate File 2029, by Iverson, a bill for an act relating to the issuance of weapons permits by a county sheriff or the commissioner of public safety.

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

Senate File 2030, by Ward, a bill for an act relating to the exemption from the sales and use taxes of the sales price from point of sale or automated teller machine access or service charges assessed by a financial institution.

Read first time under Rule 28 and referred to committee on **Ways and Means.**

Senate File 2031, by Ragan, Seymour, Warnstadt, Beall, Tinsman, Dotzler, Stewart, Boettger, and Kreiman, a bill for an act relating to grandparent and great-grandparent visitation.

Read first time under Rule 28 and referred to committee on **Human Resources.**

Senate File 2032, by Behn, a bill for an act relating to the provision of support for adult children who are dependent because of a physical or mental disability, providing an effective date, and providing for retroactive applicability.

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

Senate File 2033, by Ward, a bill for an act requiring rock or gravel in a vehicle to be covered and providing a penalty.

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

SUBCOMMITTEE ASSIGNMENTS

Senate File 2013

STATE GOVERNMENT: Wood and Zieman, Co-chairs; Danielson and Wieck

Senate File 2023

TRANSPORTATION: Dearden and Zieman, Co-chairs; Beall and Shull

JOURNAL OF THE SENATE

**FIFTH CALENDAR DAY
FIFTH SESSION DAY**

**Senate Chamber
Des Moines, Iowa, Friday, January 13, 2006**

The Senate met in regular session at 9:00 a.m., Senator Dotzler presiding.

The Journal of Thursday, January 12, 2006, was approved.

ADJOURNMENT

On motion of Senator Tinsman, the Senate adjourned at 9:04 a.m. until 1:00 p.m., Tuesday, January 17, 2006.

APPENDIX

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:

DEPARTMENT OF ECONOMIC DEVELOPMENT

Report on provision of regulatory assistance by state agencies, pursuant to Iowa Code section 15E.19. Report received on January 13, 2006.

DEPARTMENT OF PUBLIC HEALTH

2005 Child Death Team Report, pursuant to Iowa Code section 135.43. Report received on January 12, 2006.

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 17, 2006

The Senate met in regular session at 1:05 p.m., President Lamberti presiding.

Prayer was offered by Pastor Greg Davison of Trinity Lutheran Church in Marshalltown, Iowa. He was the guest of Senator McKibben.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Brooke Dummermuth.

The Journal of Friday, January 13, 2006, was approved.

SPECIAL GUEST

Senator Tinsman introduced Robert Dana, Iowa Poet Laureate, to the Senate. Mr. Dana read the following poem:

VICTOR

A farmhouse left to high
grass. Clapboard grey-
white as wind-scoured bone.
The mouth of the doorway,
the eye of one window
battered shut. So many
stories gibbering in and
out of this empty head
like shadowy small birds.

We see it at 186,000
miles a second, the speed
light travels from even
a vanished star. Victor
out back in his vegetable
garden. His raked and
stained fedora. Scrubbed
knuckles of young potatoes
bubbling up under his hoe.
His woman calls him into
the fading house for supper,
the spider by her window
riding out the wind in its
harness of silk, light in
the trees coming and going.
But Victor stays, watching
the bright air of evening
rain down, bloom, fill.

The Senate rose and expressed its appreciation of his work.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:20 p.m.
until 8:30 a.m., Wednesday, January 18, 2006.

APPENDIX

APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on January 17, 2006, to investigate the appointment and reappointment of the following appointees:

BUSINESS AND LABOR RELATIONS

As a member of the Iowa Workforce Development Board:

DAVID OWEN – Courtney and Shull, Co-chairs; Behn and Dotzler

COMMERCE

As a member of the Iowa Telecommunications and Technology Commission:

MICHAEL MAHAFFEY – Kettering and Rielly, Co-chairs; Stewart and Zaun

As a member of the Utilities Board:

CURTIS W. STAMP – Courtney and Kettering, Co-chairs; McCoy and Zaun

EDUCATION

As a member of the State Board of Education:

MAX PHILLIPS – Connolly and McKinley, Co-Chairs; Angelo and Kreiman

As members of the Technology Governance Board:

SANDRA COWIE – Beall and Brunkhorst, Co-chairs; Dvorsky and Ward

RANDALL RAMUNDT – Dvorsky and Mulder, Co-chairs; Beall and Brunkhorst

HUMAN RESOURCES

As members of the Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission:

RICK HECHT – Johnson and Wood, Co-chairs; Dotzler and Tinsman

JANICE HEIKES – Tinsman and Wood, Co-chairs; Dotzler and Johnson

As members of the Board of Physician Assistant Examiners:

MARY CHARLTON – Boettger and Dotzler, Co-chairs; Behn and Kreiman

DONALD KLITGAARD – Boettger and Dotzler, Co-chairs; Houser and Kreiman

As a member of the Prevention of Disabilities Policy Council:

MARIANNE (MARY) NEHUS – Hatch and Tinsman, Co-chairs; Behn and Wood

As a member of the Commission on Tobacco Use Prevention and Control:

ANDREA COZIAHR – Bolkcom and Houser, Co-chairs; Gaskill and Quirmbach

As a member of the Commission on the Status of Women:

CARLA ESPINOZA – Hatch and Tinsman, Co-chairs; Boettger and Ragan

JUDICIARY

As a member of the Board of Corrections:

FRANK (MARTY) MARTINEZ – Quirmbach and Zaun, Co-chairs; Dvorsky and Ward

As a member of the Commission on Judicial Qualifications:

ROBERT HUFFMAN – Fraise and Tinsman, Co-chairs; Boettger and Horn

STATE GOVERNMENT

As members of the Board of Barber Examiners:

KRISTINA LUSK – Danielson and Wieck, Co-chairs; Hancock and Miller

ROBERT VANVOOREN – Danielson and Miller, Co-chairs; Hancock and Zieman

As a member of the Board of Cosmetology Arts and Sciences Examiners:

DAVID LYN WEATHERWAX – Danielson and Ward, Co-chairs; Hancock and Wieck

As a member of the Elevator Safety Board:

ROBERT OLNEY – Brunkhorst and Hatch, Co-chairs; Kettering and Wood

As a member of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dispensers:

MARY RICKETTS – Tinsman and Wood, Co-chairs; Brunkhorst and Kibbie

As a member of the Iowa Access Advisory Council:

LAWRENCE LENTZ – Danielson and Kettering, Co-chairs; Black and Ward

As a member of the Landscape Architectural Examining Board:

MARK RIPPLINGER – Black and Zieman, Co-chairs; Brunkhorst and Danielson

As members of the Board of Examiners for Massage Therapy:

DOUG CARLSON – Miller and Wood, Co-chairs; Hatch and Tinsman
AARON LANDMESSER – Hatch and Ward, Co-chairs; McKibben and Wood

As a member of the Board of Mortuary Science Examiners:

TYRONE ORR – Danielson and Wieck, Co-chairs; Hatch and Ward

As a member of the State Racing and Gaming Commission:

GREGORY SEYFER – Black and Zieman, Co-chairs; Hatch and Miller

As members of the Real Estate Commission:

LAUREL (LORI) DIEHL – Hatch and Zieman, Co-chairs; Black and Wieck
E. KARL REICHERT – Black and McKibben, Co-chairs; Hatch and Zieman

As a member of the Board of Social Work Examiners:

KATINKA KEITH – Hatch and Kettering, Co-chairs; Black and Tinsman

TRANSPORTATION

As a member of the State Transportation Commission:

WAYNE SAWTELLE – Fraise and Ward, Co-chairs; Warnstadt and Zieman

WAYS AND MEANS

As members of the Iowa Railway Finance Authority:

WANDA CARLSON – Dotzler and Hahn, Co-chairs; Danielson and Zaun
DIANNA DAROLD – Danielson and Hahn, Co-chairs; Dotzler and Zaun

CERTIFICATES OF RECOGNITION

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

Sophia Lagios, Mason City—For celebrating your 100th birthday. Senator Ragan (1/17/06).

Mr. Nur Jazlan Mohamed, Malaysia—For being a distinguished guest of Iowa. Senator Beall (1/17/06).

Alexander Douglas Rowe, Gladbrook—For achieving the rank of Eagle Scout, Boy Scout Troop 327. Senator Putney (1/17/06).

Douglas Zschoche, Dubuque—For achieving the rank of Eagle Scout, Boy Scout Troop 22. Senator Connolly (1/17/06).

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:

DEPARTMENT OF ELDER AFFAIRS

2005 Annual Report for the Office of the State Long-Term Care Ombudsman, pursuant to 321 IAC chapter 8. Report received on January 17, 2006.

2005 Senior Living Coordinating Unit Annual Report, pursuant to Iowa Code section 231.58. Report received on January 17, 2006.

IOWA HOSPITAL ASSOCIATION

Report on the shortened IPERS retirement waiting period from four months to one month for licensed health care workers employed by a public hospital, pursuant to Iowa Code section 249I.3. Report received on January 17, 2006.

DEPARTMENT OF HUMAN SERVICES

Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission Annual Report, pursuant to Iowa Code section 225C.6(1)(h). Report received on January 17, 2006.

Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission System Redesign Progress Report, pursuant to Iowa Code section 225C.6A. Report received on January 17, 2006.

IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

2005 Annual Report for the Iowa Communications Network. Report received on January 17, 2006.

DEPARTMENT OF TRANSPORTATION

Biodiesel Fuel Revolving Fund Expenditures, pursuant to 2001 Acts, Senate File 465. Report received on January 17, 2006.

PRESENTATION OF VISITORS

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

FFA students from North Scott High School. Senator Wood.

FFA students from Prairie Valley High School. Senator Beall.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: January 12, 2006, 11:32 a.m.

Members Present: Ragan and Seymour, Co-chairs; Boettger, Bolkcom, Dotzler, Gaskill, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood.

Members Absent: Behn and Hatch (both excused).

Committee Business: Organizational meeting.

Adjourned: 11:37 a.m.

APPROPRIATIONS

Convened: January 17, 2006, 3:15 p.m.

Members Present: Angelo and Dvorsky, Co-chairs; Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Seymour, Stewart, Tinsman, Ward, and Warnstadt.

Members Absent: Shull (excused).

Committee Business: Approved LSB 5908sc.

Adjourned: 3:30 p.m.

LOCAL GOVERNMENT

Convened: January 17, 2006, 2:30 p.m.

Members Present: Quirmbach, Co-chair; Houser, Lundby, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun.

Members Absent: Shull, Co-chair; Kreiman and McCoy (all excused).

Committee Business: Presentation by Susan Judkins from the Iowa League of Cities.

Adjourned: 3:05 p.m.

STATE GOVERNMENT

Convened: January 17, 2006, 2:30 p.m.

Members Present: Horn and McKibben, Co-chairs; Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Wieck, and Zieman.

Members Absent: Black, Tinsman, Ward, and Wood (all excused).

Committee Business: Approved Governor's appointments.

Adjourned: 2:35 p.m.

INTRODUCTION OF BILLS

Senate File 2034, by Ragan and Bolckcom, a bill for an act providing for the establishment of an office of suicide prevention within the Iowa department of public health, and making an appropriation.

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

Senate File 2035, by Johnson, a bill for an act relating to the date of the regular school election and including effective, applicability, and transition date provisions.

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

Senate File 2036, by committee on Appropriations, a bill for an act revising and making appropriations involving veterans programs for the fiscal year beginning July 1, 2005, and providing an effective date.

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

STUDY BILLS RECEIVED

SSB 3008 Economic Growth

Relating to eminent domain authority and condemnation and including effective date and applicability date provisions.

SSB 3009 Commerce

Relating to the payment of wages by payroll card and making penalties applicable.

SSB 3010 Human Resources

Relating to the medical assistance program, including eligibility requirements for adults and provider overpayment rate adjustments.

SSB 3011 Human Resources

Providing penalties for violations relating to the performance of radon testing and abatement measures.

SSB 3012 Human Resources

Providing for the establishment of a nutrition and physical activity community obesity prevention grant program, and providing a contingent effective date.

SSB 3013 Human Resources

Revising the membership requirements for the child advocacy board.

SSB 3014 Human Resources

Relating to dependent adult abuse including the confidentiality of and access to dependent adult abuse information.

SSB 3015 Human Resources

Relating to income withholding under the child support recovery program.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 103**

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate File 2025

EDUCATION: Beall and Boettger, Co-chairs; Kreiman and Mulder

Senate File 2030

WAYS AND MEANS: Stewart and Zaun, Co-chairs; McCoy and Wieck

SSB 3008

ECONOMIC GROWTH: Brunkhorst and Danielson, Co-chairs; Behn, Dotzler, Hatch, and Zaun

SSB 3009

COMMERCE: Courtney and Wieck, Co-chairs; Rielly and Zaun

SSB 3010

HUMAN RESOURCES: Hatch and Seymour, Co-chairs; Behn, Quirmbach, and Wood

SSB 3011

HUMAN RESOURCES: Gaskill and Wood, Co-chairs; Hatch and Quirmbach

SSB 3012

HUMAN RESOURCES: Bolkcom and Johnson, Co-chairs; Ragan, Tinsman, and Wood

SSB 3013

HUMAN RESOURCES: Bolkcom and Tinsman, Co-chairs; Boettger, Dotzler, and Ragan

SSB 3014

HUMAN RESOURCES: Houser and Kreiman, Co-chairs; Bolkcom, Quirmbach, and Tinsman

SSB 3015

HUMAN RESOURCES: Boettger and Dotzler, Co-chairs; Johnson, Kreiman, and Ragan

LSB 5908sc

APPROPRIATIONS: Angelo and Stewart, Co-chairs; Tinsman and Warnstadt

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: SENATE FILE 2036 (LSB 5908sc), a bill for an act revising and making appropriations involving veterans programs for the fiscal year beginning July 1, 2005, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 23: Angelo, Dvorsky, Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Seymour, Stewart, Tinsman, Ward, and Warnstadt. Nays, none. Absent, 1: Shull.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

TENTH CALENDAR DAY
SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 18, 2006

The Senate met in regular session at 8:37 a.m., President Lamberti presiding.

Prayer was offered by Chaplain Tom Lovig of the Marketplace Ministries. He was the guest of Senator Ward.

The Journal of Tuesday, January 17, 2006, was approved.

SPECIAL GUEST

Senator Beall introduced Malaysian national parliamentarian Nur Jazlan Mohamed, who addressed the Senate with brief remarks. Senator Beall presented Mr. Mohamed with a certificate recognizing him as a distinguished guest of Iowa.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Gronstal, the Senate recessed at 8:44 a.m. until 1:00 p.m.

APPENDIX — 1

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: January 18, 2006, 8:45 a.m.

Members Present: Gronstal and Iverson, Co-chairs; Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan.

Members Absent: Angelo and Boettger (both excused).

Committee Business: Approved SRs 102 and 103 and SSB 3001.

Adjourned: 8:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 18, 2006, 10:00 a.m.

Members Present: Putney and Stewart, Co-chairs; Dvorsky, Mulder, and Zieman.

Members Absent: McCoy (excused).

Committee Business: Presentation by Department of Management Director Michael Tramontina.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 18, 2006, 9:55 a.m.

Members Present: Dotzler and Ward, Co-chairs; Behn, Brunkhorst, Danielson, and Rielly.

Members Absent: None.

Committee Business: Presentation by Tina Hoffman, deputy director for the Department of Economic Development.

Adjourned: 10:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: January 18, 2006, 10:00 a.m.

Members Present: Kettering and Warnstadt, Co-chairs; Beall, Dearden, and Zaun.

Members Absent: Angelo (excused).

Committee Business: Presentations by LSA staff on the FY 2007 Transportation and Infrastructure budget and Transportation, Infrastructure, and Capitals Buying Team.

Adjourned: 10:45 a.m.

INTRODUCTION OF BILLS

Senate File 2037, by Miller, a bill for an act exempting military duty compensation, benefits, allowances, and retirement pay received from the federal government by members of the armed forces from the individual income tax and including a retroactive applicability date provision.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2038, by Lamberti, a bill for an act relating to an additional homestead credit for disabled veterans and including an effective date.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2039, by Ward and Warnstadt, a bill for an act requiring every insurer offering certain individual or group health insurance policies to provide coverage for treatment of certain inborn errors of metabolism with a dietary restriction.

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

Senate File 2040, by Miller, a bill for an act relating to a long-term care insurance tax credit under the individual income tax and including a retroactive applicability date provision.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2041, by Lamberti, a bill for an act relating to the increases in the amount of the military service tax credit and

exemption and the reimbursement amount and including an applicability date provision.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2042, by Tinsman, a bill for an act requiring the department of education and the area education agencies to facilitate meetings to discuss the implementation of graduation competency examinations.

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

Senate File 2043, by Schoenjahn, a bill for an act concerning limitations on business interests for spouses of persons engaged in the business of manufacturing, bottling, or wholesaling alcohol.

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

Senate File 2044, by Tinsman, Johnson, Putney, Ward, Boettger, Miller, Gaskill, Zieman, Behn, Iverson, Lamberti, McKibben, McKinley, Hahn, Kettering, and Brunkhorst, a bill for an act phasing out the state income tax on social security benefits and on pension and retirement income and including effective and applicability date provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2045, by Warnstadt, a bill for an act relating to the establishment of small business development centers and making appropriations.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 102, a resolution honoring the life and accomplishments of Hugh Sidey.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Gronstal, Iverson, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, 2: Angelo and Boettger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 103, a resolution requesting that the United States Postal Service retain the area mail processing center in Sioux City, Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Gronstal, Iverson, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, 2: Angelo and Boettger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

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

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 January 18, 2006, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2080, a bill for an act revising and making appropriations involving veterans programs for the fiscal year beginning July 1, 2005, and providing an effective date.

Read first time and attached to **companion Senate File 2036**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Larson, for the day, on request of Senator Ward.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 103.

Senate Resolution 103

On motion of Senator Warnstadt, **Senate Resolution 103**, a resolution requesting that the United States Postal Service retain the area mail processing center in Sioux City, Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Warnstadt moved the adoption of Senate Resolution 103, which motion prevailed by a voice vote.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2036.

Senate File 2036

On motion of Senator Angelo, **Senate File 2036**, a bill for an act revising and making appropriations involving veterans programs for the fiscal year beginning July 1, 2005, and providing an effective date, was taken up for consideration.

Senator Angelo asked and received unanimous consent that **House File 2080** be substituted for **Senate File 2036**.

House File 2080

On motion of Senator Angelo, **House File 2080**, a bill for an act revising and making appropriations involving veterans programs for the fiscal year beginning July 1, 2005, and providing an effective date, was taken up for consideration.

Senator Angelo 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. 2080), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Lundby	Shull
Behn	Gronstal	McCoy	Stewart
Black	Hahn	McKibben	Tinsman
Boettger	Hancock	McKinley	Ward
Bolkcom	Hatch	Miller	Warnstadt
Brunkhorst	Horn	Mulder	Wieck
Connolly	Houser	Putney	Wood
Courtney	Iverson	Quirmbach	Zaun
Danielson	Johnson	Ragan	Zieman
Dearden	Kettering	Rielly	
Dotzler	Kibbie	Schoenjahn	
Dvorsky	Kreiman	Seng	

Nays, none.

Absent, 1:

Larson

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

WITHDRAWN

Senator Angelo asked and received unanimous consent that **Senate File 2036** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2080** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:29 p.m. until 8:30 a.m., Thursday, January 19, 2006.

APPENDIX — 2

CERTIFICATES OF RECOGNITION

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

Mr. and Mrs. Argall and Shirley Jackson, Waterloo—For celebrating your 50th wedding anniversary. Senator Dotzler (1/18/06).

Nevada Optimist Club, Nevada—For receiving its charter. Senator McKibben (1/18/06).

Mr. and Mrs. Glen and Dee Porter, Burlington—For celebrating your 60th wedding anniversary. Senator Courtney (1/18/06).

Dwain Sams, Mediapolis—For celebrating your 80th birthday. Senator Courtney (1/18/06).

Mr. and Mrs. Ronald and Genevieve Schares, Waterloo—For celebrating your 50th wedding anniversary. Senator Dotzler (1/18/06).

Marjorie R. Young, Burlington—For celebrating your 90th birthday. Senator Courtney (1/18/06).

AGENCY ICN REPORTS

Iowa Communications Network (ICN) usage reports for FY 2005, pursuant to Iowa Code section 8D.10, were received from the following agencies and are on file in the Legislative Services Agency:

BOARD OF PAROLE – Report received on January 18, 2006.

DEPARTMENT OF TRANSPORTATION – Report received on January 18, 2006.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: January 18, 2006, 2:30 p.m.

Members Present: Ragan and Seymour, Co-chairs; Behn, Boettger, Bolkom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirnbach, Tinsman, and Wood.

Members Absent: None.

Committee Business: Presentation on Iowa Pandemic Emergency Planning and Response.

Adjourned: 3:35 p.m.

WAYS AND MEANS

Convened: January 18, 2006, 3:35 p.m.

Members Present: Bolcom and Zieman, Co-chairs; Connolly, Danielson, Dotzler, Hahn, McKinley, Miller, Quirmbach, Seng, Stewart, Wieck, and Zaun.

Members Absent: Larson, McCoy, and McKibben (all excused).

Committee Business: Approved Governor's appointments and assigned subcommittees.

Adjourned: 4:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 18, 2006, 10:05 a.m.

Members Present: Gaskill and Seng, Co-chairs; Black, Hahn, Houser, and Schoenjahn.

Members Absent: None.

Committee Business: Presentations by the Department of Natural Resources.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 18, 2006, 9:55 a.m.

Members Present: Fraise and McKibben, Co-chairs; Hancock, Kreiman, and Miller.

Members Absent: Larson (excused).

Committee Business: Presentation by Department of Public Safety Commissioner Kevin Techau.

Adjourned: 10:40 a.m.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 101, by committee on Rules and Administration, a concurrent resolution to approve and confirm the appointment of the Citizens' Aide.

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

INTRODUCTION OF BILL

Senate File 2046, by Brunkhorst, Johnson, Kettering, Iverson, Behn, Ziemann, Gaskill, Miller, Boettger, Mulder, Ward, Seymour, Putney, Tinsman, Hahn, Wieck, McKinley, Larson, Houser, and Lamberti, a bill for an act relating to eminent domain authority and condemnation and including effective date and applicability date provisions.

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

STUDY BILLS RECEIVED

SSB 3016 Appropriations

Relating to the medical assistance provider payment adjustments, providing for transfer, appropriation, and deposit of funds, providing an effective date, and providing for retroactive applicability.

SSB 3017 Agriculture

Relating to confinement feeding operations by providing for manure management plans.

SSB 3018 Appropriations

Relating to the Honey creek premier destination park bond program.

SSB 3019 Judiciary

Relating to offenses against identity, requiring notice of a breach of security of computer data containing personal information, and providing a procedure to secure credit information, and providing a penalty.

SSB 3020 Judiciary

Relating to landlord liens associated with agricultural production.

SSB 3021 Education

Relating to board of educational examiner teacher licensure, endorsement, and testing requirements for applicants from other states.

SSB 3022 Commerce

Relating to the prepayment of agricultural loans secured by a real estate mortgage.

SUBCOMMITTEE ASSIGNMENTS**Senate File 6
(Reassignment)**

JUDICIARY: Brunkhorst and Kreiman, Co-chairs; Larson and Schoenjahn

Senate File 2004

COMMERCE: Angelo and Bolcom, Co-chairs; Courtney and McKinley

Senate File 2020

JUDICIARY: Brunkhorst and Quirmbach, Co-chairs; Hancock and Larson

Senate File 2024

COMMERCE: Kettering and Stewart, Co-chairs; Behn and Rielly

Senate File 2027

JUDICIARY: Kreiman and Tinsman, Co-chairs; Boettger and Warnstadt

Senate File 2028

JUDICIARY: Warnstadt and Zaun, Co-chairs; Larson and Schoenjahn

Senate File 2029

JUDICIARY: Kreiman and McKibben, Co-chairs; Miller and Quirmbach

Senate File 2032

JUDICIARY: Kreiman and Tinsman, Co-chairs; Quirmbach and Ward

Senate File 2033

TRANSPORTATION: Fraise and Ward, Co-chairs; Beall and Zieman

Senate File 2035

STATE GOVERNMENT: Ward and Wood, Co-chairs; Danielson and Kettering

SSB 3016

APPROPRIATIONS: Ragan and Seymour, Co-chairs; Angelo and Dvorsky

SSB 3017

AGRICULTURE: Courtney and Mulder, Co-chairs; Brunkhorst, Fraise, Gaskill, and Hancock

SSB 3018

APPROPRIATIONS: Angelo and Warnstadt, Co-chairs; Dvorsky and Kettering

SSB 3019

JUDICIARY: Quirmbach and Ward, Co-chairs; Boettger and Kreiman

SSB 3020

JUDICIARY: McKibben and Quirmbach, Co-chairs, Schoenjahn and Zaun

SSB 3021

EDUCATION: Brunkhorst and Schoenjahn, Co-chairs; Boettger and Wood

SSB 3022

COMMERCE: Beall and Kettering, Co-chairs; Rielly and Zaun

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

Bill Title: SENATE CONCURRENT RESOLUTION 101 (SSB 3001), a concurrent resolution to approve and confirm the appointment of the Citizens' Aide.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Gronstal, Iverson, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, 2: Angelo and Boettger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

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

The following appointee, assigned to a standing committee for investigation, was placed on the En Bloc Calendar with recommendation for confirmation:

WAYS AND MEANS

Dianna Darold – Iowa Railway Finance Authority

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 19, 2006

The Senate met in regular session at 8:38 a.m., President Lamberti presiding.

Prayer was offered by Pastor Tim Diehl of the Zion Evangelical and Reform Church in Garner, Iowa. He was the guest of Senator Gaskill.

The Journal of Wednesday, January 18, 2006, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:50 a.m. until 1:00 p.m., Monday, January 23, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Dave Schuster, Zwingle—For 34 years of outstanding service to public safety.
Senator Hancock (1/19/06).

VFW Post #1977, Helof Holm, Decorah—For celebrating its 75th anniversary.
Senator Ziemann (1/19/06).

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:

IOWA HIGHER EDUCATION LOAN AUTHORITY

2005 Annual Report, pursuant to Iowa Code section 261A.21. Report received on January 19, 2006.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: January 18, 2006, 4:35 p.m.

Members Present: Angelo and Dvorsky, Co-chairs; Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, and Warnstadt.

Members Absent: Ward (excused).

Committee Business: Approved SSBs 3016 and 3018.

Adjourned: 5:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 18, 2006, 10:00 a.m.

Members Present: Boettger and Horn, Co-chairs; McKinley, Quirmbach, Shull, and Wood.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: January 18, 2006, 10:05 a.m.

Members Present: Hatch and Tinsman, Co-chairs; Bolcom, Johnson, Ragan, and Seymour.

Members Absent: None.

Committee Business: Presentation by Jim Chrisinger from the Department of Management.

Adjourned: 11:20 a.m.

TRANSPORTATION

Convened: January 19, 2006, 2:00 p.m.

Members Present: McCoy and Putney, Co-chairs; Beall, Danielson, Dearden, Fraise, Hahn, Kettering, Shull, Ward, Warnstadt, and Ziemann.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 2:25 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 19, 2006, 10:05 a.m.

Members Present: Putney and Stewart, Co-chairs; Dvorsky, McCoy, Mulder, and Ziemann.

Members Absent: None.

Committee Business: Presentation by Ed Stanek, Director of Iowa Lottery.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 19, 2006, 10:05 a.m.

Members Present: Gaskill and Seng, Co-chairs; Black, Hahn, Houser, and Schoenjahn.

Members Absent: None.

Committee Business: Presentation by conservation districts of Iowa.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 19, 2006, 9:55 a.m.

Members Present: Dotzler and Ward, Co-chairs; Behn, Brunkhorst, and Rielly.

Members Absent: Danielson (excused).

Committee Business: Presentations by Public Employment Relations Board Chairperson Jim Riordan and Department of Economic Development Director Mary Lawyer.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 19, 2006, 10:05 a.m.

Members Present: Boettger and Horn, Co-chairs; McKinley, Quirmbach, Shull, and Wood.

Members Absent: None.

Committee Business: Presentation by Iowa Vocational Rehabilitation Services.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 19, 2006, 10:00 a.m.

Members Present: McKibben, Co-chair; Hancock and Kreiman.

Members Absent: Fraise, Co-chair; Larson and Miller (all excused).

Committee Business: Presentation by Acton and Lenstra.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: January 19, 2006, 10:00 a.m.

Members Present: Kettering and Warnstadt, Co-chairs; Beall, Dearden, and Zaun.

Members Absent: Angelo (excused).

Committee Business: Presentation by the Department of Transportation.

Adjourned: 11:05 a.m.

INTRODUCTION OF BILLS

Senate File 2047, by Warnstadt and Wieck, a bill for an act relating to the application of the sales tax to only certain recreational fees paid to cities or counties.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2048, by Bolkcom, Beall, Ragan, Connolly, Hancock, Kibbie, Gronstal, Courtney, Fraise, Quirmbach, Schoenjahn, Dearden, Kreiman, Wood, Seng, Horn, Dvorsky, Dotzler, Danielson, Warnstadt, Stewart, Hatch, and McCoy, a bill for an act relating to the personal needs allowance for residents of nursing facilities.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2049, by Hatch, a bill for an act creating a targeted development area business recruitment program.

Read first time under Rule 28 and referred to committee on **Economic Growth**.

Senate File 2050, by McKinley, a bill for an act concerning minimum wages for employees of excursion gambling boats and racetracks licensed to conduct gambling games.

Read first time under Rule 28 and referred to committee on **Economic Growth**.

Senate File 2051, by committee on Appropriations, a bill for an act relating to the medical assistance provider payment adjustments, providing for transfer, appropriation, and deposit of funds, providing an effective date, and providing for retroactive applicability.

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

Senate File 2052, by Bolkcom, a bill for an act requiring certain Iowa national pollutant discharge elimination system program permit holders to post signs at discharge points and providing a penalty.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment.**

Senate File 2053, by Bolkcom, a bill for an act relating to advertising for delayed deposit services and consumer loans secured by a motor vehicle and making penalties applicable.

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

Senate File 2054, by Gronstal, a bill for an act providing for termination of the parental rights of a child's parent who has been convicted of certain offenses against a minor.

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

Senate File 2055, by Kibbie, a bill for an act relating to motor vehicle registration fees for motor trucks weighing less than eight thousand pounds.

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

Senate File 2056, by committee on Appropriations, a bill for an act relating to the Honey creek premier destination park bond program.

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

Senate File 2057, by Bolkcom, a bill for an act relating to the prohibition of human reproductive cloning and providing penalties.

Read first time under Rule 28 and referred to committee on **Human Resources.**

Senate File 2058, by Bolkom, Connolly, Hancock, Kibbie, Gronstal, Courtney, Fraise, Schoenjahn, Dearden, Kreiman, Wood, Seng, Horn, Dvorsky, Dotzler, Danielson, Ragan, Stewart, Hatch, McCoy, and Beall, a bill for an act relating to standardized requirements for long-term care insurance policies.

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

Senate File 2059, by Bolkom, Connolly, Kibbie, Gronstal, Courtney, Fraise, Quirmbach, Dearden, Kreiman, Wood, Seng, Horn, Dvorsky, Dotzler, Danielson, Hatch, and McCoy, a bill for an act providing a prohibition against reprisals relating to health care workers disclosing specified information, and providing penalties.

Read first time under Rule 28 and referred to committee on **Human Resources.**

Senate File 2060, by Bolkom, a bill for an act relating to the regulation of payday loans and lenders, including the establishment of fees and civil penalties, and providing for an impact study by the superintendent of banking.

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

Senate File 2061, by Ward, Johnson, Danielson, and Dotzler, a bill for an act relating to tourism marketing by the department of economic development and making appropriations.

Read first time under Rule 28 and referred to committee on **Economic Growth.**

Senate File 2062, by Bolkom, Connolly, Hancock, Hatch, Kibbie, Gronstal, Courtney, Fraise, Quirmbach, Schoenjahn, Dearden, Kreiman, Wood, Seng, Horn, Dotzler, Danielson, Warnstadt, Ragan, Stewart, and Beall, a bill for an act relating to the senior living trust fund and providing for appropriation of the moneys in the fund.

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

STUDY BILLS RECEIVED

SSB 3023 Economic Growth

Relating to employment law concerning private sector drug testing and unemployment compensation hearings and eligibility for benefits.

SSB 3024 Transportation

Relating to scheduled fines for violations of motor carrier safety rules.

SSB 3025 Transportation

Relating to registration fees for certain motor trucks, creating an E-85 trust fund, making an appropriation, and providing effective and applicability dates.

SSB 3026 Transportation

Providing for regulation of motor vehicles by the state department of transportation, including motor vehicle registration and fees, commercial driver licensing, wholesaler licensing, vehicle braking requirements, vehicle length restrictions, proof of financial responsibility requirements, and persons with disabilities parking permits.

SUBCOMMITTEE ASSIGNMENTS

Senate File 203

TRANSPORTATION: Warnstadt and Zieman, Co-chairs; Danielson and Ward

Senate File 222

TRANSPORTATION: McCoy and Zieman, Co-chairs; Dearden and Hahn

Senate File 232

TRANSPORTATION: McCoy and Warnstadt, Co-chairs; Hahn and Zieman

Senate File 2018

STATE GOVERNMENT: Kibbie and Zieman, Co-chairs; Horn and Kettering

Senate File 2019

STATE GOVERNMENT: Kibbie and Zieman, Co-chairs; Horn and Kettering

Senate File 2037

WAYS AND MEANS: Danielson and Zaun, Co-chairs; Dotzler and Zieman

Senate File 2038

WAYS AND MEANS: Dotzler and McKibben, Co-chairs; Danielson and Zaun

Senate File 2039

COMMERCE: Warnstadt and Wieck, Co-chairs; Rielly and Zaun

Senate File 2040

WAYS AND MEANS: Connolly and Wieck, Co-chairs; Stewart and Zaun

Senate File 2041

WAYS AND MEANS: Dotzler and Zaun, Co-chairs; Danielson and Zieman

Senate File 2042

EDUCATION: McKinley and Schoenjahn, Co-chairs; Beall and Brunkhorst

Senate File 2044

WAYS AND MEANS: Connolly and McKibben, Co-chairs; Bolkcom and Zieman

Senate File 2053

COMMERCE: Bolkcom and Zieman, Co-chairs; Rielly and Zaun

House File 741

TRANSPORTATION: Fraise and Hahn, Co-chairs; Kettering and Warnstadt

SSB 3023

ECONOMIC GROWTH: Rielly and Zaun, Co-chairs; Dotzler and Hahn

SSB 3024

TRANSPORTATION: McCoy and Zieman, Co-chairs; Beall and Putney

SSB 3025

TRANSPORTATION: McCoy and Putney, Co-chairs; Beall, Danielson, Dearden, Fraise, Hahn, Kettering, Shull, Ward, Warnstadt, and Zieman

SSB 3026

TRANSPORTATION: McCoy and Putney, Co-chairs; Danielson and Shull

FINAL COMMITTEE REPORTS OF BILL ACTION**APPROPRIATIONS**

Bill Title: SENATE FILE 2051 (SSB 3016), a bill for an act relating to the medical assistance provider payment adjustments, providing for transfer, appropriation, and deposit of funds, providing an effective date, and providing for retroactive applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 23: Angelo, Dvorsky, Black, Boettger, Bolcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, and Warnstadt. Nays, none. Absent, 1: Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2056 (SSB 3018), a bill for an act relating to the Honey creek premier destination park bond program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 23: Angelo, Dvorsky, Black, Boettger, Bolcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, and Warnstadt. Nays, none. Absent, 1: Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 23, 2006

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

Prayer was offered by the Honorable Mary Lundby, member of the Senate from Linn County, Marion, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Liz Moore.

The Journal of Thursday, January 19, 2006, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Warnstadt, for the week, on request of Senator Gronstal; and Senator Putney, for Monday and Tuesday, January 23 and 24, 2006, on request of Senator Iverson.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:22 p.m. until 8:30 a.m., Tuesday, January 24, 2006.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Rose Campbell, Mason City—For celebrating your 90th birthday. Senator Ragan (1/23/06).

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:

DEPARTMENT OF ADMINISTRATIVE SERVICES

State Government E-Commerce Study, pursuant to 2005 Acts, House File 776. Report received on January 23, 2006.

DEPARTMENT OF TRANSPORTATION

Report on the Midwest Regional Rail Initiative, pursuant to Iowa Code section 327J.3(5). Report received on January 23, 2006.

REPORTS OF COMMITTEE MEETINGS

ECONOMIC GROWTH

Convened: January 19, 2006, 3:00 p.m.

Members Present: Brunkhorst and Hatch, Co-chairs; Beall, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Shull, Stewart, and Zaun.

Members Absent: Seymour (excused).

Committee Business: Subcommittee assignments.

Adjourned: 4:00 p.m.

GOVERNMENT OVERSIGHT

Convened: January 19, 2006, 10:00 a.m.

Members Present: Courtney and Lundby, Co-chairs; Connolly and Wieck.

Members Absent: None.

Committee Business: Presentations by the Board of Regents.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: January 19, 2006, 9:50 a.m.

Members Present: Hatch, Co-chair; Bolkcom, Johnson, Ragan, and Seymour.

Members Absent: Tinsman, Co-chair (excused).

Committee Business: Presentations by the LSA and the Department of Human Services.

Adjourned: 11:30 a.m.

EDUCATION

Convened: January 23, 2006, 2:55 p.m.

Members Present: Connolly and McKinley, Co-chairs; Angelo, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Larson, Mulder, Quirmbach, Schoenjahn, and Wood.

Members Absent: Ward (excused).

Committee Business: Discussed SF 2001.

Adjourned: 3:15 p.m.

LOCAL GOVERNMENT

Convened: January 23, 2006, 1:30 p.m.

Members Present: Quirmbach and Shull, Co-chairs; Houser, Kreiman, McCoy, Mulder, Rielly, Schoenjahn, Stewart, and Zaun.

Members Absent: Lundby and Putney (both excused).

Committee Business: Presentation by the Director of Intergovernmental Affairs for the Iowa State Association of Counties.

Adjourned: 2:20 p.m.

STATE GOVERNMENT

Convened: January 23, 2006, 1:45 p.m.

Members Present: Horn and McKibben, Co-chairs; Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Miller, Tinsman, Ward, Wieck, Wood, and Zieman.

Members Absent: Kibbie (excused).

Committee Business: Approved Governor's appointments.

Adjourned: 1:55 p.m.

INTRODUCTION OF BILLS

Senate File 2063, by Black, a bill for an act providing a sales and use tax exemption for certain appliances that meet the energy efficiency rating established for the appliances by the United States environmental protection agency and providing an effective date.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2064, by Black, a bill for an act relating to the transfer of veterans commemorative property placed in a cemetery, recodifying a provision regarding veteran markers, and providing a penalty.

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

Senate File 2065, by Houser, a bill for an act exempting sales to nonprofit churches from sales and use taxes.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

STUDY BILLS RECEIVED

SSB 3027 Judiciary

Relating to the use of a peace officer of the department of public safety in an industrial dispute and providing an effective date.

SSB 3028 Judiciary

Requiring health professionals to provide peace officers access to certain injured persons involved in motor vehicle accidents.

SSB 3029 Judiciary

Relating to the confidentiality and release of an intelligence assessment or intelligence data.

SSB 3030 Judiciary

Relating to involuntary hospitalization proceedings for chronic substance abusers and persons with mental illness.

SSB 3031 Judiciary

Relating to the regulation of business organizations including administrative dissolution, registration of agents, authorization of names, the filing, delivery, and service of documents by the secretary of state, and the elimination of certain filing fees.

SSB 3032 Judiciary

Relating to county processing of orders for observation, evaluation, and treatment of public patients at the state psychiatric hospital at the state university of Iowa.

SSB 3033 Judiciary

Relating to compensation for interpreters in juvenile court proceedings.

SSB 3034 Human Resources

Relating to the state child care assistance program by creating an at-home infant care initiative under the program for certain parents, guardians, or custodians of an infant who care for the infant at home.

SSB 3035 Human Resources

Relating to department of human services' technical requirements involving individual development accounts, family investment program limited benefit plans, paternity establishment definitions, and the state child care assistance program, and including effective date and retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 77**
(Reassignment)

ECONOMIC GROWTH: Hatch and Seymour, Co-chairs; Behn and Ragan

Senate File 2008

LOCAL GOVERNMENT: Kreiman and Mulder, Co-chairs; Stewart and Zaun

Senate File 2046

JUDICIARY: Brunkhorst and Kreiman, Co-chairs; Miller and Quirmbach

Senate File 2047

WAYS AND MEANS: Quirmbach and Wieck, Co-chairs; Seng and Zieman

Senate File 2049

ECONOMIC GROWTH: Hatch and Shull, Co-chairs; Danielson and Zaun

Senate File 2050

ECONOMIC GROWTH: Beall and McKinley, Co-chairs; Hahn and Rielly

Senate File 2054

JUDICIARY: Tinsman and Warnstadt, Co-chairs; Kreiman and Larson

Senate File 2057

HUMAN RESOURCES: Bolkcom and Seymour, Co-chairs; Hatch and Tinsman

Senate File 2063

WAYS AND MEANS: Stewart and Zaun, Co-chairs; Danielson and Zieman

House File 720
(Reassignment)

ECONOMIC GROWTH: Dotzler and Hahn, Co-chairs; Hatch and Shull

SSB 3010
(Reassignment)

HUMAN RESOURCES: Hatch and Seymour, Co-chairs; Behn and Wood

SSB 3011
(Reassignment)

HUMAN RESOURCES: Gaskill and Wood, Co-chairs; Houser and Quirmbach

SSB 3012
(Reassignment)

HUMAN RESOURCES: Bolkcom and Johnson, Co-chairs; Ragan and Tinsman

SSB 3013
(Reassignment)

HUMAN RESOURCES: Bolkcom and Tinsman, Co-chairs; Boettger and Dotzler

SSB 3014
(Reassignment)

HUMAN RESOURCES: Houser and Kreiman, Co-chairs; Bolkcom and Tinsman

SSB 3015
(Reassignment)

HUMAN RESOURCES: Boettger and Dotzler, Co-chairs; Johnson and Kreiman

SSB 3027

JUDICIARY: Brunkhorst and Kreiman, Co-chairs; Larson and Warnstadt

SSB 3028

JUDICIARY: Boettger and Hancock, Co-chairs; Kreiman and Zaun

SSB 3029

JUDICIARY: Kreiman and Tinsman, Co-chairs; Warnstadt and Zaun

SSB 3030

JUDICIARY: Kreiman and Tinsman, Co-chairs; Quirmbach and Zaun

SSB 3031

JUDICIARY: Quirmbach and Zaun, Co-chairs; Kreiman and Ward

SSB 3032

JUDICIARY: Boettger and Kreiman, Co-chairs; Hancock and Ward

SSB 3033

JUDICIARY: Horn and Ward, Co-chairs; Fraise and Zaun

SSB 3034

HUMAN RESOURCES: Tinsman and Wood, Co-chairs; Boettger and Kreiman

SSB 3035

HUMAN RESOURCES: Hatch and Johnson, Co-chairs; Dotzler and Houser

**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:

HUMAN RESOURCES

Mary Charlton – Board of Physician Assistant Examiners

Donald Klitgaard – Board of Physician Assistant Examiners

JOURNAL OF THE SENATE

**SIXTEENTH CALENDAR DAY
TENTH SESSION DAY**

Senate Chamber
Des Moines, Iowa, Tuesday, January 24, 2006

The Senate met in regular session at 8:33 a.m., President Kibbie presiding.

Prayer was offered by Pastor Terry Amaan of the Windsor Presbyterian Church in Windsor Heights, Iowa. He was the guest of Senator Ward.

The Journal of Monday, January 23, 2006, was approved.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 8:53 a.m. until 8:30 a.m., Wednesday, January 25, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Brittney Carlson, Oskaloosa—For scoring your 1,000th career point. Senator Rielly (1/24/06).

Martha McKenna, Waterloo—For celebrating your 90th birthday. Senator Dotzler (1/24/06).

Mr. and Mrs. Robert and Miriam McKinley, Waterloo—For celebrating your 50th wedding anniversary. Senator Dotzler (1/24/06).

Nick Novick, Waterloo—For celebrating your 92nd birthday. Senator Dotzler (1/24/06).

Anne Schultz, Waterloo—For celebrating your 90th birthday. Senator Dotzler (1/24/06).

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: January 23, 2006, 4:05 p.m.

Members Present: Ragan and Seymour, Co-chairs; Behn, Boettger, Dotzler, Hatch, Houser, Johnson, Kreiman, Quirnbach, and Tinsman.

Members Absent: Bolkcom, Gaskill, and Wood (all excused).

Committee Business: Approved Governor's appointments.

Adjourned: 4:10 p.m.

JUDICIARY

Convened: January 23, 2006, 3:35 p.m.

Members Present: Kreiman and Miller, Co-chairs; Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirnbach, Schoenjahn, Tinsman, Ward, and Zaun.

Members Absent: Warnstadt (excused).

Committee Business: Subcommittee assignments.

Adjourned: 3:50 p.m.

AGRICULTURE

Convened: January 24, 2006, 3:05 p.m.

Members Present: Fraise and Johnson, Co-chairs; Brunkhorst, Courtney, Gaskill, Hahn, Hancock, Houser, Kibbie, Mulder, Ragan, and Rielly.

Members Absent: Black and Putney (both excused).

Committee Business: Approved SSB 3017. Presentation on Canadian pork production.

Adjourned: 3:50 p.m.

ECONOMIC GROWTH

Convened: January 24, 2006, 1:00 p.m.

Members Present: Brunkhorst and Hatch, Co-chairs; Beall, Behn, Danielson, Dotzler, Hahn, Ragan, Rielly, Seymour, Shull, Stewart, and Zaun.

Members Absent: McKinley (excused).

Committee Business: Subcommittee assignments.

Adjourned: 1:20 p.m.

GOVERNMENT OVERSIGHT

Convened: January 24, 2006, 10:05 a.m.

Members Present: Courtney and Lundby, Co-chairs; Connolly and Wieck.

Members Absent: None.

Committee Business: Presentations by Ombudsman's Office, Ethics and Campaign Disclosure Board, and soil and water conservation districts.

Adjourned: 11:50 a.m.

HUMAN RESOURCES

Convened: January 24, 2006, 2:05 p.m.

Members Present: Ragan and Seymour, Co-chairs; Behn, Boettger, Bolkom, Dotzler, Gaskill, Johnson, Kreiman, Quirnbach, Tinsman, and Wood.

Members Absent: Hatch and Houser (both excused).

Committee Business: Approved Governor's appointment. Presentation by Department of Elder Affairs.

Adjourned: 3:00 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: January 24, 2006, 1:10 p.m.

Members Present: Houser, Co-chair; Bolkcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Schoenjahn, Seng, and Wood.

Members Absent: Black, Co-chair; and Putney (both excused).

Committee Business: Organizational meeting.

Adjourned: 1:15 p.m.

RULES AND ADMINISTRATION

Convened: January 24, 2006, 4:00 p.m.

Members Present: Gronstal and Iverson, Co-chairs; Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan.

Members Absent: None.

Committee Business: Approved SR 104.

Adjourned: 4:05 p.m.

TRANSPORTATION

Convened: January 24, 2006, 2:00 p.m.

Members Present: McCoy, Co-chair; Beall, Danielson, Dearden, Hahn, Kettering, Shull, Ward, and Zieman.

Members Absent: Putney, Co-chair; Fraise and Warnstadt (all excused).

Committee Business: Presentation by Department of Transportation.

Adjourned: 3:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 24, 2006, 9:35 a.m.

Members Present: Stewart, Co-chair; Mulder and Zieman.

Members Absent: Putney, Co-chair; Dvorsky and McCoy (all excused).

Committee Business: Presentation by the Department of Revenue.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 24, 2006, 9:45 a.m.

Members Present: Gaskill and Seng, Co-chairs; Hahn and Schoenjahn.

Members Absent: Black and Houser (both excused).

Committee Business: Presentation by State Veterinarian Dr. John Schiltz.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 24, 2006, 9:50 a.m.

Members Present: Dotzler and Ward, Co-chairs; Behn, Brunkhorst, and Rielly.

Members Absent: Danielson (excused).

Committee Business: Presentations by the Iowa Finance Authority and Iowa Workforce Development.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 24, 2006, 9:45 a.m.

Members Present: Boettger and Horn, Co-chairs; McKinley, Quirmbach, Shull, and Wood.

Members Absent: None.

Committee Business: Presentation by the Department of Management.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 24, 2006, 9:40 a.m.

Members Present: Fraise and McKibben, Co-chairs; Hancock, Kreiman, and Miller.

Members Absent: Larson (excused).

Committee Business: Presentation by the Department of Corrections.

Adjourned: 11:15 a.m.

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

Convened: January 24, 2006, 9:45 a.m.

Members Present: Kettering, Co-chair; Beall, Dearden, and Zaun.

Members Absent: Warnstadt, Co-chair; and Angelo (both excused).

Committee Business: Presentations by Iowa Public Television and the Department of Transportation.

Adjourned: 10:30 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 104, by Dotzler, Zieman, Lamberti, Stewart, Hahn, Zaun, Brunkhorst, Hancock, Wood, Schoenjahn, Johnson, Seng, Bolkom, Miller, Dearden, Kettering, Ragan, Ward, Wieck, McKibben, Mulder, Shull, Behn, Gaskill, Quirmbach, Seymour, Fraise, Black, Courtney, Hatch, Gronstal, Beall, Horn, and Kibbie; a resolution naming National Association for Stock Car Auto Racing great Rusty Wallace an honorary Iowan.

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

INTRODUCTION OF BILLS

Senate File 2066, by Miller, a bill for an act exempting certain genetic test laboratory services from the state sales and use taxes.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2067, by Dotzler, Danielson, Dvorsky, Warnstadt, Ragan, Stewart, Bolkom, Connolly, Hancock, Black, Kibbie, Gronstal, Courtney, Fraise, Quirmbach, Schoenjahn, Rielly, Kreiman, Wood, Seng, Horn, Beall, McCoy, and Hatch, a bill for an act increasing the state minimum hourly wage rate requirement.

Read first time under Rule 28 and referred to committee on **Business and Labor Relations**.

Senate File 2068, by Bolkom, Connolly, Hancock, Kibbie, Gronstal, Courtney, Fraise, Quirnbach, Schoenjahn, Dearden, Kreiman, Wood, Seng, Horn, Dvorsky, Dotzler, Danielson, Warnstadt, Ragan, Stewart, Hatch, McCoy, and Beall, a bill for an act relating to services for which reimbursement may be provided under a medical assistance home and community-based services waiver for the elderly.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2069, by Tinsman, a bill for an act establishing a dentist recruitment program and revolving fund and making an appropriation.

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

Senate File 2070, by Hatch, Schoenjahn, Wood, Dearden, Seng, Stewart, Dotzler, Ragan, Lundby, Bolkom, Danielson, Shull, and Mulder, a bill for an act providing a supplemental appropriation for the low-income home energy assistance program, and including an effective date.

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

Senate File 2071, by Iverson and Shull, a bill for an act relating to the sale of violent or sexually explicit video games to a minor, and providing penalties.

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

STUDY BILLS RECEIVED

SSB 3036 Judiciary

Relating to the appointment of a judicial officer, a clerk of the district court, or a chief juvenile court officer.

SSB 3037 State Government

Relating to the election of mayor and city council members in a city governed by the council-manager-at-large form of city government.

SSB 3038 Human Resources

Relating to the creation of a consumer choice, support, and education program.

SSB 3039 Human Resources

Relating to services and requirements for current and former participants in the child welfare system.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 104**

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate File 2043

STATE GOVERNMENT: Ward and Wood, Co-chairs; Black and Brunkhorst

Senate File 2064

STATE GOVERNMENT: Kettering and Kibbie, Co-chairs; Horn and Miller

Senate File 2065

WAYS AND MEANS: Quirnbach and Wieck, Co-chairs; Danielson and Zaun

Senate File 2066

WAYS AND MEANS: Connolly and Miller, Co-chairs; Dotzler and Hahn

Senate File 2067

BUSINESS AND LABOR RELATIONS: Behn and Dotzler, Co-chairs; Courtney and Seymour

SSB 3036

JUDICIARY: Boettger and Kreiman, Co-chairs; Hancock and Ward

SSB 3037

STATE GOVERNMENT: Danielson and Wieck, Co-chairs; Kettering and Wood

SSB 3038

HUMAN RESOURCES: Boettger and Bolkcom, Co-chairs; Quirmbach and Seymour

SSB 3039

HUMAN RESOURCES: Bolkcom and Johnson, Co-chairs; Houser and Quirmbach

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

Bill Title: SENATE RESOLUTION 104, a resolution naming National Association for Stock Car Auto Racing great Rusty Wallace an honorary Iowan.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

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

The following appointee, assigned to a standing committee for investigation, was placed on the En Bloc Calendar with recommendation for confirmation:

HUMAN RESOURCES

Rick Hecht – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission

JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 25, 2006

The Senate met in regular session at 8:32 a.m., President Kibbie presiding.

Prayer was offered by Reverend Ann Rouse of First Presbyterian Church in Monroe, Iowa. She was the guest of Senator McKinley.

The Journal of Tuesday, January 24, 2006, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 24, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2050, a bill for an act relating to elections by making changes concerning requirements for entrances to certain polling places, arrangement of names on the ballot for nonpartisan offices, and election registers, and including effective and applicability date provisions.

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

House File 2051, a bill for an act relating to maintenance of a voter registration system separate from the state voter registration system and providing an effective date.

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

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Resolution 104.

Senate Resolution 104

On motion of Senator Dotzler, **Senate Resolution 104**, a resolution naming National Association for Stock Car Auto Racing great Rusty Wallace an honorary Iowan, with report of committee recommending passage, was taken up for consideration.

Senator Dotzler moved the adoption of Senate Resolution 104, which motion prevailed by a voice vote.

SPECIAL GUEST

Senator Dotzler welcomed to the Senate chamber NASCAR career racecar driver Rusty Wallace, who is the consultant and designer of the Iowa Speedway in Newton.

Senator Zieman presented Mr. Wallace a gift from the Iowa Senate.

Mr. Wallace addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 8:46 a.m. until 8:30 a.m., Thursday, January 26, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Earl L. Coppes, Burlington—For celebrating your 90th birthday. Senator Courtney (1/25/06).

Joyce Keeling, Clarion-Goldfield Elementary—For authoring your second published book of lesson plans. Senator Iverson (1/25/06).

Diane Lichtenberg, Bettendorf—For being named the Secondary Physical Education Teacher of the Year. Senator Tinsman (1/25/06).

Virginia Mieke, West Liberty—For receiving the Glass Apple Award. Senator Hahn (1/25/06).

Kenny Mineart, West Burlington—For achieving the rank of Eagle Scout, Boy Scout Troop 214. Senator Courtney (1/25/06).

Grace Reif, Wapello—For celebrating your 90th birthday. Senator Courtney (1/25/06).

Jeanette Swenson, Story City—For celebrating your 100th birthday. Senator Iverson (1/25/06).

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:

LEGISLATIVE OVERSIGHT COMMITTEE

Report on the activities during the 2005 legislative interim and topics selected for review during the 2006 legislative session, pursuant to 2002 Acts, Senate File 2325. Report received on January 25, 2006.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: January 25, 2006, 1:00 p.m.

Members Present: Connolly and McKinley, Co-chairs; Angelo, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Mulder, Quirmbach, Schoenjahn, Ward, and Wood.

Members Absent: Larson (excused).

Committee Business: Passed SF 2001 (as amended) and approved Governor's appointees.

Adjourned: 1:40 p.m.

GOVERNMENT OVERSIGHT

Convened: January 25, 2006, 10:00 a.m.

Members Present: Courtney and Lundby, Co-chairs; Connolly and Wieck.

Members Absent: None.

Committee Business: Senator Hahn discussed permanently moored vessels.

Adjourned: 11:30 a.m.

LOCAL GOVERNMENT

Convened: January 25, 2006, 1:30 p.m.

Members Present: Quirmbach and Shull, Co-chairs; Houser, Lundby, Mulder, Rielly, Schoenjahn, Stewart, and Zaun.

Members Absent: Kreiman, McCoy, and Putney (all excused).

Committee Business: Passed SF 2016.

Adjourned: 1:45 p.m.

STATE GOVERNMENT

Convened: January 25, 2006, 1:40 p.m.

Members Present: Horn and McKibben, Co-chairs; Brunkhorst, Connolly, Danielson, Hancock, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman.

Members Absent: Black and Hatch (both excused).

Committee Business: Approved Governor's appointments.

Adjourned: 1:50 p.m.

WAYS AND MEANS

Convened: January 25, 2006, 2:10 p.m.

Members Present: Bolcom and Zieman, Co-chairs; Connolly, Danielson, Dotzler, Hahn, McKinley, Miller, Quirmbach, Seng, Stewart, and Zaun.

Members Absent: Larson, McCoy, McKibben, and Wieck (all excused).

Committee Business: Presentation by the Department of Revenue, approved Governor's appointment, and approved HF 864.

Adjourned: 2:35 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 25, 2006, 9:40 a.m.

Members Present: Putney and Stewart, Co-chairs; McCoy, Mulder, and Zieman.

Members Absent: Dvorsky (excused).

Committee Business: Presentation by the office of the Secretary of State on the Help America Vote Act.

Adjourned: 10:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 25, 2006, 9:40 a.m.

Members Present: Gaskill and Seng, Co-chairs; Hahn, Houser, and Schoenjahn.

Members Absent: Black (excused).

Committee Business: Presentation by the Department of Natural Resources.

Adjourned: 10:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 25, 2006, 9:45 a.m.

Members Present: Dotzler and Ward, Co-chairs; Behn, Brunkhorst, Danielson, and Rielly.

Members Absent: None.

Committee Business: Presentations by the Board of Regents, the Department of Economic Development, and the Greater Des Moines Convention and Visitors' Bureau.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 25, 2006, 9:40 a.m.

Members Present: Boettger and Horn, Co-chairs; McKinley, Quirmbach, and Wood.

Members Absent: Shull (excused).

Committee Business: Presentation by the Board of Regents.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: January 25, 2006, 9:45 a.m.

Members Present: Hatch and Tinsman, Co-chairs; Bolkcom, Johnson, Ragan, and Seymour.

Members Absent: None.

Committee Business: Presentations by the Department of Human Services, Iowa Veterans Home commandant, and the Department of Veterans Affairs.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 25, 2006, 9:45 a.m.

Members Present: Fraise, Co-chair; Hancock, Kreiman, and Miller.

Members Absent: McKibben, Co-chair; and Larson (both excused).

Committee Business: Presentation by the Department of Corrections.

Adjourned: 10:50 a.m.

INTRODUCTION OF BILLS

Senate File 2072, by Zaun, a bill for an act relating to county, city, and school board publication of allowed claims.

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

Senate File 2073, by Bolkcom, a bill for an act relating to the temporary appointment of a conservator for a dependent adult in an emergency situation.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2074, by Miller, a bill for an act relating to Medicaid reform through the use of managed care and opt-out provisions.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2075, by Houser, a bill for an act regulating manure management plans and related documents submitted by the department of natural resources to counties.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2076, by committee on Agriculture, a bill for an act relating to confinement feeding operations by providing for manure management plans.

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

Senate File 2077, by Bolkcom, Connolly, Beall, Stewart, Ragan, Kreiman, Hatch, Dvorsky, Danielson, Horn, Hancock, Rielly, Wood, Schoenjahn, Fraise, Courtney, Gronstal, Kibbie, and Black, a bill for an act providing a sales tax exemption for purchases of solar energy equipment.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2078, by Bolkcom, a bill for an act relating to the age at which an elector is eligible to register to vote and to vote in a school district election.

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

Senate File 2079, by Bolkcom, Connolly, Stewart, Ragan, Hancock, Dearden, Schoenjahn, Wood, Fraise, Courtney, Gronstal, Kibbie, Dvorsky, and Beall, a bill for an act exempting from the state sales tax the sale of certain multifuel pellet stoves.

Read first time under Rule 28 and referred to committee on **Ways and Means.**

Senate File 2080, by Ragan, a bill for an act providing appropriations to the department of veterans affairs.

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

Senate File 2081, by Stewart, a bill for an act providing an annual appropriation to the department of veterans affairs for the state veterans cemetery.

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

Senate File 2082, by Ragan, a bill for an act making appropriations to the Iowa veterans home.

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

STUDY BILLS RECEIVED

SSB 3040 Appropriations

Relating to financial and regulatory matters by making and revising appropriations for the fiscal year beginning July 1, 2005, and providing an effective date and applicability provisions.

SSB 3041 Appropriations

Relating to and making appropriations to the department of human services, the department of elder affairs, the Iowa department of public health, the department of veterans affairs and the Iowa veterans home, and the department of inspections and appeals, providing for fee increases, and including other related provisions and appropriations, and providing effective dates.

SSB 3042 Appropriations

Making an annual appropriation to the department of veterans affairs for the state veterans cemetery.

SSB 3043 Appropriations

Relating to the community empowerment initiative and making an appropriation.

SSB 3044 Appropriations

Relating to and making appropriations to the judicial branch.

SSB 3045 Appropriations

Appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

SSB 3046 Ways and Means

Relating to the determination of the holding period for purposes of certain capital gains under the individual income tax and including effective and retroactive applicability date provisions.

SSB 3047 Ways and Means

Relating to taxation by making changes relating to property tax, income tax, city and county budgets, creating an implementation task force and providing an appropriation, and providing effective and applicability dates.

SUBCOMMITTEE ASSIGNMENTS

Senate File 315
(Reassignment)

HUMAN RESOURCES: Boettger and Wood, Co-chairs; Dotzler and Johnson

Senate File 2031

HUMAN RESOURCES: Ragan and Seymour, Co-chairs; Kreiman and Tinsman

Senate File 2048

HUMAN RESOURCES: Bolkcom and Johnson, Co-chairs; Ragan and Seymour

Senate File 2059

HUMAN RESOURCES: Boettger and Quirmbach, Co-chairs; Bolkcom and Houser

Senate File 2068

HUMAN RESOURCES: Quirmbach and Seymour, Co-chairs; Bolkcom and Houser

Senate File 2061

ECONOMIC GROWTH: Behn and Dotzler, Co-chairs; Brunkhorst and Danielson

Senate File 2071

JUDICIARY: Quirmbach and Zaun, Co-chairs; Ward and Warnstadt

Senate File 2073

HUMAN RESOURCES: Behn and Quirmbach, Co-chairs; Boettger and Wood

Senate File 2074

HUMAN RESOURCES: Kreiman and Seymour, Co-chairs; Gaskill and Quirmbach

House File 2051

STATE GOVERNMENT: Wood and Zieman, Co-chairs; Danielson and Ward

SSB 3040

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

SSB 3041

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

SSB 3042

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

SSB 3043

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

SSB 3044

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

SSB 3045

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

SSB 3046

WAYS AND MEANS: Connolly and Danielson, Co-chairs; Miller and Zieman

SSB 3047

WAYS AND MEANS: Quirmbach and Zieman, Co-chairs; Bolckcom, Connolly, Miller, and Wieck

FINAL COMMITTEE REPORTS OF BILL ACTION**AGRICULTURE**

Bill Title: SENATE FILE 2076 (SSB 3017), a bill for an act relating to confinement feeding operations by providing for manure management plans.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Fraise, Johnson, Brunkhorst, Courtney, Gaskill, Hahn, Hancock, Houser, Kibbie, Mulder, Ragan, and Rielly. Nays, none. Absent, 2: Black and Putney.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: HOUSE FILE 864, a bill for an act providing an exemption from and a refund of sales and use taxes on materials and services used in the construction of a building or addition to a building to be used as a collaborative educational facility and including effective and applicability date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Bolckcom, Zieman, Connolly, Danielson, Dotzler, Hahn, McKinley, Miller, Quirmbach, Seng, Stewart, and Zaun. Nays, none. Absent, 4: Larson, McCoy, McKibben, and Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

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:

EDUCATION

Sandra Cowie – Technology Governance Board
Randall Ramundt – Technology Governance Board

STATE GOVERNMENT

Kristina Lusk – Board of Barber Examiners
Robert VanVooren – Board of Barber Examiners

David Lyn Weatherwax – Board of Cosmetology Arts and Sciences Examiners

Robert Olney – Elevator Safety Board

Mary Ricketts – Board for the Licensing and Regulation of Hearing Aid Dispensers

Lawrence Lentz – IowaAccess Advisory Council

Mark Ripplinger – Landscape and Architectural Examining Board

Doug Carlson – Board of Massage Therapy Examiners
Aaron Landmesser – Board of Massage Therapy Examiners

Tyrone Orr – Board of Mortuary Science Examiners

WAYS AND MEANS

Wanda Carlson – Iowa Railway Finance Authority

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

The following appointee, assigned to a standing committee for investigation, was placed on the En Bloc Calendar without recommendation for confirmation:

STATE GOVERNMENT

E. Karl Reichert – Real Estate Commission

REFERRAL TO INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the following name be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar":

STATE GOVERNMENT

E. Karl Reichert – Real Estate Commission

STEWART E. IVERSON, JR.

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 26, 2006

The Senate met in regular session at 8:30 a.m., President Kibbie presiding.

Prayer was offered by Pastor Jason Stark of Point of Grace Church in Waukee, Iowa. He was the guest of Senator Zaun.

The Journal of Wednesday, January 25, 2006, 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 January 25, 2006, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2095, a bill for an act providing for the establishment of the state percent of growth for purposes of the state school foundation program and providing an applicability date.

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

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 8:40 a.m. until 1:00 p.m., Monday, January 30, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Mr. and Mrs. Glenn and Donna Janssen, Jewell—For celebrating your 60th wedding anniversary. Senator Iverson (1/26/06).

Marie Knedler, Council Bluffs—For receiving the Daily Nonpareil's Person of the Year Award. Senator Seymour (1/26/06).

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:

IOWA COUNTY ENGINEERS ASSOCIATION SERVICE BUREAU

2005 Report of Activities, pursuant to Iowa Code section 312.3B. Report received on January 26, 2006.

PRESENTATION OF VISITORS

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

Twenty-five student senators from the Iowa Central Community College in Fort Dodge, accompanied by Dave Drissel and Paul DeCoursey. Senator Beall.

REPORTS OF COMMITTEE MEETINGS

GOVERNMENT OVERSIGHT

Convened: January 26, 2006, 10:05 a.m.

Members Present: Lundby, Co-chair; and Connolly.

Members Absent: Courtney, Co-chair; and Wieck (both excused).

Committee Business: Discussion with the Ombudsman's Office and the Ethics and Campaign Disclosure Board.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 26, 2006, 9:40 a.m.

Members Present: Putney and Stewart, Co-chairs; Mulder and Zieman.

Members Absent: Dvorsky and McCoy (both excused).

Committee Business: Presentations by the Iowa Ethics and Campaign Disclosure Board and the Department of Administrative Services.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 26, 2006, 9:50 a.m.

Members Present: Gaskill and Seng, Co-chairs; Black and Hahn.

Members Absent: Houser and Schoenjahn (both excused).

Committee Business: Presentation by the Department of Natural Resources.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 26, 2006, 9:45 a.m.

Members Present: Dotzler and Ward, Co-chairs; Brunkhorst, Danielson, and Rielly.

Members Absent: Behn (excused).

Committee Business: Presentations by the Department of Economic Development and the Board of Regents universities.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 26, 2006, 9:45 a.m.

Members Present: Boettger and Horn, Co-chairs; McKinley, Quirmbach, and Wood.

Members Absent: Shull (excused).

Committee Business: Presentation by the College Student Aid Commission.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: January 26, 2006, 9:30 a.m.

Members Present: Hatch and Tinsman, Co-chairs; Bolkcom, Johnson, and Ragan.

Members Absent: Seymour (excused).

Committee Business: Presentation by the Department of Public Health and the Department of Elder Affairs.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 26, 2006, 9:45 a.m.

Members Present: Fraise and McKibben, Co-chairs; Hancock, Kreiman, and Miller.

Members Absent: Larson (excused).

Committee Business: Presentations by the Department of Public Defense and the Homeland Security and Emergency Management Division.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: January 26, 2006, 9:45 a.m.

Members Present: Kettering, Co-chair; Beall, Dearden, and Zaun.

Members Absent: Warnstadt, Co-chair; and Angelo (both excused).

Committee Business: Presentations by the Rebuild Iowa Coalition, Department of Corrections, and the Administrative Services Division.

Adjourned: 10:40 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 105, by Dotzler, Danielson, and Brunkhorst, a resolution honoring the University of Northern Iowa Football Team.

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

INTRODUCTION OF BILLS

Senate File 2083, by Lamberti, Iverson, Johnson, Behn, Zieman, McKibben, Gaskill, Boettger, Miller, Kettering, Brunkhorst, McKinley, Angelo, Wieck, and Hahn, a bill for an act allowing a nonresident person who has been issued and holds a valid out-of-state weapons permit to carry weapons in this state.

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

Senate File 2084, by Hatch, a bill for an act to prohibit the disconnection of gas or electric utility service to households with residents who would suffer a health risk, providing for a health risk utility tax credit, and making penalties applicable.

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

Senate File 2085, by Johnson, a bill for an act providing criminal penalties for the failure of a vessel operator to offer assistance and information at the scene of a collision, accident, or casualty.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2086, by committee on Education, a bill for an act allowing school districts to use biometric fingerprint identification systems for certain restricted purposes and providing an effective date.

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

Senate File 2087, by committee on Local Government, a bill for an act relating to an increase in per diem paid to trustees of sanitary districts.

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

Senate File 2088, by Fraise, a bill for an act relating to the application of phosphoric fertilizers on turf and making penalties applicable.

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

Senate File 2089, by Lamberti, a bill for an act relating to littering and illegal discarding of solid waste and increasing fines and penalties and making appropriations.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2090, by McKibben, Iverson, Lamberti, Johnson, Kettering, Ziemann, Behn, and Hahn, a bill for an act relating to the issuance of weapons permits by a county sheriff or the commissioner of public safety.

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

Senate File 2091, by Angelo, a bill for an act relating to the salary of certain deputy officers in the offices of county auditor, treasurer, and recorder and providing an applicability date.

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

Senate File 2092, by Kibbie, a bill for an act exempting from the use tax motor vehicles designed to run on E-85 gasoline and hybrid vehicles.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2093, by McKibben, a bill for an act relating to the holding period for purposes of certain capital assets under the individual income tax and including effective and applicability date provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means.**

Senate File 2094, by Lamberti, McKibben, Angelo, Beall, Behn, Black, Boettger, Bolkcom, Connolly, Courtney, Danielson, Dearden, Dotzler, Dvorsky, Fraise, Gaskill, Gronstal, Hahn, Hancock, Horn, Iverson, Johnson, Kettering, Kibbie, Kreiman, Larson, Lundby, McCoy, McKinley, Miller, Mulder, Putney, Ragan, Rielly, Schoenjahn, Seng, Seymour, Stewart, Tinsman, Ward, Warnstadt, Wieck, Wood, Zaun, and Ziemann, a bill for an act relating to the criminal penalties for certain offenses involving sexual abuse in the second degree, lascivious acts with a child, and sexual exploitation, and establishing a duty to inform law enforcement about a registered sex offender.

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

Senate File 2095, by Hatch and Boettger, a bill for an act establishing an Iowa health freedom Act.

Read first time under Rule 28 and referred to committee on **Human Resources.**

Senate File 2096, by Danielson, a bill for an act relating to the victim compensation fund and mileage reimbursement.

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

Senate File 2097, by Danielson and Dotzler, a bill for an act making a supplemental appropriation for the fiscal year beginning July 1, 2005, for purposes of the restoration of Gilchrist hall at the university of northern Iowa and providing an effective date.

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

Senate File 2098, by Hatch, a bill for an act relating to the certification and registration of real estate appraisers and providing a penalty.

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

Senate File 2099, by Hatch, a bill for an act to establish an individual training account fund within the department of workforce development for the training of unemployed persons and making an appropriation.

Read first time under Rule 28 and referred to committee on **Business and Labor Relations**.

Senate File 2100, by Danielson, a bill for an act relating to funding for local emergency management and providing an applicability date.

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

STUDY BILL RECEIVED

SSB 3048 **Appropriations**

Relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2012

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

Senate File 2045

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

Senate File 2069

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs; Bolcom, Ragan, Seymour, and Tinsman

Senate File 2070

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

Senate File 2072

LOCAL GOVERNMENT: Rielly and Zaun, Co-chairs; Mulder and Schoenjahn

Senate File 2077

WAYS AND MEANS: Danielson and Miller, Co-chairs; McCoy and Zaun

Senate File 2078

STATE GOVERNMENT: Ward and Wood, Co-chairs; Danielson and Tinsman

Senate File 2079

WAYS AND MEANS: Stewart and Zaun, Co-chairs; Danielson and Hahn

Senate File 2092

WAYS AND MEANS: Miller and Stewart, Co-chairs; Dotzler and McKibben

Senate File 2093

WAYS AND MEANS: Connolly and McKibben, Co-chairs; McCoy and Zieman

House File 2050

STATE GOVERNMENT: Danielson and Zieman, Co-chairs; Kettering and Wood

SSB 3048

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

FINAL COMMITTEE REPORTS OF BILL ACTION**EDUCATION**

Bill Title: SENATE FILE 2086 (formerly SF 2001), a bill for an act allowing school districts to use biometric fingerprint identification systems for certain restricted purposes and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Connolly, McKinley, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Mulder, Schoenjahn, Ward, and Wood. Nays, 2: Angelo and Quirnbach. Absent, 1: Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: SENATE FILE 2087 (formerly SF 2016), a bill for an act relating to an increase in per diem paid to trustees of sanitary districts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Quirnbach, Shull, Houser, Lundby, Mulder, Rielly, Schoenjahn, Stewart, and Zaun. Nays, none. Absent, 3: Kreiman, McCoy, and Putney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

**TWENTY-SECOND CALENDAR DAY
THIRTEENTH SESSION DAY**

**Senate Chamber
Des Moines, Iowa, Monday, January 30, 2006**

The Senate met in regular session at 1:05 p.m., President Lamberti presiding.

Prayer was offered by the Reverend Robert Wallace, pastor of the Nazareth Lutheran Church in Cedar Falls, Iowa. He was the guest of Senator Danielson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Brittany Du Bois.

The Journal of Thursday, January 26, 2006, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:10 p.m. until 8:30 a.m., Tuesday, January 31, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Charles Wasker—For celebrating your 80th birthday. Senator Iverson (1/30/06).

James Weitz, Dubuque—For outstanding dedication to Firefighter Training. Senator Hancock (1/30/06).

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:

DEPARTMENT OF ECONOMIC DEVELOPMENT

Semiannual report on the Value-Added Agricultural Products and Processes Financial Assistance Program, pursuant to Iowa Code section 15E.111(8). Report received on January 30, 2006.

DEPARTMENT OF EDUCATION

Student Achievement and Accountability Report, pursuant to Iowa Code section 284.12(1). Report received on January 30, 2006.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: January 30, 2006, 3:35 p.m.

Members Present: Connolly and McKinley, Co-chairs; Angelo, Beall, Boettger, Dvorsky, Kreiman, Mulder, Quirmbach, Schoenjahn, and Wood.

Members Absent: Brunkhorst, Larson, and Ward (all excused).

Committee Business: Approved Governor's appointment.

Adjourned: 3:40 p.m.

STATE GOVERNMENT

Convened: January 30, 2006, 2:30 p.m.

Members Present: Horn and McKibben, Co-chairs; Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Ward, Wieck, Wood, and Zieman.

Members Absent: Kibbie, Miller, and Tinsman (all excused).

Committee Business: Approved Governor's appointments.

Adjourned: 2:40 p.m.

INTRODUCTION OF BILLS

Senate File 2101, by Dotzler, a bill for an act requiring proof of financial liability coverage for issuance or renewal of a driver's license.

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

Senate File 2102, by Kreiman, a bill for an act relating to the mercury content of immunizations.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2103, by Beall, Kreiman, Stewart, Ragan, Mulder, Ward, Zaun, Kibbie, Danielson, Dotzler, Seng, Hancock, Rielly, Schoenjahn, Wood, Fraise, Horn, Connolly, and Shull, a bill for an act relating to disorderly conduct committed near a military funeral, memorial service, funeral procession, or burial, and providing penalties.

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

Senate File 2104, by Lamberti and Gronstal, a bill for an act relating to certified capital companies, providing for a certified capital company insurance premium tax credit, and providing penalties.

Read first time under Rule 28 and referred to committee on **Economic Growth**.

Senate File 2105, by Johnson, a bill for an act requiring the issuance of a new series of motor vehicle registration plates every five years.

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

Senate File 2106, by Beall, Iverson, Gronstal, Warnstadt, Quirmbach, Hatch, Dearden, Dotzler, Dvorsky, Danielson, Wood, Kibbie, Black, Mulder, Ward, and Shull, a bill for an act allowing counties to jointly employ a county assessor.

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

Senate File 2107, by Tinsman, Mulder, Putney, Seymour, Kettering, Boettger, and Angelo, a bill for an act allowing private landowners limited immunity from premises liability during urban deer control hunts.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2108, by Angelo, Behn, and Zaun, a bill for an act relating to a requirement that public libraries which receive state funding adopt certain policies.

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

STUDY BILLS RECEIVED

SSB 3049 Commerce

Relating to small employer voluntary health care purchasing pools.

SSB 3050 Human Resources

Revising the waiting list requirements for the state child care assistance program.

SSB 3051 Human Resources

Providing for the release of certain morbidity and morality study information to the Iowa healthcare collaborative.

SSB 3052 Human Resources

Relating to certain human services programs directed to families with a child with a disability and to persons with a disability and providing an effective date.

SSB 3053 Transportation

Relating to driver licensing provisions, motor vehicle operating restrictions, and passenger restraint requirements applicable to persons under age eighteen, and providing penalties.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 105**

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate File 2058

COMMERCE: Bolkcom and Wieck, Co-chairs; McKinley and Rielly

Senate File 2060

COMMERCE: Bolkcom and Zaun, Co-chairs; Stewart and Zieman

Senate File 2083

JUDICIARY: Kreiman and Miller, Co-chairs; Fraise and McKibben

Senate File 2084

COMMERCE: Bolkcom and McKinley, Co-chairs; McCoy and Wieck

Senate File 2090

JUDICIARY: Dvorsky and McKibben, Co-chairs; Miller and Quirmbach

Senate File 2094

JUDICIARY: Kreiman and McKibben, Co-chairs; Dvorsky and Miller

Senate File 2095

HUMAN RESOURCES: Hatch and Seymour, Co-chairs; Johnson and Wood

Senate File 2096

JUDICIARY: Horn and Zaun, Co-chairs; Quirmbach and Tinsman

Senate File 2098

STATE GOVERNMENT: Hatch and Kettering, Co-chairs; Brunkhorst and Danielson

Senate File 2099

BUSINESS AND LABOR RELATIONS: McKibben and Seng, Co-chairs; Behn and Horn

Senate File 2102

HUMAN RESOURCES: Bolckcom and Gaskill, Co-chairs; Johnson and Wood

SSB 3049

COMMERCE: Rielly and Wieck, Co-chairs; Stewart and Zaun

SSB 3050

HUMAN RESOURCES: Gaskill and Kreiman, Co-chairs; Houser and Wood

SSB 3051

HUMAN RESOURCES: Dotzler and Seymour, Co-chairs; Bolckcom and Johnson

SSB 3052

HUMAN RESOURCES: Hatch and Johnson, Co-chairs; Ragan and Tinsman

SSB 3053

TRANSPORTATION: McCoy and Putney, Co-chairs; Dearden and Kettering

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:

EDUCATION

Max Phillips – State Board of Education

STATE GOVERNMENT

Gregory Seyfer – State Racing and Gaming Commission

Laurel (Lori) Diehl – Real Estate Commission

Katinka Keith – Board of Social Work Examiners

JOURNAL OF THE SENATE

TWENTY-THIRD CALENDAR DAY
FOURTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 31, 2006

The Senate met in regular session at 8:36 a.m., President Lamberti presiding.

Prayer was offered by the Reverend Kendall Meyer, pastor of the Gloria Dei Lutheran Church in Urbandale, Iowa. He was the guest of Senator Zaun.

The Journal of Monday, January 30, 2006, 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 January 30, 2006, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2002, a bill for an act increasing the standing amount required to be appropriated, reverted, or transferred to the credit of the senior living trust fund and including effective and retroactive applicability date provisions.

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:44 a.m. until 8:30 a.m., Wednesday, February 1, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Michael A. Douglas, Burlington—For achieving the rank of Eagle Scout, Boy Scout Troop 214. Senator Courtney (1/31/06).

Dickie Helm—For celebrating your 95th birthday. Senator Courtney (1/31/06).

Edwin and Merle Holmes, Burlington—For celebrating your 60th wedding anniversary. Senator Courtney (1/31/06).

Derrick Peterson, Wapello—For achieving the rank of Eagle Scout, Boy Scout Troop 16. Senator Courtney (1/31/06).

Mr. and Mrs. Duane and Anna Mae Petsche, Waterloo—For celebrating your 50th wedding anniversary. Senator Dotzler (1/31/06).

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:

BOARD OF REGENTS

Annual Report on Board of Regents' Diversity and Minority and Women Educators Program, pursuant to Iowa Code section 19B.5(3). Report received on January 31, 2006.

IOWA WORKFORCE DEVELOPMENT

Annual Report, pursuant to Iowa Code sections 7E.3(4), 86.9, 91.4(5), and 96.11(1). Report received on January 31, 2006.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: January 30, 2006, 5:05 p.m.

Members Present: Ragan and Seymour, Co-chairs; Behn, Boettger, Bolckcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood.

Members Absent: None.

Committee Business: Approved SSB 3012 and Governor's appointment.

Adjourned: 5:15 p.m.

JUDICIARY

Convened: January 30, 2006, 4:30 p.m.

Members Present: Kreiman and Miller, Co-chairs; Boettger, Brunkhorst, Dvorsky, Horn, McKibben, Tinsman, Ward, Warnstadt, and Zaun.

Members Absent: Fraise, Hancock, Larson, Quirmbach, and Schoenjahin (all excused).

Committee Business: Discussed subcommittees.

Adjourned: 4:35 p.m.

TRANSPORTATION

Convened: January 30, 2006, 5:00 p.m.

Members Present: Putney, Co-chair; Beall, Danielson, Hahn, Kettering, Shull, Ward, Warnstadt, and Zieman.

Members Absent: McCoy, Co-chair; Dearden and Fraise (all excused).

Committee Business: Presentation by the Department of Public Safety.

Adjourned: 5:40 p.m.

AGRICULTURE

Convened: January 31, 2006, 3:05 p.m.

Members Present: Fraise and Johnson, Co-chairs; Black, Courtney, Gaskill, Hahn, Hancock, Houser, Kibbie, Mulder, Ragan, and Rielly.

Members Absent: Brunkhorst and Putney (both excused).

Committee Business: Subcommittee assignments.

Adjourned: 3:10 p.m.

COMMERCE

Convened: January 31, 2006, 4:10 p.m.

Members Present: Behn and Warnstadt, Co-chairs; Angelo, Beall, Bolcom, Courtney, Gronstal, Kettering, McKinley, Rielly, Stewart, Zaun, and Zieman.

Members Absent: Larson, McCoy, and Wieck (all excused).

Committee Business: Approved Governor's appointments.

Adjourned: 4:15 p.m.

ECONOMIC GROWTH

Convened: January 31, 2006, 1:05 p.m.

Members Present: Brunkhorst and Hatch, Co-chairs; Beall, Behn, Dotzler, Hahn, McKinley, Ragan, Rielly, Seymour, Shull, Stewart, and Zaun.

Members Absent: Danielson (excused).

Committee Business: Subcommittee assignments.

Adjourned: 1:15 p.m.

GOVERNMENT OVERSIGHT

Convened: January 31, 2006, 10:00 a.m.

Members Present: Courtney and Lundby, Co-chairs; Connolly and Wieck.

Members Absent: None.

Committee Business: Presentation by Department of Agriculture and Land Stewardship.

Adjourned: 11:35 a.m.

HUMAN RESOURCES

Convened: January 31, 2006, 2:05 p.m.

Members Present: Ragan and Seymour, Co-chairs; Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Johnson, Kreiman, Quirnbach, Tinsman, and Wood.

Members Absent: Houser (excused).

Committee Business: Approved Governor's appointments and subcommittee assignments.

Adjourned: 2:15 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: January 31, 2006, 1:10 p.m.

Members Present: Black, Co-chair; Bolkcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood.

Members Absent: Houser, Co-chair (excused).

Committee Business: Presentation by Clear Lake Preservation Society.

Adjourned: 2:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 31, 2006, 9:35 a.m.

Members Present: Putney and Stewart, Co-chairs; McCoy, Mulder, and Zieman.

Members Absent: Dvorsky (excused).

Committee Business: Presentations by the Governor's Office and the LSA.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 31, 2006, 9:45 a.m.

Members Present: Gaskill and Seng, Co-chairs; Hahn and Schoenjahn.

Members Absent: Black and Houser.

Committee Business: Presentation by Iowa State University.

Adjourned: 10:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 31, 2006, 9:35 a.m.

Members Present: Dotzler and Ward, Co-chairs; Behn, Brunkhorst, Danielson, and Rielly.

Members Absent: None.

Committee Business: Presentation by Iowa Workforce Development.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 31, 2006, 9:40 a.m.

Members Present: Boettger and Horn, Co-chairs; McKinley, Shull, and Wood.

Members Absent: Quirmbach (excused).

Committee Business: Presentation by the Department of Education.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: January 31, 2006, 10:30 a.m.

Members Present: Hatch and Tinsman, Co-chairs; Bolkcom, Johnson, Ragan, and Seymour.

Members Absent: None.

Committee Business: Presentations by the Department of Health and Human Services and the Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 31, 2006, 9:45 a.m.

Members Present: McKibben, Co-chair; Hancock, Kreiman, and Miller.

Members Absent: Fraise, Co-chair; and Larson (both excused).

Committee Business: Presentations by Board of Parole and Iowa Correctional Institution for Women at Mitchellville.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: January 31, 2006, 9:35 a.m.

Members Present: Kettering and Warnstadt, Co-chairs; Beall, Dearden, and Zaun.

Members Absent: Angelo (excused).

Committee Business: Presentations by the Department of Agriculture and Land Stewardship, Department of Natural Resources, Iowa Finance Authority, and Legislative Fiscal Bureau.

Adjourned: 10:25 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 106, by Dotzler and Danielson, a resolution honoring the University of Northern Iowa Football Team.

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

INTRODUCTION OF BILLS

Senate File 2109, by Hatch and Bolkcom, a bill for an act concerning the employment of unauthorized aliens and human trafficking and providing penalties and other sanctions and an appropriation.

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

Senate File 2110, by Lamberti, a bill for an act requiring impoundment of a motor vehicle for certain motor vehicle licensure and proof of financial responsibility offenses.

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

Senate File 2111, by Ward, a bill for an act providing grounds for termination of parental rights under certain circumstances for parents convicted of certain felonies.

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

Senate File 2112, by Rielly and Hancock, a bill for an act relating to an exception from emergency medical care requirements for persons providing care within the scope of their certification.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2113, by Angelo, Johnson, Hahn, Kettering, Seymour, Boettger, Zieman, McKibben, Iverson, Behn, Gaskill, Wieck, McKinley, and Brunkhorst, a bill for an act relating to a property assessment adjustment for certain elderly persons and including retroactive applicability date provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means.**

Senate File 2114, by Lamberti, a bill for an act making an appropriation for victim assistance grants.

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

Senate File 2115, by Lamberti, a bill for an act relating to and making appropriations concerning veterans.

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

Senate File 2116, by Warnstadt and Wieck, a bill for an act allowing a city to include or exclude a secondary road and its right-of-way in the land area proposed for incorporation, annexation, or severance.

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

Senate File 2117, by Warnstadt and Wieck, a bill for an act relating to enterprise zone certifications.

Read first time under Rule 28 and referred to committee on **Economic Growth.**

Senate File 2118, by Warnstadt, a bill for an act relating to and making an appropriation for the remodeling and renovation of the sexually violent predators unit at the state mental health institute at Cherokee.

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

Senate File 2119, by Warnstadt, a bill for an act making appropriations for certain health-related programs.

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

Senate File 2120, by Black, Dearden, and Gronstal, a bill for an act providing for an upland game bird fee, making an appropriation, creating programs, and providing for a penalty.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment.**

Senate File 2121, by Warnstadt, Beall, Dearden, Behn, Gronstal, Dotzler, Quirnbach, Courtney, Black, Schoenjahn, Seng, Reilly, Danielson, Dvorsky, Fraise, Ragan, Hatch, Brunkhorst, Horn, Shull, Johnson, McKibben, Lundby, Hancock, and Wieck, a bill for an act relating to safe motor vehicle operation, including penalties for certain motor vehicle violations resulting in death or injury and classroom instruction for driver education courses.

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

Senate File 2122, by Hatch, a bill for an act to require a landlord to have good cause to terminate a mobile home space rental agreement.

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

Senate File 2123, by Courtney, a bill for an act authorizing the governor to designate April of each year as Aldo Leopold month.

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

Senate File 2124, by committee on Human Resources, a bill for an act providing for the establishment of a nutrition and physical activity community obesity prevention grant program, and providing a contingent effective date.

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

Senate File 2125, by Johnson and Beall, a bill for an act relating to the publication of official notices in English language newspapers.

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

Senate File 2126, by Beall, Bolkcom, and Schoenjahn, a bill for an act relating to the amount of reimbursement paid to dealers or persons operating redemption centers who redeem empty beverage containers.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2127, by Beall and Johnson, a bill for an act relating to vessels towing persons on water skis, surfboards, or similar devices and providing penalties.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2128, by Dotzler, a bill for an act concerning requirements applicable to social gambling games between individuals and in places with a liquor or beer permit or license.

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

Senate File 2129, by Johnson, Lamberti, Iverson, Zieman, Kettering, Seymour, Mulder, Boettger, Tinsman, Brunkhorst, McKinley, McKibben, Hahn, Wieck, Behn, Zaun, Miller, Shull, Houser, Gaskill, Ward, Angelo, Larson, and Putney, a bill for an act providing for state petroleum replacement, by providing for renewable fuel including ethanol blended fuel and biodiesel blended fuel, providing incentives for infrastructure used to store and dispense renewable fuel, income tax credits, and an appropriation, providing penalties, making penalties applicable, and providing an applicability date.

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

Senate File 2130, by Kibbie, Fraise, Schoenjahn, Wood, Dearden, Hancock, Seng, Courtney, Dotzler, Danielson, Kreiman, Bolkcom, Connolly, Beall, Stewart, Ragan, Hatch, and Dvorsky, a bill for an act relating to motor vehicle fuel by providing for the establishment of standards, providing for tax credits, and providing for applicability and effective dates.

Read first time under Rule 28 and **passed on file**.

STUDY BILLS RECEIVED

SSB 3054 Natural Resources and Environment

Relating to renewable fuel, including ethanol blended fuel and biodiesel blended fuel, providing for tax credits, and providing penalties.

SSB 3055 Transportation

Providing for regulation of motor vehicles by the state department of transportation, including motor vehicle registration and fees, commercial driver licensing, wholesaler licensing, vehicle braking requirements, vehicle length restrictions, proof of financial responsibility requirements, and persons with disabilities parking permits.

SSB 3056 Natural Resources and Environment

Relating to water quality standards.

SSB 3057 Natural Resources and Environment

Relating to regulation of the harvesting of commercial fish, turtles, and freshwater mussels and providing for fees and penalties.

SSB 3058 Natural Resources and Environment

Requiring certain minor children to wear personal flotation devices while on board certain vessels operated on state waters.

SSB 3059 Natural Resources and Environment

Relating to hunting and fishing licenses for certain veterans.

SSB 3060 Education

Relating to a math and science teacher salary supplement and making an appropriation.

SSB 3061 Commerce

Providing for temporary licensure of real estate brokers and sales persons.

SSB 3062 Economic Growth

Relating to projects identified under the Iowa great places program.

SSB 3063 Education

To nullify an administrative rule of the state board of regents relating to admission of undergraduate students directly from high school and providing an effective date.

SSB 3065 Education

Relating to the minimum hours of instructional school time for grades one through twelve for school districts, charter schools, and accredited nonpublic schools.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2006**

NATURAL RESOURCES AND ENVIRONMENT: Dearden and Gaskill, Co-chairs; Hancock and Johnson

Senate File 2011

NATURAL RESOURCES AND ENVIRONMENT: Miller and Seng, Co-chairs; Black and Johnson

Senate File 2085

NATURAL RESOURCES AND ENVIRONMENT: Bolkcom and Johnson, Co-chairs;
Kettering and Wood

Senate File 2088

AGRICULTURE: Black and Hahn, Co-chairs; Kibbie and Putney

Senate File 2101

TRANSPORTATION: Ward and Warnstadt, Co-chairs; Fraise and Shull

Senate File 2105

TRANSPORTATION: Kettering and Warnstadt, Co-chairs; Beall and Shull

Senate File 2108

EDUCATION: Angelo and Quirmbach, Co-chairs; Boettger and Dvorsky

Senate File 2123

AGRICULTURE: Courtney and Johnson, Co-chairs; Black and Hahn

House File 2095

EDUCATION: Angelo and Connolly, Co-chairs; Dvorsky and McKinley

SSB 3054

NATURAL RESOURCES AND ENVIRONMENT: Black and Houser, Co-chairs;
Gaskill, Hancock, Putney, and Schoenjahn

SSB 3055

TRANSPORTATION: McCoy and Putney, Co-chairs; Danielson and Shull

SSB 3056

NATURAL RESOURCES AND ENVIRONMENT: Lundby and Wood, Co-chairs;
Black, Houser, Kettering, and Schoenjahn

SSB 3057

NATURAL RESOURCES AND ENVIRONMENT: Kettering and Seng, Co-chairs;
Johnson and Wood

SSB 3058

NATURAL RESOURCES AND ENVIRONMENT: Hancock and Miller, Co-chairs;
Kettering and Schoenjahn

SSB 3059

NATURAL RESOURCES AND ENVIRONMENT: Dearden and Kettering, Co-chairs; Hancock and Johnson

SSB 3060

EDUCATION: Brunkhorst and Quirmbach, Co-chairs; Dvorsky and McKinley

SSB 3061

COMMERCE: Beall and Behn, Co-chairs; McKinley and Stewart

SSB 3062

ECONOMIC GROWTH: Ragan and Shull, Co-chairs; Hahn and Stewart

SSB 3063

EDUCATION: Boettger and Dvorsky, Co-chairs; McKinley and Schoenjahn

SSB 3065

EDUCATION: Mulder and Wood, Co-chairs; Brunkhorst and Connolly

FINAL COMMITTEE REPORT OF BILL ACTION**HUMAN RESOURCES**

Bill Title: SENATE FILE 2124 (SSB 3012), a bill for an act providing for the establishment of a nutrition and physical activity community obesity prevention grant program, and providing a contingent effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**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

Michael Mahaffey – Iowa Telecommunications and Technology Commission

Curtis W. Stamp – Utilities Board

HUMAN RESOURCES

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

Marianne (Mary) Nehus – Prevention of Disabilities Policy Council

Andrea Coziahr – Commission on Tobacco Use Prevention and Control

Carla Espinoza – Commission on the Status of Women

AMENDMENTS FILED

S-5001	S.F.	2056	Jeff Angelo
			Robert E. Dvorsky
S-5002	S.F.	2086	Herman C. Quirmbach

JOURNAL OF THE SENATE

TWENTY-FOURTH CALENDAR DAY
FIFTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 1, 2006

The Senate met in regular session at 8:35 a.m., President Lamberti presiding.

Prayer was offered by the Reverend David Ruhe, pastor of the Plymouth Congregational Church in Des Moines, Iowa. He was the guest of Senator Ward.

The Journal of Tuesday, January 31, 2006, 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 January 31, 2006, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2045, a bill for an act relating to income taxation by providing for a senior taxpayer income tax exclusion and phasing out the state income tax on social security benefits and on pension and retirement income and including effective and applicability date provisions.

Read first time and referred to committee on **Ways and Means**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 8:42 a.m. until 3:00 p.m.

APPENDIX — 1

CERTIFICATE OF RECOGNITION

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

Leona Olhausen, Hartley—For celebrating your 100th birthday. Senator Johnson (2/1/06).

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:

DEPARTMENT OF HUMAN RIGHTS

Report on the Iowa Sex Offender Treatment and Supervision Task Force. Report received on January 31, 2006.

Commission on the Status of Women Annual Report. Report received on January 31, 2006.

IOWA JUDICIAL BRANCH

Report on the Enhanced Court Collections Fund and the Court Technology Fund, pursuant to the 2005 Acts, House File 807. Report received on January 31, 2006.

BILL ASSIGNED TO COMMITTEE

President Lamberti announced that **Senate File 2130** was assigned to the **Agriculture** committee.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 1, 2006, 9:35 a.m.

Members Present: Putney and Stewart, Co-chairs; McCoy, Mulder, and Zieman.

Members Absent: Dvorsky.

Committee Business: Presentation on IPERS budget.

Adjourned: 10:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 1, 2006, 9:40 a.m.

Members Present: Gaskill, Co-chair; Black, Hahn, Houser, and Schoenjahn.

Members Absent: Seng, Co-chair (excused).

Committee Business: Presentation by the Secretary of Agriculture.

Adjourned: 10:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 1, 2006, 9:40 a.m.

Members Present: Boettger and Horn, Co-chairs; McKinley, Quirmbach, Shull, and Wood.

Members Absent: None.

Committee Business: Presentation by the coordinator of Community Empowerment.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 1, 2006, 9:35 a.m.

Members Present: Fraise and McKibben, Co-chairs; Hancock, Kreiman, Larson, and Miller.

Members Absent: None.

Committee Business: Presentations by the Iowa Law Enforcement Academy, State Public Defender, and the Iowa State Bar Association.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: February 1, 2006, 9:40 a.m.

Members Present: Warnstadt, Co-chair; Beall, Dearden, and Zaun.

Members Absent: Kettering, Co-chair; and Angelo (both excused).

Committee Business: Presentations by the Department of Public Defense, Department of Cultural Affairs, and the Iowa Law Enforcement Academy.

Adjourned: 10:50 a.m.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 102, by McCoy, a concurrent resolution urging the Federal Railroad Administration to conduct regulatory proceedings regarding remote control locomotive operations by railroad companies.

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

INTRODUCTION OF BILLS

Senate File 2131, by Mulder, a bill for an act relating to substitute teaching assignments for persons holding a license or certification to teach issued by another state.

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

Senate File 2132, by Mulder, a bill for an act relating to a state of Iowa scholar program to award certificates of recognition to qualified graduating seniors.

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

Senate File 2133, by Kibbie, Beall, Houser, Wood, Lundby, Black, Schoenjahn, Johnson, Miller, Bolkcom, and Gaskill, a bill for an act relating to the renewable energy tax credit.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2134, by Miller, a bill for an act relating to taxation by making changes to assessment of property for purposes of property taxation, county and city budgets funded primarily by property taxes and service charges, school district budgets funded primarily by state

and local taxes, state mandates funding, local assessors, and property tax exemptions and credits, creating an implementation committee, and including effective and applicability date provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means.**

Senate File 2135, by Kibbie, a bill for an act providing for the regulation of packers and the purchase of swine from producers, and providing for penalties.

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

Senate File 2136, by McCoy, a bill for an act relating to establishing smokefree public places and workplaces, and providing penalties.

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

Senate File 2137, by Dotzler, a bill for an act increasing the speed limit on U.S. highway 20 between interstate 35 and the city of Cedar Falls.

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

Senate File 2138, by McCoy, a bill for an act providing for the mistreatment of animals, and providing penalties.

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

Senate File 2139, by Warnstadt, a bill for an act making an appropriation for the child protection center grant program.

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

SUBCOMMITTEE ASSIGNMENTS

Senate File 77
(Reassignment)

ECONOMIC GROWTH: Seymour and Stewart, Co-chairs; Behn and Ragan

Senate File 2050
(Reassignment)

ECONOMIC GROWTH: Hatch and McKinley, Co-chairs; Hahn and Rielly

Senate File 2104

ECONOMIC GROWTH: Behn and Hatch, Co-chairs; Beall, Brunkhorst, McKinley, and Stewart

Senate File 2121

TRANSPORTATION: Shull and Warnstadt, Co-chairs; Dearden and Ward

Senate File 2129

AGRICULTURE: Fraise and Johnson, Co-chairs; Black, Gaskill, Hahn, and Kibbie

Senate File 2130

AGRICULTURE: Fraise and Johnson, Co-chairs; Courtney, Gaskill, Hahn, and Kibbie

AFTERNOON SESSION

The Senate reconvened at 3:10 p.m., President Lamberti presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Seng, for the remainder of the day, on request of Senator Dearden; and Senator Bolkcom, for the remainder of the day, on request of Senator Horn.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

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

Kristina Lusk – Board of Barber Examiners

Robert VanVooren – Board of Barber Examiners

David Lyn Weatherwax – Board of Cosmetology Arts and Sciences Examiners

Max Phillips – State Board of Education

Robert Olney – Elevator Safety Board

Mary Ricketts – Board for the Licensing and Regulation of Hearing Aid Dispensers

Lawrence Lentz – Iowa Access Advisory Council

Mark Ripplinger – Landscape Architectural Examining Board

Doug Carlson – Board of Examiners for Massage Therapy

Rick Hecht – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission

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

Tyrone Orr – Board of Mortuary Science Examiners

Mary Charlton – Board of Physician Assistant Examiners
 Donald Klitgaard – Board of Physician Assistant Examiners

Marianne (Mary) Nehus – Prevention of Disabilities Policy Council

Gregory Seyfer – State Racing and Gaming Commission

Wanda Carlson – Iowa Railway Finance Authority
 Dianna Darold – Iowa Railway Finance Authority

Laurel (Lori) Diehl – Real Estate Commission

Katinka Keith – Board of Social Work Examiners

Sandra Cowie – Technology Governance Board
 Randall Ramundt – Technology Governance Board

Michael Mahaffey – Iowa Telecommunications and Technology Commission

Andrea Coziahr – Commission on Tobacco Use Prevention and Control

Curtis W. Stamp – Utilities Board

Carla Espinoza – Commission on the Status of Women

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

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

Yeas, 48:

Angelo	Fraise	Kreiman	Rielly
Beall	Gaskill	Lamberti	Schoenjahn
Behn	Gronstal	Larson	Seymour
Black	Hahn	Lundby	Shull
Boettger	Hancock	McCoy	Stewart
Brunkhorst	Hatch	McKibben	Tinsman
Connolly	Horn	McKinley	Ward
Courtney	Houser	Miller	Warnstadt
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood

Dotzler
Dvorsky

Kettering
Kibbie

Quirmbach
Ragan

Zaun
Zieman

Nays, none.

Absent, 2:

Bolkcom

Seng

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

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Connolly asked and received unanimous consent to take up for consideration Senate File 2056.

Senate File 2056

On motion of Senator Angelo, **Senate File 2056**, a bill for an act relating to the Honey creek premier destination park bond program and providing an effective date, was taken up for consideration.

Senator Angelo offered amendment S-5001, filed by Senators Angelo and Dvorsky on January 31, 2006, to page 3 and to the title page of the bill, and moved its adoption.

Amendment S-5001 was adopted by a voice vote.

Senator Angelo 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. 2056), the vote was:

Yeas, 47:

Angelo
Beall
Behn
Black
Boettger
Brunkhorst
Connolly

Fraise
Gaskill
Gronstal
Hahn
Hancock
Hatch
Horn

Kreiman
Lamberti
Larson
Lundby
McCoy
McKibben
McKinley

Rielly
Schoenjahn
Seymour
Shull
Stewart
Tinsman
Ward

Courtney	Houser	Miller	Warnstadt
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood
Dotzler	Kettering	Quirmbach	Zieman
Dvorsky	Kibbie	Ragan	

Nays, 1:

Zaun

Absent, 2:

Bolkcom

Seng

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 (Ways and Means Calendar)

Senator Connolly asked and received unanimous consent to take up for consideration House File 864.

House File 864

On motion of Senator Quirmbach, **House File 864**, a bill for an act providing an exemption from and a refund of sales and use taxes on materials and services used in the construction of a building or addition to a building to be used as a collaborative educational facility and including effective and applicability date provisions, with report of committee recommending passage, 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?" (H.F. 864), the vote was:

Yeas, 48:

Angelo	Fraise	Kreiman	Rielly
Beall	Gaskill	Lamberti	Schoenjahn
Behn	Gronstal	Larson	Seymour
Black	Hahn	Lundby	Shull
Boettger	Hancock	McCoy	Stewart
Brunkhorst	Hatch	McKibben	Tinsman

Connolly	Horn	McKinley	Ward
Courtney	Houser	Miller	Warnstadt
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood
Dotzler	Kettering	Quirmbach	Zaun
Dvorsky	Kibbie	Ragan	Zieman

Nays, none.

Absent, 2:

Bolkcom Seng

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Connolly asked and received unanimous consent to take up for consideration Senate Files 2087 and 2076.

Senate File 2087

On motion of Senator Schoenjahn, **Senate File 2087**, a bill for an act relating to an increase in per diem paid to trustees of sanitary districts, was taken up for consideration.

Senator Schoenjahn 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. 2087), the vote was:

Yeas, 48:

Angelo	Fraise	Kreiman	Rielly
Beall	Gaskill	Lamberti	Schoenjahn
Behn	Gronstal	Larson	Seymour
Black	Hahn	Lundby	Shull
Boettger	Hancock	McCoy	Stewart
Brunkhorst	Hatch	McKibben	Tinsman
Connolly	Horn	McKinley	Ward
Courtney	Houser	Miller	Warnstadt
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood

Dotzler
Dvorsky

Kettering
Kibbie

Quirmbach
Ragan

Zaun
Zieman

Nays, none.

Absent, 2:

Bolkcom

Seng

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

Senate File 2076

On motion of Senator Mulder, **Senate File 2076**, a bill for an act relating to confinement feeding operations by providing for manure management plans, was taken up for consideration.

Senator Mulder 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. 2076), the vote was:

Yeas, 48:

Angelo

Fraise

Kreiman

Rielly

Beall

Gaskill

Lamberti

Schoenjahn

Behn

Gronstal

Larson

Seymour

Black

Hahn

Lundby

Shull

Boettger

Hancock

McCoy

Stewart

Brunkhorst

Hatch

McKibben

Tinsman

Connolly

Horn

McKinley

Ward

Courtney

Houser

Miller

Warnstadt

Danielson

Iverson

Mulder

Wieck

Dearden

Johnson

Putney

Wood

Dotzler

Kettering

Quirmbach

Zaun

Dvorsky

Kibbie

Ragan

Zieman

Nays, none.

Absent, 2:

Bolkcom

Seng

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

IMMEDIATELY MESSAGED

Senator Connolly asked and received unanimous consent that **Senate Files 2056, 2076, and 2087** and **House File 864** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 3:38 p.m. until 8:30 a.m., Thursday, February 2, 2006.

APPENDIX — 2

CERTIFICATE OF RECOGNITION

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

Private 2nd Class Christopher Joseph Schute, Dubuque—For achieving the rank of Eagle Scout. Senator Connolly (2/1/06).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: February 1, 2006, 1:40 p.m.

Members Present: Connolly and McKinley, Co-chairs; Angelo, Beall, Boettger, Brunkhorst, Mulder, Quirmbach, Schoenjahn, Ward, and Wood.

Members Absent: Dvorsky, Kreiman, and Larson (all excused).

Committee Business: Presentation on the Heartland Early Literacy Project.

Adjourned: 2:25 p.m.

GOVERNMENT OVERSIGHT

Convened: February 1, 2006, 10:05 a.m.

Members Present: Courtney and Lundby, Co-chairs; Connolly and Wieck.

Members Absent: None.

Committee Business: Presentations on sentencing and sentencing reform.

Adjourned: 11:50 a.m.

LOCAL GOVERNMENT

Convened: February 1, 2006, 2:05 p.m.

Members Present: Quirmbach and Shull, Co-chairs; Houser, Lundby, McCoy, Mulder, Rielly, Schoenjahn, Stewart, and Zaun.

Members Absent: Kreiman and Putney (both excused).

Committee Business: Presentation on the Iowa Great Places program.

Adjourned: 2:35 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 1, 2006, 9:40 a.m.

Members Present: Dotzler and Ward, Co-chairs; Brunkhorst, Danielson, and Rielly.

Members Absent: Behn (excused).

Committee Business: Presentation by the LSA Fiscal Services Division.

Adjourned: 10:05 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 107, by Danielson, Dotzler, and Brunkhorst, a resolution honoring the University of Northern Iowa Football Team.

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

INTRODUCTION OF BILLS

Senate File 2140, by Hancock, a bill for an act permitting cash prizes at annual game nights conducted by qualified organizations representing volunteer emergency services providers.

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

Senate File 2141, by Miller, a bill for an act revising foster care licensing requirements applicable to the relative of a child.

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

STUDY BILLS RECEIVED

SSB 3064 Economic Growth

Relating to certified capital companies and providing for an insurance premium tax credit and for penalties.

SSB 3066 Economic Growth

Relating to property taxation and local budgets by modifying the school foundation formula and making related property tax credit changes, abolishing county compensation boards, changing the number of signatures necessary to protest an adopted county budget, requiring a separate vote by a city council or county board of supervisors to raise property tax revenues, eliminating the assessment limitation for residential and agricultural property, limiting taxable value of residential property, and including effective and retroactive and other applicability date provisions.

SSB 3067 Economic Growth

Relating to certified capital companies and providing a certified capital company insurance premium tax credit and penalties.

SSB 3068 Agriculture

Relating to motor fuel, including renewable fuel, providing for tax credits, and providing penalties.

SSB 3069 Natural Resources and Environment

Relating to water quality standards.

SSB 3070 Appropriations

Relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources.

SSB 3071 Appropriations

Relating to and making transportation and other infrastructure-related appropriations to the state department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

SSB 3072 Human Resources

Relating to placing nursing facility beds in reserve, and providing an effective date.

SSB 3073 Business and Labor Relations

Relating to debt collection and insurance practices regulated under workers' compensation laws.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2034**

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

Senate File 2080

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

Senate File 2081

APPROPRIATIONS: Angelo and Stewart, Co-chairs; Kettering and Warnstadt

Senate File 2082

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

Senate File 2097

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

Senate File 2114

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

Senate File 2115

APPROPRIATIONS: Angelo and Warnstadt, Co-chairs; Kettering and Stewart

Senate File 2118

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

Senate File 2119

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

Senate File 2135

AGRICULTURE: Gaskill and Kibbie, Co-chairs; Brunkhorst, Hahn, Hancock, and Ragan

House File 2002

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

SSB 3054

(Reassignment)

NATURAL RESOURCES AND ENVIRONMENT: Black and Houser, Co-chairs; Gaskill, Hancock, Lundby, Putney, Schoenjahn, and Wood

SSB 3064

ECONOMIC GROWTH: Behn and Hatch, Co-chairs; Beall, Brunkhorst, McKinley, and Stewart

SSB 3066

ECONOMIC GROWTH: Brunkhorst and Stewart, Co-chairs; Beall, Hahn, Hatch, and Zaun

SSB 3067

ECONOMIC GROWTH: Behn and Hatch, Co-chairs; Beall, Brunkhorst, McKinley, and Stewart

SSB 3068

AGRICULTURE: Houser and Rielly, Co-chairs; Brunkhorst, Fraise, Gaskill, and Ragan

SSB 3069

NATURAL RESOURCES AND ENVIRONMENT: Lundby and Wood, Co-chairs; Black, Bolkcom, Houser, Johnson, Kettering, and Schoenjahn

SSB 3070

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

SSB 3071

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

SSB 3072

HUMAN RESOURCES: Ragan and Seymour, Co-chairs; Boettger and Hatch

SSB 3073

BUSINESS AND LABOR RELATIONS: Dearden and Shull, Co-chairs; Courtney and McKibben

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on January 31, 2006:

I submitted the name of Aaron Landmesser to serve on the Board of Examiners for Massage Therapy on January 3, 2006. I am withdrawing his name from further consideration by the Senate.

Sincerely,
THOMAS J. VILSACK
Governor

GOVERNOR'S DEFERRAL LETTER

The following letter from the Governor was received in the office of the Secretary of the Senate on January 31, 2006:

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Examiners for Massage Therapy vacancy, formerly held by Aaron Landmesser, is being deferred because no appropriate candidate has been found for this position at this time.

Sincerely,
THOMAS J. VILSACK
Governor

JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 2, 2006

The Senate met in regular session at 8:35 a.m., President Lamberti presiding.

Prayer was offered by The Most Reverend Bishop Joseph Charron of the Catholic Diocese of Des Moines, Iowa. He was the guest of President Lamberti and Senators Shull and Zaun.

The Journal of Wednesday, February 1, 2006, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 8:40 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 8:45 a.m., President Lamberti presiding.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 102.

Senate Resolution 102

On motion of Senator Johnson, **Senate Resolution 102**, a resolution honoring the life and accomplishments of Hugh Sidey, with report of committee recommending passage, was taken up for consideration.

Senator Johnson moved the adoption of Senate Resolution 102, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:50 a.m. until 1:00 p.m., Monday, February 6, 2006.

APPENDIX

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:

DEPARTMENT OF ADMINISTRATIVE SERVICES

Fiscal Year 2005 IOWAccess Revolving Fund Annual Report, pursuant to Iowa Code section 8A.224. Report received on February 1, 2006.

Recycled Products Report, pursuant to Iowa Code section 8A.315. Report received on February 1, 2006.

REPORTS OF COMMITTEE MEETINGS

GOVERNMENT OVERSIGHT

Convened: February 2, 2006, 10:05 a.m.

Members Present: Courtney and Lundby, Co-chairs; Connolly and Wieck.

Members Absent: None.

Committee Business: Presentation by the Iowa Lottery.

Adjourned: 11:55 a.m.

RULES AND ADMINISTRATION

Convened: February 2, 2006, 8:40 a.m.

Members Present: Gronstal and Iverson, Co-chairs; Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan.

Members Absent: None.

Committee Business: Approved SR 107.

Adjourned: 8:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 2, 2006, 9:35 a.m.

Members Present: Putney and Stewart, Co-chairs; and Zieman.

Members Absent: McCoy (excused), Dvorsky, and Mulder.

Committee Business: Presentations on the Criminal Justice Information System, the Division of Banking, and the Department of Human Rights.

Adjourned: 10:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 2, 2006, 9:40 a.m.

Members Present: Gaskill and Seng, Co-chairs; Black, Hahn, Houser, and Schoenjahn.

Members Absent: None.

Committee Business: Presentation by the Department of Natural Resources.

Adjourned: 9:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 2, 2006, 9:40 a.m.

Members Present: Dotzler and Ward, Co-chairs; Behn, Danielson, and Rielly.

Members Absent: Brunkhorst (excused).

Committee Business: Presentations by the Board of Regents universities and the Iowa Finance Authority.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 2, 2006, 9:35 a.m.

Members Present: Fraise and McKibben, Co-chairs; Hancock, Kreiman, and Miller.

Members Absent: Larson (excused).

Committee Business: Presentations by the Attorney General and the Civil Rights Commission.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: February 2, 2006, 9:40 a.m.

Members Present: Kettering and Warnstadt, Co-chairs; Beall, Dearden, and Zaun.

Members Absent: Angelo (excused).

Committee Business: Presentations by the Iowa Veterans Home, Department of Transportation, Office of Aviation, and the Legislative Fiscal Division.

Adjourned: 10:35 a.m.

INTRODUCTION OF BILLS

Senate File 2142, by Kibbie, Brunkhorst, Lundby, Putney, Connolly, Beall, Zaun, Hatch, Bolkcom, Dearden, Shull, Mulder, and Boettger, a bill for an act prohibiting monitor vending machines and providing an effective date.

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

Senate File 2143, by Hatch, Dvorsky, Dotzler, Danielson, Horn, Warnstadt, Rielly, Hancock, Wood, Schoenjahn, Black, Gronstal, Kibbie, Quirmbach, Connolly, Stewart, Beall, Ragan, Kreiman, Courtney, and McCoy, a bill for an act to support the establishment of a George Washington Carver endowed chair at the Iowa state university of science and technology and making an appropriation.

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

Senate File 2144, by Warnstadt, a bill for an act addressing county-related mental health, mental retardation, and developmental disabilities services provided in a state mental health institute or a hospital.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2145, by Warnstadt, a bill for an act relating to enforcement of child custody and visitation orders.

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

Senate File 2146, by Gronstal, a bill for an act relating to searches conducted by a canine narcotics unit.

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

Senate File 2147, by Angelo, a bill for an act relating to the requirement of location as an eligibility criterion for businesses under the enterprise zone program.

Read first time under Rule 28 and referred to committee on **Economic Growth**.

Senate File 2148, by Hatch, a bill for an act relating to the establishment of regional sports authorities by convention and visitors bureaus in certain cities and making appropriations.

Read first time under Rule 28 and referred to committee on **Economic Growth**.

Senate File 2149, by Warnstadt, a bill for an act relating to the distribution formula for the local option sales and services tax for school infrastructure purposes.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

STUDY BILLS RECEIVED**SSB 3074 Agriculture**

Relating to establishments having custody of companion animals, by providing for their regulation, and providing for fees and penalties.

SSB 3075 Agriculture

Relating to devices used for weighing and measuring, by providing for the regulation of the devices, motor vehicle fuel, and persons who service the devices, and providing for fees and penalties.

SSB 3076 Commerce

Relating to coverage of losses caused by terrorism in fire insurance policies and providing effective and applicability dates.

SSB 3077 Appropriations

Relating to water quality and making appropriations.

SSB 3078 Transportation

Relating to policies of the state department of transportation, including placement of official signs on primary highways, repair and inspection of bridges, administrative duties, motor vehicle registration and titling, and driver licensing.

SSB 3079 Transportation

Requiring the use of headlights when a vehicle's windshield wipers are in use and making a penalty applicable.

SSB 3080 Human Resources

Relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license, and making technical corrections.

SSB 3081 Human Resources

Relating to programs and functions under the purview of the Iowa department of public health.

SSB 3082 Human Resources

Relating to persons with mental illness, mental retardation, developmental disabilities, or brain injury by addressing purposes and quality standards for services and other support available for such persons, establishing basic financial eligibility standards, addressing state and county financial responsibility for the cost of the services and other support, and providing an applicability date.

SSB 3083 Human Resources

Authorizing an approved nursing education program to initiate criminal and child and dependent adult abuse record checks of students and prospective students regarding the students' involvement with the clinical education component of the program.

SSB 3084 Human Resources

Providing for various technical and substantive changes relating to health licensing and related public health matters.

SUBCOMMITTEE ASSIGNMENTS**SCR 102**

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

SR 107

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate File 2112

HUMAN RESOURCES: Seymour and Wood, Co-chairs; Behn and Dotzler

Senate File 2125

STATE GOVERNMENT: Ward and Wood, Co-chairs; Hatch and Wieck

Senate File 2128

STATE GOVERNMENT: Brunkhorst and Hancock, Co-chairs; Danielson and Ziemann

Senate File 2133

NATURAL RESOURCES AND ENVIRONMENT: Lundby and Schoenjahn, Co-chairs; Bolkcom, Houser, Miller, and Wood

Senate File 2137

TRANSPORTATION: Beall and Kettering, Co-chairs; Hahn and Warnstadt

Senate File 2140

STATE GOVERNMENT: Hatch and Wieck, Co-chairs; Danielson and Tinsman

SSB 3074

AGRICULTURE: Courtney and Mulder, Co-chairs; Hancock, Johnson, Putney, and Rielly

SSB 3075

AGRICULTURE: Hancock and Johnson, Co-chairs; Gaskill, Hahn, Ragan, and Rielly

SSB 3076

COMMERCE: Rielly and Wieck, Co-chairs; Behn and Warnstadt

SSB 3077

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

SSB 3078

TRANSPORTATION: McCoy and Putney, Co-chairs; Dearden and Ward

SSB 3079

TRANSPORTATION: Dearden and Putney, Co-chairs; Danielson and Shull

SSB 3080

HUMAN RESOURCES: Hatch and Tinsman, Co-chairs; Behn and Quirmbach

SSB 3081

HUMAN RESOURCES: Gaskill and Wood, Co-chairs; Dotzler and Tinsman

SSB 3082

HUMAN RESOURCES: Hatch and Johnson, Co-chairs; Bolkcom and Gaskill

SSB 3083

HUMAN RESOURCES: Houser and Wood, Co-chairs; Johnson and Ragan

SSB 3084

HUMAN RESOURCES: Boettger and Wood, Co-chairs; Houser and Ragan

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

Bill Title: SENATE RESOLUTION 107, a resolution honoring the University of Northern Iowa Football Team.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

TWENTY-NINTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 6, 2006

The Senate met in regular session at 1:00 p.m., President Kibbie presiding.

Prayer was offered by Dallas Clark of Milford, Iowa, who sang "Shout to the Lord." She was the guest of Senator Johnson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Rachael Creswell.

The Journal of Thursday, February 2, 2006, was approved.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Resolution 107.

Senate Resolution 107

On motion of Senator Danielson, **Senate Resolution 107**, a resolution honoring the University of Northern Iowa Football Team, with report of committee recommending passage, was taken up for consideration.

Senator Danielson moved the adoption of Senate Resolution 107, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Danielson welcomed to the Senate chamber members of the University of Northern Iowa football team, accompanied by Coach Mark Farley and Athletic Director Rick Hartzell. Coach Farley addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:50 p.m. until 8:30 a.m., Tuesday, February 7, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Seth Michael McMullen, Earlham—For achieving the rank of Eagle Scout. Senator Shull (2/6/06).

Gladys Northrup, Mason City—For celebrating your 100th birthday. Senator Ragan (2/6/06).

Betsy Till, Dubuque—For becoming a new United States citizen. Senator Connolly (2/6/06).

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:

CRIMINAL AND JUVENILE JUSTICE PLANNING ADVISORY COUNCIL

Annual report, pursuant to Iowa Code section 216A.135. Report received on February 3, 2006.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Report on awards made from the Iowa Values Fund to businesses owned by women or minorities. Report received on February 6, 2006.

DEPARTMENT OF MANAGEMENT

Standing Appropriations Report, pursuant to Iowa Code section 8.6(2). Report received on February 6, 2006.

DEPARTMENT OF REVENUE

Annual Report on the Tax Gap Compliance Project, pursuant to Iowa Code section 421.17(23). Report received on February 6, 2006.

IOWA STUDENT AID COMMISSION

Iowa Tuition Grant Legislative Policy Report, pursuant to Iowa Code section 169.3. Report received on February 6, 2006.

AGENCY ICN REPORT

Iowa Communications Network (ICN) usage report for FY 2005, pursuant to Iowa Code section 8D.10, was received from the following agency:

IOWA WORKFORCE DEVELOPMENT – Report received on February 6, 2006.

PRESENTATION OF VISITORS

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

Mark and Sandra Gaskill, the son and daughter-in-law of Senator Gaskill, and their two sons, Peyton and Jonah, who were visiting from St. Louis, Missouri.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: February 1, 2006, 9:40 a.m.

Members Present: Hatch and Tinsman, Co-chairs; Bolkcom, Johnson, Ragan, and Seymour.

Members Absent: None.

Committee Business: Discussion of pharmaceuticals and therapeutics.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: February 2, 2006, 9:40 a.m.

Members Present: Hatch and Tinsman, Co-chairs; Johnson, Ragan, and Seymour.

Members Absent: Bolkcom (excused).

Committee Business: Presentations by Iowa Association of Workforce Providers, Iowa Alliance for Drug Endangered Children, and the Iowa Foster and Adoptive Parents Association.

Adjourned: 11:45 a.m.

BUSINESS AND LABOR RELATIONS

Convened: February 6, 2006, 3:00 p.m.

Members Present: Dearden and Wieck, Co-chairs; Behn, Courtney, Dotzler, McKibben, Seng, Seymour, and Shull.

Members Absent: Horn (excused).

Committee Business: Approved Governor's appointment.

Adjourned: 3:10 p.m.

EDUCATION

Convened: February 6, 2006, 3:10 p.m.

Members Present: Connolly and McKinley, Co-chairs; Angelo, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Mulder, Quirmbach, Schoenjahn, Ward, and Wood.

Members Absent: Larson (excused).

Committee Business: Presentation by the Iowa Communications Network.

Adjourned: 3:30 p.m.

LOCAL GOVERNMENT

Convened: February 6, 2006, 2:00 p.m.

Members Present: Quirmbach and Shull, Co-chairs; Houser, Kreiman, Lundby, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun.

Members Absent: None.

Committee Business: Passed SF 257.

Adjourned: 2:10 p.m.

STATE GOVERNMENT

Convened: February 6, 2006, 2:05 p.m.

Members Present: Horn and McKibben, Co-chairs; Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman.

Members Absent: None.

Committee Business: Passed HF's 2050 and 2051.

Adjourned: 2:15 p.m.

INTRODUCTION OF BILLS

Senate File 2150, by Putney, Lundby, Tinsman, Zaun, Wieck, McKibben, Gaskill, Behn, Johnson, Miller, Shull, Mulder, Kettering, Seymour, Boettger, Zieman, Iverson, Lamberti, McKinley, Ward, Hahn, Dearden, Dotzler, Houser, and Kibbie, a bill for an act eliminating a waiver for early school starts.

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

Senate File 2151, by Brunkhorst, a bill for an act providing an exception to municipal tort liability for golfing.

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

Senate File 2152, by Bolkcom, Connolly, Beall, Stewart, Ragan, Danielson, Hatch, Dvorsky, Seng, Hancock, Dearden, Wood, Schoenjahn, Fraise, Courtney, Quirmbach, Gronstal, Kibbie, and Black, a bill for an act relating to consumer loans, including providing for a maximum finance charge and certain reporting requirements for loans secured by a certificate of title to a motor vehicle, providing for an increase in fees for supervised loans, and making penalties applicable.

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

Senate File 2153, by Brunkhorst, a bill for an act limiting the liability of a manufacturer, packer, distributor, carrier, holder, seller, marketer, or advertiser of a food product intended for human consumption.

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

Senate File 2154, by Connolly, a bill for an act requiring school districts and accredited nonpublic schools to establish media centers supervised by qualified media services specialists, and providing for a waiver and a future effective date.

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

Senate File 2155, by Dearden, a bill for an act relating to an increase in the migratory game bird fee.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

STUDY BILLS RECEIVED

SSB 3085 Ways and Means

Relating to local government by imposing requirements on those cities, counties, townships, and other property tax certifying boards that seek to increase the amount of property taxes certified for levy, by changing the number of signatures necessary to protest an adopted county budget, by requiring priority funding of essential services by counties and cities, by tying together the assessment limitations of certain classes of property, and by abolishing county compensation boards, and including applicability date provisions.

SSB 3086 Judiciary

Extending the statute of limitations for the filing of an indictment or information in a felony or aggravated or serious misdemeanor proceeding involving DNA profiling.

SSB 3087 Judiciary

Relating to the crime victim compensation fund.

SSB 3088 Judiciary

Relating to the practices and procedures of the department of corrections and the judicial district departments of correctional services, including increasing the penalty for sexual misconduct by an officer, employee, or agent of the department of corrections or a judicial district department of correctional services, and providing for a fee.

SSB 3089 Judiciary

Relating to the distribution of a presentence investigation report in a criminal proceeding.

SSB 3090 Appropriations

Relating to and making transportation and other infrastructure-related appropriations to the state department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

SSB 3091 Human Resources

Relating to requirements of the department of human services involving electronic benefits transfer and authorization for certain employee positions and providing an effective date.

SSB 3092 Judiciary

Relating to the information required to be included in an adoption petition.

SSB 3093 Judiciary

Relating to the payment of costs of reasonable attorney fees and other expenses related to certain paternity and adoption proceedings.

SSB 3094 Judiciary

Relating to the criminal offense of child endangerment.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2113**

WAYS AND MEANS: Connolly and Miller, Co-chairs; Quirmbach and Zieman

Senate File 2134

WAYS AND MEANS: Miller and Quirmbach, Co-chairs; Bolcom, Connolly, Wieck, and Zieman

Senate File 2144

HUMAN RESOURCES: Dotzler and Seymour, Co-chairs; Johnson and Wood

Senate File 2149

WAYS AND MEANS: Danielson and Wieck, Co-chairs; Quirmbach and Zaun

House File 2045

WAYS AND MEANS: Connolly and Wieck, Co-chairs; Miller and Quirmbach

SSB 3085

WAYS AND MEANS: Miller and Quirmbach, Co-chairs; Bolcom, Connolly, Wieck, and Zieman

SSB 3086

JUDICIARY: Boettger and Quirmbach, Co-chairs; McKibben and Schoenjahn

SSB 3087

JUDICIARY: Horn and Zaun, Co-chairs; Hancock and Tinsman

SSB 3088

JUDICIARY: Hancock and Tinsman, Co-chairs; Fraise and Zaun

SSB 3089

JUDICIARY: Quirmbach and Ward, Co-chairs; Schoenjahn and Zaun

SSB 3090

APPROPRIATIONS: Kettering and Warnstadt, Co-chairs; Angelo and Dvorsky

SSB 3091

HUMAN RESOURCES: Hatch and Tinsman, Co-chairs; Seymour and Wood

SSB 3092

JUDICIARY: Kreiman and Zaun, Co-chairs; Fraise and Ward

SSB 3093

JUDICIARY: Quirmbach and Ward, Co-chairs; Horn and Zaun

SSB 3094

JUDICIARY: Kreiman and Tinsman, Co-chairs; Hancock and Zaun

FINAL COMMITTEE REPORTS OF BILL ACTION**STATE GOVERNMENT**

Bill Title: HOUSE FILE 2050, a bill for an act relating to elections by making changes concerning requirements for entrances to certain polling places, arrangement of names on the ballot for nonpartisan offices, and election registers, and including effective and applicability date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2051, a bill for an act relating to maintenance of a voter registration system separate from the state voter registration system and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S APPOINTEE PLACED ON EN BLOC CALENDAR

The following appointee, assigned to a standing committee for investigation, was placed on the En Bloc Calendar with recommendation for confirmation:

BUSINESS AND LABOR RELATIONS

David Owen – Iowa Workforce Development Board

JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 7, 2006

The Senate met in regular session at 8:32 a.m., President Kibbie presiding.

Prayer was offered by Sister Delores Hannon, superintendent of St. Edmond Catholic School in Fort Dodge, Iowa. She was the guest of Senator Beall.

The Journal of Monday, February 6, 2006, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 6, 2006, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 103, a concurrent resolution to approve and confirm the appointment of the Citizens' Aide.

Read first time and attached to **companion Senate Concurrent Resolution 101**.

ALSO: That the House has on February 6, 2006, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2161, a bill for an act relating to the state of Iowa scholarship program administered by the college student aid commission and providing an effective date.

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

SPECIAL GUESTS

Senator Boettger introduced to the Senate chamber Dr. Daniel Bianchi, Mr. Daniel Pena, and Mr. Enrique Pintado from Uruguay, who were visiting the United States under the auspices of the Department of State's International Visitor Leadership Program. They were accompanied by Mr. Hoyt Rogers and Ms. Marta Etienne.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 8:55 a.m. until 8:30 a.m., Wednesday, February 8, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Dr. Daniel Bianchi, Congressman from Uruguay—For being an honored guest of the Iowa Senate (2/7/06).

Alyce Breen, Fort Dodge—For celebrating your 100th birthday. Senator Beall (2/7/06).

Cole Lambert, Muscatine—For being a first-round winner, representing your school in the National Geographic Bee. Senator Hahn (2/7/06).

Mr. Daniel Pena, Congressman from Uruguay—For being an honored guest of the Iowa Senate (2/7/06).

Mr. Enrique Pintado, Congressman from Uruguay—For being an honored guest of the Iowa Senate (2/7/06).

Mr. and Mrs. Walter and Ruth Stevens, Fort Dodge—For celebrating your 60th wedding anniversary. Senator Beall (2/7/06).

Skyler Wistrom, Stanton—For achieving the rank of Eagle Scout, Boy Scout Troop 45. Senator Angelo (2/7/06).

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: February 6, 2006, 4:40 p.m.

Members Present: Ragan and Seymour, Co-chairs; Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood.

Members Absent: None.

Committee Business: Presentation by the Bureau of Radiological Health.

Adjourned: 4:55 p.m.

JUDICIARY

Convened: February 6, 2006, 4:05 p.m.

Members Present: Kreiman and Miller, Co-chairs; Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun.

Members Absent: None.

Committee Business: Approved Governor's appointment.

Adjourned: 4:15 p.m.

ECONOMIC GROWTH

Convened: February 7, 2006, 1:05 p.m.

Members Present: Brunkhorst and Hatch, Co-chairs; Beall, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Seymour, Shull, Stewart, and Zaun.

Members Absent: None.

Committee Business: Passed SF 77 (as amended).

Adjourned: 1:25 p.m.

GOVERNMENT OVERSIGHT

Convened: February 7, 2006, 9:35 a.m.

Members Present: Courtney, Co-chair; Connolly and Wieck.

Members Absent: Lundby, Co-chair (excused).

Committee Business: Presentations by the Department of Corrections, Department of Human Rights, and Attorney General's Office.

Adjourned: 12:00 p.m.

HUMAN RESOURCES

Convened: February 7, 2006, 2:10 p.m.

Members Present: Ragan and Seymour, Co-chairs; Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood.

Members Absent: None.

Committee Business: Presentations by the Department of Human Services and the Iowa Medicaid Enterprise.

Adjourned: 3:00 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: February 7, 2006, 1:10 p.m.

Members Present: Black and Houser, Co-chairs; Bolkcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood.

Members Absent: None.

Committee Business: Approved SSB 3054 (as amended) and presentation by the Department of Natural Resources.

Adjourned: 2:05 p.m.

TRANSPORTATION

Convened: February 7, 2006, 2:00 p.m.

Members Present: McCoy and Putney, Co-chairs; Beall, Danielson, Dearden, Fraise, Hahn, Kettering, Shull, Ward, Warnstadt, and Zieman.

Members Absent: None.

Committee Business: Approved SSB 3025 (without recommendation) and approved Governor's appointment (without recommendation).

Adjourned: 3:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 7, 2006, 9:35 a.m.

Members Present: Stewart, Co-chair; McCoy, Mulder, and Zieman.

Members Absent: Putney, Co-chair; and Dvorsky (both excused).

Committee Business: Presentation by the Department of Administrative Services.

Adjourned: 9:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 7, 2006, 9:40 a.m.

Members Present: Gaskill and Seng, Co-chairs; Hahn and Schoenjahn.

Members Absent: Black and Houser (both excused).

Committee Business: Presentation by the Department of Natural Resources.

Adjourned: 10:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 7, 2006, 9:40 a.m.

Members Present: Dotzler and Ward, Co-chairs; Behn, Brunkhorst, Danielson, and Rielly.

Members Absent: None.

Committee Business: Presentation by the Department of Economic Development.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: February 7, 2006, 9:35 a.m.

Members Present: Hatch and Tinsman, Co-chairs; Ragan and Seymour.

Members Absent: Bolkcom and Johnson (both excused).

Committee Business: Presentations on substance abuse and transitional housing options and by Lutheran Social Services.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 7, 2006, 9:35 a.m.

Members Present: Fraise and McKibben, Co-chairs; Hancock, Kreiman, and Miller.

Members Absent: Larson (excused).

Committee Business: Presentation by the Department of Public Safety.

Adjourned: 10:40 a.m.

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

Convened: February 7, 2006, 9:35 a.m.

Members Present: Kettering and Warnstadt, Co-chairs; Beall, Dearden, and Zaun.

Members Absent: Angelo (excused).

Committee Business: Presentation by the Department of Administrative Services.

Adjourned: 11:10 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 108, by Black, Rielly, Dvorsky, Putney, and McKibben, a resolution welcoming the Whirlpool Corporation to the State of Iowa and offering support and assistance for Whirlpool's success and future in Iowa.

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

INTRODUCTION OF BILLS

Senate File 2156, by Warnstadt, Dotzler, Horn, Rielly, Hancock, Wood, Schoenjahn, Black, Gronstal, Kibbie, Connolly, Stewart, Beall, Ragan, Hatch, Dvorsky, Danielson, Dearden, and McCoy, a bill for an act relating to tax incentives and assistance available to qualified historic property located in designated enterprise zones and other historic property, and including effective and applicability date provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2157, by Dotzler, a bill for an act increasing the scheduled fines for certain violations by motor vehicle operators under age eighteen.

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

Senate File 2158, by Warnstadt, a bill for an act providing for an appropriation to the department of education for the establishment and implementation of an area education agency infrastructure grant program.

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

Senate File 2159, by Ward, a bill for an act relating to identification of publicly owned motor vehicles used by persons who provide off-site or in-home medical or mental health services.

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

Senate File 2160, by Iverson, Behn, Lamberti, McKibben, Angelo, Johnson, Kettering, Gaskill, Brunkhorst, Seymour, Boettger, Putney, Houser, Shull, Ward, Wieck, Zaun, Hahn, Mulder, Ziemann, and Larson, a bill for an act exempting active duty pay of members of the armed forces, armed forces military reserve, and national guard and including a retroactive applicability date provision.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2161, by Johnson, a bill for an act relating to funding for unified law enforcement districts.

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

Senate File 2162, by Tinsman, a bill for an act relating to voluntary mental health screening of teenage youth.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2163, by committee on Local Government, a bill for an act relating to protesting a county or city budget.

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

Senate File 2164, by Kreiman, a bill for an act relating to child welfare services by requiring services to be provided to families of children removed from the home by court order and repealing restrictions on court orders for placement of children in group foster care.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2165, by Kreiman, a bill for an act providing for the usage of family team meetings prior to the out-of-home placement of a child under a child in need of assistance proceeding.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2166, by Danielson, a bill for an act concerning the awarding of cash prizes for participation in a card or parlor game or tournament conducted by an organization primarily representing veterans.

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

Senate File 2167, by Hahn, a bill for an act relating to the removal, replacement, collection, and recovery of mercury-added vehicle components.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2168, by Horn and Kreiman, a bill for an act relating to the provision of alcoholic beverages to persons under legal age and driver's license suspensions.

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

Senate File 2169, by Black, a bill for an act relating to body piercing, body modification, and tattooing, and providing penalties.

Read first time under Rule 28 and referred to committee on **Human Resources.**

Senate File 2170, by Hatch, a bill for an act creating a senior home retrofit program.

Read first time under Rule 28 and referred to committee on **Economic Growth.**

Senate File 2171, by Black, a bill for an act relating to the issuance and display of one motor vehicle registration plate.

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

Senate File 2172, by Courtney, a bill for an act concerning employer communications about politics, religion, and labor organizing activities and providing a remedy.

Read first time under Rule 28 and referred to committee on **Business and Labor Relations.**

STUDY BILLS RECEIVED

SSB 3095 Human Resources

Requiring invasive pneumococcal disease immunization for children enrolling in licensed child care centers.

SSB 3096 Judiciary

Relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

SSB 3097 Judiciary

Relating to a parent's cause of action for the recovery of expenses and actual loss of services, companionship, and society resulting from the injury to or death of a child.

SSB 3098 Judiciary

Relating to civil actions involving victims of sexual abuse and pornography.

SSB 3099 Judiciary

Relating to the creation of drug courts in a judicial district department of correctional services.

SSB 3100 Education

Relating to alternative practitioner preparation programs for teaching English as a second language or providing transitional bilingual instruction to elementary and secondary students.

SSB 3101 Education

Providing supplementary weighting for shared school district operational functions, making an appropriation, and providing effective and applicability dates.

SSB 3102 Education

Providing for an increase in the number of years for which supplementary weighting for limited English proficient students may be obtained, and providing effective and applicability dates.

SSB 3103 Judiciary

Relating to the judicial branch including the assessment of court fees and costs.

SSB 3104 Judiciary

Relating to the standardized training and state certification of reserve peace officers.

SSB 3105 Judiciary

Relating to the appointment of district associate judges and magistrates.

SSB 3106 Education

Relating to the state's educational standards regarding teacher librarians and qualified guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and a beginning administrator quality program, and providing effective and retroactive applicability dates.

SSB 3107 Education

Relating to the duties and operations of the state board of education, the department of education, and local school boards.

SSB 3108 Education

Relating to the state's educational standards regarding qualified guidance counselors and teacher librarians, and to teacher and administrator quality, including the student achievement and teacher quality program and a beginning administrator quality program, and providing effective and retroactive applicability dates.

SSB 3109 Education

Relating to the state's educational standards regarding qualified guidance counselors and teacher librarians, and to teacher and administrator quality, including the student achievement and teacher quality program and a beginning administrator quality program and providing effective and retroactive applicability dates.

SSB 3110 Education

Authorizing unpaid leave for employees attending school functions and providing a penalty.

SSB 3111 Education

Relating to the state board of education's rules regarding educational technology and telecommunications.

SSB 3112 Education

Providing for the establishment of the state percent of growth for purposes of the state school foundation program and providing an applicability date.

SSB 3113 Education

Relating to the time for investigation and resolution of complaints accepted by the board of educational examiners.

SSB 3114 Education

Increasing the compulsory school attendance age to eighteen.

SSB 3115 Education

Permitting the board of educational examiners to retain and carry over a percentage of the licensing fees it collects.

SSB 3116 Education

Relating to incentives for increasing student achievement through the creation of a mathematics and upper-level science teacher shortage incentive program and loan repayment program, additional supplementary weighting for school districts participating in a regional academy and adopting a common school calendar, and supplementary weighting for school districts offering advanced placement courses and examinations.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2117**

ECONOMIC GROWTH: Seymour and Stewart, Co-chairs; Behn and Ragan

Senate File 2122

JUDICIARY: Kreiman and Larson, Co-chairs; Hancock and Warnstadt

Senate File 2131

EDUCATION: Mulder and Schoenjahn, Co-chairs; Boettger and Wood

Senate File 2132

EDUCATION: Mulder and Schoenjahn, Co-chairs; Boettger and Wood

Senate File 2138

JUDICIARY: McKibben and Schoenjahn, Co-chairs; Hancock and Larson

Senate File 2139

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

Senate File 2141

JUDICIARY: Kreiman and Miller, Co-chairs; Schoenjahn and Tinsman

Senate File 2145

JUDICIARY: Boettger and Warnstadt, Co-chairs; Fraise and Ward

Senate File 2146

JUDICIARY: McKibben and Quirmbach, Co-chairs; Horn and Larson

Senate File 2147

ECONOMIC GROWTH: Seymour and Stewart, Co-chairs; Behn and Rielly

Senate File 2148

ECONOMIC GROWTH: Dotzler and Hahn, Co-chairs; Hatch and Shull

Senate File 2150

EDUCATION: Brunkhorst and Connolly, Co-chairs; Ward and Wood

Senate File 2151

JUDICIARY: Brunkhorst and Quirmbach, Co-chairs; Hancock and Zaun

Senate File 2153

JUDICIARY: Brunkhorst and Horn, Co-chairs; Fraise and Zaun

Senate File 2154

EDUCATION: Angelo and Connolly, Co-chairs; Dvorsky and McKinley

Senate File 2162

HUMAN RESOURCES: Ragan and Seymour, Co-chairs; Hatch and Tinsman

Senate File 2164

HUMAN RESOURCES: Houser and Quirmbach, Co-chairs; Behn and Kreiman

Senate File 2165

HUMAN RESOURCES: Boettger and Quirmbach, Co-chairs; Houser and Kreiman

SSB 3095

HUMAN RESOURCES: Ragan and Seymour, Co-chairs; Tinsman and Wood

SSB 3096

JUDICIARY: Hancock and Zaun, Co-chairs; Schoenjahn and Ward

SSB 3097

JUDICIARY: Kreiman and Ward, Co-chairs; Hancock and Zaun

SSB 3098

JUDICIARY: Kreiman and McKibben, Co-chairs; Dvorsky and Miller

SSB 3099

JUDICIARY: Kreiman and Zaun, Co-chairs; Fraise and Tinsman

SSB 3100

EDUCATION: McKinley and Schoenjahn, Co-chairs; Beall and Ward

SSB 3101

EDUCATION: Brunkhorst and Wood, Co-chairs; Angelo and Connolly

SSB 3102

EDUCATION: Boettger and Kreiman, Co-chairs; Beall and Mulder

SSB 3103

JUDICIARY: Fraise and Ward, Co-chairs; Boettger and Kreiman

SSB 3104

JUDICIARY: Schoenjahn and Zaun, Co-chairs; Hancock and McKibben

SSB 3105

JUDICIARY: Kreiman and McKibben, Co-chairs; Hancock and Larson

SSB 3106

EDUCATION: Angelo and Beall, Co-chairs; Brunkhorst and Schoenjahn

SSB 3107

EDUCATION: Brunkhorst and Connolly, Co-chairs; Boettger and Wood

SSB 3108

EDUCATION: Angelo and Beall, Co-chairs; Brunkhorst and Schoenjahn

SSB 3109

EDUCATION: Angelo and Beall, Co-chairs; Brunkhorst and Schoenjahn

SSB 3110

EDUCATION: McKinley and Quirmbach, Co-chairs; Angelo and Kreiman

SSB 3111

EDUCATION: Brunkhorst and Schoenjahn, Co-chairs; Dvorsky and Ward

SSB 3112

EDUCATION: Connolly and McKinley, Co-chairs; Angelo and Dvorsky

SSB 3113

EDUCATION: Dvorsky and Mulder, Co-chairs; Boettger and Connolly

SSB 3114

EDUCATION: McKinley and Wood, Co-chairs; Larson and Schoenjahn

SSB 3115

EDUCATION: Boettger and Dvorsky, Co-chairs; Connolly and Mulder

SSB 3116

EDUCATION: McKinley and Wood, Co-chairs; Angelo and Connolly

FINAL COMMITTEE REPORT OF BILL ACTION

LOCAL GOVERNMENT

Bill Title: SENATE FILE 2163 (formerly SF 257), a bill for an act relating to protesting a county or city budget.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Quirmbach, Shull, Houser, Kreiman, Lundby, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointee, assigned to a standing committee for investigation, was placed on the En Bloc Calendar with recommendation for confirmation:

JUDICIARY

Robert Huffman – Commission on Judicial Qualifications

ALSO:

The following appointee, assigned to a standing committee for investigation, was placed on the En Bloc Calendar without recommendation for confirmation:

TRANSPORTATION

Wayne Sawtelle – State Transportation Commission

JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 8, 2006

The Senate met in regular session at 8:37 a.m., President Kibbie presiding.

Prayer was offered by Pastor Mike Housholder of the Lutheran Church of Hope in West Des Moines, Iowa. He was the guest of Senator Ward.

The Journal of Tuesday, February 7, 2006, 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 February 7, 2006, **passed** the following resolution in which the concurrence of the Senate is asked:

House Joint Resolution 5, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualification of electors.

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

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 8:44 a.m. until 8:30 a.m., Thursday, February 9, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Alexander Henry Bales, Indianola—For achieving the rank of Eagle Scout, Boy Scout Troop 122. Senator Shull (2/8/06).

Mr. and Mrs. Lyle and Mary Brandstetter, Burlington—For celebrating your 60th wedding anniversary. Senator Courtney (2/8/06).

Mr. and Mrs. Walter and Jeanne Friday, Burlington—For celebrating your 60th wedding anniversary. Senator Courtney (2/8/06).

Mr. and Mrs. Val and Mary Ann Hilby, Waterloo—For celebrating your 50th wedding anniversary. Senator Dotzler (2/8/06).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: February 8, 2006, 1:00 p.m.

Members Present: Connolly and McKinley, Co-chairs; Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Mulder, Quirmbach, Schoenjahn, Ward, and Wood.

Members Absent: Angelo and Larson (both excused).

Committee Business: Passed HF 2095 (without recommendation) and presentation by the Department of Education.

Adjourned: 1:50 p.m.

GOVERNMENT OVERSIGHT

Convened: February 8, 2006, 10:05 a.m.

Members Present: Courtney and Lundby, Co-chairs; Connolly and Wieck.

Members Absent: None.

Committee Business: Presentations by the Iowa State Sheriffs and Deputies Association and the Iowa County Attorneys' Association.

Adjourned: 11:35 a.m.

JUDICIARY

Convened: February 8, 2006, 8:45 a.m.

Members Present: Kreiman and Miller, Co-chairs; Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun.

Members Absent: None.

Committee Business: Approved Governor's appointment.

Adjourned: 8:50 a.m.

LOCAL GOVERNMENT

Convened: February 8, 2006, 1:45 p.m.

Members Present: Quirmbach and Shull, Co-chairs; Houser, Kreiman, Lundby, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun.

Members Absent: None.

Committee Business: Passed SF 2072 (as amended).

Adjourned: 2:00 p.m.

STATE GOVERNMENT

Convened: February 8, 2006, 1:55 p.m.

Members Present: Horn, Co-chair; Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman.

Members Absent: McKibben, Co-chair (excused).

Committee Business: Passed SF 2018 (as amended) and HF 729 (as amended).

Adjourned: 2:10 p.m.

WAYS AND MEANS

Convened: February 8, 2006, 2:20 p.m.

Members Present: Bolkcom and Zieman, Co-chairs; Connolly, Danielson, Dotzler, Hahn, Larson, McCoy, McKinley, Miller, Quirmbach, Seng, Stewart, and Zaun.

Members Absent: McKibben and Wieck (both excused).

Committee Business: Presentation by the Department of Revenue.

Recessed: 2:25 p.m.

Reconvened: 2:30 p.m.

Adjourned: 3:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 8, 2006, 9:35 a.m.

Members Present: Putney and Stewart, Co-chairs; Mulder and Zieman.

Members Absent: Dvorsky and McCoy (both excused).

Committee Business: Budget discussion.

Adjourned: 9:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 8, 2006, 9:30 a.m.

Members Present: Gaskill and Seng, Co-chairs; Hahn, Houser, and Schoenjahn.

Members Absent: Black.

Committee Business: Presentation by the Department of Natural Resources.

Adjourned: 10:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 8, 2006, 9:40 a.m.

Members Present: Dotzler and Ward, Co-chairs; Behn, Brunkhorst, Danielson, and Rielly.

Members Absent: None.

Committee Business: Presentation by the Public Employment Relations Board and the Department of Workforce Development.

Adjourned: 9:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: February 8, 2006, 9:35 a.m.

Members Present: Hatch and Tinsman, Co-chairs; Bolkom, Johnson, Ragan, and Seymour.

Members Absent: None.

Committee Business: Presentations by coordinator of Linn County Central Point and Department of Human Services.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: February 8, 2006, 9:40 a.m.

Members Present: Warnstadt, Co-chair; Beall, Dearden, and Zaun.

Members Absent: Kettering, Co-chair; and Angelo (both excused).

Committee Business: Presentations by the Department of Economic Development, the University of Iowa Hygienic Laboratory, and the Department of Public Safety.

Adjourned: 10:15 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 2001, by Gronstal, Iverson, Kibbie, and Lamberti, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation.

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

Senate Resolution 109, by Brunkhorst, Danielson, Putney, Lundby, Mulder, Zaun, Ward, Miller, McKinley, Zieman, Seymour, Dotzler, Kettering, and Houser, a resolution honoring the Wartburg College women's track team.

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

INTRODUCTION OF BILLS

Senate File 2173, by Lundby, a bill for an act relating to sales and use tax exemptions for commercial breeders of canines.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2174, by Houser, a bill for an act relating to the eligibility of limited liability companies to receive family farm tax credits and including an applicability date provision.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2175, by Bolkcom, Kreiman, Stewart, Ragan, Hatch, Dotzler, Dvorsky, Horn, Seng, Hancock, Dearden, Schoenjahn, Fraise, Wood, Courtney, Quirmbach, Gronstal, Kibbie, and Connolly, a bill for an act establishing a program for providing home visits for all families in the state with a newborn child.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2176, by Bolkcom, a bill for an act relating to the administrative duties of the state board of regents and providing a premium tax exemption for regents' employee insurance policies.

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

Senate File 2177, by Quirmbach, a bill for an act relating to a school board member's interest in a school district contract for the performance of services and providing an exemption.

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

Senate File 2178, by Warnstadt, Beall, Stewart, Ragan, Kreiman, Seng, and McCoy, a bill for an act restricting electronic access to minors for certain purposes by creating a kids no e-contact list, prohibiting the sending of certain electronic messages to minors, creating a kids no e-contact list fund and providing for fees, and providing for civil penalties and remedies, and making appropriations and providing an effective date.

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

Senate File 2179, by Warnstadt, Beall, Stewart, Ragan, Kreiman, Black, Seng, and McCoy, a bill for an act relating to the creation of a home modification grant program for veterans, and making an appropriation.

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

Senate File 2180, by Warnstadt, Beall, Stewart, Ragan, Kreiman, Black, Seng, and McCoy, a bill for an act appropriating money to the department of veterans affairs for grants to counties for funeral expenses of indigent veterans.

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

Senate File 2181, by Bolckcom, Kreiman, Hatch, Dvorsky, Hancock, Schoenjahn, Kibbie, Connolly, and Rielly, a bill for an act providing an exemption from property taxation for agricultural land used in organic agricultural production and providing an applicability date.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2182, by committee on Transportation, a bill for an act relating to registration fees for certain motor trucks and providing effective and applicability dates.

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

Senate File 2183, by committee on Economic Growth, a bill for an act allowing cities and counties to create enterprise zones near modes of transportation.

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

Senate File 2184, by committee on Natural Resources and Environment, a bill for an act relating to renewable fuel, including ethanol blended fuel and biodiesel blended fuel, providing for tax

credits, providing for appropriations, providing for penalties, and providing an effective date.

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

STUDY BILLS RECEIVED

SSB 3117 Education

Relating to the duties and operations of the state board of education, the department of education, and local school boards.

SSB 3118 Government Oversight

Modifying provisions relating to utilization of indirect cost reimbursements in appropriations to the office of grants enterprise management of the department of management, and making an appropriation.

SSB 3119 Judiciary

Relating to landlord liens associated with agricultural production.

SSB 3120 Judiciary

Creating a tool and die lien Act.

SSB 3121 Judiciary

Relating to the recognition of a civil judgment, decree, or order of the tribal court of the Sac and Fox Indian tribe of the Mississippi in Iowa.

SSB 3122 Judiciary

Relating to indigent defense claims and the reimbursement of costs in juvenile cases paid by a county.

SSB 3123 Business and Labor Relations

Relating to area wage standards for construction contractors and making remedies and penalties applicable.

SSB 3124 Ways and Means

Relating to the percentage of actual value at which certain commercial property is assessed for purposes of property taxation.

SSB 3125 Ways and Means

Relating to financial transactions associated with agricultural production, by providing for tax credits and tax exemptions, and including effective and retroactive and other applicability dates.

SSB 3126 Education

Requiring school districts to adopt and annually review policies prohibiting bullying and harassment.

SSB 3127 Local Government

Allowing a vote of the people on dissolution of township governments in certain counties and providing an effective date.

SSB 3128 Local Government

Relating to fees for electronic public records.

SSB 3129 Local Government

Relating to city contracts for public improvements.

SSB 3130 Local Government

Relating to satellite absentee voting at city primary and city runoff elections.

SSB 3131 Local Government

Relating to county board of supervisor vacancies.

SSB 3132 Local Government

Requiring the county auditor to evidence approval of the name of a subdivision plat and requiring such statement for filing the subdivision plat with the county recorder.

SSB 3133 Local Government

Relating to the duties of county recorders and county auditors concerning instruments affecting real estate and certain other filings recorded by the county recorder.

SSB 3134 Local Government

Relating to building regulations, by establishing an internet website in the office of the state building code commissioner and requiring local governmental entities to report the adoption or amendment of local building regulations, and providing an effective date.

SSB 3135 State Government

Providing for changes relating to specified aspects of the operation of the department of administrative services.

SSB 3136 State Government

Concerning the requirement to conduct county gambling elections.

SSB 3137 State Government

Providing hardship grants on behalf of veterans seriously injured in a combat zone, providing an income tax exclusion, and including an effective date and retroactive applicability provision.

SSB 3138 State Government

Concerning accrued sick leave and the conversion of sick leave for state employees.

SSB 3139 Commerce

Relating to debt management, mortgage bankers and brokers, delayed deposit services, regulated loans, and industrial loans, and providing for fees and penalties.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 2001**

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 108

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 109

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate File 2022

TRANSPORTATION: McCoy and Putney, Co-chairs; Dearden and Kettering

Senate File 2026

TRANSPORTATION: McCoy and Ward, Co-chairs; Shull and Warnstadt

Senate File 2062

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

Senate File 2091

LOCAL GOVERNMENT: Quirmbach and Shull, Co-chairs; Schoenjahn and Zaun

Senate File 2100

LOCAL GOVERNMENT: Quirmbach and Shull, Co-chairs

Senate File 2103

JUDICIARY: Horn and Larson, Co-chairs; Hancock and Zaun

Senate File 2106

LOCAL GOVERNMENT: Quirnbach and Shull, Co-chairs; McCoy and Putney

Senate File 2109

JUDICIARY: Kreiman and Zaun, Co-chairs; Hancock and Larson

Senate File 2110

JUDICIARY: Kreiman and Zaun, Co-chairs; Brunkhorst and Warnstadt

Senate File 2111

JUDICIARY: Fraise and Ward, Co-chairs; Boettger and Hancock

Senate File 2116

LOCAL GOVERNMENT: Mulder and Rielly, Co-chairs; Houser and Schoenjahn

Senate File 2140
(Reassignment)

STATE GOVERNMENT: Hancock and Wieck, Co-chairs; Danielson and Tinsman

Senate File 2142

STATE GOVERNMENT: Horn and McKibben, Co-chairs; Kibbie and Zieman

Senate File 2143

APPROPRIATIONS: Boettger and Stewart, Co-chairs; Angelo and Dvorsky

Senate File 2150
(Reassignment)

EDUCATION: Angelo and Connolly, Co-chairs; McKinley and Wood

Senate File 2152

COMMERCE: Bolkcom and McKinley, Co-chairs; Rielly and Wieck

Senate File 2156

WAYS AND MEANS: McCoy and Zaun, Co-chairs; McKinley and Seng

Senate File 2158

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

Senate File 2159

TRANSPORTATION: Ward and Warnstadt, Co-chairs; Beall and Kettering

Senate File 2160

WAYS AND MEANS: McCoy and McKibben, Co-chairs; Danielson and Larson

Senate File 2166

STATE GOVERNMENT: Danielson and Kettering, Co-chairs; Hancock and Tinsman

Senate File 2171

TRANSPORTATION: Dearden and Hahn, Co-chairs; Danielson and Ward

Senate File 2172

BUSINESS AND LABOR RELATIONS: Behn and Courtney, Co-chairs; Horn and McKibben

Senate File 2173

WAYS AND MEANS: Hahn and McCoy, Co-chairs; Zaun and Zieman

Senate File 2174

WAYS AND MEANS: Miller and Stewart, Co-chairs; McKibben and Seng

SSB 3117

EDUCATION: Brunkhorst and Dvorsky, Co-chairs; Connolly and McKinley

SSB 3118

GOVERNMENT OVERSIGHT: Courtney and Lundby, Co-chairs

SSB 3119

JUDICIARY: Hancock and Miller, Co-chairs; Fraise and McKibben

SSB 3120

JUDICIARY: Horn and McKibben, Co-chairs; Schoenjahn and Zaun

SSB 3121

JUDICIARY: Larson and Warnstadt, Co-chairs; Kreiman and Miller

SSB 3122

JUDICIARY: Boettger and Schoenjahn, Co-chairs; Kreiman and McKibben

SSB 3123

BUSINESS AND LABOR RELATIONS: Horn and McKibben, Co-chairs; Behn and Dearden

SSB 3124

WAYS AND MEANS: Connolly and Wieck, Co-chairs; Bolkcom, Miller, Quirmbach, and Zieman

SSB 3125

WAYS AND MEANS: Stewart and Zieman, Co-chairs; Bolkcom and Hahn

SSB 3126

EDUCATION: Connolly and McKinley, Co-chairs; Boettger and Dvorsky

SSB 3127

LOCAL GOVERNMENT: Quirmbach and Zaun, Co-chairs; Houser and McCoy

SSB 3128

LOCAL GOVERNMENT: Mulder and Stewart, Co-chairs; Rielly and Zaun

SSB 3129

LOCAL GOVERNMENT: Quirmbach and Shull, Co-chairs; McCoy and Putney

SSB 3130

LOCAL GOVERNMENT: Quirmbach and Shull, Co-chairs; Putney and Schoenjahn

SSB 3131

LOCAL GOVERNMENT: Lundby and Stewart, Co-chairs; Rielly and Zaun

SSB 3132

LOCAL GOVERNMENT: Mulder and Stewart, Co-chairs; Rielly and Zaun

SSB 3133

LOCAL GOVERNMENT: Kreiman and Lundby, Co-chairs; Houser and Stewart

SSB 3134

LOCAL GOVERNMENT: Lundby and Stewart, Co-chairs; Houser and Kreiman

SSB 3135

STATE GOVERNMENT: Hancock and Tinsman, Co-chairs; Kettering and Wood

SSB 3136

STATE GOVERNMENT: Brunkhorst and Danielson, Co-chairs; Black and Kettering

SSB 3137

STATE GOVERNMENT: Danielson and Zieman, Co-chairs; Horn and Ward

SSB 3138

STATE GOVERNMENT: Danielson and Zieman, Co-chairs; Hatch and Ward

SSB 3139

COMMERCE: Kettering and Stewart, Co-chairs; Rielly and Zaun

FINAL COMMITTEE REPORTS OF BILL ACTION**ECONOMIC GROWTH**

Bill Title: *SENATE FILE 2183 (formerly SF 77), a bill for an act allowing cities and counties to create enterprise zones near modes of transportation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Brunkhorst, Hatch, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Seymour, Shull, Stewart, and Zaun. Nays, none. Absent, 1: Beall.

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 Economic Growth Committee on Senate File 2183, and they were attached to the committee report.

EDUCATION

Bill Title: HOUSE FILE 2095, a bill for an act providing for the establishment of the state percent of growth for purposes of the state school foundation program and providing an applicability date.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 12: Connolly, McKinley, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Mulder, Quirnbach, Schoenjahn, Ward, and Wood. Nays, none. Absent, 2: Angelo and Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *SENATE FILE 2184 (SSB 3054), a bill for an act relating to renewable fuel, including ethanol blended fuel and biodiesel blended fuel, providing for tax credits, providing for appropriations, providing penalties, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Houser, Bolkcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. 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 Natural Resources and Environment Committee on Senate File 2184, and they were attached to the committee report.

TRANSPORTATION

Bill Title: *SENATE FILE 2182 (SSB 3025), a bill for an act relating to registration fees for certain motor trucks and providing effective and applicability dates.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 7: McCoy, Putney, Beall, Danielson, Dearden, Hahn, and Ward. Nays, 5: Fraise, Kettering, Shull, Warnstadt, and Ziemann. Absent, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on Senate File 2182, and they were attached to the committee report.

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

The following appointee, assigned to a standing committee for investigation, was placed on the En Bloc Calendar with recommendation for confirmation:

JUDICIARY

Frank (Marty) Martinez – Board of Corrections

REFERRAL TO INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the following name be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar":

Wayne Sawtelle – State Transportation Commission

STEWART E. IVERSON, JR.

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on February 8, 2006:

I submitted the name of E. Karl Reichert to serve on the Real Estate Commission on January 3, 2006. I am withdrawing his name from further consideration by the Senate.

Sincerely,
THOMAS J. VILSACK
Governor

GOVERNOR'S DEFERRAL LETTER

The following letter from the Governor was received in the office of the Secretary of the Senate on February 8, 2006:

Pursuant to Iowa Code Section 2.32(4), the appointment for the Real Estate Commission vacancy, formerly held by E. Karl Reichert, is being deferred because no appropriate candidate has been found for this position at this time.

Sincerely,
THOMAS J. VILSACK
Governor

JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 9, 2006

The Senate met in regular session at 8:35 a.m., President Kibbie presiding.

Prayer was offered by the Honorable Doug Shull, member of the Senate from Warren County, Indianola, Iowa.

The Journal of Wednesday, February 8, 2006, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 8, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2238, a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

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

House File 2245, a bill for an act concerning the Iowa public employees' retirement system and the statewide fire and police retirement system, and providing an effective and retroactive applicability date.

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

BILL REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that **Senate File 2184** be referred from the Senate Calendar to the committee on **Agriculture**.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 8:45 a.m. until 1:00 p.m., Monday, February 13, 2006.

APPENDIX

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:

BOARD OF REGENTS

Annual Report on the Beginning Farmer Center at Iowa State University, pursuant to Iowa Code section 266.39E. Report received on February 9, 2006.

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: February 9, 2006, 8:35 a.m.

Members Present: Gronstal and Iverson, Co-chairs; Angelo, Courtney, Dvorsky, Hahn, and Kibbie.

Members Absent: Boettger, Lamberti, and Ragan (all excused).

Committee Business: Approved SJR 2001 and SR 109.

Adjourned: 8:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 9, 2006, 9:40 a.m.

Members Present: Gaskill and Seng, Co-chairs; Black, Hahn, Houser, and Schoenjahn.

Members Absent: None.

Committee Business: Presentation by the Department of Natural Resources.

Adjourned: 10:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 9, 2006, 9:45 a.m.

Members Present: Dotzler and Ward, Co-chairs; Behn, Brunkhorst, Danielson, and Rielly.

Members Absent: None.

Committee Business: Discussion of committee bill.

Adjourned: 10:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 9, 2006, 9:30 a.m.

Members Present: Fraise, Co-chair; Hancock, Kreiman, and Miller.

Members Absent: McKibben, Co-chair; and Larson (both excused).

Committee Business: Presentation by the State Court Administrator.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: February 9, 2006, 9:45 a.m.

Members Present: Kettering and Warnstadt, Co-chairs; Angelo, Beall, Dearden, and Zaun.

Members Absent: None.

Committee Business: Presentations by the Department for the Blind, Department of Administrative Services Information Technology Enterprise, and the Criminal and Juvenile Justice Planning Advisory Council.

Adjourned: 10:55 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 2002, by Black, a joint resolution proposing an amendment to the Constitution of the State of Iowa to dedicate certain increased revenues from the state sales and use taxes.

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

Senate Resolution 110, by Larson, Zaun, Zieman, Mulder, Lundby, Ward, Brunkhorst, Johnson, Boettger, Angelo, Lamberti, Iverson, Behn, Gaskill, McKinley, Seymour, Putney, Tinsman, Wieck, Hahn, Kettering, Miller, McKibben, Warnstadt, Black, Dotzler, Horn, Rielly, Hancock, Wood, Schoenjahn, Kibbie, Gronstal, Quirmbach, Connolly, Stewart, Beall, Ragan, Hatch, Kreiman, Dvorsky, Danielson, Dearden, McCoy, and Fraise, a resolution honoring Sergeant Major (Select) Brad Kasal for his rare courage and inspiring sacrifice in the Iraq war.

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

INTRODUCTION OF BILLS

Senate File 2185, by Boettger and Houser, a bill for an act relating to limited offering transaction exemptions from securities registration.

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

Senate File 2186, by Dotzler, Hancock, and Danielson, a bill for an act relating to public safety communications, providing for utilization of the Iowa communications network for public safety interoperability purposes, and establishing an Iowa statewide interoperable radio system board.

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

Senate File 2187, by Kettering, a bill for an act relating to the taxation of casual sales of vehicles, aircraft, and watercraft under the state sales tax, providing refunds, and including effective and retroactive applicability date provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2188, by Beall, Ragan, Stewart, Hatch, Dvorsky, Wood, Kreiman, Dearden, Rielly, Fraise, Quirmbach, Courtney, Kibbie, Black, Bolkom, Connolly, Mulder, Behn, Zaun, and Ward, a bill for an act creating the community foundation fund, providing an Iowa individual income tax checkoff for the community foundation fund, making an appropriation, and providing for the Act's implementation.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2189, by Johnson, a bill for an act providing for a .08 blood alcohol limit for motorboat or sailboat operating while intoxicated offenses.

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

Senate File 2190, by Beall, Connolly, Schoenjahn, Ragan, Mulder, Wood, Hatch, Danielson, Dotzler, Dvorsky, Kreiman, Dearden, Rielly, Hancock, Fraise, Courtney, Quirmbach, Kibbie, Black, Bolkom, Stewart, and Zaun, a bill for an act directing the department of education to convene a healthy kids task force.

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

Senate File 2191, by Beall, Ragan, Stewart, Warnstadt, Putney, Hatch, Danielson, Dotzler, Dvorsky, Horn, Wood, Seng, Kreiman, Dearden, Rielly, Hancock, Schoenjahn, Fraise, Courtney, Quirmbach, Kibbie, Black, Bolkom, Connolly, Mulder, Wieck, Behn, Zaun, and Ward, a bill for an act creating a special gold star motor vehicle registration plate.

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

Senate File 2192, by Beall, Kreiman, Horn, Tinsman, Hatch, Danielson, Dotzler, Dvorsky, Wood, Seng, Dearden, Schoenjahn, Fraise, Courtney, Quirmbach, Gronstal, Kibbie, Black, Bolkcom, Connolly, Stewart, Ragan, and Zaun, a bill for an act relating to the issuance of a restraining order on behalf of a person who is the victim of harassment or stalking and providing a penalty.

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

Senate File 2193, by Warnstadt and Wieck, a bill for an act relating to qualified historic property located in designated enterprise zones and other historic property, taxation of such property and its owners, developers, and investors, and including effective and applicability date provisions.

Read first time under Rule 28 and referred to committee on **Economic Growth.**

Senate File 2194, by committee on Local Government, a bill for an act relating to county, city, and school board publication of allowed claims.

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

Senate File 2195, by Johnson, a bill for an act relating to the funding of a state equine development commission, making an appropriation, and including a contingent effectiveness provision.

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

Senate File 2196, by Kreiman, a bill for an act providing for the establishment of an emergency license category for an individual family foster care provider who is a relative of a child who is or may be placed in family foster care.

Read first time under Rule 28 and referred to committee on **Human Resources.**

Senate File 2197, by Kreiman, a bill for an act to prohibit certain alternate billing services by gas public utilities and making penalties applicable.

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

Senate File 2198, by Bolkcom, a bill for an act establishing safety standards for contractors wishing to bid on state contracts.

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

Senate File 2199, by committee on State Government, a bill for an act concerning the purchase of service under the Iowa department of public safety peace officers' retirement, accident, and disability system.

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

Senate File 2200, by Stewart, a bill for an act relating to and making an appropriation to the Iowa great places program.

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

Senate File 2201, by Stewart, Warnstadt, Kettering, Wieck, and Dotzler, a bill for an act relating to the review of applications for financial assistance under the community attraction and tourism program.

Read first time under Rule 28 and referred to committee on **Economic Growth.**

STUDY BILLS RECEIVED**SSB 3140 State Government**

Concerning alcoholic beverage control relating to manufacturers providing free cleaning services to retailers and prohibiting wholesalers from providing certain coupons to retailers and making penalties applicable.

SSB 3141 Appropriations

Relating to and making appropriations to the justice system, and making related statutory changes.

SSB 3142 Transportation

Relating to requirements for the use of funeral escort vehicles.

SSB 3143 Judiciary

Relating to the possession of weapons and providing a penalty.

SSB 3144 Judiciary

Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions.

SSB 3145 Education

Creating a twenty-first century Iowa scholars program and fund to be administered by the college student aid commission, and requiring the commission to conduct a twenty-first century Iowa scholars program promotion and support study.

SSB 3146 Commerce

Relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date.

SSB 3147 Local Government

Relating to the salary of deputy officers in certain county offices and providing an applicability date.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2157**

JUDICIARY: Schoenjahn and Ward, Co-chairs; Horn and Tinsman

Senate File 2161

JUDICIARY: Fraise and Zaun, Co-chairs; Boettger and Horn

Senate File 2169

HUMAN RESOURCES: Boettger and Wood, Co-chairs; Bolkcom and Gaskill

Senate File 2175

HUMAN RESOURCES: Bolkcom and Seymour, Co-chairs; Johnson and Ragan

Senate File 2181

WAYS AND MEANS: Bolkcom and Miller, Co-chairs; Connolly and Hahn

Senate File 2187

WAYS AND MEANS: Connolly and Wieck, Co-chairs; Miller and Seng

Senate File 2188

WAYS AND MEANS: Connolly and Zaun, Co-chairs; Bolkcom and Zieman

SSB 3140

STATE GOVERNMENT: Danielson and Ward, Co-chairs; Hancock and Kettering

SSB 3141

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

SSB 3142

TRANSPORTATION: Kettering and McCoy, Co-chairs; Dearden and Hahn

SSB 3143

JUDICIARY: Miller and Warnstadt, Co-chairs; Kreiman and McKibben

SSB 3144

JUDICIARY: Schoenjahn and Zaun, Co-chairs; Hancock and Ward

SSB 3145

EDUCATION: Angelo and Schoenjahn, Co-chairs; Boettger and Dvorsky

SSB 3146

COMMERCE: Behn and Warnstadt, Co-chairs; Courtney, McCoy, McKinley, and Zaun

SSB 3147

LOCAL GOVERNMENT: Quirmbach and Shull, Co-chairs; Putney and Schoenjahn

FINAL COMMITTEE REPORTS OF BILL ACTION**LOCAL GOVERNMENT**

Bill Title: *SENATE FILE 2194 (formerly SF 2072), a bill for an act relating to county, city, and school board publication of allowed claims.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Quirmbach, Shull, Houser, Kreiman, Lundby, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun. Nays, none. 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 Local Government Committee on Senate File 2194, and they were attached to the committee report.

RULES AND ADMINISTRATION

Bill Title: SENATE JOINT RESOLUTION 2001, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Gronstal, Iverson, Angelo, Courtney, Dvorsky, Hahn, and Kibbie. Nays, none. Absent, 3: Boettger, Lamberti, and Ragan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 109, a resolution honoring the Wartburg College women's track team.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Gronstal, Iverson, Angelo, Courtney, Dvorsky, Hahn, and Kibbie. Nays, none. Absent, 3: Boettger, Lamberti, and Ragan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: *SENATE FILE 2199 (formerly SF 2018), a bill for an act concerning the purchase of service under the Iowa department of public safety peace officers' retirement, accident, and disability system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Horn, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, 1: McKibben.

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 State Government Committee on Senate File 2199, and they were attached to the committee report.

ALSO:

Bill Title: HOUSE FILE 729, a bill for an act relating to the Iowa public employees' retirement system and the judicial retirement system.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5003.

Final Vote: Ayes, 15: Horn, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S-5003 H.F. 729 State Government

JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 13, 2006

The Senate met in regular session at 1:00 p.m., President Lamberti presiding.

Prayer was offered by Pastor Kevin Gingerich of the Bloomfield United Methodist Church in Bloomfield, Iowa. He was the guest of Senator Kreiman.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Karalynn Brunkhorst, daughter of Senator Bob Brunkhorst.

The Journal of Thursday, February 9, 2006, was approved.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 110, a resolution honoring Sergeant Major (Select) Brad Kasal for his rare courage and inspiring sacrifice in the Iraq war.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, Ragan. Nays, none. Absent, none.

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 110.

Senate Resolution 110

On motion of Senator Larson, the following resolution, with report of committee recommending passage, was taken up for consideration:

SENATE RESOLUTION 110

1 By: Larson, Zaun, Zieman, Mulder, Lundby, Ward,
2 Brunkhorst, Johnson, Boettger, Angelo, Lamberti,
3 Iverson, Behn, Gaskill, McKinley, Seymour, Putney,
4 Tinsman, Wieck, Hahn, Kettering, Miller, McKibben,
5 Warnstadt, Black, Dotzler, Horn, Rielly, Hancock,
6 Wood, Schoenjahn, Kibbie, Gronstal, Quirnbach,
7 Connolly, Stewart, Beall, Ragan, Hatch, Kreiman,
8 Dvorsky, Danielson, Dearden, McCoy, and Fraise
9 A resolution honoring Sergeant Major (Select) Brad Kasal
10 for his rare courage and inspiring sacrifice in the
11 Iraq war.
12 WHEREAS, for over 200 years the Marines of the
13 United States Marine Corps have been known for their
14 bravery and devotion to duty; and
15 WHEREAS, Sergeant Major Brad Kasal has proven his
16 ability and displayed those qualities in serving our
17 nation in Iraq; and
18 WHEREAS, Sergeant Major Brad Kasal grew up on a
19 farm near Afton, Iowa, hunted and fished as a kid,
20 wrestled and played football in high school,
21 detasseled corn and managed a restaurant to earn
22 money; and
23 WHEREAS, Sergeant Major Brad Kasal knew he wanted
24 to be a Marine in the eighth grade, joined the Marine
25 Corps straight out of East Union High School and
26 excelled in marksmanship and physical fitness in boot
27 camp; and
28 WHEREAS, in his 20 years of military service,
29 Sergeant Major Kasal did tours of duty in nearly 50

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1 foreign lands, including Operation Desert Storm in
2 Kuwait, Operation Enduring Freedom in Afghanistan, and
3 Operation Iraqi Freedom; and
4 WHEREAS, during the early part of Operation Iraqi
5 Freedom Sergeant Major Kasal earned a Purple Heart for
6 wounds he suffered from enemy action but in his own
7 words, he "gutted it out and kept going like a lot of
8 Marines do", and he returned to duty and even
9 volunteered for a second tour of duty because he was a
10 leader and he felt he belonged with his young Marines;
11 and
12 WHEREAS, on November 13, 2004, during fierce
13 fighting in Fallujah, Iraq, he vowed to leave no

14 Marine behind, returned to save three wounded soldiers
15 trapped in a house crawling with insurgents, received
16 seven serious wounds from an automatic rifle, received
17 40 shrapnel wounds from an exploding grenade when he
18 shielded another Marine with his body and neglected
19 his own injuries to treat his fellow soldier, lost 60
20 percent of his body's blood without losing
21 consciousness, and did all this while guarding the
22 door and without loosening the grip on his gun; and
23 WHEREAS, as a result of those wounds, Sergeant
24 Major Kasal spent 35 days over the holidays bedridden
25 and another 30 days at the Navy Hospital in Bethesda,
26 Maryland, endured 20 surgeries and expects a full
27 recovery because in his own words, "I'm a Kasal and
28 we're tough"; and
29 WHEREAS, in recognition for his heroism, sacrifice,
30 and devotion to duty Sergeant Major Kasal is under

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1 consideration for the Congressional Medal of Honor,
2 America's highest award for bravery; and
3 WHEREAS, Iowa Families United for Our Troops and
4 Their Mission stands with steadfast support for
5 Sergeant Major Kasal and all men and women serving to
6 protect the freedom for all Americans, for the
7 families of our service men and women, and for the
8 families of our fallen heroes; NOW THEREFORE,
9 BE IT RESOLVED BY THE SENATE, That the Senate, on
10 behalf of all 3 million fellow Iowans and Iowa
11 Families United for Our Troops and Their Mission,
12 honors Sergeant Major Brad Kasal for his "Iowa
13 Toughness and Tenacity", his patriotic service to
14 America, his devotion to the highest principles of
15 military service, and his undaunted courage under
16 hostile fire; and
17 BE IT FURTHER RESOLVED, That, upon adoption, an
18 official copy of this resolution be prepared for
19 presentation to Sergeant Kasal so that he knows
20 without a doubt that Iowans are proud of him and his
21 fellow troops and look forward to welcoming him back
22 home when his military service is concluded.

Senator Larson moved the adoption of Senate Resolution 110,
which motion prevailed by a voice vote.

SPECIAL GUEST

Senator Larson introduced to the Senate Sergeant Major Brad Kasal, native of Iowa and member of the United States Marine Corps.

Sergeant Major Kasal addressed the Senate with brief remarks.

The Senate rose and expressed its welcome and its gratitude for his military service.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:17 p.m. until 8:30 a.m., Tuesday, February 14, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Christopher Cary, Mason City—For achieving the rank of Eagle Scout. Senator Ragan (2/13/06).

Adam Thomas McAlpine, Sioux Center—For achieving the rank of Eagle Scout, Boy Scout Troop 211. Senator Mulder (2/13/06).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, February 9, 2006, 9:35 a.m.

Members Present: Tinsman, Co-chair; Bolkcom, Johnson, and Ragan.

Members Absent: Hatch, Co-chair; and Seymour (both excused).

Committee Business: Presentation by the Department of Human Services.

Adjourned: 11:25 a.m.

EDUCATION

Convened: February 13, 2006, 3:10 p.m.

Members Present: Connolly and McKinley, Co-chairs; Angelo, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Mulder, Quirmbach, Schoenjahn, and Wood.

Members Absent: Larson and Ward (both excused).

Committee Business: Approved SSB 1158 (as amended).

Adjourned: 4:05 p.m.

RULES AND ADMINISTRATION

Convened: February 13, 2006, 12:50 p.m.

Members Present: Gronstal and Iverson, Co-chairs; Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan.

Members Absent: None.

Committee Business: Approved SR 110.

Adjourned: 12:55 p.m.

STATE GOVERNMENT

Convened: February 13, 2006, 2:10 p.m.

Members Present: Horn and McKibben, Co-chairs; Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Wieck, Wood, and Zieman.

Members Absent: Black and Ward (both excused).

Committee Business: Passed SF 2125.

Adjourned: 2:20 p.m.

INTRODUCTION OF BILLS

Senate File 2202, by Beall, a bill for an act relating to assessment of certain nursing facilities for purposes of property taxation and including effective and retroactive applicability date provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2203, by Lamberti, a bill for an act relating to confidentiality of voter registration records and property assessment information for certain persons and providing an effective date.

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

Senate File 2204, by Iverson, a bill for an act relating to the filing of a civil action against a person who illegally manufactures, delivers, or who acts with, enters into a common scheme or design with, or conspires with one or more other persons to illegally manufacture or deliver, a controlled substance.

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

Senate File 2205, by Bolkcom, a bill for an act relating to organic food by providing for the establishment of a center, a council, and a fund.

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

Senate File 2206, by Bolkcom, a bill for an act relating to the regulation, production, and consumption of energy including providing for clean energy financial assistance, wind energy tax credits, green building income tax credits, and advanced renewable energy technology research and development, requiring an electricity renewable energy standard, providing for public education of energy efficiency, establishing an advisory council on climate change, establishing high-performance standards for certain public buildings, and making appropriations.

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

STUDY BILLS RECEIVED**SSB 3148 Judiciary**

Concerning alcoholic beverages by establishing criminal and civil liability for providing alcoholic beverages to persons under legal age, providing for an identification number on kegs of beer, and making penalties applicable.

SSB 3149 Judiciary

Relating to landlords and tenants including notice requirements to terminate a periodic tenancy, representation of an owner of residential rental property in small claims court, and service of a petition for forcible entry and detainer by publication.

SSB 3150 Judiciary

Relating to a request for certain health records by a party in a civil action where a party's health condition is an element or factor in the claim or defense of the action and providing for fees.

SSB 3151 Judiciary

Relating to the filing of a hospital lien.

SSB 3152 Judiciary

Relating to access to confidential information used to secure an arrest warrant.

SSB 3153 Appropriations

Creating a preschool for four-year-old children program, and making appropriations and providing an effective date.

SSB 3154 Commerce

Applying the Iowa preference law to services provided by an Iowa vendor.

SSB 3155 State Government

Providing for the confidentiality of certain records relating to charitable donations for the benefit of a government body.

SSB 3156 Agriculture

Providing for an equine industry development commission and related fund.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 110**

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate File 2178

JUDICIARY: Warnstadt and Zaun, Co-chairs; Quirnbach and Ward

Senate File 2179

APPROPRIATIONS: Angelo and Warnstadt, Co-chairs; Kettering and Stewart

Senate File 2180

APPROPRIATIONS: Angelo and Warnstadt, Co-chairs; Kettering and Stewart

Senate File 2189

JUDICIARY: Brunkhorst and Hancock, Co-chairs; Horn and Ward

Senate File 2191

TRANSPORTATION: Kettering and Warnstadt, Co-chairs; Fraise and Ward

Senate File 2192

JUDICIARY: Boettger and Quirnbach, Co-chairs; Schoenjahn and Ward

Senate File 2200

APPROPRIATIONS: Angelo and Stewart, Co-chairs; Dvorsky and Kettering

House File 2238

APPROPRIATIONS: Ragan and Seymour, Co-chairs; Angelo and Dvorsky

SSB 3148

JUDICIARY: Brunkhorst and Hancock, Co-chairs; Warnstadt and Zaun

SSB 3149

JUDICIARY: Hancock and Zaun, Co-chairs; Kreiman and Ward

SSB 3150

JUDICIARY: Hancock and Ward, Co-chairs; Kreiman and Zaun

SSB 3151

JUDICIARY: Boettger and Warnstadt, Co-chairs; Quirmbach and Ward

SSB 3152

JUDICIARY: Larson and Schoenjahn, Co-chairs; Hancock and Tinsman

SSB 3153

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

SSB 3154

COMMERCE: Beall and Zaun, Co-chairs; Stewart and Zieman

SSB 3155

STATE GOVERNMENT: Danielson and McKibben, Co-chairs; Horn and Ward

SSB 3156

AGRICULTURE: Black and Putney, Co-chairs; Hancock and Johnson

AMENDMENT FILED

S-5004	S.F.	2051	James A. Seymour Amanda Ragan Jeff Angelo Robert E. Dvorsky
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JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 14, 2006

The Senate met in regular session at 8:35 a.m., President Pro Tempore McKibben presiding.

Prayer was offered by the Honorable Dave Mulder, member of the Senate from Sioux County, Sioux Center, Iowa.

The Journal of Monday, February 13, 2006, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Black, for the day, on request of Senator Gronstal; and Senators Houser, Larson, and Ward, until they return, on request of Senator Iverson.

UNFINISHED BUSINESS (Deferred April 20, 2005)

House File 729

The Senate resumed consideration of **House File 729**, a bill for an act relating to the Iowa public employees' retirement system and the judicial retirement system, and amendment S-3151, deferred April 20, 2005.

Senator Kibbie offered amendment S-5003, filed by the committee on State Government on February 9, 2006, to pages 1-3, 5, 7, 11, and 12 of the bill, and moved its adoption.

Amendment S-5003 was adopted by a voice vote.

With the adoption of amendment S-5003, the Chair ruled the following amendments out of order:

S-3264, filed by Senator Iverson on May 4, 2005, to pages 1 and 2 of the bill;

S-3153 filed by Senator Iverson on April 20, 2005, to page 3 of amendment S-3151; and

S-3151, previously deferred.

Senator Hatch withdrew amendment S-3220, filed by him on May 2, 2005, to page 2 of the bill.

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

On the question "Shall the bill pass?" (H.F. 729), the vote was:

Yeas, 46:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Lundby	Seymour
Behn	Gronstal	McCoy	Shull
Boettger	Hahn	McKibben	Stewart
Bolkcom	Hancock	McKinley	Tinsman
Brunkhorst	Hatch	Miller	Warnstadt
Connolly	Horn	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, 4:

Black	Houser	Larson	Ward
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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 RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 101.

Senate Concurrent Resolution 101

On motion of Senator Gronstal, **Senate Concurrent Resolution 101**, a concurrent resolution to approve and confirm the appointment of the Citizens' Aide, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that **House Concurrent Resolution 103** be substituted for **Senate Concurrent Resolution 101**.

House Concurrent Resolution 103

On motion of Senator Gronstal, **House Concurrent Resolution 103**, a concurrent resolution to approve and confirm the appointment of the Citizens' Aide, was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 103, which motion prevailed by a voice vote.

WITHDRAWN

Senator Gronstal asked and received unanimous consent that **Senate Concurrent Resolution 101** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Joint Resolution 2001.

Senate Joint Resolution 2001

On motion of Senator Iverson, **Senate Joint Resolution 2001**, a joint resolution authorizing the temporary use and consumption of

wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation, with report of committee recommending passage, was taken up for consideration.

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

Senate Joint Resolution 2001, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation.

WHEREAS, the State of Iowa has the honor of being the home of the World Food Prize Foundation which annually presents an international award recognizing outstanding individual achievement in improving the quality, quantity, or availability of food in the world; and

WHEREAS, Iowa's unique State Capitol is an optimal location for this awards ceremony of the World Food Prize Foundation and previously served as the ceremony location; and

WHEREAS, wine is customarily served as an accompaniment to the food and entertainment provided at this type of awards ceremony and wine was served when the ceremony was previously held at the State Capitol; and

WHEREAS, under 11 IAC 100.4(8), which prohibits the consumption of alcoholic beverages on the capitol complex, it is not possible to serve wine at this type of awards ceremony in the State Capitol; NOW THEREFORE,
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Notwithstanding 11 IAC 100.4(8) and any contrary provisions of chapter 123, prohibiting the use and consumption of alcoholic beverages in public places, wine may be used and consumed within the state capitol at an awards ceremony, to be held on or around October 19, 2006, hosted and organized in whole or in part by the world food prize foundation if the person providing the food and wine at the awards ceremony possesses an appropriate valid liquor control license. For the purpose of this section and section 123.95, the state capitol is a private place.

On the question "Shall the resolution be adopted?" (S.J.R. 2001), the vote was:

Yeas, 43:

Angelo	Dvorsky	Kibbie	Schoenjahn
Beall	Fraise	Lamberti	Seng
Behn	Gaskill	Lundby	Seymour
Boettger	Gronstal	McCoy	Shull
Bolkcom	Hahn	McKibben	Stewart
Brunkhorst	Hancock	McKinley	Tinsman
Connolly	Hatch	Miller	Wieck
Courtney	Horn	Putney	Wood
Danielson	Iverson	Quirmbach	Zaun
Dearden	Johnson	Ragan	Zieman
Dotzler	Kettering	Rielly	

Nays, 3:

Kreiman	Mulder	Warnstadt
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Absent, 4:

Black	Houser	Larson	Ward
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The resolution, having received a constitutional majority, was declared to have been adopted by 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 Senate File 2199.

Senate File 2199

On motion of Senator Kibbie, **Senate File 2199**, a bill for an act concerning the purchase of service under the Iowa department of public safety peace officers' retirement, accident, and disability system, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2199), the vote was:

Yeas, 46:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Lundby	Seymour
Behn	Gronstal	McCoy	Shull
Boettger	Hahn	McKibben	Stewart
Bolkcom	Hancock	McKinley	Tinsman
Brunkhorst	Hatch	Miller	Warnstadt
Connolly	Horn	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, 4:

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

President Lamberti took the chair at 9:15 a.m.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2086.

Senate File 2086

On motion of Senator Wood, **Senate File 2086**, a bill for an act allowing school districts to use biometric fingerprint identification systems for certain restricted purposes and providing an effective date, was taken up for consideration.

The Senate stood at ease at 9:17 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:17 a.m., President Pro Tempore McKibben presiding.

Senator Iverson asked and received unanimous consent that action on **Senate File 2086** be **deferred**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Joint Resolution 2001, Senate File 2199, House Concurrent Resolution 103, and House File 729** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:20 a.m. until 8:30 a.m., Wednesday, February 15, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Clark Blythe, Williamsburg—For celebrating your 100th birthday. Senator Rielly (2/14/06).

Dorris Fox, Coralville—For celebrating your 100th birthday. Senator Rielly (2/14/06).

Al Sturgeon—For celebrating your 50th birthday. Senator Warnstadt (2/14/06).

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 CAPITAL INVESTMENT CORPORATION

Annual report. Report received on February 14, 2006.

DEPARTMENT OF REVENUE

Annual report for the Iowa Capital Investment Board, pursuant to Iowa Code section 15E.46. Report received on February 14, 2006.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: February 13, 2006, 4:10 p.m.

Members Present: Kreiman and Miller, Co-chairs; Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, McKibben, Quirmbach, Schoenjahn, Tinsman, Warnstadt, and Zaun.

Members Absent: Larson and Ward (both excused).

Committee Business: Passed SF 2027 and discussed SF 124 and SSB 3099.

Adjourned: 4:30 p.m.

LOCAL GOVERNMENT

Convened: February 13, 2006, 2:00 p.m.

Members Present: Quirmbach and Shull, Co-chairs; Kreiman, Putney, Rielly, Schoenjahn, Stewart, and Zaun.

Members Absent: Houser, Lundby, McCoy and Mulder (all excused).

Committee Business: Passed SF 2008 (as amended).

Adjourned: 2:20 p.m.

AGRICULTURE

Convened: February 14, 2006, 3:10 p.m.

Members Present: Fraise, Co-chair; Brunkhorst, Courtney, Hahn, Hancock, Mulder, Putney, and Ragan.

Members Absent: Johnson, Co-chair; Black, Gaskill, Houser, Kibbie, and Rielly (all excused).

Committee Business: Discussion of bills.

Adjourned: 3:15 p.m.

ECONOMIC GROWTH

Convened: February 14, 2006, 1:05 p.m.

Members Present: Brunkhorst and Hatch, Co-chairs; Beall, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Seymour, Shull, Stewart, and Zaun.

Members Absent: None.

Committee Business: Subcommittee assignments.

Adjourned: 2:50 p.m.

GOVERNMENT OVERSIGHT

Convened: February 14, 2006, 9:55 a.m.

Members Present: Courtney and Lundby, Co-chairs; Connolly and Wieck.

Members Absent: None.

Committee Business: Presentation by the Iowa Lottery.

Adjourned: 11:40 a.m.

HUMAN RESOURCES

Convened: February 14, 2006, 2:10 p.m.

Members Present: Ragan and Seymour, Co-chairs; Behn, Boettger, Bolkcom, Dotzler, Gaskill, Houser, Johnson, Tinsman, and Wood.

Members Absent: Hatch, Kreiman, and Quirmbach (all excused).

Committee Business: Presentation on Health Risk Assessment.

Adjourned: 2:55 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: February 14, 2006, 1:05 p.m.

Members Present: Houser, Co-chair; Bolkcom, Dearden, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood.

Members Absent: Black, Co-chair; and Gaskill (both excused).

Committee Business: Subcommittee assignments.

Adjourned: 1:15 p.m.

TRANSPORTATION

Convened: February 14, 2006, 2:05 p.m.

Members Present: McCoy and Putney, Co-chairs; Beall, Danielson, Dearden, Fraise, Hahn, Kettering, Shull, Warnstadt, and Zieman.

Members Absent: Ward (excused).

Committee Business: Approved SSB 3079.

Adjourned: 2:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 14, 2006, 9:55 a.m.

Members Present: Dotzler, Co-chair; Behn, Brunkhorst, Danielson, and Rielly.

Members Absent: Ward, Co-chair (excused).

Committee Business: Presentations by the LSA, Department of Workforce Development, and the Treasurer of State's Office.

Adjourned: 11:00 a.m.

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

Convened: February 14, 2006, 10:10 a.m.

Members Present: Kettering and Warnstadt, Co-chairs; Beall, Dearden, and Zaun.

Members Absent: Angelo (excused).

Committee Business: Presentation by the Board of Regents and the Bioscience Alliance.

Adjourned: 11:00 a.m.

INTRODUCTION OF BILLS

Senate File 2207, by committee on State Government, a bill for an act relating to the publication of official notices in English language newspapers.

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

Senate File 2208, by committee on Local Government, a bill for an act relating to access to certain burial sites located on private property.

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

Senate File 2209, by Lundby and Zaun, a bill for an act relating to vocational-technical tuition grants administered by the college student aid commission.

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

Senate File 2210, by Stewart and Warnstadt, a bill for an act relating to providing rental vehicles to active duty members of the state or federal military forces and providing for a civil penalty.

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

Senate File 2211, by Shull, a bill for an act relating to the establishment of and disbursement from a resident taxpayer rebate fund and including an effective date provision.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2212, by Warnstadt, a bill for an act relating to financial assistance for energy-efficient equipment and making appropriations.

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

Senate File 2213, by Hatch, a bill for an act establishing a technology and commercialization foundation of Iowa and fund.

Read first time under Rule 28 and referred to committee on **Economic Growth**.

Senate File 2214, by Hatch and Tinsman, a bill for an act relating to persons with mental illness, mental retardation, developmental disabilities, or brain injury by addressing purposes and quality standards for services and other support available for such persons, establishing basic financial eligibility standards, addressing state and county financial responsibility for the cost of the services and other support, and providing an applicability date.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2215, by Wieck, a bill for an act creating a healthy Iowa individual health care insurance and reinsurance program for certain uninsured Iowans.

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

Senate File 2216, by Administrative Rules Review Committee, a bill for an act relating to the procedures for filing administrative rules.

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

Senate File 2217, by Administrative Rules Review Committee, a bill for an act requiring the department of human services to maintain compliance with privacy laws applicable to mental health, mental retardation, developmental disabilities, and brain injury services data.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2218, by Brunkhorst, Tinsman, Zaun, Boettger, Wieck, Mulder, Putney, McKinley, Johnson, Seymour, Behn, Iverson, Lamberti, McKibben, Hahn, Angelo, and Zieman, a bill for an act relating to an award of noneconomic damages in a medical malpractice action.

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

STUDY BILLS RECEIVED

SSB 3157 Natural Resources and Environment

Creating a department of environmental protection.

SSB 3158 Appropriations

Relating to financial and regulatory matters by making and revising appropriations for the fiscal year beginning July 1, 2005, and providing an effective date.

SSB 3159 Agriculture

Relating to farm tenancies.

SSB 3160 Government Oversight

Relating to violations of Iowa's noncompetition by government law and providing penalties and remedies.

SSB 3161 Government Oversight

Relating to the confidentiality of certain information relating to homeless individuals and individuals receiving housing assistance.

SSB 3162 Agriculture

Relating to state tax benefits for use of soy-based transformer fluid by electric utilities and including applicability date provisions.

SSB 3163 Appropriations

Making an appropriation to qualified fairs which belong to the association of Iowa fairs under the office of treasurer of state.

SSB 3164 Natural Resources and Environment

Relating to fee schedules for the disposal system permit program.

SSB 3165 Natural Resources and Environment

Eliminating certain duties of the department of natural resources.

SSB 3166 Natural Resources and Environment

Relating to wastewater treatment and disposal for subdivisions.

SSB 3167 Natural Resources and Environment

Relating to certain water treatment and supply-related inspections conducted when certain property is sold or transferred.

SSB 3168 Judiciary

Addressing the safe operation of motor vehicles by minors by prohibiting the use of handheld cellular phones by certain drivers under eighteen years of age, establishing criminal and civil liability for providing alcoholic beverages to persons under legal age, providing for an identification number on kegs of beer, and making penalties applicable.

SSB 3169 State Government

Relating to horse racing by providing for minimum racing days and arbitration for resolving disputes on horse racing purses among representatives of horse breeds.

SSB 3170 Education

Directing the department of education and the board of educational examiners to develop a plan to improve the quality of teaching statewide.

SSB 3171 Education

Directing the department of education and the Iowa department of public health to convene a healthy children task force.

SSB 3172 Human Resources

Establishing a shaken baby syndrome education program.

SSB 3173 Human Resources

Relating to the state children's health insurance program including expansion to certain parents and outreach efforts, and providing an appropriation.

SSB 3174 Appropriations

Making appropriations to and requiring a report on the housing trust fund.

SSB 3175 Commerce

Relating to debt cancellation coverage offered by banks and credit unions.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2002

STATE GOVERNMENT: Hatch and Ziemann, Co-chairs; Black and Wicker

Senate File 180

NATURAL RESOURCES AND ENVIRONMENT: Dearden and Lundby, Co-chairs; Johnson and Schoenjahn

Senate File 2002

NATURAL RESOURCES AND ENVIRONMENT: Houser and Schoenjahn, Co-chairs; Hancock and Miller

Senate File 2089

NATURAL RESOURCES AND ENVIRONMENT: Bolcom and Johnson, Co-chairs; Hancock and Lundby

Senate File 2107

NATURAL RESOURCES AND ENVIRONMENT: Black and Miller, Co-chairs; Dearden and Lundby

Senate File 2170

ECONOMIC GROWTH: Beall and Hahn, Co-chairs; Ragan and Zaun

Senate File 2176

EDUCATION: Brunkhorst and Dvorsky, Co-chairs; McKinley and Quirnbach

Senate File 2177

EDUCATION: Angelo and Quirnbach, Co-chairs; McKinley and Wood

Senate File 2184

AGRICULTURE: Johnson and Rielly, Co-chairs; Fraise, Gaskill, Hahn, and Ragan

Senate File 2185

COMMERCE: Kettering and Rielly, Co-chairs; Stewart and Zaun

Senate File 2186

COMMERCE: Courtney and McKinley, Co-chairs; McCoy and Ziemann

Senate File 2190

EDUCATION: Beall and Mulder, Co-chairs; Boettger and Schoenjahn

Senate File 2193

ECONOMIC GROWTH: Beall and Hahn, Co-chairs; McKinley and Rielly

Senate File 2195

AGRICULTURE: Black and Putney, Co-chairs; Hancock and Johnson

Senate File 2196

HUMAN RESOURCES: Houser and Kreiman, Co-chairs; Gaskill and Quirmbach

Senate File 2197

COMMERCE: Bolkcom and Kettering, Co-chairs; McCoy and Zaun

Senate File 2201

ECONOMIC GROWTH: Shull and Stewart, Co-chairs; Behn and Dötzler

Senate File 2202

WAYS AND MEANS: Quirmbach and Zieman, Co-chairs; Bolkcom and Miller

Senate File 2203

STATE GOVERNMENT: Wood and Zieman, Co-chairs; Danielson and Miller

Senate File 2205

AGRICULTURE: Houser and Ragan, Co-chairs; Black and Brunkhorst

Senate File 2206

COMMERCE: Bolkcom and McKinley, Co-chairs; McCoy and Zaun

House Joint Resolution 5

STATE GOVERNMENT: Danielson and Wieck, Co-chairs; Tinsman and Wood

House File 2161

EDUCATION: Schoenjahn and Ward, Co-chairs; Mulder and Wood

House File 2245

STATE GOVERNMENT: Kibbie and Ward, Co-chairs; Horn and Kettering

SSB 3157

NATURAL RESOURCES AND ENVIRONMENT: Black and Kettering, Co-chairs;
Bolkcom and Houser

SSB 3158

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs; Fraise and Miller

SSB 3159

AGRICULTURE: Houser and Rielly, Co-chairs; Hahn and Ragan

SSB 3160

GOVERNMENT OVERSIGHT: Lundby, Chair; and Connolly

SSB 3161

GOVERNMENT OVERSIGHT: Lundby, Chair; and Connolly

SSB 3162

AGRICULTURE: Brunkhorst and Kibbie, Co-chairs; Courtney and Mulder

SSB 3163

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs; Boettger and Seng

SSB 3164

NATURAL RESOURCES AND ENVIRONMENT: Kettering and Seng, Co-chairs;
Bolkcom and Johnson

SSB 3165

NATURAL RESOURCES AND ENVIRONMENT: Dearden and Putney, Co-chairs;
Gaskill and Hancock

SSB 3166

NATURAL RESOURCES AND ENVIRONMENT: Hancock and Lundby, Co-chairs;
Black and Miller

SSB 3167

NATURAL RESOURCES AND ENVIRONMENT: Bolkcom and Putney, Co-chairs;
Miller and Seng

SSB 3168

JUDICIARY: Kreiman and McKibben, Co-chairs; Brunkhorst and Schoenjahn

SSB 3169

STATE GOVERNMENT: Kibbie and Zieman, Co-chairs; Horn and Kettering

SSB 3170

EDUCATION: Boettger and Schoenjahn, Co-chairs; Connolly and Ward

SSB 3171

EDUCATION: Mulder and Wood, Co-chairs; Boettger and Schoenjahn

SSB 3172

HUMAN RESOURCES: Boettger and Dotzler, Co-chairs; Ragan and Seymour

SSB 3173

HUMAN RESOURCES: Ragan and Seymour, Co-chairs; Behn and Hatch

SSB 3174

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

SSB 3175

COMMERCE: Stewart and Zaun, Co-chairs; Beall and Zieman

FINAL COMMITTEE REPORTS OF BILL ACTION**LOCAL GOVERNMENT**

Bill Title: *SENATE FILE 2208 (formerly SF 2008), a bill for an act relating to access to certain burial sites located on private property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Quirnbach, Shull, Kreiman, Putney, Rielly, Schoenjahn, Stewart, and Zaun. Nays, none. Absent, 4: Houser, Lundby, McCoy, and Mulder.

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 Local Government Committee on Senate File 2208, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 2207 (formerly SF 2125), a bill for an act relating to the publication of official notices in English language newspapers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Horn, McKibben, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Wieck, Wood, and Zieman. Nays, none. Absent, 2: Black and Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S-5005	H.F.	2095	Michael Connolly Daryl Beall Dennis H. Black Joe Bolkcom Thomas G. Courtney Jeff Danielson Dick L. Dearden William A. Dotzler, Jr. Robert E. Dvorsky Gene Fraise Michael E. Gronstal Tom Hancock Jack Hatch Wally E. Horn John P. Kibbie Keith A. Kreiman Matt McCoy Herman C. Quirmbach Amanda Ragan Tom Rielly Brian Schoenjahn Joe M. Seng Roger Stewart Steve Warnstadt Frank B. Wood
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JOURNAL OF THE SENATE

THIRTY-EIGHTH CALENDAR DAY
TWENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 15, 2006

The Senate met in regular session at 8:32 a.m., President Lamberti presiding.

Prayer was offered by Chaplain Duane Marburger, chaplain for Great Oak Estates in Ottumwa, Iowa. He was the guest of Senator Kreiman.

The Journal of Tuesday, February 14, 2006, was approved.

ADJOURNMENT

On motion of Senator Bolkcom, the Senate adjourned at 8:37 a.m. until 8:30 a.m., Thursday, February 16, 2006.

APPENDIX

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 HUMAN SERVICES

Annual Report of the Healthy and Well Kids in Iowa Board, pursuant to Iowa Code section 514.I(7g). Report received on February 14, 2006.

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: February 15, 2006, 1:00 p.m.

Members Present: Dearden and Wieck, Co-chairs; Behn, Courtney, Dotzler, Horn, McKibben, Seymour, and Shull.

Members Absent: Seng (excused).

Committee Business: Discussion of bills.

Adjourned: 1:15 p.m.

EDUCATION

Convened: February 15, 2006, 1:10 p.m.

Members Present: Connolly and McKinley, Co-chairs; Beall, Boettger, Brunkhorst, Mulder, Quirmbach, Schoenjahn, Ward, and Wood.

Members Absent: Angelo, Dvorsky, Kreiman, and Larson (all excused).

Committee Business: Passed HF 2161.

Adjourned: 1:30 p.m.

GOVERNMENT OVERSIGHT

Convened: February 15, 2006, 10:25 a.m.

Members Present: Courtney and Lundby, Co-chairs; and Wieck.

Members Absent: Connolly (excused).

Committee Business: Subcommittee assignments.

Adjourned: 11:10 a.m.

LOCAL GOVERNMENT

Convened: February 15, 2006, 1:30 p.m.

Members Present: Quirmbach and Shull, Co-chairs; Houser, Lundby, McCoy, Mulder, Putney, Reilly, Schoenjahn, Stewart, and Zaun.

Members Absent: Kreiman (excused).

Committee Business: Presentation by a Polk County resident.

Adjourned: 2:10 p.m.

STATE GOVERNMENT

Convened: February 15, 2006, 1:35 p.m.

Members Present: Horn and McKibben, Co-chairs; Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wood, and Zieman.

Members Absent: Wieck (excused).

Committee Business: Passed HF 2245 and approved SSB 3138 and HJR 5.

Adjourned: 2:00 p.m.

WAYS AND MEANS

Convened: February 15, 2006, 2:15 p.m.

Members Present: Bolcom and Zieman, Co-chairs; Connolly, Danielson, Dotzler, Hahn, McKibben, Miller, Quirmbach, Seng, Stewart, and Zaun.

Members Absent: Larson, McCoy, McKinley, and Wieck (all excused).

Committee Business: Subcommittee assignments.

Adjourned: 2:20 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 15, 2006, 10:50 a.m.

Members Present: Putney and Stewart, Co-chairs; McCoy, Mulder, and Zieman.

Members Absent: Dvorsky.

Committee Business: Budget discussion.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 15, 2006, 10:55 a.m.

Members Present: Gaskill and Seng, Co-chairs; and Hahn.

Members Absent: Black, Houser, and Schoenjahn (all excused).

Committee Business: Presentation on the Clear Lake Water Quality Project.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: February 15, 2006, 10:15 a.m.

Members Present: Kettering and Warnstadt, Co-chairs; Beall, Dearden, and Zaun.

Members Absent: Angelo (excused).

Committee Business: Board of Regents universities' capital project requests.

Adjourned: 11:25 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 103, by Hancock, a concurrent resolution establishing a joint ad hoc committee of members of the Senate and House of Representatives to study emergency services in the state.

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

Senate Resolution 111, by Iverson, a resolution urging the United States Congress to formulate a sound energy policy that will provide for the long-term economic and national security needs of the United States of America.

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

Senate Resolution 112, by Johnson, a resolution honoring the Main Street Iowa Program on its 20th anniversary.

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

INTRODUCTION OF BILLS

Senate File 2219, by committee on Judiciary, a bill for an act relating to human trafficking and related offenses, including the provision of law enforcement training and victim assistance programs, and providing penalties.

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

Senate File 2220, by committee on Transportation, a bill for an act requiring the use of headlights when a vehicle's windshield wipers are in use and making a penalty applicable.

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

Senate File 2221, by committee on Education, a bill for an act extending the reduction in the foundation property tax levy for reorganized and dissolved districts, extending supplementary weighting for whole grade sharing, providing supplementary weighting for shared school district operational functions, and providing effective and applicability dates.

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

Senate File 2222, by Dearden, Kreiman, Courtney, Quirmbach, Gronstal, Kibbie, Black, Beall, Connolly, Bolkcom, Stewart, Dvorsky, Hatch, Horn, Seng, Rielly, and McCoy, a bill for an act relating to the state minimum hourly wage rate requirement and providing for an inflation adjustment.

Read first time under Rule 28 and referred to committee on **Business and Labor Relations**.

Senate File 2223, by Angelo and Lundby, a bill for an act providing unemployment compensation benefits to individuals who quit employment due to domestic abuse.

Read first time under Rule 28 and referred to committee on **Business and Labor Relations**.

Senate File 2224, by Bolkcom, Hahn, Hancock, Zaun, Zieman, Ragan, Dotzler, Dearden, and Wieck, a bill for an act concerning the licensure, operation, and taxation of card game tournaments and allowable prizes at annual game nights.

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

Senate File 2225, by Lamberti, a bill for an act relating to a small business health care tax credit and including a retroactive applicability date provision.

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

Senate File 2226, by Bolkcom, a bill for an act relating to high-cost home loans and making penalties applicable.

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

Senate File 2227, by Stewart, Beall, Bolkcom, Ragan, Dvorsky, Danielson, Kreiman, Hatch, Dotzler, Warnstadt, Horn, Seng, Rielly, Hancock, Wood, Schoenjahn, Fraise, Courtney, Quirmbach, Black, Gronstal, and Kibbie, a bill for an act relating to the property taxes on the homestead of disabled veterans and including an effective date.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2228, by Stewart, Beall, Bolkcom, Ragan, Dvorsky, Danielson, Kreiman, Hatch, Dotzler, Warnstadt, Horn, Seng, Hancock, Wood, Schoenjahn, Fraise, Courtney, Quirmbach, Black,

Gronstal, and Kibbie, a bill for an act to provide for additional state reimbursement for military service property tax credit and exemption claims and including effective and applicability date provisions.

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

Senate File 2229, by Hancock, a bill for an act relating to the time of service for qualification for the military service property tax exemption and credit and including effective and applicability date provisions.

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

Senate File 2230, by Administrative Rules Review Committee, a bill for an act relating to the approval of emergency rulemaking by the governor.

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

Senate File 2231, by committee on State Government, a bill for an act concerning accrued sick leave and the conversion of sick leave for state employees.

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

STUDY BILLS RECEIVED

SSB 3176 Education

Eliminating significant provisions of the student achievement and teacher quality program.

SSB 3177 Appropriations

Relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department of the blind, the department of cultural affairs, the department of education, and the state board of regents.

SSB 3178 Appropriations

Relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, authorizing penalties, and other properly related matters, and including effective date and retroactive applicability provisions.

SSB 3179 State Government

Establishing a deferred retirement option plan for members of the statewide fire and police retirement system and including an implementation provision.

SSB 3180 Government Oversight

Prohibiting monitor vending machines and providing an effective date.

SSB 3181 Business and Labor Relations

Relating to the statute of limitations for making claims for workers' compensation medical benefits.

SSB 3182 Natural Resources and Environment

Concerning wine, including the allowable alcohol content of wine and inspection of certain wine permittees.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 103**

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate File 2031
(Reassignment)

HUMAN RESOURCES: Kreiman and Seymour, Co-chairs; Ragan and Tinsman

Senate File 2075

NATURAL RESOURCES AND ENVIRONMENT: Hancock and Houser, Co-chairs; Bolkcom and Gaskill

Senate File 2095
(Reassignment)

HUMAN RESOURCES: Boettger and Hatch, Co-chairs; Johnson and Wood

Senate File 2127

NATURAL RESOURCES AND ENVIRONMENT: Dearden and Johnson, Co-chairs; Kettering and Wood

Senate File 2198

STATE GOVERNMENT: Black and Kettering, Co-chairs; Brunkhorst and Horn

Senate File 2210

STATE GOVERNMENT: Kibbie and Tinsman, Co-chairs; Horn and Kettering

Senate File 2211

WAYS AND MEANS: Miller and Quirmbach, Co-chairs; Danielson and McKinley

Senate File 2213

ECONOMIC GROWTH: Brunkhorst and Hatch, Co-chairs; Danielson, Rielly, Seymour, and Shull

Senate File 2214

HUMAN RESOURCES: Houser and Tinsman, Co-chairs; Bolcom and Hatch

Senate File 2216

STATE GOVERNMENT: Kibbie and Ward, Co-chairs; Brunkhorst and Danielson

SSB 3176

EDUCATION: McKinley and Quirmbach, Co-chairs; Brunkhorst and Dvorsky

SSB 3177

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

SSB 3178

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

SSB 3179

STATE GOVERNMENT: Kibbie and McKibben, Co-chairs; Horn and Ward

SSB 3180

GOVERNMENT OVERSIGHT: Connolly and Lundby, Co-chairs

SSB 3181

BUSINESS AND LABOR RELATIONS: Dotzler and McKibben, Co-chairs; Behn and Dearden

SSB 3182

NATURAL RESOURCES AND ENVIRONMENT: Black and Houser, Co-chairs; Miller and Schoenjahn

FINAL COMMITTEE REPORTS OF BILL ACTION**APPROPRIATIONS**

Bill Title: HOUSE FILE 2238, a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

Recommendation: DO PASS.

Final Vote: Ayes, 22: Dvorsky, Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, Warnstadt. Nays, none. Absent, 2: Angelo and Lamberti.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: *SENATE FILE 2221 (SSB 1158), a bill for an act extending the reduction in the foundation property tax levy for reorganized and dissolved districts, extending supplementary weighting for whole grade sharing, providing supplementary weighting for shared school district operational functions, and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Connolly, McKinley, Angelo, Beall, Boettger, Brunkhorst, Dvorsky, Mulder, Quirnbach, Schoenjahn, and Wood. Nays, none. Present, 1: Kreiman. Absent, 2: Larson and 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 Education Committee on Senate File 2221, and they were attached to the committee report.

ALSO:

Bill Title: HOUSE FILE 2161, a bill for an act relating to the state of Iowa scholarship program administered by the college student aid commission and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Connolly, McKinley, Beall, Boettger, Brunkhorst, Mulder, Quirmbach, Schoenjahn, Ward, and Wood. Nays, none. Absent, 4: Angelo, Dvorsky, Kreiman, and Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: *SENATE FILE 2219 (formerly SF 2027), a bill for an act relating to human trafficking and related offenses, including the provision of law enforcement training and victim assistance programs, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, McKibben, Quirmbach, Schoenjahn, Tinsman, Warnstadt, and Zaun. Nays, none. Absent, 2: Larson and 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 Judiciary Committee on Senate File 2219, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 2231 (SSB 3138), a bill for an act concerning accrued sick leave and the conversion of sick leave for state employees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wood, and Zieman. Nays, none. Absent, 1: Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE JOINT RESOLUTION 5, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualification of electors.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wood, and Zieman. Nays, none. Absent, 1: Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2245, a bill for an act concerning the Iowa public employees' retirement system and the statewide fire and police retirement system, and providing an effective and retroactive applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wood, and Zieman. Nays, none. Absent, 1: Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: SENATE FILE 2220 (SSB 3079), a bill for an act requiring the use of headlights when a vehicle's windshield wipers are in use and making a penalty applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: McCoy, Putney, Beall, Danielson, Dearden, Fraise, Hahn, Kettering, Shull, Warnstadt, and Zieman. Nays, none. Absent, 1: Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S-5006	S.F.	2190	Daryl Beall
			Michael Connolly
			Brian Schoenjahn
			Amanda Ragan
			Dave Mulder
			Frank B. Wood
			Jack Hatch
			Jeff Danielson
			William A. Dotzler, Jr.
			Robert E. Dvorsky
			Keith A. Kreiman
			Dick L. Dearden
			Tom Rielly

Tom Hancock
Gene Fraise
Thomas G. Courtney
Herman C. Quirmbach
John P. Kibbie
Dennis H. Black
Joe Bolkcom
Roger Stewart
Brad Zaun

JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 16, 2006

The Senate met in regular session at 8:34 a.m., President Pro Tempore McKibben presiding.

Prayer was offered by Sylvia Baynes of De Witt, Iowa. She was the guest of Senator Stewart.

The Journal of Wednesday, February 15, 2006, 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 February 15, 2006, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2351, a bill for an act relating to government authority, including eminent domain authority and condemnation procedures, and other properly related matters, and including effective and applicability provisions.

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

ADJOURNMENT

On motion of Senator Beall, the Senate adjourned at 8:38 a.m. until 1:00 p.m., Monday, February 20, 2006.

APPENDIX

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:

COUNTY REAL ESTATE ELECTRONIC GOVERNMENT ADVISORY COMMITTEE

2005 Supplemental Report. Report received on February 16, 2006.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: February 15, 2006, 3:10 p.m.

Members Present: Dvorsky, Co-chair; Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt.

Members Absent: Angelo, Co-chair; and Lamberti (both excused).

Committee Business: Passed HF 2238 and approved SSB 3090.

Recessed: 3:15 p.m.

Reconvened: 3:40 p.m.

Adjourned: 3:50 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: February 15, 2006, 9:30 a.m.

Members Present: Hatch and Tinsman, Co-chairs; Bolkcom, Johnson, Ragan, and Seymour.

Members Absent: None.

Committee Business: Discussion on empowerment and the Children-At-Home program.

Adjourned: 11:40 a.m.

COMMERCE

Convened: February 16, 2006, 1:10 p.m.

Members Present: Behn and Warnstadt, Co-chairs; Beall, Bolkcom, Gronstal, Kettering, Rielly, Stewart, Zaun, and Zieman.

Members Absent: Angelo, Courtney, Larson, McCoy, McKinley, and Wieck (all excused).

Committee Business: Approved SSB 3061.

Adjourned: 1:30 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 16, 2006, 9:55 a.m.

Members Present: Fraise, Co-chair; and Hancock.

Members Absent: McKibben, Co-chair; Kreiman, Larson, and Miller (all excused).

Committee Business: Discussion of bills.

Adjourned: 10:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: February 16, 2006, 9:50 a.m.

Members Present: Kettering and Warnstadt, Co-chairs; Dearden and Zaun.

Members Absent: Angelo and Beall (both excused).

Committee Business: Presentation by Iowa Great Places.

Adjourned: 10:10 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 113, by McKinley, a resolution recognizing the Iowa State Guard Association and honoring its efforts in providing disaster relief.

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

Senate Resolution 114, by Beall, Boettger, Black, Fraise, Johnson, and Tinsman, a resolution recognizing the 20th anniversary of Iowa Sister States.

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

INTRODUCTION OF BILLS

Senate File 2232, by committee on Appropriations, a bill for an act relating to and making transportation and other infrastructure-related appropriations to the state department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

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

Senate File 2233, by Beall, a bill for an act requiring the psychological evaluation of a person convicted of animal torture.

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

Senate File 2234, by Beall and Kibbie, a bill for an act relating to the allocation of small business development center funding.

Read first time under Rule 28 and referred to committee on **Economic Growth**.

STUDY BILLS RECEIVED

SSB 3183 Education

Relating to efforts to develop public and private partnerships for economic development by implementing high-quality early care services throughout the state.

SSB 3184 Education

Creating a preschool for four-year-old children program, and making appropriations and providing an effective date.

SSB 3185 Education

Establishing an alternative teacher partnership grant program and making an appropriation.

SSB 3186 Commerce

Relating to indemnity provisions in construction contracts.

SSB 3187 State Government

Establishing statewide licensure of electricians and installers, providing for inspections, establishing fees, and providing penalties.

SSB 3188 Commerce

Creating a small business and school district health care reinsurance program for certain health care claims and making an appropriation.

SSB 3189 Ways and Means

Relating to a property tax exemption for certain assisted living facilities and including effective and applicability date provisions.

SSB 3190 Ways and Means

Proposing an amendment to the Constitution of the State of Iowa to require approval by vote of the people before certain tax or fee increases take effect.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 111**

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 112

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 113

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 114

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate File 2212

COMMERCE: Bolkcom and Zaun, Co-chairs; McCoy and Zieman

Senate File 2215

COMMERCE: Rielly and Wieck, Co-chairs; Stewart and Zaun

Senate File 2222

BUSINESS AND LABOR RELATIONS: Behn and Dearden, Co-chairs; Courtney and McKibben

Senate File 2223

BUSINESS AND LABOR RELATIONS: Horn and McKibben, Co-chairs; Behn and Seng

Senate File 2225

COMMERCE: McKinley and Rielly, Co-chairs; Stewart and Zaun

Senate File 2226

COMMERCE: Bolkcom and Kettering, Co-chairs; Courtney and Zaun

Senate File 2227

WAYS AND MEANS: Danielson and Miller, Co-chairs; Dotzler and Zaun

SSB 3183

EDUCATION: Beall and McKinley, Co-chairs; Boettger and Connolly

SSB 3184

EDUCATION: McKinley and Wood, Co-chairs; Boettger and Connolly

SSB 3185

EDUCATION: Quirmbach and Ward, Co-chairs; McKinley and Wood

SSB 3186

COMMERCE: Courtney and McKinley, Co-chairs; Rielly and Zaun

SSB 3187

STATE GOVERNMENT: Danielson and Kettering, Co-chairs; Brunkhorst and Wood

SSB 3188

COMMERCE: Rielly and Wieck, Co-chairs; Stewart and Zaun

SSB 3189

WAYS AND MEANS: Connolly and Zieman, Co-chairs; Hahn and Quirmbach

SSB 3190

WAYS AND MEANS: McKibben and Quirmbach, Co-chairs; Bolcom and Zieman

FINAL COMMITTEE REPORT OF BILL ACTION**APPROPRIATIONS**

Bill Title: SENATE FILE 2232 (SSB 3090), a bill for an act relating to and making transportation and other infrastructure-related appropriations to the state department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 22: Dvorsky, Black, Boettger, Bolcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt. Nays, none. Absent, 2: Angelo and Lamberti.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

FORTY-THIRD CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 20, 2006

The Senate met in regular session at 1:07 p.m., President Kibbie presiding.

Prayer was offered by Pastor Jim Howland of the First United Presbyterian Church in Winterset, Iowa. He was the guest of Senator Shull.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Megan Hart.

SPECIAL GUEST

Madison May DeWitt, granddaughter of Representative Mike May, Iowa House of Representatives, sang "You're a Grand Ol' Flag" and "Yankee Doodle Dandy."

The Senate rose and expressed its welcome and its appreciation of Madison's singing.

The Journal of Thursday, February 16, 2006, was approved.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:35 p.m. until 8:30 a.m., Tuesday, February 21, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Mr. and Mrs. Wayne and Marlene Jackson, Webster City—For celebrating your 45th wedding anniversary. Senator Iverson (2/20/06).

Mr. and Mrs. Darwyn and Iona Williams, Webster City—For celebrating your 60th wedding anniversary. Senator Iverson (2/20/06).

REPORT OF COMMITTEE MEETING

LOCAL GOVERNMENT

Convened: February 20, 2006, 2:30 p.m.

Members Present: Quirmbach and Shull, Co-chairs; Houser, Kreiman, Lundby, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun.

Members Absent: None.

Committee Business: Approved SSB 3147.

Adjourned: 2:40 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 115, by Tinsman and McCoy, a resolution designating March 2006 as Iowa Women's History Month.

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

INTRODUCTION OF BILLS

Senate File 2235, by committee on Commerce, a bill for an act providing for temporary licensure of real estate brokers and salespersons.

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

Senate File 2236, by Beall, Danielson, Hancock, Ragan, and Stewart, a bill for an act providing for expansion of the automated external defibrillator grant program to include advanced-level external defibrillators, and making an appropriation.

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

Senate File 2237, by Angelo, a bill for an act relating to the powers and duties of the county treasurer and including effective and applicability date provisions.

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

STUDY BILLS RECEIVED

SSB 3191 Education

Relating to regulations for academic eligibility for extracurricular interscholastic athletic contests and competitions adopted by the state board of education.

SSB 3192 Education

Relating to school schedules, including providing for the establishment of regional school bell schedules for public schools and eliminating the waiver for early school starts.

SSB 3193 Appropriations

Relating to and making appropriations to the department of economic development, the state board of regents for use of its institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters.

SSB 3194 Commerce

Concerning private sector drug testing.

SSB 3195 Commerce

Relating to loans made to resident account beneficiaries of health savings accounts.

SSB 3196 Government Oversight

Making black bears and cougars fur-bearing animals.

SSB 3197 Ways and Means

Relating to the assessment for property taxation purposes of machinery, equipment, and fixtures used at concrete mixing facilities and including effective date and retroactive applicability date provisions.

SSB 3198 Appropriations

Providing for a grant to a certain veterans museum.

SSB 3199 Judiciary

Relating to the probate and trust code.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2120**

NATURAL RESOURCES AND ENVIRONMENT: Dearden and Miller, Co-chairs; Gaskill and Seng

Senate File 2126

NATURAL RESOURCES AND ENVIRONMENT: Kettering and Schoenjahn, Co-chairs; Houser and Wood

Senate File 2155

NATURAL RESOURCES AND ENVIRONMENT: Dearden and Miller, Co-chairs; Houser and Seng

Senate File 2209

EDUCATION: Boettger and Quirmbach, Co-chairs; Ward and Wood

Senate File 2217

HUMAN RESOURCES: Gaskill and Kreiman, Co-chairs; Behn and Quirmbach

Senate File 2228

STATE GOVERNMENT: Danielson and Kettering, Co-chairs; Black and Miller

SSB 3191

EDUCATION: Boettger and Wood, Co-chairs; Mulder and Schoenjahn

SSB 3192

EDUCATION: Boettger and Schoenjahn, Co-chairs; Mulder and Wood

SSB 3193

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

SSB 3194

COMMERCE: Courtney and Wieck, Co-chairs; Bolcom and Zaun

SSB 3195

COMMERCE: Kettering and Rielly, Co-chairs; Stewart and Zaun

SSB 3196

GOVERNMENT OVERSIGHT: Connolly and Lundby, Co-chairs

SSB 3197

WAYS AND MEANS: Danielson and Zieman, Co-chairs; McCoy and Wieck

SSB 3198

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs; Boettger and Stewart

SSB 3199

JUDICIARY: Boettger and Fraise, Co-chairs; Horn and Larson

FINAL COMMITTEE REPORT OF BILL ACTION**COMMERCE**

Bill Title: SENATE FILE 2235 (SSB 3061), a bill for an act providing for temporary licensure of real estate brokers and salespersons.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Behn, Warnstadt, Beall, Bolkcom, Gronstal, Kettering, Rielly, Stewart, Zaun, and Ziemann. Nays, none. Absent, 6: Angelo, Courtney, Larson, McCoy, McKinley, and Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

**FORTY-FOURTH CALENDAR DAY
TWENTY-SIXTH SESSION DAY**

**Senate Chamber
Des Moines, Iowa, Tuesday, February 21, 2006**

The Senate met in regular session at 8:35 a.m., President Kibbie presiding.

Prayer was offered by Pastor Jeff Bradley of the Central Assembly of God Church in Des Moines, Iowa. He was the guest of Senator Ward.

The Journal of Monday, February 20, 2006, was approved.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 8:42 a.m. until 8:30 a.m., Wednesday, February 22, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Mr. and Mrs. Donald and Georgia Hulett, Mediapolis—For celebrating your 65th wedding anniversary. Senator Courtney (2/21/06).

Greg Oriano, Burlington—For achieving the rank of Eagle Scout, Boy Scout Troop 15. Senator Courtney (2/21/06).

Ethel Smith, Burlington—For celebrating your 90th birthday. Senator Courtney (2/21/06).

Janelle Vittetoe, Washington—For being named one of Iowa's top youth volunteers for 2006 by the Prudential Spirit of Community Awards. Senator Miller (2/21/06).

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:

NEW IOWANS STUDY COMMITTEE

Final report. Report received on February 21, 2006.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: February 20, 2006, 4:30 p.m.

Members Present: Connolly and McKinley, Co-chairs; Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Mulder, Quirmbach, Schoenjahn, and Wood.

Members Absent: Angelo, Larson, and Ward (all excused).

Committee Business: Passed SF 2190 (as amended).

Adjourned: 4:50 p.m.

HUMAN RESOURCES

Convened: February 20, 2006, 5:25 p.m.

Members Present: Ragan and Seymour, Co-chairs; Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood.

Members Absent: None.

Committee Business: Passed SFs 38 (as amended) and 2048. Approved SSBs 3051 and 3095.

Adjourned: 5:45 p.m.

JUDICIARY

Convened: February 20, 2006, 3:35 p.m.

Members Present: Kreiman and Miller, Co-chairs; Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, McKibben, Quirmbach, Schoenjahn, Tinsman, Warnstadt, and Zaun.

Members Absent: Larson and Ward (both excused).

Committee Business: Passed SF 2103. Approved SSBs 3092, 3096, and 3144.

Adjourned: 4:15 p.m.

COMMERCE

Convened: February 21, 2006, 2:10 p.m.

Members Present: Behn and Warnstadt, Co-chairs; Angelo, Beall, Bolkcom, Courtney, Gronstal, Kettering, McKinley, Rielly, Stewart, Wieck, Zaun, and Zieman.

Members Absent: Larson and McCoy (both excused).

Committee Business: Approved SSB 3022. Presentation by Alegent Health.

Adjourned: 3:00 p.m.

HUMAN RESOURCES

Convened: February 21, 2006, 1:05 p.m.

Members Present: Ragan and Seymour, Co-chairs; Boettger, Dotzler, Gaskill, Johnson, Kreiman, Quirmbach, Tinsman, and Wood.

Members Absent: Behn, Bolkcom, Hatch, and Houser (all excused).

Committee Business: Presentation by Alegent Health.

Adjourned: 2:10 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: February 21, 2006, 3:10 p.m.

Members Present: Black, Co-chair; Dearden, Gaskill, Hancock, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood.

Members Absent: Houser, Co-chair; Bolkcom and Johnson (all excused).

Committee Business: Presentation by the director of economic development of Cherokee County and the Cherokee landfill manager.

Adjourned: 3:45 p.m.

TRANSPORTATION

Convened: February 21, 2006, 1:00 p.m.

Members Present: McCoy and Putney, Co-chairs; Beall, Danielson, Dearden, Fraise, Hahn, Kettering, Shull, and Warnstadt.

Members Absent: Ward and Zieman (both excused).

Committee Business: Passed SF 2121 and approved SSB 3024 (as amended).

Adjourned: 1:30 p.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 2003, by Mulder, a joint resolution proposing an amendment to the Constitution of the State of Iowa to change the length of term of office and to limit the terms of office for members of the Senate and House of Representatives.

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

INTRODUCTION OF BILLS

Senate File 2238, by committee on Local Government, a bill for an act relating to the salary of deputy officers in certain county offices and providing an applicability date.

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

Senate File 2239, by committee on Human Resources, a bill for an act relating to the personal needs allowance for residents of nursing facilities.

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

Senate File 2240, by committee on Judiciary, a bill for an act relating to disorderly conduct committed near a military funeral, memorial service, funeral procession, or burial, and providing penalties.

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

Senate File 2241, by committee on Human Resources, a bill for an act requiring invasive pneumococcal disease immunization for children enrolling in licensed child care centers.

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

Senate File 2242, by Quirmbach, a bill for an act relating to ethics concerning certain exceptions under the gift law and reporting by lobbyists.

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

Senate File 2243, by Courtney, a bill for an act relating to swine, by regulating feral swine, and providing penalties.

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

Senate File 2244, by Lundby, a bill for an act providing for statewide licensure of electricians and installers, providing for inspections, establishing fees, and providing penalties.

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

Senate File 2245, by Quirmbach, Courtney, Fraise, Schoenjahn, Dearden, Horn, Seng, Dvorsky, Kreiman, Ragan, Bolkcom, Connolly,

Stewart, Kibbie, Black, and Wood, a bill for an act prohibiting the use of credit information for underwriting or rating risks for personal insurance and providing penalties and an applicability date.

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

Senate File 2246, by Bolckcom, Dvorsky, Danielson, Hatch, Schoenjahn, Fraise, Courtney, Quirmbach, Kibbie, and McCoy, a bill for an act creating the fair share health care fund and providing for assessments, penalties, and an appropriation.

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

Senate File 2247, by Kibbie, Black, Stewart, Connolly, Bolckcom, Ragan, Beall, Dvorsky, Danielson, Hatch, Dotzler, Horn, Seng, Hancock, Rielly, Dearden, Schoenjahn, Wood, Fraise, and Gronstal, a bill for an act creating veteran's bonuses for service during the Vietnam Conflict, Persian Gulf Conflict, Afghanistan Conflict, and the Iraqi Conflict for a certain period of active duty military service, providing tax exemptions and a penalty.

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

Senate File 2248, by McKinley, a bill for an act requiring certain health insurance policies to provide coverage for prostate cancer screening under some circumstances and providing an applicability date.

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

Senate File 2249, by committee on Human Resources, a bill for an act relating to the rights and responsibilities of a person providing family foster care.

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

Senate File 2250, by committee on Human Resources, a bill for an act providing for the release of certain morbidity and mortality study information to the Iowa healthcare collaborative.

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

Senate File 2251, by committee on Education, a bill for an act directing the department of education and the Iowa department of public health to convene a healthy children task force and providing an effective date.

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

Senate File 2252, by committee on Judiciary, a bill for an act relating to adoption petitions and proceedings including the information required to be included in an adoption petition.

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

Senate File 2253, by committee on Judiciary, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions.

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

STUDY BILLS RECEIVED

SSB 3200 Judiciary

Relating to dogs, including the right to kill a tagged dog and the liability of a dog's owner for damages caused by the dog.

SSB 3201 Judiciary

Providing for a postsecondary education subsidy upon a finding of paternity.

SSB 3202 Judiciary

Relating to the judicial branch and court administration and procedure and providing a penalty.

SSB 3203 Appropriations

Relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, environment first fund, tobacco settlement trust fund, vertical infrastructure fund, and the endowment for Iowa's health restricted capitals fund, and related matters.

SSB 3204 Natural Resources and Environment

Relating to civil damages payable for unlawful taking of certain animals and fish.

SSB 3205 Natural Resources and Environment

Relating to the regulation of all-terrain vehicles, and providing penalties.

SSB 3206 Agriculture

Relating to suppliers and dealers of agricultural and industrial, construction, or utility equipment, and providing an effective date.

SSB 3207 Judiciary

Relating to the sealing of juvenile court records.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 115**

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate File 406

GOVERNMENT OVERSIGHT: Connolly and Courtney, Co-chairs

Senate File 2052

NATURAL RESOURCES AND ENVIRONMENT: Bolkcom, Chair; Dearden, Houser, and Lundby

Senate File 2168

JUDICIARY: Horn and Larson, Co-chairs; McKibben and Schoenjahn

Senate File 2204

JUDICIARY: Dvorsky and McKibben, Co-chairs; Larson and Warnstadt

Senate File 2218

JUDICIARY: Brunkhorst and Dvorsky, Co-chairs; Horn and McKibben

Senate File 2224

STATE GOVERNMENT: Brunkhorst and Danielson, Co-chairs; Kibbie and Ward

Senate File 2229

STATE GOVERNMENT: Hancock and Ward, Co-chairs; Danielson and Miller

Senate File 2230

STATE GOVERNMENT: Kibbie and Ward, Co-chairs; Connolly and Miller

Senate File 2233

JUDICIARY: Brunkhorst and Quirmbach, Co-chairs; Fraise and Zaun

Senate File 2236

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

House File 2351

JUDICIARY: Brunkhorst and Kreiman, Co-chairs; Miller and Quirmbach

SSB 3200

JUDICIARY: McKibben and Schoenjahn, Co-chairs; Fraise and Zaun

SSB 3201

JUDICIARY: Quirmbach and Ward, Co-chairs; Hancock and Zaun

SSB 3202

JUDICIARY: Ward and Warnstadt, Co-chairs; Kreiman and Zaun

SSB 3203

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

SSB 3204

NATURAL RESOURCES AND ENVIRONMENT: Hancock and Miller, Co-chairs; Gaskill and Seng

SSB 3205

NATURAL RESOURCES AND ENVIRONMENT: Hancock and Johnson, Co-chairs; Putney and Schoenjahn

SSB 3206

AGRICULTURE: Courtney and Gaskill, Co-chairs; Hahn and Hancock

SSB 3207

JUDICIARY: McKibben and Schoenjahn, Co-chairs; Kreiman and Larson

FINAL COMMITTEE REPORTS OF BILL ACTION**EDUCATION**

Bill Title: *SENATE FILE 2251 (formerly SF 2190), a bill for an act directing the department of education and the Iowa department of public health to convene a healthy children task force and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Connolly, McKinley, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Mulder, Quirnbach, Schoenjahn, and Wood. Nays, none. Absent, 3: Angelo, Larson, and 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 Education Committee on Senate File 2251, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: SENATE FILE 2239 (formerly SF 2048), a bill for an act relating to the personal needs allowance for residents of nursing facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Seymour, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Quirmbach, Tinsman, and Wood. Nays, 1: Behn. Absent, 1: Kreiman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2241 (SSB 3095), a bill for an act requiring invasive pneumococcal disease immunization for children enrolling in licensed child care centers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2249 (formerly SF 38), a bill for an act relating to the rights and responsibilities of a person providing family foster care.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. 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 Human Resources Committee on Senate File 2249, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2250 (SSB 3051), a bill for an act providing for the release of certain morbidity and mortality study information to the Iowa healthcare collaborative.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: *SENATE FILE 2240 (formerly SF 2103), a bill for an act relating to disorderly conduct committed near a military funeral, memorial service, funeral procession, or burial, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, McKibben, Quirmbach, Schoenjahn, Tinsman, Warnstadt, and Zaun. Nays, none. Absent, 2: Larson and 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 Judiciary Committee on Senate File 2240, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2252 (SSB 3092), a bill for an act relating to adoption petitions and proceedings including the information required to be included in an adoption petition.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, McKibben, Quirmbach, Schoenjahn, Tinsman, Warnstadt, and Zaun. Nays, none. Absent, 2: Larson and 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 Judiciary Committee on Senate File 2252, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2253 (SSB 3144), a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, McKibben, Quirmbach, Schoenjahn, Tinsman, Warnstadt, and Zaun. Nays, none. Absent, 2: Larson and 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 Judiciary Committee on Senate File 2253, and they were attached to the committee report.

LOCAL GOVERNMENT

Bill Title: SENATE FILE 2238 (SSB 3147), a bill for an act relating to the salary of deputy officers in certain county offices and providing an applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Quirmbach, Shull, Houser, Kreiman, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun. Nays, 1: Lundby. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 22, 2006

The Senate met in regular session at 8:32 a.m., President Kibbie presiding.

Prayer was offered by Dr. David Madsen, pastor of the Cottage Grove Avenue United Presbyterian Church in Des Moines, Iowa. He was the guest of Senator McCoy.

The Journal of Tuesday, February 21, 2006, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Larson, until he arrives, on request of Senator Iverson.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 2232 and House File 2238.

Senate File 2232

On motion of Senator Warnstadt, **Senate File 2232**, a bill for an act relating to and making transportation and other infrastructure-related appropriations to the state department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2232), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Lundby	Shull
Behn	Gronstal	McCoy	Stewart
Black	Hahn	McKibben	Tinsman
Boettger	Hancock	McKinley	Ward
Bolkcom	Hatch	Miller	Warnstadt
Brunkhorst	Horn	Mulder	Wieck
Connolly	Houser	Putney	Wood
Courtney	Iverson	Quirnbach	Zaun
Danielson	Johnson	Ragan	Zieman
Dearden	Kettering	Rielly	
Dotzler	Kibbie	Schoenjahn	
Dvorsky	Kreiman	Seng	

Nays, none.

Absent, 1:

Larson

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

House File 2238

On motion of Senator Ragan, **House File 2238**, a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated, with report of committee recommending passage, 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. 2238), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Lundby	Shull
Behn	Gronstal	McCoy	Stewart
Black	Hahn	McKibben	Tinsman
Boettger	Hancock	McKinley	Ward
Bolkcom	Hatch	Miller	Warnstadt
Brunkhorst	Horn	Mulder	Wieck
Connolly	Houser	Putney	Wood
Courtney	Iverson	Quirnbach	Zaun
Danielson	Johnson	Ragan	Zieman
Dearden	Kettering	Rielly	
Dotzler	Kibbie	Schoenjahn	
Dvorsky	Kreiman	Seng	

Nays, none.

Absent, 1:

Larson

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

UNFINISHED BUSINESS (Deferred February 14, 2006)

Senate File 2086

The Senate resumed consideration of **Senate File 2086**, a bill for an act allowing school districts to use biometric fingerprint identification systems for certain restricted purposes and providing an effective date, deferred February 14, 2006.

Senator Quirnbach withdrew amendment S-5002, filed by him on January 31, 2006, to page 1 of the bill.

Senator Wood 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. 2086), the vote was:

Yeas, 40:

Beall	Gaskill	Lamberti	Seng
Behn	Gronstal	Lundby	Seymour
Black	Hahn	McCoy	Shull
Boettger	Hancock	McKibben	Stewart
Brunkhorst	Hatch	McKinley	Ward
Courtney	Horn	Mulder	Warnstadt
Danielson	Iverson	Putney	Wieck
Dotzler	Johnson	Ragan	Wood
Dvorsky	Kibbie	Rielly	Zaun
Fraise	Kreiman	Schoenjahn	Zieman

Nays, 9:

Angelo	Dearden	Miller
Bolkcom	Houser	Quirmbach
Connolly	Kettering	Tinsman

Absent, 1:

Larson

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 2086 and 2232 and House File 2238** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 2124 and House File 2050.

Senate File 2124

On motion of Senator Johnson, **Senate File 2124**, a bill for an act providing for the establishment of a nutrition and physical activity community obesity prevention grant program, and providing a contingent effective date, was taken up for consideration.

Senator Johnson 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. 2124), the vote was:

Yeas, 46:

Beall	Gaskill	Larson	Seymour
Black	Gronstal	Lundby	Shull
Boettger	Hahn	McCoy	Stewart
Bolkcom	Hancock	McKibben	Tinsman
Brunkhorst	Hatch	McKinley	Ward
Connolly	Horn	Mulder	Warnstadt
Courtney	Iverson	Putney	Wieck
Danielson	Johnson	Quirnbach	Wood
Dearden	Kettering	Ragan	Zaun
Dotzler	Kibbie	Rielly	Zieman
Dvorsky	Kreiman	Schoenjahn	
Fraise	Lamberti	Seng	

Nays, 4:

Angelo	Behn	Houser	Miller
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Absent, none.

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

House File 2050

On motion of Senator Zieman, **House File 2050**, a bill for an act relating to elections by making changes concerning requirements for entrances to certain polling places, arrangement of names on the ballot for nonpartisan offices, and election registers, and including effective and applicability date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Zieman 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. 2050), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 2124** and **House File 2050** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House File 2051 and Senate File 2219.

House File 2051

On motion of Senator Wood, **House File 2051**, a bill for an act relating to maintenance of a voter registration system separate from the state voter registration system and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Wood 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. 2051), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 2219

On motion of Senator Tinsman, **Senate File 2219**, a bill for an act relating to human trafficking and related offenses, including the provision of law enforcement training and victim assistance programs, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Tinsman 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. 2219), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 2219** and **House File 2051** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 9:45 a.m. until 8:30 a.m., Thursday, February 23, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Pearl Smidt, Sanborn—For celebrating your 100th birthday. Senator Johnson (2/22/06).

Daniel Thompson, Everly—For achieving the rank of Eagle Scout, Boy Scout Troop 121. Senator Johnson (2/22/06).

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 21, 2006, 4:00 p.m.

Members Present: Fraise and Johnson, Co-chairs; Black, Brunkhorst, Courtney, Gaskill, Hahn, Hancock, Kibbie, Mulder, Putney, Ragan, and Rielly.

Members Absent: Houser (excused).

Committee Business: Approved SSBs 3075 (as amended) and 3162.

Adjourned: 4:50 p.m.

ECONOMIC GROWTH

Convened: February 21, 2006, 3:10 p.m.

Members Present: Brunkhorst and Hatch, Co-chairs; Beall, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Seymour, Shull, Stewart, and Zaun.

Members Absent: None.

Committee Business: Passed SFs 2147 and 2201.

Adjourned: 3:30 p.m.

APPROPRIATIONS

Convened: February 22, 2006, 3:20 p.m.

Members Present: Angelo and Dvorsky, Co-chairs; Boettger, Connolly, Fraise, Hatch, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Shull, Stewart, Ward, and Warnstadt.

Members Absent: Black, Bolkcom, Dotzler, Gaskill, Seymour, and Tinsman (all excused).

Committee Business: Approved SSB 3158.

Adjourned: 3:35 p.m.

EDUCATION

Convened: February 22, 2006, 1:00 p.m.

Members Present: Connolly and McKinley, Co-chairs; Angelo, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Larson, Mulder, Quirnbach, Schoenjahn, Ward, and Wood.

Members Absent: None.

Committee Business: Approved SSB 3107 (as amended).

Adjourned: 1:35 p.m.

LOCAL GOVERNMENT

Convened: February 22, 2006, 1:30 p.m.

Members Present: Quirnbach and Shull, Co-chairs; Kreiman, Lundby, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun.

Members Absent: Houser (excused).

Committee Business: Approved SSBs 3132 and 3133.

Adjourned: 2:05 p.m.

STATE GOVERNMENT

Convened: February 22, 2006, 1:35 p.m.

Members Present: Horn and McKibben, Co-chairs; Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman.

Members Absent: Black (excused).

Committee Business: Approved SJR 4 and SSBs 3155, 3169, and 3179.

Recessed: 1:40 p.m.

Reconvened: 1:50 p.m.

Adjourned: 3:00 p.m.

WAYS AND MEANS

Convened: February 22, 2006, 3:05 p.m.

Members Present: Bolkcom and Zieman, Co-chairs; Connolly, Danielson, Dotzler, Hahn, Larson, McCoy, McKibben, McKinley, Miller, Quirmbach, Seng, Stewart, Wieck, and Zaun.

Members Absent: None.

Committee Business: Passed SF 2093 and approved SSB 3125.

Adjourned: 3:25 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 116, by McCoy, a resolution congratulating the Homesteaders Life Company on its centennial year.

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

INTRODUCTION OF BILLS

Senate File 2254, by committee on Transportation, a bill for an act relating to scheduled fines for violations of motor carrier safety rules.

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

Senate File 2255, by committee on Judiciary, a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

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

Senate File 2256, by committee on Agriculture, a bill for an act relating to state tax benefits for use of soy-based transformer fluid by electric utilities and including applicability date provisions.

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

Senate File 2257, by McCoy, a bill for an act relating to fishing and hunting licenses for military personnel.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment.**

Senate File 2258, by Wieck, Warnstadt, Houser, Zieman, Seymour, Brunkhorst, Shull, Lamberti, Johnson, and Courtney, a bill for an act relating to a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas.

Read first time under Rule 28 and referred to committee on **Economic Growth.**

Senate File 2259, by McCoy, a bill for an act relating to an exemption from the sales tax for paint and related supplies used by a motor vehicle repairer to refinish a motor vehicle.

Read first time under Rule 28 and referred to committee on **Ways and Means.**

Senate File 2260, by Hatch, a bill for an act concerning eligibility to become a member of a state group insurance plan for small business employees.

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

Senate File 2261, by Hatch, a bill for an act creating a small business and school district health care reinsurance program for certain health care claims and making an appropriation from the healthy Iowans tobacco trust.

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

Senate File 2262, by committee on Commerce, a bill for an act relating to the prepayment of agricultural loans secured by a real estate mortgage.

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

STUDY BILLS RECEIVED**SSB 3208 Agriculture**

Precluding certain enforcement actions by the department of natural resources or the attorney general based on detrimental reliance.

SSB 3209 Economic Growth

Creating a regents accelerated career education program and providing job program tax credits.

SSB 3210 Ways and Means

Relating to the definition of owner for purposes of the homestead property tax credit and including effective date and applicability date provisions.

SSB 3211 Transportation

Relating to driver education curricula, graduated driver licensing provisions, and passenger restraint requirements, and making a penalty applicable.

SSB 3212 Government Oversight

Creating a criminal code revisions task force.

SSB 3213 Commerce

Relating to credit unions and other financial organizations by providing for public funds requirements, approval of bylaws, membership qualifications, preservation of records, and the operation of delayed deposit services businesses.

SSB 3214 Commerce

Relating to the linked investments for tomorrow Act.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2234

ECONOMIC GROWTH: Beall and Zaun, Co-chairs; Ragan and Shull

Senate File 2243

AGRICULTURE: Courtney and Hahn, Co-chairs; Johnson and Ragan

Senate File 2260

COMMERCE: Rielly and Wieck, Co-chairs; Bolkcom and Zaun

Senate File 2261

COMMERCE: Rielly and Wieck, Co-chairs; Bolkcom and Zaun

SSB 3208

AGRICULTURE: Black and Mulder, Co-chairs; Brunkhorst and Ragan

SSB 3209

ECONOMIC GROWTH: Dotzler and Hahn, Co-chairs; Brunkhorst and Danielson

SSB 3210

WAYS AND MEANS: Connolly and Zaun, Co-chairs; Miller and Quirmbach

SSB 3211

TRANSPORTATION: McCoy and Putney, Co-chairs; Beall, Danielson, Dearden, Fraise, Hahn, Kettering, Shull, Ward, Warnstadt, and Zieman

SSB 3212

GOVERNMENT OVERSIGHT: Courtney and Lundby, Co-chairs

SSB 3213

COMMERCE: Beall and Zaun, Co-chairs; Rielly and Wieck

SSB 3214

COMMERCE: Kettering and Stewart, Co-chairs; Bolkcom and Zieman

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: SENATE FILE 2256 (SSB 3162), a bill for an act relating to state tax benefits for use of soy-based transformer fluid by electric utilities and including applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Fraise, Johnson, Black, Brunkhorst, Gaskill, Hancock, Kibbie, Mulder, Putney, Ragan, and Rielly. Nays, none. Absent, 3: Courtney, Hahn, and Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Bill Title: SENATE FILE 2262 (SSB 3022), a bill for an act relating to the prepayment of agricultural loans secured by a real estate mortgage.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Behn, Warnstadt, Angelo, Beall, Bolcom, Courtney, Gronstal, Kettering, McKinley, Rielly, Stewart, Wieck, Zaun, and Zieman. Nays, none. Absent, 2: Larson and McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ECONOMIC GROWTH

Bill Title: SENATE FILE 2147, a bill for an act relating to the requirement of location as an eligibility criterion for businesses under the enterprise zone program.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Brunkhorst, Hatch, Beall, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Seymour, Shull, Stewart, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2201, a bill for an act relating to the review of applications for financial assistance under the community attraction and tourism program.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Brunkhorst, Hatch, Beall, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Seymour, Shull, and Stewart. Nays, 1: Zaun. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: *SENATE FILE 2255 (SSB 3096), a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, McKibben, Quirnbach, Schoenjahn, Tinsman, Warnstadt, and Zaun. Nays, none. Absent 2: Larson and 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 Judiciary Committee on Senate File 2255, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE JOINT RESOLUTION 4, a joint resolution designating the channel catfish as the official state fish for the State of Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Horn, McKibben, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Ward, Wieck, Wood, and Zieman. Nays, 1: Tinsman. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: SENATE FILE 2254 (SSB 3024), a bill for an act relating to scheduled fines for violations of motor carrier safety rules.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: McCoy, Putney, Danielson, Dearden, Fraise, Hahn, Shull, and Warnstadt. Nays, 2: Beall and Kettering. Absent, 2: Ward and Zieman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5007	S.F.	2182	Gene Fraise
S-5008	S.F.	2251	Nancy J. Boettger
S-5009	S.F.	2253	Judiciary

S-5010	S.F.	2255	Judiciary
S-5011	S.F.	2182	Gene Fraise
S-5012	S.F.	2250	James A. Seymour

JOURNAL OF THE SENATE

FORTY-SIXTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 23, 2006

The Senate met in regular session at 8:30 a.m., President Kibbie presiding.

Prayer was offered by Pastor Tom Clegg of the Point of Grace Church in Waukee, Iowa. He was the guest of Senator Zaun.

The Journal of Wednesday, February 22, 2006, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 22, 2006, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2056, a bill for an act relating to the Honey creek premier destination park bond program and providing an effective date.

ALSO: That the House has on February 22, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2171, a bill for an act allowing fishing without a license for certain persons who fish in a supervised group.

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

House File 2177, a bill for an act requiring the county auditor to evidence approval of the name of a subdivision plat and requiring

such statement for filing the subdivision plat with the county recorder.

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

House File 2232, a bill for an act relating to the naming of a national bank or a federal savings association and including a retroactive applicability provision.

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

House File 2240, a bill for an act relating to county board of supervisor vacancies.

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

House File 2244, a bill for an act relating to hunting and fishing licenses for certain veterans.

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

House File 2282, a bill for an act relating to the election of mayor and city council members in a city governed by the council-manager-at-large form of city government.

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

House File 2284, a bill for an act relating to the core curriculum plan developed by a school district in cooperation with a student.

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

House File 2323, a bill for an act relating to the regulation of business organizations including administrative dissolution, registration of agents, authorization of names, the filing, delivery, and service of documents by the secretary of state, and the elimination of certain filing fees, and providing an effective date.

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

House File 2333, a bill for an act prohibiting a person or club holding a liquor control license or retail wine or beer permit from

distributing or possessing machines used to vaporize an alcoholic beverage for consumption and making penalties applicable.

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

House File 2362, a bill for an act providing for reassignment of a salvage certificate of title for a motor vehicle.

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

House File 2363, a bill for an act relating to the process utilized in assessing residents of health care facilities for veterans program benefits.

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

House File 2365, a bill for an act relating to committing disorderly conduct near a funeral, memorial service, funeral procession, or burial, and providing penalties.

Read first time and attached to **companion Senate File 2240**.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 8:54 a.m. until 1:00 p.m., Monday, February 27, 2006.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Justin Gardner, Elma—For achieving the rank of Eagle Scout. Senator Zieman (2/23/06).

PRESENTATION OF VISITORS

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

A group of young Iowans who seek awareness for the needs of foster care and adoptive teens. Senator Beall.

REPORT OF COMMITTEE MEETING

COMMERCE

Convened: February 23, 2006, 1:10 p.m.

Members Present: Behn and Warnstadt, Co-chairs; Beall, Bolkom, Courtney, Gronstal, McCoy, McKinley, Rielly, Stewart, Zaun, and Zieman.

Members Absent: Angelo, Kettering, Larson, and Wieck (all excused).

Committee Business: Passed SF 217 and approved SSB 3175.

Adjourned: 1:20 p.m.

INTRODUCTION OF BILLS

Senate File 2263, by committee on Local Government, a bill for an act requiring the county auditor to evidence approval of the name of a subdivision plat and requiring such statement for filing the subdivision plat with the county recorder.

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

Senate File 2264, by committee on Local Government, a bill for an act relating to the duties of county recorders and county auditors

concerning instruments affecting real estate and certain other filings recorded by the county recorder.

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

Senate File 2265, by committee on State Government, a bill for an act establishing a deferred retirement option plan for members of the statewide fire and police retirement system and including an implementation provision.

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

Senate File 2266, by committee on State Government, a bill for an act relating to horse racing by providing for minimum racing days and arbitration for resolving disputes on horse racing purses among representatives of horse breeds.

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

Senate File 2267, by committee on Transportation, a bill for an act relating to safe motor vehicle operation, including penalties for certain motor vehicle violations causing death or serious injury and classroom instruction for driver education courses.

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

Senate File 2268, by committee on Ways and Means, a bill for an act relating to financial transactions associated with agricultural production, by providing for tax credits and tax exemptions, and including effective and retroactive and other applicability dates.

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

Senate File 2269, by committee on Agriculture, a bill for an act relating to devices used for weighing and measuring, by providing for the regulation of the devices, motor fuel, and persons who service the devices, and providing for fees and penalties.

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

Senate File 2270, by committee on State Government, a bill for an act providing for the confidentiality of certain records relating to charitable donations for the benefit of a government body.

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

Senate File 2271, by committee on Ways and Means, a bill for an act relating to the holding period for purposes of certain capital assets under the individual income tax and including effective and applicability date provisions.

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

Senate File 2272, by committee on Education, a bill for an act relating to the duties and operations of the state board of education, the department of education, and local school boards.

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

Senate File 2273, by committee on Appropriations, a bill for an act relating to financial and regulatory matters by making and revising appropriations for the fiscal year beginning July 1, 2005, and providing an effective date.

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

Senate File 2274, by McKibben, a bill for an act relating to the justifiable use of reasonable force.

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

STUDY BILLS RECEIVED

SSB 3215 Commerce

Relating to various matters under the purview of the insurance division of the department of commerce including the securities and regulated industries bureau, insurance premium taxes, the uniform

securities Act, insurance division procedures, regulation of insurance companies and other entities including administrative penalties, motor vehicle service contracts, county and state mutual insurance associations, reciprocal or interinsurance insurers, consolidation, merger and reinsurance contracts, insurance holding company systems, and cemeteries.

SSB 3216 Economic Growth

Relating to technology transfer and commercialization in certain core platform areas.

SSB 3217 State Government

Authorizing the use of voting centers at regular school elections in certain counties and providing an effective date.

SSB 3218 State Government

Relating to powers of the governor to grant reprieves, commutations, and pardons including restoration of rights of citizenship, and to remit fines and forfeitures and including effective and retroactive applicability date provisions.

SSB 3219 State Government

Requiring voters to provide certain identification when voting absentee or in person at the polling place.

SSB 3220 Human Resources

Relating to the investigation and control of communicable and infectious diseases.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2003

STATE GOVERNMENT: Ward and Wood, Co-chairs; Hancock and Kettering

Senate Resolution 116

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate File 2242

STATE GOVERNMENT: Kettering and Kibbie, Co-chairs; Hatch and Wieck

Senate File 2244

STATE GOVERNMENT: Danielson and Kettering, Co-chairs; Brunkhorst and Ward

Senate File 2245

COMMERCE: McKinley and Rielly, Co-chairs; Bolkcom and Wieck

Senate File 2246

COMMERCE: Rielly and Wieck, Co-chairs; Bolkcom and Zaun

Senate File 2247

STATE GOVERNMENT: Brunkhorst and Kibbie, Co-chairs; Horn and Zieman

Senate File 2248

COMMERCE: Rielly and Wieck, Co-chairs; Beall and Zieman

House File 537

COMMERCE: Beall and Kettering, Co-chairs; Stewart and Zaun

SSB 3215

COMMERCE: McCoy and Wieck, Co-chairs; Rielly and Zieman

SSB 3216

ECONOMIC GROWTH: Brunkhorst and Hatch, Co-chairs; Danielson, Rielly, Seymour, and Shull

SSB 3217

STATE GOVERNMENT: Hatch and Zieman, Co-chairs; Wieck and Wood

SSB 3218

STATE GOVERNMENT: Hancock and Miller, Co-chairs; Hatch and Kettering

SSB 3219

STATE GOVERNMENT: Wood and Zieman, Co-chairs; Danielson and Wieck

SSB 3220

HUMAN RESOURCES: Ragan and Seymour, Co-chairs; Bolkcom and Johnson

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: *SENATE FILE 2269 (SSB 3075), a bill for an act relating to devices used for weighing and measuring, by providing for the regulation of the devices, motor fuel, and persons who service the devices, and providing for fees and penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Fraise, Johnson, Black, Brunkhorst, Gaskill, Hancock, Kibbie, Mulder, Putney, Ragan, and Rielly. Nays, none. Absent, 3: Courtney, Hahn, and Houser.

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 Agriculture Committee on Senate File 2269, and they were attached to the committee report.

APPROPRIATIONS

Bill Title: *SENATE FILE 2273 (SSB 3158), a bill for an act relating to financial and regulatory matters by making and revising appropriations for the fiscal year beginning July 1, 2005, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 18: Angelo, Dvorsky, Boettger, Connolly, Fraise, Hatch, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Shull, Stewart, Ward, and Warnstadt. Nays, none. Absent, 6: Black, Bolkcom, Dotzler, Gaskill, Seymour, and Tinsman.

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 2273, and they were attached to the committee report.

EDUCATION

Bill Title: *SENATE FILE 2272 (SSB 3107), a bill for an act relating to the duties and operations of the state board of education, the department of education, and local school boards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, McKinley, Angelo, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Larson, Mulder, Quirmbach, Schoenjahn, Ward, and Wood. Nays, none. 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 Education Committee on Senate File 2272, and they were attached to the committee report.

LOCAL GOVERNMENT

Bill Title: SENATE FILE 2263 (SSB 3132), a bill for an act requiring the county auditor to evidence approval of the name of a subdivision plat and requiring such statement for filing the subdivision plat with the county recorder.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Quirmbach, Shull, Kreiman, Lundby, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun. Nays, none. Absent, 1: Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2264 (SSB 3133), a bill for an act relating to the duties of county recorders and county auditors concerning instruments affecting real estate and certain other filings recorded by the county recorder.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Quirmbach, Shull, Kreiman, Lundby, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun. Nays, none. Absent, 1: Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: SENATE FILE 2265 (SSB 3179), a bill for an act establishing a deferred retirement option plan for members of the statewide fire and police retirement system and including an implementation provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Horn, McKibben, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, 1: Brunkhorst. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2266 (SSB 3169), a bill for an act relating to horse racing by providing for minimum racing days and arbitration for resolving disputes on horse racing purses among representatives of horse breeds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Horn, McKibben, Danielson, Hancock, Kettering, Kibbie, Miller, Wieck, Wood, and Zieman. Nays, 5: Brunkhorst, Connolly, Hatch, Tinsman, and Ward. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2270 (SSB 3155), a bill for an act providing for the confidentiality of certain records relating to charitable donations for the benefit of a government body.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Horn, McKibben, Brunkhorst, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, 1: Connolly. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: *SENATE FILE 2267 (formerly SF 2121), a bill for an act relating to safe motor vehicle operation, including penalties for certain motor vehicle violations causing death or serious injury and classroom instruction for driver education courses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: McCoy, Putney, Beall, Danielson, Dearden, Fraise, Hahn, Kettering, Shull, Warnstadt, and Zieman. 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 Transportation Committee on Senate File 2267, and they were attached to the committee report.

WAYS AND MEANS

Bill Title: SENATE FILE 2268 (SSB 3125), a bill for an act relating to financial transactions associated with agricultural production, by providing for tax credits and tax exemptions, and including effective and retroactive and other applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Bolkcom, Zieman, Danielson, Hahn, Larson, McKibben, McKinley, Miller, Quirmbach, Seng, Stewart, and Wieck. Nays, 3: Connolly, McCoy, and Zaun. Absent, 1: Dotzler.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2271 (formerly SF 2093), a bill for an act relating to the holding period for purposes of certain capital assets under the individual income tax and including effective and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolkcom, Zieman, Connolly, Danielson, Hahn, Larson, McCoy, McKibben, McKinley, Miller, Quirmbach, Seng, Stewart, Wieck, and Zaun. Nays, none. Absent, 1: Dotzler.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5013	S.F.	2147	Bob Brunkhorst Jeff Angelo William A. Dotzler, Jr.
S-5014	S.F.	2051	James A. Seymour Amanda Ragan Jeff Angelo Robert E. Dvorsky

JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 27, 2006

The Senate met in regular session at 1:05 p.m., President Lamberti presiding.

Prayer was offered by Jane Shepherd, pastor of the Gowrie United Methodist Church in Gowrie, Iowa. She was the guest of Senator Beall.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Hannah Olson.

The Journal of Thursday, February 23, 2006, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:12 p.m. until 8:30 a.m., Tuesday, February 28, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Bill Bruce, Perry—For achieving the rank of Eagle Scout, Boy Scout Troop 127.
Senator Behn (2/27/06).

Bryan L. Collins, Bettendorf—For receiving the Arrow of Light, Cub Scout Pack 54.
Senator Tinsman (2/27/06).

Justin L. Nelson, Bettendorf—For receiving the Arrow of Light, Cub Scout Pack 54.
Senator Tinsman (2/27/06).

Kristoffer M. Poole, Bettendorf—For receiving the Arrow of Light, Cub Scout Pack 54.
Senator Tinsman (2/27/06).

Bobby J. Steinke, Bettendorf—For receiving the Arrow of Light, Cub Scout Pack 54.
Senator Tinsman (2/27/06).

Timmy Truman, Bettendorf—For receiving the Arrow of Light, Cub Scout Pack 54.
Senator Tinsman (2/27/06).

Alexander B. Von Gries, Bettendorf—For receiving the Arrow of Light, Cub Scout Pack 54.
Senator Tinsman (2/27/06).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: February 27, 2006, 2:20 p.m.

Members Present: Connolly and McKinley, Co-chairs; Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Mulder, Quirmbach, Schoenjahn, Ward, and Wood.

Members Absent: Angelo and Larson (both excused).

Committee Business: Discussion of bills.

Recessed: 2:25 p.m.

Reconvened: 3:15 p.m.

Adjourned: 3:20 p.m.

TRANSPORTATION

Convened: February 27, 2006, 3:35 p.m.

Members Present: McCoy and Putney, Co-chairs; Beall, Danielson, Dearden, Fraise, Hahn, Kettering, Shull, Ward, Warnstadt, and Ziemann.

Members Absent: None.

Committee Business: Passed SF 2159 and approved SSB 1100.

Adjourned: 3:45 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 117, by Gaskill and Beall, a resolution to designate the month of June 2006 as Prostate Cancer Awareness Month and to encourage all health benefit plan providers to include annual screening for prostate cancer as part of their coverage.

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

Senate Resolution 118, by Boettger, a resolution requesting that the legislative council conduct a study of the feasibility of implementing cooperative public and private development projects around public and private lakes in the state.

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

INTRODUCTION OF BILLS

Senate File 2275, by committee on Commerce, a bill for an act relating to debt cancellation coverage offered by banks and credit unions.

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

Senate File 2276, by committee on Commerce, a bill for an act relating to the maximum finance charge allowed for consumer loans secured by a certificate of title to a motor vehicle and making penalties applicable.

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

Senate File 2277, by Lundby, a bill for an act relating to judicial review in city development proceedings.

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

Senate File 2278, by Dotzler, a bill for an act relating to the review criteria for applications under the community attraction and tourism program and the cultural and entertainment district certification program.

Read first time under Rule 28 and referred to committee on **Economic Growth**.

Senate File 2279, by Miller, a bill for an act relating to trespass by hunters and making a penalty applicable.

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

Senate File 2280, by Warnstadt, a bill for an act relating to using a motor vehicle to transport an illegal nonresident alien, and providing a penalty.

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

Senate File 2281, by Warnstadt, a bill for an act providing for the use of state park and recreation area facilities by military family support groups free of charge.

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

Senate File 2282, by Warnstadt, a bill for an act relating to the issuance of identity theft passports by the attorney general.

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

Senate File 2283, by Dotzler, a bill for an act creating a film promotion program and fund, providing tax credits and exemptions, and including effective and retroactive applicability dates.

Read first time under Rule 28 and referred to committee on **Economic Growth**.

Senate File 2284, by McKibben, a bill for an act relating to the sale of certain farmland by Iowa state university of science and technology to the department of natural resources and providing for the appropriation and use of proceeds from the sale.

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

STUDY BILLS RECEIVED

SSB 3221 State Government

Relating to fees retained by county treasurers for the issuance of driver's licenses and nonoperator's identification cards.

SSB 3222 Business and Labor Relations

Concerning the offset of workers' compensation benefits under the peace officers' retirement, accident, and disability retirement system and providing an effective date.

SSB 3223 Economic Growth

Relating to the time period for enterprise zone certification and providing effective and retroactive applicability dates.

SSB 3224 State Government

Restricting fundraising activities by specified professional associations under certain circumstances, and providing for fundraising activity oversight by the department of public safety.

SSB 3225 Agriculture

Providing for the regulation of motor fuel and for the use and promotion of renewable fuel, including by providing for taxes and appropriations, and providing for penalties.

SSB 3226 State Government

Concerning the membership on the racing and gaming commission.

SSB 3227 Judiciary

Relating to the review or redissemination of data or information about the commission of a crime.

SSB 3228 Agriculture

Relating to motor fuel, by establishing standards for renewable fuel including biodiesel and biodiesel blended fuel, providing for terminology changes, and providing for penalties.

SSB 3229 Natural Resources and Environment

Providing for energy performance-based contracts for certain public entities and public educational facilities.

SSB 3230 Natural Resources and Environment

Relating to the renewable energy tax credit including providing for refuse conversion facilities and the maintenance of a waiting list by the Iowa utilities board, and requiring a transmission study.

SSB 3231 Natural Resources and Environment

An act relating to combustion of solid waste with energy recovery.

SSB 3232 Natural Resources and Environment

Relating to the collection and deposit in the general fund of the state of certain fees and civil penalties collected by the department of natural resources.

SSB 3233 Natural Resources and Environment

Providing that the sale, lease, rental, or advertisement of certain microbiological water purifiers is not regulated under certain consumer fraud provisions relating to water treatment systems.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2244
(Reassignment)**

STATE GOVERNMENT: Danielson and Kettering, Co-chairs; Brunkhorst and Wood

Senate File 2257

NATURAL RESOURCES AND ENVIRONMENT: Dearden and Gaskill, Co-chairs; Black and Putney

Senate File 2274

JUDICIARY: Kreiman and McKibben, Co-chairs; Dvorsky and Larson

House File 2171

NATURAL RESOURCES AND ENVIRONMENT: Dearden and Gaskill, Co-chairs; Black and Putney

SSB 3221

STATE GOVERNMENT: Kettering and Kibbie, Co-chairs; Hatch and Zieman

SSB 3222

BUSINESS AND LABOR RELATIONS: Horn and McKibben, Co-chairs; Behn and Seng

SSB 3223

ECONOMIC GROWTH: Brunkhorst and Hatch, Co-chairs

SSB 3224

STATE GOVERNMENT: Hancock and Ward, Co-chairs; Danielson and Wieck

SSB 3225

AGRICULTURE: Fraise and Johnson, Co-chairs; Gaskill, Hahn, Hancock, and Kibbie

SSB 3226

STATE GOVERNMENT: Kibbie and Zieman, Co-chairs; Black and Miller

SSB 3227

JUDICIARY: Larson and Quirmbach, Co-chairs; Hancock and Ward

SSB 3228

AGRICULTURE: Johnson and Kibbie, Co-chairs; Gaskill and Ragan

SSB 3229

NATURAL RESOURCES AND ENVIRONMENT: Bolcom and Lundby, Co-chairs; Hancock and Kettering

SSB 3230

NATURAL RESOURCES AND ENVIRONMENT: Kettering and Schoenjahn, Co-chairs; Gaskill and Seng

SSB 3231

NATURAL RESOURCES AND ENVIRONMENT: Kettering and Schoenjahn, Co-chairs; Gaskill and Seng

SSB 3232

NATURAL RESOURCES AND ENVIRONMENT: Black and Kettering, Co-chairs; Johnson and Wood

SSB 3233

NATURAL RESOURCES AND ENVIRONMENT: Black and Johnson, Co-chairs; Putney and Schoenjahn

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: *SENATE FILE 2275 (SSB 3175), a bill for an act relating to debt cancellation coverage offered by banks and credit unions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Behn, Warnstadt, Beall, Bolkcom, Courtney, Gronstal, McCoy, McKinley, Rielly, Stewart, Zaun, and Zieman. Nays, none. Absent, 4: Angelo, Kettering, Larson, and Wieck.

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 Commerce Committee on Senate File 2275, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2276 (formerly SF 217), a bill for an act relating to the maximum finance charge allowed for consumer loans secured by a certificate of title to a motor vehicle and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Warnstadt, Beall, Bolkcom, Courtney, Gronstal, McCoy, Rielly, Stewart, and Zaun. Nays, 3: Behn, McKinley, and Zieman. Absent, 4: Angelo, Kettering, Larson, and Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S-5015 S.F. 2251 Nancy J. Boettger

JOURNAL OF THE SENATE

**FIFTY-FIRST CALENDAR DAY
THIRTIETH SESSION DAY**

**Senate Chamber
Des Moines, Iowa, Tuesday, February 28, 2006**

The Senate met in regular session at 8:33 a.m., President Lamberti presiding.

Prayer was offered by Tony Kruse, a seminary student from the Archdiocese of Dubuque, Iowa. He was the guest of Senator Hancock.

The Journal of Monday, January 27, 2006, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:43 a.m. until 9:00 a.m., Wednesday, March 1, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Mr. and Mrs. Fred and Bernice Crovisier, Eagle Grove—For celebrating your 65th wedding anniversary. Senator Iverson (2/28/06).

Mr. and Mrs. Bill and Fran East, Stanhope—For celebrating your 60th wedding anniversary. Senator Iverson (2/28/06).

Iowa City West Trojans—For winning the Class 3-A State Wrestling Championship. Senator Dvorsky (2/28/06).

Mark Kist, Eagle Grove—For becoming the Class 1-A Iowa High School State Wrestling Champion in the 112 lb. weight class. Senator Iverson (2/28/06).

Kathryn Zegarac Lichty, Waterloo—For celebrating your 90th birthday. Senator Dotzler (2/28/06).

Robert Paulson, Mason City—For receiving the Silver Beaver Award. Senator Ragan (2/28/06).

Sean Ryan, Waterville—For achieving the rank of Eagle Scout, Boy Scout Troop 64. Senator Zieman (2/28/06).

Kelby Ryerson, Eagle Grove—For becoming the Class 1-A Iowa High School State Wrestling Champion in the 130 lb. weight class. Senator Iverson (2/28/06).

Anthony M. Schomer, Carter Lake—For achieving the rank of Eagle Scout. Senator Gronstal (2/28/06).

Mr. and Mrs. Leon and Joyce Sheldon, Webster City—For celebrating your 63rd wedding anniversary. Senator Iverson (2/28/06).

Mable Van Doren, Webster City—For celebrating your 95th birthday. Senator Iverson (2/28/06).

Michael Zweibahmer, Ossian—For achieving the rank of Eagle Scout. Senator Zieman (2/28/06).

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: February 27, 2006, 3:35 p.m.

Members Present: Ragan and Seymour, Co-chairs; Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood.

Members Absent: None.

Committee Business: Approved SSBs 3083 and 3084 (as amended).

Adjourned: 3:50 p.m.

JUDICIARY

Convened: February 27, 2006, 4:10 p.m.

Members Present: Kreiman and Miller, Co-chairs; Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun.

Members Absent: Larson.

Committee Business: Passed SFs 2096 and 2141 and approved SSBs 3002, 3033, 3089, 3093, 3199, 3200, 3201, and 3202.

Adjourned: 5:05 p.m.

AGRICULTURE

Convened: February 28, 2006, 9:45 a.m.

Members Present: Fraise and Johnson, Co-chairs; Black, Brunkhorst, Courtney, Gaskill, Hahn, Hancock, Houser, Kibbie, Mulder, Putney, Ragan, and Rielly.

Members Absent: None.

Committee Business: Passed SF 2135 and approved SSBs 3159 and 3208.

Adjourned: 10:00 a.m.

COMMERCE

Convened: February 28, 2006, 11:10 a.m.

Members Present: Behn and Warnstadt, Co-chairs; Angelo, Beall, Bolkcom, Courtney, Gronstal, Kettering, McCoy, McKinley, Rielly, Stewart, Zaun, and Zieman.

Members Absent: Larson and Wieck (both excused).

Committee Business: Passed HF 537 and approved SSB 3213 (as amended).

Adjourned: 11:20 a.m.

JUDICIARY

Convened: February 28, 2006, 1:00 p.m.

Members Present: Kreiman and Miller, Co-chairs; Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Schoenjahn, Tinsman, Ward, and Zaun.

Members Absent: Larson, McKibben, Quirmbach, and Warnstadt (all excused).

Committee Business: Presentation by the Institute for Justice on eminent domain.

Adjourned: 2:00 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 104, by Tinsman and McCoy, a concurrent resolution designating March 2006 as Iowa Women's History Month.

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

Senate Resolution 119, by Connolly, Courtney, Gronstal, Kibbie, Dvorsky, Bolkcom, Ragan, Stewart, Beall, Danielson, Dotzler, Warnstadt, Horn, Wood, Seng, Kreiman, Dearden, Rielly, Hancock, Schoenjahn, Fraise, McKibben, Quirmbach, Black, Lundby, Putney, Boettger, Behn, Johnson, McKinley, Mulder, Wieck, Seymour, Shull, Zaun, Zieman, Miller, Tinsman, and Angelo, a resolution honoring the life and work of Benjamin C. Duehr.

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

Senate Resolution 120, by Zaun, McCoy, Ward, Lamberti, Hatch, Dearden, and Shull, a resolution recognizing the Iowa premiere of Disney's The Lion King at the Civic Center of Greater Des Moines.

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

INTRODUCTION OF BILLS

Senate File 2285, by committee on Judiciary, a bill for an act relating to the distribution of a presentence investigation report in a criminal proceeding.

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

Senate File 2286, by committee on Judiciary, a bill for an act relating to the judicial branch and court administration and procedure and providing a penalty.

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

Senate File 2287, by committee on Human Resources, a bill for an act authorizing an approved nursing education program to initiate criminal and child and dependent adult abuse record checks of students and prospective students regarding the students' involvement with the clinical education component of the program.

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

Senate File 2288, by committee on Judiciary, a bill for an act providing for a postsecondary education subsidy upon a finding of paternity.

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

Senate File 2289, by committee on Transportation, a bill for an act relating to identification of publicly owned motor vehicles used by persons who provide off-site or in-home medical or mental health services.

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

Senate File 2290, by committee on Judiciary, a bill for an act relating to the payment of costs of reasonable attorney fees and other expenses related to certain paternity and adoption proceedings.

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

Senate File 2291, by committee on Judiciary, a bill for an act relating to the victim compensation fund and mileage reimbursement.

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

Senate File 2292, by committee on Agriculture, a bill for an act relating to farm tenancies.

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

Senate File 2293, by committee on Agriculture, a bill for an act providing for the regulation of packers and the purchase of swine from producers, and providing for penalties.

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

Senate File 2294, by committee on Agriculture, a bill for an act precluding certain enforcement actions by the department of natural resources or the attorney general based on detrimental reliance.

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

Senate File 2295, by committee on Human Resources, a bill for an act providing for various technical and substantive changes relating to health licensing and related public health matters.

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

Senate File 2296, by committee on Judiciary, a bill for an act relating to dogs, including the right to kill a tagged dog and the liability of a dog's owner for damages caused by the dog.

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

Senate File 2297, by committee on Transportation, a bill for an act relating to obstructions in highways and providing penalties.

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

Senate File 2298, by committee on Judiciary, a bill for an act relating to family foster care home licensing requirements.

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

STUDY BILLS RECEIVED

SSB 3234 Transportation

Establishing preclicensing and continuing education requirements for used motor vehicle dealers.

SSB 3235 Judiciary

Containing various provisions relating to business entities, including limited partnerships, corporations, limited liability companies, cooperatives, and nonprofit corporations.

SSB 3236 Judiciary

Relating to medical malpractice including insurance-related matters and civil actions for personal injury or death.

SSB 3237 Agriculture

Providing for conversion of cooperative associations and providing for an effective date.

SSB 3238 Natural Resources and Environment

Relating to animal feeding operations, by providing for standards and evaluations by the department of natural resources.

SSB 3239 Commerce

Relating to the regulation of state banks and bank holding companies including attestation and publication requirements, the removal and service of officers, directors, and employees, and offers to purchase stock, and increasing civil penalties.

SSB 3240 Agriculture

Relating to requirements for open feedlot operations, by providing for nutrient management plans and operating permits, and providing an effective date and retroactive applicability.

SSB 3241 Local Government

Relating to annexation and severance of territory, and providing an effective date.

SSB 3242 Commerce

Requiring development of a simplified application process and uniform application for small employer group health insurance coverage.

SSB 3243 Local Government

Relating to local government innovation, creating a local government innovation commission and fund, creating a center for governing excellence, and including an effective date.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 104**

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 117

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 118

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 119

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate File 2237

LOCAL GOVERNMENT: Quirmbach and Shull, Co-chairs; Putney and Stewart

Senate File 2258

ECONOMIC GROWTH: Brunkhorst and Hatch, Co-chairs

Senate File 2259

WAYS AND MEANS: Quirmbach and Zieman, Co-chairs; McCoy and Zaun

Senate File 2279

JUDICIARY: Horn and Miller, Co-chairs; Brunkhorst and Schoenjahn

Senate File 2280

JUDICIARY: Boettger and Warnstadt, Co-chairs; Hancock and Zaun

Senate File 2281

STATE GOVERNMENT: Kettering and Wood, Co-chairs; Danielson and Wieck

Senate File 2282

JUDICIARY: Tinsman and Warnstadt, Co-chairs; Kreiman and Ward

Senate File 2284

STATE GOVERNMENT: Danielson and McKibben, Co-chairs; Ward and Wood

House File 2232

COMMERCE: Kettering and Stewart, Co-chairs; Behn and Bolkcom

House File 2284

EDUCATION: Schoenjahn and Ward, Co-chairs; Mulder and Wood

SSB 3234

TRANSPORTATION: Danielson and Ward, Co-chairs; Fraise and Hahn

SSB 3235

JUDICIARY: Boettger and Schoenjahn, Co-chairs; Hancock and Zaun

SSB 3236

JUDICIARY: Brunkhorst and Kreiman, Co-chairs; McKibben and Warnstadt

SSB 3237

AGRICULTURE: Hancock and Johnson, Co-chairs; Gaskill and Ragan

SSB 3238

NATURAL RESOURCES AND ENVIRONMENT: Houser and Wood, Co-chairs; Black and Johnson

SSB 3239

COMMERCE: Kettering and Rielly, Co-chairs; Stewart and Zieman

SSB 3240

AGRICULTURE: Fraise and Houser, Co-chairs; Kibbie and Mulder

SSB 3241

LOCAL GOVERNMENT: McCoy and Shull, Co-chairs; Putney and Rielly

SSB 3242

COMMERCE: Rielly and Wieck, Co-chairs; Stewart and Zaun

SSB 3243

LOCAL GOVERNMENT: Quirmbach and Shull, Co-chairs

FINAL COMMITTEE REPORTS OF BILL ACTION**AGRICULTURE**

Bill Title: SENATE FILE 2292 (SSB 3159), a bill for an act relating to farm tenancies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Fraise, Johnson, Black, Brunkhorst, Courtney, Gaskill, Hahn, Hancock, Houser, Kibbie, Mulder, Putney, Ragan, and Rielly. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2293 (formerly SF 2135), a bill for an act providing for the regulation of packers and the purchase of swine from producers, and providing for penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Fraise, Johnson, Black, Brunkhorst, Courtney, Gaskill, Hahn, Hancock, Houser, Kibbie, Mulder, Putney, Ragan, and Rielly. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2294 (SSB 3208), a bill for an act precluding certain enforcement actions by the department of natural resources or the attorney general based on detrimental reliance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Fraise, Johnson, Black, Brunkhorst, Courtney, Gaskill, Hahn, Hancock, Houser, Kibbie, Mulder, Putney, Ragan, and Rielly. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Bill Title: HOUSE FILE 537, a bill for an act relating to the investment of public funds by the treasurer of state, state agencies, and political subdivisions including the investment of public funds not covered by federal deposit insurance in certificates of deposit.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Behn, Warnstadt, Angelo, Beall, Bolkcom, Courtney, Gronstal, Kettering, McCoy, McKinley, Rielly, Stewart, Zaun, and Zieman. Nays, none. Absent, 2: Larson and Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: SENATE FILE 2287 (SSB 3083), a bill for an act authorizing an approved nursing education program to initiate criminal and child and dependent adult abuse record checks of students and prospective students regarding the students' involvement with the clinical education component of the program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirnbach, Tinsman, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2295 (SSB 3084), a bill for an act providing for various technical and substantive changes relating to health licensing and related public health matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. 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 Human Resources Committee on Senate File 2295, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 2285 (SSB 3089), a bill for an act relating to the distribution of a presentence investigation report in a criminal proceeding.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2286 (SSB 3202), a bill for an act relating to the judicial branch and court administration and procedure and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2288 (SSB 3201), a bill for an act providing for a postsecondary education subsidy upon a finding of paternity.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2290 (SSB 3093), a bill for an act relating to the payment of costs of reasonable attorney fees and other expenses related to certain paternity and adoption proceedings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2291 (formerly SF 2096), a bill for an act relating to the victim compensation fund and mileage reimbursement.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2296 (SSB 3200), a bill for an act relating to dogs, including the right to kill a tagged dog and the liability of a dog's owner for damages caused by the dog.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: Larson.

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 Judiciary Committee on Senate File 2296, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2298 (formerly SF 2141), a bill for an act relating to family foster care home licensing requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, McKibben, Quirnbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: Larson.

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 Judiciary Committee on Senate File 2298, and they were attached to the committee report.

TRANSPORTATION

Bill Title: SENATE FILE 2289 (formerly SF 2159), a bill for an act relating to identification of publicly owned motor vehicles used by persons who provide off-site or in-home medical or mental health services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: McCoy, Putney, Beall, Danielson, Dearden, Fraise, Hahn, Kettering, Shull, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2297 (SSB 1100), a bill for an act relating to obstructions in highways and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: McCoy, Putney, Beall, Danielson, Dearden, Fraise, Hahn, Kettering, Shull, Ward, Warnstadt, and Zieman. Nays, none. 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 Transportation Committee on Senate File 2297, and they were attached to the committee report.

AMENDMENT FILED

S-5016 S.F. 2273 Robert E. Dvorsky
Jeff Angelo

JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 1, 2006

The Senate met in regular session at 9:00 a.m., President Lamberti presiding.

Prayer was offered by Bruce Giese, pastor of the United Presbyterian Church in Wilton, Iowa. He was the guest of Senator Hahn.

The Journal of Tuesday, February 28, 2006, was approved.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2276.

Senate File 2276

On motion of Senator Stewart, **Senate File 2276**, a bill for an act relating to the maximum finance charge allowed for consumer loans secured by a certificate of title to a motor vehicle and making penalties applicable, was taken up for consideration.

Senator McKibben asked and received unanimous consent that action on **Senate File 2276** be **deferred**.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2268.

Senate File 2268

On motion of Senator Stewart, **Senate File 2268**, a bill for an act relating to financial transactions associated with agricultural production, by providing for tax credits and tax exemptions, and including effective and retroactive and other applicability dates, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2268), the vote was:

Yeas, 47:

Angelo	Fraise	Kreiman	Rielly
Beall	Gaskill	Lamberti	Schoenjahn
Behn	Gronstal	Larson	Seng
Black	Hahn	Lundby	Seymour
Boettger	Hancock	McCoy	Shull
Bolkcom	Hatch	McKibben	Stewart
Brunkhorst	Horn	McKinley	Ward
Connolly	Houser	Miller	Warnstadt
Courtney	Iverson	Mulder	Wieck
Danielson	Johnson	Putney	Wood
Dotzler	Kettering	Quirnbach	Zieman
Dvorsky	Kibbie	Ragan	

Nays, 3:

Dearden	Tinsman	Zaun
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Absent, none.

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

BUSINESS PENDING

Senate File 2276

The Senate resumed consideration of **Senate File 2276**, a bill for an act relating to the maximum finance charge allowed for consumer loans secured by a certificate of title to a motor vehicle and making penalties applicable, previously deferred.

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

On the question "Shall the bill pass?" (S.F. 2276), the vote was:

Yeas, 47:

Beall	Gaskill	Lamberti	Schoenjahn
Black	Gronstal	Larson	Seng
Boettger	Hahn	Lundby	Seymour
Bolkcom	Hancock	McCoy	Shull
Brunkhorst	Hatch	McKibben	Stewart
Connolly	Horn	McKinley	Tinsman
Courtney	Houser	Miller	Ward
Danielson	Iverson	Mulder	Warnstadt
Dearden	Johnson	Putney	Wieck
Dotzler	Kettering	Quirmbach	Wood
Dvorsky	Kibbie	Ragan	Zaun
Fraise	Kreiman	Rielly	

Nays, 3:

Angelo	Behn	Zieman
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Absent, none.

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2267.

Senate File 2267

On motion of Senator Warnstadt, **Senate File 2267**, a bill for an act relating to safe motor vehicle operation, including penalties for certain motor vehicle violations causing death or serious injury and classroom instruction for driver education courses, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2267), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

HOUSE 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 1, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2319, a bill for an act relating to the personal needs allowance amount for residents of nursing facilities under the medical assistance program.

Read first time and attached to **companion Senate File 2239**.

House File 2347, a bill for an act relating to the medical assistance provider payment adjustments, providing for transfer, appropriation, and deposit of funds, providing an effective date, and providing for retroactive applicability.

Read first time and attached to **companion Senate File 2051**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2267, 2268, and 2276** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2183 and 2147.

Senate File 2183

On motion of Senator Seymour, **Senate File 2183**, a bill for an act allowing cities and counties to create enterprise zones near modes of transportation, was taken up for consideration.

Senator Seymour 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. 2183), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun

Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 2147

On motion of Senator Stewart, **Senate File 2147**, a bill for an act relating to the requirement of location as an eligibility criterion for businesses under the enterprise zone program, with report of committee recommending passage, was taken up for consideration.

Senator Brunkhorst offered amendment S-5013, filed by Senator Brunkhorst, et al., on February 23, 2006, to page 1 of the bill, and moved its adoption.

Amendment S-5013 was adopted by a voice vote.

Senator Angelo offered amendment S-5017, filed by him from the floor to page 2 and to the title page of the bill, and moved its adoption.

Amendment S-5017 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2147), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt

Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2273 and 2051.

Senate File 2273

On motion of Senator Dvorsky, **Senate File 2273**, a bill for an act relating to financial and regulatory matters by making and revising appropriations for the fiscal year beginning July 1, 2005, and providing an effective date, was taken up for consideration.

Senator Dvorsky offered amendment S-5016, filed by Senators Dvorsky and Angelo on February 28, 2006, to page 5 of the bill, and moved its adoption.

Amendment S-5016 was adopted by a voice vote.

Senator Dvorsky 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. 2273), the vote was:

Yeas, 49:

Angelo	Fraise	Larson	Seymour
Beall	Gaskill	Lundby	Shull
Behn	Gronstal	McCoy	Stewart
Black	Hahn	McKibben	Tinsman

Boettger	Hancock	McKinley	Ward
Bolkcom	Hatch	Miller	Warnstadt
Brunkhorst	Horn	Mulder	Wieck
Connolly	Houser	Putney	Wood
Courtney	Iverson	Quirmbach	Zaun
Danielson	Johnson	Ragan	Zieman
Dearden	Kettering	Rielly	
Dotzler	Kibbie	Schoenjahn	
Dvorsky	Lamberti	Seng	

Nays, 1:

Kreiman

Absent, none.

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

Senate File 2051

On motion of Senator Seymour, **Senate File 2051**, a bill for an act relating to the medical assistance provider payment adjustments, providing for transfer, appropriation, and deposit of funds, providing an effective date, and providing for retroactive applicability, was taken up for consideration.

Senator Seymour asked and received unanimous consent to withdraw amendment S-5004, filed by Senator Seymour, et al., on February 13, 2006, to pages 2 and 3 of the bill.

Senator Seymour offered amendment S-5014, filed by Senator Seymour, et al., on February 23, 2006, to pages 2 and 3 of the bill, and moved its adoption.

Amendment S-5014 was adopted by a voice vote.

Senator Seymour asked and received unanimous consent that **House File 2347** be substituted for **Senate File 2051**.

House File 2347

On motion of Senator Seymour, **House File 2347**, a bill for an act relating to the medical assistance provider payment adjustments, providing for transfer, appropriation, and deposit of funds, providing

an effective date, and providing for retroactive applicability, was taken up for consideration.

Senator Seymour 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. 2347), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 Seymour asked and received unanimous consent that **Senate File 2051** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2147, 2183, and 2273** and **House File 2347** 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:

Frank (Marty) Martinez – Board of Corrections

Robert Huffman – Commission on Judicial Qualifications

David Owen – Iowa Workforce Development Board

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

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

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:58 a.m. until 8:30 a.m., Thursday, March 2, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Louis J. Dehner, Burlington—For celebrating your 102nd birthday. Senator Courtney (3/1/06).

Hartzell Hillyard, Mediapolis—For celebrating your 80th birthday. Senator Courtney (3/1/06).

Derek Moyer, Oskaloosa—For winning the Class 3-A State Wrestling Championship in the 135 lb. weight class. Senator Rielly (3/1/06).

Wayne Weaver, Burlington—For celebrating your 90th birthday. Senator Courtney (3/1/06).

Terry Youngbauer, Muscatine—For being named to the Drake University All-Century Squad. Senator Hahn (3/1/06).

REPORTS OF COMMITTEE MEETINGS

ECONOMIC GROWTH

Convened: February 28, 2006, 2:50 p.m.

Members Present: Brunkhorst and Hatch, Co-chairs; Beall, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Seymour, Shull, Stewart, and Zaun.

Members Absent: None.

Committee Business: Passed SF 2258 and approved SSBs 3209 and 3216.

Adjourned: 3:45 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: February 28, 2006, 2:35 p.m.

Members Present: Black and Houser, Co-chairs; Bolckcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood.

Members Absent: None.

Committee Business: Passed SFs 2006, 2052, 2089 (as amended), 2120 (as amended), and 2133 (as amended), and SSBs 3165 (as amended), 3167 (as amended), and 3182 (as amended).

Adjourned: 3:30 p.m.

EDUCATION

Convened: March 1, 2006, 10:10 a.m.

Members Present: Connolly and McKinley, Co-chairs; Angelo, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Larson, Mulder, Quirmbach, Schoenjahn, Ward, and Wood.

Members Absent: None.

Committee Business: Passed SF 27 (as amended), 2132 (as amended), 2176 (as amended), and 2177 (as amended), approved SSB 3115, and approved LSBs 6563sk and 6570xk.

Recessed: 11:00 a.m.

Reconvened: 12:40 p.m.

Adjourned: 12:50 p.m.

HUMAN RESOURCES

Convened: March 1, 2006, 1:35 p.m.

Members Present: Ragan and Seymour, Co-chairs; Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood.

Members Absent: None.

Committee Business: Passed SFs 295, 2112, and 2217 and approved SSBs 1148, 3013 (as amended), 3035, 3039 (as amended), and 3220 (as amended).

Adjourned: 2:45 p.m.

LOCAL GOVERNMENT

Convened: March 1, 2006, 11:25 a.m.

Members Present: Quirmbach and Shull, Co-chairs; Houser, Kreiman, Lundby, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun.

Members Absent: McCoy (excused).

Committee Business: Discussion of bills.

Adjourned: 11:55 a.m.

RULES AND ADMINISTRATION

Convened: March 1, 2006, 1:00 p.m.

Members Present: Gronstal and Iverson, Co-chairs; Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan.

Members Absent: None.

Committee Business: Approved SCR 104, SRs 114, 116, 117, 119, and 120, and passed HF 845 (as amended).

Adjourned: 1:25 p.m.

STATE GOVERNMENT

Convened: March 1, 2006, 11:05 a.m.

Members Present: Horn and McKibben, Co-chairs; Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman.

Members Absent: None.

Committee Business: Passed SFs 2142 (as amended), 2166, 2203, 2216, and 2284 and approved SSB 3137.

Adjourned: 11:50 a.m.

TRANSPORTATION

Convened: March 1, 2006, 1:35 p.m.

Members Present: McCoy and Putney, Co-chairs; Beall, Danielson, Dearden, Fraise, Hahn, Kettering, Shull, Ward, Warnstadt, and Zieman.

Members Absent: None.

Committee Business: Approved SSBs 3211 (as amended) and 3234.

Adjourned: 2:15 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 121, by Dvorsky and Bolkcom, a resolution honoring David J. Skorton for his service to Iowa as an educator and administrator and as President of the University of Iowa.

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

INTRODUCTION OF BILLS

Senate File 2299, by committee on Commerce, a bill for an act relating to credit unions and other financial organizations by providing for public funds requirements, membership qualifications, and preservations of records.

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

Senate File 2300, by committee on Judiciary, a bill for an act relating to the probate and trust codes.

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

Senate File 2301, by committee on Judiciary, a bill for an act relating to exemptions for certain personal property from execution by creditors in state court debt collection and federal bankruptcy actions.

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

Senate File 2302, by committee on Natural Resources and Environment, a bill for an act requiring certain Iowa national pollutant discharge elimination system program permit holders to post signs at discharge points and providing a penalty.

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

STUDY BILLS RECEIVED

SSB 3244 Natural Resources and Environment

Regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties.

SSB 3245 Ways and Means

Relating to the exemption of sales and use taxes on the purchase of coins, currency, or bullion.

SSB 3246 State Government

Establishing an Iowa food policy council.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 120**

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

SSB 3140
(Reassignment)

STATE GOVERNMENT: Horn and Ward, Co-chairs; Black and Kettering

SSB 3244

NATURAL RESOURCES AND ENVIRONMENT: Lundby and Seng, Co-chairs; Bolkcom and Miller

SSB 3245

WAYS AND MEANS: Connolly and Zaun, Co-chairs; McCoy and Zieman

SSB 3246

STATE GOVERNMENT: Hatch and Ward, Co-chairs; Horn and Wieck

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: *SENATE FILE 2299 (SSB 3213), a bill for an act relating to credit unions and other financial organizations by providing for public funds requirements, membership qualifications, and preservations of records.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Behn, Warnstadt, Angelo, Beall, Bolkcom, Courtney, Gronstal, Kettering, McCoy, McKinley, Rielly, Stewart, Zaun, and Zieman. Nays, none. Absent, 2: Larson and Wieck.

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 Commerce Committee on Senate File 2299, and they were attached to the committee report.

ECONOMIC GROWTH

Bill Title: SENATE FILE 2258, a bill for an act relating to a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Brunkhorst, Hatch, Beall, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Seymour, Shull, Stewart, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: SENATE FILE 2217, a bill for an act requiring the department of human services to maintain compliance with privacy laws applicable to mental health, mental retardation, developmental disabilities, and brain injury services data.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirnbach, Tinsman, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: *SENATE FILE 2300 (SSB 3199), a bill for an act relating to the probate and trust codes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, McKibben, Quirnbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: Larson.

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 Judiciary Committee on Senate File 2300, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2301 (SSB 3002), a bill for an act relating to exemptions for certain personal property from execution by creditors in state court debt collection and federal bankruptcy actions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, and Warnstadt. Nays, 1: Zaun. Absent, 1: Larson.

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 Judiciary Committee on Senate File 2301, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: SENATE FILE 2302 (formerly SF 2052), a bill for an act requiring certain Iowa national pollutant discharge elimination system program permit holders to post signs at discharge points and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Houser, Bolkcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE CONCURRENT RESOLUTION 104, a concurrent resolution designating March 2006 as Iowa Women's History Month.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 114, a resolution recognizing the 20th anniversary of Iowa Sister States.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 116, a resolution congratulating the Homesteaders Life Company on its centennial year.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 117, a resolution to designate the month of June 2006 as Prostate Cancer Awareness Month and to encourage all health benefit plan providers to include annual screening for prostate cancer as part of their coverage.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 119, a resolution honoring the life and work of Benjamin C. Duehr.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 120, a resolution recognizing the Iowa premiere of Disney's The Lion King at the Civic Center of Greater Des Moines.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 845, a bill for an act relating to appointments by members of the general assembly to statutory boards, commissions, councils, and committees, abolishing certain related entities, and including effective date and applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5019.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5017	S.F.	2147	Jeff Angelo
S-5018	S.F.	2256	Bob Brunkhorst
			John P. Kibbie
S-5019	H.F.	845	Rules and Administration

JOURNAL OF THE SENATE

FIFTY-THIRD CALENDAR DAY
THIRTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 2, 2006

The Senate met in regular session at 8:35 a.m., President Lamberti presiding.

Prayer was offered by Dan Toney, pastor of the Grinnell Christian Church in Grinnell, Iowa. He was the guest of Senator Reilly.

The Journal of Wednesday, March 1, 2006, was approved.

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following bills on the Senate Calendar be referred to committee:

S.F. 2239	Appropriations
S.F. 2256	Ways and Means
H.F. 2319	Appropriations

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:08 a.m. until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:07 p.m., President Pro Tempore McKibben presiding.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:08 p.m. until 1:00 p.m., Monday, March 6, 2006.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

GOVERNMENT OVERSIGHT

Convened: March 1, 2006, 3:05 p.m.

Members Present: Courtney and Lundby, Co-chairs; Connolly and Wieck.

Members Absent: None.

Committee Business: Passed SF 406 (as amended) and approved SSBs 3118, 3161 (as amended), 3196, and 3212 (as amended).

Adjourned: 3:30 p.m.

JUDICIARY

Convened: March 1, 2006, 3:10 p.m.

Members Present: Kreiman and Miller, Co-chairs; Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun.

Members Absent: None.

Committee Business: Passed SFs 2094, 2111, and 2280 and approved SSBs 3030, 3032, 3087, 3103, 3105, 3121, 3152, 3235, and 3236.

Adjourned: 4:15 p.m.

AGRICULTURE

Convened: March 2, 2006, 11:55 a.m.

Members Present: Fraise and Johnson, Co-chairs; Black, Brunkhorst, Courtney, Gaskill, Hahn, Hancock, Houser, Kibbie, Mulder, Putney, Ragan, and Rielly.

Members Absent: None.

Committee Business: Passed SFs 2129, 2130, and 2243 and approved SSBs 3228, 3237, and 3240.

Adjourned: 12:15 p.m.

COMMERCE

Convened: March 2, 2006, 11:20 a.m.

Members Present: Behn and Warnstadt, Co-chairs; Angelo, Beall, Courtney, Gronstal, Kettering, Larson, McCoy, McKinley, Rielly, Stewart, Wieck, Zaun, and Ziemann.

Members Absent: Bolkcom (excused).

Committee Business: Passed SF 2017 and approved SSBs 1281, 3139, 3146, 3186, 3195, 3215, 3239, and 3242.

Adjourned: 11:50 a.m.

ECONOMIC GROWTH

Convened: March 2, 2006, 1:35 p.m.

Members Present: Brunkhorst and Hatch, Co-chairs; Beall, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Seymour, Shull, Stewart, and Zaun.

Members Absent: None.

Committee Business: Discussion of bills.

Adjourned: 1:45 p.m.

EDUCATION

Convened: March 2, 2006, 12:45 p.m.

Members Present: Connolly and McKinley, Co-chairs; Angelo, Beall, Boettger, Brunkhorst, Mulder, Quirnbach, Schoenjahn, Ward, and Wood.

Members Absent: Dvorsky, Kreiman, and Larson (all excused).

Committee Business: Approved LSB 6570yk (as amended).

Adjourned: 12:50 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 2, 2006, 1:15 p.m.

Members Present: Black and Houser, Co-chairs; Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood.

Members Absent: Bolkcom (excused).

Committee Business: Passed SFs 2075, 2085, and 2107, and approved SSBs 3058, 3069, 3205, 3229, 3231, 3238, 3244, and 3247.

Adjourned: 2:55 p.m.

STATE GOVERNMENT

Convened: March 2, 2006, 10:00 a.m.

Members Present: Horn and McKibben, Co-chairs; Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman.

Members Absent: None.

Committee Business: Passed SFs 2064 and 2098 (as amended), and approved SSBs 2230, 3140 (as amended), 3221, 3224 (as amended), and 3246.

Adjourned: 10:45 a.m.

INTRODUCTION OF BILLS

Senate File 2303, by committee on Natural Resources and Environment, a bill for an act relating to lifetime hunting or fishing licenses for veterans who were disabled or were prisoners of war during their military service and providing for fees.

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

Senate File 2304, by committee on Judiciary, a bill for an act relating to indigent defense claims and the reimbursement of costs in juvenile cases paid by a county.

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

Senate File 2305, by committee on Natural Resources and Environment, a bill for an act concerning wine, including the allowable alcohol content of wine and inspection of certain wine permittees.

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

Senate File 2306, by committee on Natural Resources and Environment, a bill for an act eliminating certain duties of the department of natural resources.

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

Senate File 2307, by committee on Economic Growth, a bill for an act creating a university technology career education program and providing job program tax credits.

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

Senate File 2308, by committee on Natural Resources and Environment, a bill for an act relating to certain water treatment and supply-related inspections conducted when certain property is sold or transferred.

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

Senate File 2309, by committee on Economic Growth, a bill for an act relating to technology transfer and commercialization in certain core platform areas.

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

Senate File 2310, by committee on Education, a bill for an act permitting the board of educational examiners to retain and carry over a percentage of the licensing fees it collects.

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

Senate File 2311, by committee on Education, a bill for an act directing the department of education to conduct a study of parental involvement programs and to develop a parental involvement liaison project and other mechanisms to increase personal responsibility and parental involvement in schools across the state.

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

Senate File 2312, by committee on State Government, a bill for an act providing hardship grants on behalf of veterans seriously injured in a combat zone, providing an income tax exclusion, and including an effective date and retroactive applicability provision.

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

Senate File 2313, by committee on State Government, a bill for an act relating to confidentiality of voter registration records and property assessment information for certain persons and providing an effective date.

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

Senate File 2314, by committee on State Government, a bill for an act concerning the awarding of cash prizes for participation in a card or parlor game or tournament conducted by an organization primarily representing veterans.

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

Senate File 2315, by committee on State Government, a bill for an act relating to the sale of certain farmland by Iowa state university of science and technology to the department of natural resources and providing for the appropriation and use of proceeds from the sale.

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

Senate File 2316, by committee on State Government, a bill for an act relating to the procedures for filing administrative rules.

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

Senate File 2317, by committee on Education, a bill for an act relating to a state of Iowa scholar program to award certificates of recognition to qualified graduating seniors.

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

Senate File 2318, by committee on Human Resources, a bill for an act relating to an exception from emergency medical care requirements for persons providing care within the scope of their certification.

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

Senate File 2319, by committee on Natural Resources and Environment, a bill for an act relating to littering and illegal discarding of solid waste and increasing fines and penalties and making appropriations.

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

Senate File 2320, by committee on Education, a bill for an act relating to the development of an Iowa studies professional development plan and the establishment of an Iowa studies committee.

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

STUDY BILLS RECEIVED

SSB 3247 Natural Resources and Environment

Authorizing the governor to designate April of each year as Aldo Leopold month.

SSB 3248 Business and Labor Relations

Relating to the prevention of serious bodily injury and exposure to toxic materials in the workplace, and providing penalties.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 121

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

House File 2323

STATE GOVERNMENT: Danielson and Miller, Co-chairs; Kibbie and McKibben

House File 2333

STATE GOVERNMENT: Ward and Wood, Co-chairs; Hancock and Wieck

House File 2244

STATE GOVERNMENT: Kettering and Wood, Co-chairs; Black and Brunkhorst

House File 2363

STATE GOVERNMENT: Danielson and Tinsman, Co-chairs; Kibbie and Zieman

SSB 3247

NATURAL RESOURCES AND ENVIRONMENT: Lundby and Schoenjahn, Co-chairs; Bolkcom and Houser

SSB 3248

BUSINESS AND LABOR RELATIONS: Dearden and McKibben, Co-chairs; Behn and Courtney

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: SENATE FILE 2017, a bill for an act prohibiting inducements to purchase certain insurance contracts, providing penalties, and providing an applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Behn, Warnstadt, Beall, Courtney, Gronstal, Kettering, Larson, McCoy, Rielly, Stewart, Wieck, Zaun, and Zieman. Nays, 2: Angelo and McKinley. Absent, 1: Bolkcom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ECONOMIC GROWTH

Bill Title: *SENATE FILE 2307 (SSB 3209), a bill for an act creating a university technology career education program and providing job program tax credits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Brunkhorst, Hatch, Beall, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Seymour, Shull, Stewart, and Zaun. Nays, none. 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 Economic Growth Committee on Senate File 2307, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2309 (SSB 3216), a bill for an act relating to technology transfer and commercialization in certain core platform areas.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Brunkhorst, Hatch, Beall, Hahn, Ragan, Seymour, Shull, and Stewart. Nays, 6: Behn, Danielson, Dotzler, McKinley, Rielly, and Zaun. 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 Economic Growth Committee on Senate File 2309, and they were attached to the committee report.

EDUCATION

Bill Title: SENATE FILE 2310 (SSB 3115), a bill for an act permitting the board of educational examiners to retain and carry over a percentage of the licensing fees it collects.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, McKinley, Angelo, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Larson, Mulder, Quirmbach, Schoenjahn, Ward, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2311 (LSB 6563sk), a bill for an act directing the department of education to conduct a study of parental involvement programs and to develop a parental involvement liaison project and other mechanisms to increase personal responsibility and parental involvement in schools across the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, McKinley, Angelo, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Larson, Mulder, Quirmbach, Schoenjahn, Ward, and Wood. Nays, none. 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 Education Committee on Senate File 2311, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2317 (formerly SF 2132), a bill for an act relating to a state of Iowa scholar program to award certificates of recognition to qualified graduating seniors.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, McKinley, Angelo, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Larson, Mulder, Quirmbach, Schoenjahn, Ward, and Wood. Nays, none. 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 Education Committee on Senate File 2317, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2320 (formerly SF 27), a bill for an act relating to the development of an Iowa studies professional development plan and the establishment of an Iowa studies committee.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, McKinley, Angelo, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Larson, Mulder, Quirmbach, Schoenjahn, Ward, and Wood. Nays, none. 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 Education Committee on Senate File 2320, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: SENATE FILE 2318 (formerly SF 2112), a bill for an act relating to an exception from emergency medical care requirements for persons providing care within the scope of their certification.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: SENATE FILE 2094, a bill for an act relating to the criminal penalties for certain offenses involving sexual abuse in the second degree, lascivious acts with a child, and sexual exploitation, and establishing a duty to inform law enforcement about a registered sex offender.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2304 (SSB 3033), a bill for an act relating to indigent defense claims and the reimbursement of costs in juvenile cases paid by a county.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: Larson.

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 Judiciary Committee on Senate File 2304, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: SENATE FILE 2075, a bill for an act regulating manure management plans and related documents submitted by the department of natural resources to counties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Black, Houser, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Bolkom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2085, a bill for an act providing criminal penalties for the failure of a vessel operator to offer assistance and information at the scene of a collision, accident, or casualty.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Black, Houser, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Bolkcom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2107, a bill for an act allowing private landowners limited immunity from premises liability during urban deer control hunts.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Black, Houser, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Bolkcom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2303 (formerly SF 2006), a bill for an act relating to lifetime hunting or fishing licenses for veterans who were disabled or were prisoners of war during their military service and providing for fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Houser, Bolkcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2305 (SSB 3182), a bill for an act concerning wine, including the allowable alcohol content of wine and inspection of certain wine permittees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Houser, Bolkcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. 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 Natural Resources and Environment Committee on Senate File 2305, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2306 (SSB 3165), a bill for an act eliminating certain duties of the department of natural resources.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Houser, Bolcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. 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 Natural Resources and Environment Committee on Senate File 2306, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2308 (SSB 3167), a bill for an act relating to certain water treatment and supply-related inspections conducted when certain property is sold or transferred.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Houser, Bolcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. 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 Natural Resources and Environment Committee on Senate File 2308, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2319 (formerly SF 2089), a bill for an act relating to littering and illegal discarding of solid waste and increasing fines and penalties and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Houser, Bolcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. 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 Natural Resources and Environment Committee on Senate File 2319, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 2312 (SSB 3137), a bill for an act providing hardship grants on behalf of veterans seriously injured in a combat zone, providing an income tax exclusion, and including an effective date and retroactive applicability provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2313 (formerly SF 2203), a bill for an act relating to confidentiality of voter registration records and property assessment information for certain persons and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2314 (formerly SF 2166), a bill for an act concerning the awarding of cash prizes for participation in a card or parlor game or tournament conducted by an organization primarily representing veterans.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2315 (formerly SF 2284), a bill for an act relating to the sale of certain farmland by Iowa state university of science and technology to the department of natural resources and providing for the appropriation and use of proceeds from the sale.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2316 (formerly SF 2216), a bill for an act relating to the procedures for filing administrative rules.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 6, 2006

The Senate met in regular session at 1:04 p.m., President Kibbie presiding.

Prayer was offered by Billie James of Milford, Iowa. She was the guest of Senator Johnson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page John Racine.

The Journal of Thursday, March 2, 2006, was approved.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Resolution 120.

Senate Resolution 120

On motion of Senator Zaun, **Senate Resolution 120**, a resolution recognizing the Iowa premiere of Disney's The Lion King at the Civic Center of Greater Des Moines, with report of committee recommending passage, was taken up for consideration.

Senator Zaun moved the adoption of Senate Resolution 120, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Zaun introduced to the Senate chamber Jeff Chelesvig, chief executive officer of the Des Moines Civic Center. He introduced members of his Civic Center staff and encouraged everyone to attend Disney's "The Lion King."

The Senate rose and expressed its welcome.

BILLS REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that the following bills on the Senate Calendar be referred to committee:

S.F. 2258	Ways and Means
S.F. 2307	Ways and Means
S.F. 2310	Appropriations
S.F. 2315	Appropriations
H.F. 2161	Appropriations

The Senate stood at ease at 1:26 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:58 p.m., President Kibbie presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Lamberti and Zieman, until they return, on request of Senator Iverson.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 2253, 2275, and 2262.

Senate File 2253

On motion of Senator Zaun, **Senate File 2253**, a bill for an act relating to statutory corrections which may adjust language to reflect

current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions, was taken up for consideration.

Senator Zaun offered amendment S-5009, filed by the committee on Judiciary on February 22, 2006, to pages 4, 7, and 14 of the bill, and moved its adoption.

Amendment S-5009 was adopted by a voice vote.

Senator Zaun 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. 2253), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Rielly
Beall	Fraise	Kreiman	Schoenjahn
Behn	Gaskill	Larson	Seng
Black	Gronstal	Lundby	Seymour
Boettger	Hahn	McCoy	Shull
Bolkcom	Hancock	McKibben	Stewart
Brunkhorst	Hatch	McKinley	Tinsman
Connolly	Horn	Miller	Ward
Courtney	Houser	Mulder	Warnstadt
Danielson	Iverson	Putney	Wieck
Dearden	Johnson	Quirmbach	Wood
Dotzler	Kettering	Ragan	Zaun

Nays, none.

Absent, 2:

Lamberti	Zieman
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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 2275

On motion of Senator Stewart, **Senate File 2275**, a bill for an act relating to debt cancellation coverage offered by banks and credit unions, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2275), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Rielly
Beall	Fraise	Kreiman	Schoenjahn
Behn	Gaskill	Larson	Seng
Black	Gronstal	Lundby	Seymour
Boettger	Hahn	McCoy	Shull
Bolkcom	Hancock	McKibben	Stewart
Brunkhorst	Hatch	McKinley	Tinsman
Connolly	Horn	Miller	Ward
Courtney	Houser	Mulder	Warnstadt
Danielson	Iverson	Putney	Wieck
Dearden	Johnson	Quirnbach	Wood
Dotzler	Kettering	Ragan	Zaun

Nays, none.

Absent, 2:

Lamberti	Zieman
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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 2262

On motion of Senator Kettering, **Senate File 2262**, a bill for an act relating to the prepayment of agricultural loans secured by a real estate mortgage, was taken up for consideration.

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?" (S.F. 2262), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Rielly
Beall	Fraise	Kreiman	Schoenjahn
Behn	Gaskill	Larson	Seng
Black	Gronstal	Lundby	Seymour
Boettger	Hahn	McCoy	Shull
Bolkcom	Hancock	McKibben	Stewart
Brunkhorst	Hatch	McKinley	Tinsman
Connolly	Horn	Miller	Ward
Courtney	Houser	Mulder	Warnstadt
Danielson	Iverson	Putney	Wieck
Dearden	Johnson	Quirnbach	Wood
Dotzler	Kettering	Ragan	Zaun

Nays, none.

Absent, 2:

Lamberti Zieman

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 2253, 2262, and 2275 be immediately messaged** to the House.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Resolutions 114 and 117.

Senate Resolution 114

On motion of Senator Beall, **Senate Resolution 114**, a resolution recognizing the 20th anniversary of Iowa Sister States, with report of committee recommending passage, was taken up for consideration.

Senator Beall moved the adoption of Senate Resolution 114, which motion prevailed by a voice vote.

Senate Resolution 117

On motion of Senator Gaskill, **Senate Resolution 117**, a resolution to designate the month of June 2006 as Prostate Cancer Awareness Month and to encourage all health benefit plan providers to include annual screening for prostate cancer as part of their coverage, with report of committee recommending passage, was taken up for consideration.

Senator Gaskill moved the adoption of Senate Resolution 117, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 2:20 p.m. until 8:30 a.m., Tuesday, March 7, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Beatrice Buffington, Council Bluffs—For celebrating your 85th birthday. Senator Gronstal (3/6/06).

Mr. and Mrs. Frank and Doris DeVivo, Council Bluffs—For celebrating your 60th wedding anniversary. Senator Gronstal (3/6/06).

Paul Hayden, Council Bluffs—For his award winning “2006 Write Women Back Into History” essay. Senator Gronstal (3/6/06).

Rachel Kuenning, Council Bluffs—For her award winning “2006 Write Women Back Into History” essay. Senator Gronstal (3/6/06).

Mr. and Mrs. Wayne and Wanda Leaders, Council Bluffs—For celebrating your 60th wedding anniversary. Senator Gronstal (3/6/06).

Mr. and Mrs. Thomas and Mary Scarpello, Council Bluffs—For celebrating your 60th wedding anniversary. Senator Gronstal (3/6/06).

Dustin Anthony Schaffer, Manchester—For achieving the rank of Eagle Scout. Senator Hancock (3/6/06).

Judy Schmidt, Dubuque—For retiring from the Dubuque Community School District. Senator Connolly (3/6/06).

Lesley Stephens, Dubuque—For retiring from the Dubuque Community School District. Senator Connolly (3/6/06).

Jonathon Walling, Hartley—For achieving the rank of Eagle Scout, Boy Scout Troop 158. Senator Johnson (3/6/06)

Thomas Alan Ward, Manchester—For achieving the rank of Eagle Scout. Senator Hancock (3/6/06).

REPORT OF COMMITTEE MEETING

LOCAL GOVERNMENT

Convened: March 2, 2006, 9:30 a.m.

Members Present: Quirmbach and Shull, Co-chairs; Houser, Kreiman, Lundby, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun.

Members Absent: None.

Committee Business: Passed SFs 2100, 2106 (as amended), and 2237 (as amended), and approved SSBs 3130 (as amended), 3129 (as amended), and 3243 (as amended).

Adjourned: 11:15 a.m.

INTRODUCTION OF BILLS

Senate File 2321, by committee on Government Oversight, a bill for an act relating to the confidentiality of certain information relating to homeless individuals and individuals receiving housing assistance.

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

Senate File 2322, by committee on Human Resources, a bill for an act relating to notification procedures concerning diseases, health conditions, unusual clusters, or suspicious events which may be the cause of a public health disaster.

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

Senate File 2323, by committee on Government Oversight, a bill for an act creating a criminal code revisions task force.

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

Senate File 2324, by committee on Education, a bill for an act relating to a school board member's employment as a substitute teacher in a school district.

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

Senate File 2325, by committee on Natural Resources and Environment, a bill for an act relating to the renewable energy tax credit.

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

Senate File 2326, by committee on Judiciary, a bill for an act relating to the recognition of a civil judgment, decree, or order of the tribal court of the Sac and Fox Indian tribe of the Mississippi in Iowa.

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

Senate File 2327, by committee on Judiciary, a bill for an act relating to access to confidential information used to secure an arrest warrant.

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

Senate File 2328, by committee on Government Oversight, a bill for an act making black bears and cougars fur-bearing animals.

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

Senate File 2329, by committee on Natural Resources and Environment, a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating an upland game bird habitat development program.

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

Senate File 2330, by committee on State Government, a bill for an act prohibiting monitor vending machines and providing an effective date.

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

Senate File 2331, by committee on State Government, a bill for an act relating to fees retained by county treasurers for the issuance of driver's licenses and nonoperator's identification cards.

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

Senate File 2332, by committee on State Government, a bill for an act establishing an Iowa food policy council.

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

Senate File 2333, by committee on State Government, a bill for an act relating to the transfer of veterans commemorative property placed in a cemetery, recodifying a provision regarding veteran markers, and providing a penalty.

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

Senate File 2334, by committee on State Government, a bill for an act relating to the approval of emergency rulemaking by the governor.

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

Senate File 2335, by committee on Commerce, a bill for an act relating to indemnity provisions in construction contracts.

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

Senate File 2336, by committee on Human Resources, a bill for an act relating to department of human services' technical requirements involving individual development accounts, family investment program limited benefit plans, paternity establishment definitions, and the state child care assistance program, and including effective date and retroactive applicability provisions.

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

Senate File 2337, by committee on Transportation, a bill for an act establishing preclicensing and continuing education requirements for used motor vehicle dealers.

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

Senate File 2338, by committee on Government Oversight, a bill for an act modifying provisions relating to utilization of indirect cost reimbursements in appropriations to the office of grants enterprise management of the department of management, and making an appropriation.

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

Senate File 2339, by committee on Judiciary, a bill for an act relating to the crime victim compensation fund.

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

Senate File 2340, by committee on Judiciary, a bill for an act relating to using a motor vehicle to transport an illegal nonresident alien, and providing a penalty.

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

Senate File 2341, by committee on Judiciary, a bill for an act relating to county processing of orders for observation, evaluation, and treatment of public patients at the state psychiatric hospital at the state university of Iowa.

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

Senate File 2342, by committee on Judiciary, a bill for an act relating to the appointment of district associate judges and magistrates.

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

Senate File 2343, by committee on Human Resources, a bill for an act revising the membership requirements for the child advocacy board.

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

Senate File 2344, by committee on Commerce, a bill for an act requiring development of a uniform application form for small employer group health insurance coverage.

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

Senate File 2345, by committee on Commerce, a bill for an act relating to loans made to resident account beneficiaries of health savings accounts.

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

Senate File 2346, by committee on Transportation, a bill for an act relating to driver education, graduated driver licensing provisions, and passenger restraint requirements, and making a penalty applicable.

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

Senate File 2347, by committee on Natural Resources and Environment, a bill for an act providing for energy performance-based contracts for certain public entities and public educational facilities.

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

Senate File 2348, by committee on Natural Resources and Environment, a bill for an act requiring certain minor children to wear personal flotation devices while on board certain vessels operated on state waters and providing for a penalty and an effective date.

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

Senate File 2349, by committee on Judiciary, a bill for an act providing grounds for termination of parental rights under certain circumstances for parents convicted of certain felonies.

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

Senate File 2350, by committee on Agriculture, a bill for an act relating to swine, by regulating feral swine, and providing penalties.

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

Senate File 2351, by committee on Local Government, a bill for an act relating to the powers and duties of the county treasurer and including effective and applicability date provisions.

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

Senate File 2352, by committee on Natural Resources and Environment, a bill for an act relating to the regulation of all-terrain vehicles, and providing penalties for violations committed by snowmobile or all-terrain vehicle operators.

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

Senate File 2353, by committee on Commerce, a bill for an act relating to debt management, mortgage bankers and brokers, delayed deposit services, regulated loans, and industrial loans, and providing for fees and penalties.

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

Senate File 2354, by committee on Education, a bill for an act relating to the establishment of a student advancement policy.

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

Senate File 2355, by Bolkcom, a bill for an act relating to the reporting of income tax liability by public utilities with the Iowa utilities board.

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

Senate File 2356, by committee on Judiciary, a bill for an act relating to medical malpractice actions for personal injury or death.

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

Senate File 2357, by committee on Judiciary, a bill for an act relating to the judicial branch including the assessment of court fees and costs.

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

Senate File 2358, by committee on Education, a bill for an act relating to the administrative duties of the state board of regents.

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

Senate File 2359, by committee on State Government, a bill for an act restricting fundraising activities by specified professional associations under certain circumstances, and providing for fundraising activity oversight by the department of public safety.

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

Senate File 2360, by committee on Local Government, a bill for an act relating to the bid threshold requirements for public improvement contracts.

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

Senate File 2361, by committee on Commerce, a bill for an act relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: SENATE FILE 2350 (formerly SF 2243), a bill for an act relating to swine, by regulating feral swine, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Fraise, Johnson, Black, Brunkhorst, Courtney, Gaskill, Hahn, Hancock, Houser, Kibbie, Mulder, Putney, Ragan, and Rielly. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Bill Title: SENATE FILE 2335 (SSB 3186), a bill for an act relating to indemnity provisions in construction contracts.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 13: Behn, Warnstadt, Angelo, Beall, Courtney, Gronstal, Kettering, McKinley, Rielly, Stewart, Wieck, Zaun, and Zieman. Nays, 2: Larson and McCoy. Absent, 1: Bolkom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2344 (SSB 3242), a bill for an act requiring development of a uniform application form for small employer group health insurance coverage.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Behn, Warnstadt, Angelo, Beall, Courtney, Gronstal, Kettering, Larson, McCoy, McKinley, Rielly, Stewart, Wieck, Zaun, and Zieman. Nays, none. Absent, 1: Bolkcom.

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 Commerce Committee on Senate File 2344, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2345 (SSB 3195), a bill for an act relating to loans made to resident account beneficiaries of health savings accounts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Behn, Warnstadt, Angelo, Beall, Courtney, Gronstal, Kettering, Larson, McCoy, McKinley, Rielly, Stewart, Wieck, Zaun, and Zieman. Nays, none. Absent, 1: Bolkcom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2353 (SSB 3139), a bill for an act relating to debt management, mortgage bankers and brokers, delayed deposit services, regulated loans, and industrial loans, and providing for fees and penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Behn, Warnstadt, Angelo, Beall, Courtney, Gronstal, Kettering, Larson, McCoy, McKinley, Rielly, Stewart, Wieck, Zaun, and Zieman. Nays, none. Absent, 1: Bolkcom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2361 (SSB 3146), a bill for an act relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 12: Behn, Warnstadt, Beall, Courtney, Gronstal, Kettering, Larson, McCoy, McKinley, Rielly, Stewart, and Wieck. Nays, 3: Angelo, Zaun, and Zieman. Absent, 1: Bolkcom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: *SENATE FILE 2324 (formerly SF 2177), a bill for an act relating to a school board member's employment as a substitute teacher in a school district.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Connolly, McKinley, Angelo, Beall, Boettger, Dvorsky, Kreiman, Mulder, Quirnbach, Schoenjahn, Ward, and Wood. Nays, none. Absent, 2: Brunkhorst and Larson.

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 Education Committee on Senate File 2324, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2354 (LSB 6570xk), a bill for an act relating to the establishment of a student advancement policy.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Connolly, McKinley, Angelo, Beall, Boettger, Brunkhorst, Mulder, Quirnbach, Schoenjahn, Ward, and Wood. Nays, none. Absent, 3: Dvorsky, Kreiman, and Larson.

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 Education Committee on Senate File 2354, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2358 (formerly SF 2176), a bill for an act relating to the administrative duties of the state board of regents.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, McKinley, Angelo, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Larson, Mulder, Quirnbach, Schoenjahn, Ward, and Wood. Nays, none. 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 Education Committee on Senate File 2358, and they were attached to the committee report.

GOVERNMENT OVERSIGHT

Bill Title: *SENATE FILE 2321 (SSB 3161), a bill for an act relating to the confidentiality of certain information relating to homeless individuals and individuals receiving housing assistance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 4: Courtney, Lundby, Connolly, and Wieck. Nays, none. 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 Government Oversight Committee on Senate File 2321, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2323 (SSB 3212), a bill for an act creating a criminal code revisions task force.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 4: Courtney, Lundby, Connolly, and Wieck. Nays, none. 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 Government Oversight Committee on Senate File 2323, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2328 (SSB 3196), a bill for an act making black bears and cougars fur-bearing animals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 4: Courtney, Lundby, Connolly, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2338 (SSB 3118), a bill for an act modifying provisions relating to utilization of indirect cost reimbursements in appropriations to the office of grants enterprise management of the department of management, and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 4: Courtney, Lundby, Connolly, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: *SENATE FILE 2322 (SSB 3220), a bill for an act relating to notification procedures concerning diseases, health conditions, unusual clusters, or suspicious events which may be the cause of a public health disaster.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. 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 Human Resources Committee on Senate File 2322, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2336 (SSB 3035), a bill for an act relating to department of human services' technical requirements involving individual development accounts, family investment program limited benefit plans, paternity establishment definitions, and the state child care assistance program, and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2343 (SSB 3013), a bill for an act revising the membership requirements for the child advocacy board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. 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 Human Resources Committee on Senate File 2343, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 2326 (SSB 3121), a bill for an act relating to the recognition of a civil judgment, decree, or order of the tribal court of the Sac and Fox Indian tribe of the Mississippi in Iowa.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2327 (SSB 3152), a bill for an act relating to access to confidential information used to secure an arrest warrant.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. 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 Judiciary Committee on Senate File 2327, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2339 (SSB 3087), a bill for an act relating to the crime victim compensation fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. 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 Judiciary Committee on Senate File 2339, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2340 (formerly SF 2280), a bill for an act relating to using a motor vehicle to transport an illegal nonresident alien, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. 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 Judiciary Committee on Senate File 2340, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2341 (SSB 3032), a bill for an act relating to county processing of orders for observation, evaluation, and treatment of public patients at the state psychiatric hospital at the state university of Iowa.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. 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 Judiciary Committee on Senate File 2341, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2342 (SSB 3105), a bill for an act relating to the appointment of district associate judges and magistrates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. 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 Judiciary Committee on Senate File 2342, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2349 (formerly SF 2111), a bill for an act providing grounds for termination of parental rights under certain circumstances for parents convicted of certain felonies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. 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 Judiciary Committee on Senate File 2349, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2356 (SSB 3236), a bill for an act relating to medical malpractice actions for personal injury or death.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. 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 Judiciary Committee on Senate File 2356, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2357 (SSB 3103), a bill for an act relating to the judicial branch including the assessment of court fees and costs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. 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 Judiciary Committee on Senate File 2357, and they were attached to the committee report.

LOCAL GOVERNMENT

Bill Title: *SENATE FILE 2351 (formerly SF 2237), a bill for an act relating to the powers and duties of the county treasurer and including effective and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Quirmbach, Shull, Houser, Kreiman, Lundby, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun. Nays, none. 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 Local Government Committee on Senate File 2351, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2360 (SSB 3129), a bill for an act relating to the bid threshold requirements for public improvement contracts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Quirmbach, Shull, Houser, Lundby, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun. Nays, 1: Kreiman. 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 Local Government Committee on Senate File 2360, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *SENATE FILE 2325 (formerly SF 2133), a bill for an act relating to the renewable energy tax credit.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Houser, Bolcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. 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 Natural Resources and Environment Committee on Senate File 2325, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2329 (formerly SF 2120), a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating an upland game bird habitat development program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Houser, Bolckcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. 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 Natural Resources and Environment Committee on Senate File 2329, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2347 (SSB 3229), a bill for an act providing for energy performance-based contracts for certain public entities and public educational facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Black, Houser, Dearden, Hancock, Johnson, Lundby, Putney, Schoenjahn, Seng, and Wood. Nays, 3: Gaskill, Kettering, and Miller. Absent, 1: Bolckcom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2348 (SSB 3058), a bill for an act requiring certain minor children to wear personal flotation devices while on board certain vessels operated on state waters and providing for a penalty and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Black, Houser, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Bolckcom.

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 Natural Resources and Environment Committee on Senate File 2348, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2352 (SSB 3205), a bill for an act relating to the regulation of all-terrain vehicles, and providing penalties for violations committed by snowmobile or all-terrain vehicle operators.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Black, Houser, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Bolkcom.

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 Natural Resources and Environment Committee on Senate File 2352, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: *SENATE FILE 2330 (formerly SF 2142), a bill for an act prohibiting monitor vending machines and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. 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 State Government Committee on Senate File 2330, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2331 (SSB 3221), a bill for an act relating to fees retained by county treasurers for the issuance of driver's licenses and nonoperator's identification cards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2332 (SSB 3246), a bill for an act establishing an Iowa food policy council.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2333 (formerly SF 2064), a bill for an act relating to the transfer of veterans commemorative property placed in a cemetery, recodifying a provision regarding veteran markers, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2334 (formerly SF 2330), a bill for an act relating to the approval of emergency rulemaking by the governor.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2359 (SSB 3224), a bill for an act restricting fundraising activities by specified professional associations under certain circumstances, and providing for fundraising activity oversight by the department of public safety.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. 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 State Government Committee on Senate File 2359, and they were attached to the committee report.

TRANSPORTATION

Bill Title: SENATE FILE 2337 (SSB 3234), a bill for an act establishing prelicensing and continuing education requirements for used motor vehicle dealers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: McCoy, Putney, Beall, Danielson, Dearden, Hahn, Shull, Ward, Warnstadt, and Zieman. Nays, 2: Fraise and Kettering. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2346 (SSB 3211), a bill for an act relating to driver education, graduated driver licensing provisions, and passenger restraint requirements, and making a penalty applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: McCoy, Putney, Beall, Danielson, Dearden, Fraise, Hahn, Kettering, Shull, Ward, Warnstadt, and Zieman. Nays, none. 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 Transportation Committee on Senate File 2346, and they were attached to the committee report.

AMENDMENTS FILED

S-5020	H.F.	2365	Steve Warnstadt
S-5021	S.F.	2240	Steve Warnstadt
S-5022	S.F.	2297	Dick L. Dearden

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 7, 2006

The Senate met in regular session at 8:34 a.m., President Kibbie presiding.

Prayer was offered by Dennis St. Lawrence, pastor of the Grace Baptist Church in Chariton, Iowa. He was the guest of Senator McKinley.

The Journal of Monday, March 6, 2006, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 6, 2006; **passed** the following bills in which the concurrence of the Senate is asked:

House File 2283, a bill for an act to provide that the state elevator code supersedes conflicting provisions of building codes.

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

House File 2337, a bill for an act relating to the use of a peace officer of the department of public safety in an industrial dispute and providing an effective date.

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

House File 2346, a bill for an act relating to public access to school district financial information, providing for the establishment

and distribution of a financial report by school districts, and providing for the posting of information relating to outstanding school district levies.

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

House File 2459, a bill for an act relating to and making appropriations to the department of economic development, certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters, and providing effective and retroactive applicability dates.

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

House File 2525, a bill for an act relating to policies and duties of the state department of transportation, including placement of official signs on primary highways, inspection of bridges, administrative duties, motor vehicle registration and titling, driver licensing, licensing and regulation of vehicle-related businesses, vehicle braking requirements, vehicle length restrictions, proof of financial responsibility requirements, and persons with disabilities parking permits, and including effective dates.

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

House File 2540, a bill for an act relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources and providing fees.

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

House File 2543, a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

Read first time and attached to **similar Senate File 2255**.

House File 2557, a bill for an act relating to and making appropriations to the judicial branch.

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

BILLS REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that the following bills on the Senate Calendar be referred to committee:

S.F. 2182	Ways and Means
S.F. 2312	Appropriations
S.F. 2330	State Government

RECESS

On motion of Senator Iverson, the Senate recessed at 8:43 a.m. until 2:00 p.m.

APPENDIX — 1

CERTIFICATES OF RECOGNITION

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

Michael Finucane, member of the Irish Senate—For being honored as a Distinguished Guest of Iowa. International Relations Committee (3/7/06).

Mr. and Mrs. Larry and Kathy French, Maxwell—For celebrating your 60th wedding anniversary. Senator Iverson (3/7/06).

Gladys Temple, Fort Dodge—Upon your 100th birthday, for your pioneering efforts to create special education in Iowa's schools. Senator Beall (3/7/06).

Mr. and Mrs. Grover and Florence Walker, Jewell—For celebrating your 65th wedding anniversary. Senator Iverson (3/7/06).

PRESENTATION OF VISITORS

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

The 2006 girls' basketball team from Dowling Catholic High School in West Des Moines, Iowa, accompanied by Coach John Wilkenson. Senator Zaun.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 122, by Johnson and Fraise, a resolution supporting the proposal of Iowa State University to pursue the location of the national bio and agro-defense facility at the site of the current National Center for Animal Health in Ames, Iowa.

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

Senate Resolution 123, by Danielson, a resolution designating a Technology and Science Day in Iowa.

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

INTRODUCTION OF BILLS

Senate File 2362, by committee on Judiciary, a bill for an act relating to involuntary hospitalization proceedings for chronic substance abusers and persons with mental illness.

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

Senate File 2363, by committee on Natural Resources and Environment, a bill for an act relating to water quality standards.

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

Senate File 2364, by committee on Commerce, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including the securities and regulated industries bureau, insurance premium taxes, the uniform securities Act, insurance division procedures, regulation of insurance companies and other entities including administrative penalties, motor vehicle service contracts, county and state mutual insurance associations, reciprocal or interinsurance insurers, consolidation, merger and reinsurance contracts, insurance holding company systems, and cemeteries.

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

Senate File 2365, by committee on Government Oversight, a bill for an act relating to the establishment of state and school antiharassment or antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters.

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

Senate File 2366, by committee on Natural Resources and Environment, a bill for an act regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties.

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

Senate File 2367, by committee on Commerce, a bill for an act requiring health care benefit coverage for certain prosthetic devices and providing an applicability date.

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

Senate File 2368, by committee on State Government, a bill for an act concerning alcoholic beverage control relating to manufacturers providing free cleaning services to retailers.

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

Senate File 2369, by committee on Agriculture, a bill for an act relating to requirements for open feedlot operations, by providing for nutrient management plans and operating permits, and providing an effective date and retroactive applicability.

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

Senate File 2370, by committee on Local Government, a bill for an act relating to local government innovation, creating a local government innovation commission and fund, creating a center for governing excellence, and including an effective date.

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

Senate File 2371, by committee on Local Government, a bill for an act relating to satellite absentee voting at city primary and city runoff elections.

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

Senate File 2372, by committee on Local Government, a bill for an act relating to funding for local emergency management and providing an applicability date.

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

Senate File 2373, by committee on State Government, a bill for an act relating to the certification and registration of real estate appraisers and providing a penalty.

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

Senate File 2374, by committee on Judiciary, a bill for an act containing various provisions relating to business entities, including limited partnerships, corporations, limited liability companies, cooperatives, and nonprofit corporations.

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

Senate File 2375, by committee on Human Resources, a bill for an act relating to services and requirements for current and former participants in the child welfare system.

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

Senate File 2376, by committee on Commerce, a bill for an act relating to financial institutions including the regulation of state banks, bank holding companies, and industrial loan companies, and providing for penalties.

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

Senate File 2377, by committee on Natural Resources and Environment, a bill for an act relating to animal feeding operations, by providing for standards and evaluations by the department of natural resources.

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

Senate File 2378, by committee on Agriculture, a bill for an act providing for the conversion of cooperative associations, and providing for an effective date.

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

Senate File 2379, by committee on Natural Resources and Environment, a bill for an act authorizing the governor to designate April of each year as Aldo Leopold month.

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

Senate File 2380, by committee on Agriculture, a bill for an act relating to motor fuel, by establishing standards for renewable fuel including biodiesel and biodiesel blended fuel, providing for terminology changes, and providing for penalties.

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

Senate File 2381, by committee on Natural Resources and Environment, a bill for an act relating to combustion of solid waste with energy recovery.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: SENATE FILE 2369 (SSB 3240), a bill for an act relating to requirements for open feedlot operations, by providing for nutrient management plans and operating permits, and providing an effective date and retroactive applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Fraise, Johnson, Black, Brunkhorst, Courtney, Gaskill, Hahn, Hancock, Houser, Kibbie, Mulder, Putney, Ragan, and Rielly. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2378 (SSB 3237), a bill for an act providing for the conversion of cooperative associations, and providing for an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Fraise, Johnson, Black, Brunkhorst, Courtney, Gaskill, Hahn, Hancock, Houser, Kibbie, Mulder, Putney, Ragan, and Rielly. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2380 (SSB 3228), a bill for an act relating to motor fuel, by establishing standards for renewable fuel including biodiesel and biodiesel blended fuel, providing for terminology changes, and providing for penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Fraise, Johnson, Black, Brunkhorst, Courtney, Gaskill, Hahn, Hancock, Houser, Kibbie, Mulder, Putney, Ragan, and Rielly. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Bill Title: *SENATE FILE 2364 (SSB 3215), a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including the securities and regulated industries bureau, insurance premium taxes, the uniform securities Act, insurance division procedures, regulation of insurance companies and other entities including administrative penalties, motor vehicle service contracts, county and state mutual insurance associations, reciprocal or interinsurance insurers, consolidation, merger and reinsurance contracts, insurance holding company systems, and cemeteries.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Behn, Warnstadt, Angelo, Beall, Courtney, Gronstal, Kettering, Larson, McCoy, McKinley, Rielly, Stewart, Wieck, Zaun, and Zieman. Nays, none. Absent, 1: Bolkcom.

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 Commerce Committee on Senate File 2364, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2367 (SSB 1281), a bill for an act requiring health care benefit coverage for certain prosthetic devices and providing an applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Behn, Warnstadt, Angelo, Beall, Courtney, Gronstal, Kettering, Larson, McCoy, McKinley, Rielly, Stewart, Wieck, Zaun, and Zieman. Nays, none. Absent, 1: Bolkcom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2376 (SSB 3239), a bill for an act relating to financial institutions including the regulation of state banks, bank holding companies, and industrial loan companies, and providing for penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Behn, Warnstadt, Beall, Courtney, Gronstal, Kettering, Larson, McCoy, McKinley, Rielly, Stewart, Wieck, Zaun, and Ziemann. Nays, 1: Angelo. Absent, 1: Bolkcom.

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 Commerce Committee on Senate File 2376, and they were attached to the committee report.

GOVERNMENT OVERSIGHT

Bill Title: *SENATE FILE 2365 (formerly SF 406), a bill for an act relating to the establishment of state and school antiharassment or antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 3: Courtney, Lundby, and Connolly. Nays, 1: Wieck. 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 Government Oversight Committee on Senate File 2365, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: *SENATE FILE 2375 (SSB 3039), a bill for an act relating to services and requirements for current and former participants in the child welfare system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirnbach, Tinsman, and Wood. Nays, none. 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 Human Resources Committee on Senate File 2375, and they were attached to the committee report.

JUDICIARY

Bill Title: *SENATE FILE 2362 (SSB 3030), a bill for an act relating to involuntary hospitalization proceedings for chronic substance abusers and persons with mental illness.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirnbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. 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 Judiciary Committee on Senate File 2362, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2374 (SSB 3235), a bill for an act containing various provisions relating to business entities, including limited partnerships, corporations, limited liability companies, cooperatives, and nonprofit corporations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirnbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. 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 Judiciary Committee on Senate File 2374, and they were attached to the committee report.

LOCAL GOVERNMENT

Bill Title: *SENATE FILE 2370 (SSB 3243), a bill for an act relating to local government innovation, creating a local government innovation commission and fund, creating a center for governing excellence, and including an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Quirnbach, Shull, Houser, Kreiman, Lundby, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun. Nays, none. 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 Local Government Committee on Senate File 2370, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2371 (SSB 3130), a bill for an act relating to satellite absentee voting at city primary and city runoff elections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Quirmbach, Shull, Houser, Kreiman, Lundby, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun. Nays, none. 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 Local Government Committee on Senate File 2371, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2372 (formerly SF 2100), a bill for an act relating to funding for local emergency management and providing an applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Quirmbach, Shull, Houser, Kreiman, Lundby, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *SENATE FILE 2363 (SSB 3069), a bill for an act relating to water quality standards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Black, Houser, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Bolckcom.

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 Natural Resources and Environment Committee on Senate File 2363, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2366 (SSB 3244), a bill for an act regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Black, Houser, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Bolckcom.

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 Natural Resources and Environment Committee on Senate File 2366, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2377 (SSB 3238), a bill for an act relating to animal feeding operations, by providing for standards and evaluations by the department of natural resources.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Black, Houser, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Bolkcom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2379 (SSB 3247), a bill for an act authorizing the governor to designate April of each year as Aldo Leopold month.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Black, Houser, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Bolkcom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2381 (SSB 3231), a bill for an act relating to combustion of solid waste with energy recovery.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Black, Houser, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Bolkcom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: *SENATE FILE 2368 (SSB 3140), a bill for an act concerning alcoholic beverage control relating to manufacturers providing free cleaning services to retailers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Horn, McKibben, Black, Brunkhorst, Connolly, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, and Wood. Nays, 3: Danielson, Hancock, and Zieman. 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 State Government Committee on Senate File 2368, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2373 (formerly SF 2098), a bill for an act relating to the certification and registration of real estate appraisers and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. 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 State Government Committee on Senate File 2373, and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 2:06 p.m., President Kibbie presiding.

SPECIAL GUESTS

Senator Hahn presented the Honorable Merlin Hulse, former member of the Iowa Senate from Clarence, Iowa.

The Senate rose and expressed its welcome.

Senator Kibbie introduced Pat and Deb Kibbie, his son and daughter-in-law, from Emmetsburg, who were visiting the Senate.

The Senate rose and expressed its welcome.

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 March 7, 2006, passed the following bill in which the concurrence of the Senate is asked:

House File 2558, a bill for an act relating to and making appropriations to the justice system and providing an effective date.

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 2207 and 2240.

Senate File 2207

On motion of Senator Wood, **Senate File 2207**, a bill for an act relating to the publication of official notices in English language newspapers, was taken up for consideration.

Senator Wood 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. 2207), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 2240

On motion of Senator Horn, **Senate File 2240**, a bill for an act relating to disorderly conduct committed near a military funeral, memorial service, funeral procession, or burial, and providing penalties, was taken up for consideration.

Senator Warnstadt offered amendment S-5021, filed by him on March 6, 2006, to page 1 and to the title page of the bill, and moved its adoption.

Amendment S-5021 was adopted by a voice vote.

Senator Horn asked and received unanimous consent that **House File 2365** be substituted for **Senate File 2240**.

House File 2365

On motion of Senator Horn, **House File 2365**, a bill for an act relating to committing disorderly conduct near a funeral, memorial service, funeral procession, or burial, and providing penalties, was taken up for consideration.

Senator Warnstadt offered amendment S-5020, filed by him on March 6, 2006, to page 1 of the bill, and moved its adoption.

Amendment S-5020 was adopted by a voice vote.

With the adoption of amendment S-5020, the Chair ruled amendment S-5025, filed by Senator Hahn from the floor to page 1 of the bill, out of order.

Senator Warnstadt offered amendment S-5024, filed by him from the floor to page 1 and to the title page of the bill, and moved its adoption.

Amendment S-5024 was adopted by a voice vote.

Senator Horn 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. 2365), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

WITHDRAWN

Senator Horn asked and received unanimous consent that **Senate File 2240** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 2207** and **House File 2365** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 2249, 2288, and 2289.

Senate File 2249

On motion of Senator Kreiman, **Senate File 2249**, a bill for an act relating to the rights and responsibilities of a person providing family foster care, was taken up for consideration.

Senator Kreiman 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. 2249), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward

Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 2288

On motion of Senator Quirmbach, **Senate File 2288**, a bill for an act providing for a postsecondary education subsidy upon a finding of paternity, 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. 2288), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 2289

On motion of Senator Ward, **Senate File 2289**, a bill for an act relating to identification of publicly owned motor vehicles used by persons who provide off-site or in-home medical or mental health services, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2289), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 2249, 2288, and 2289** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 2290 and 2296.

Senate File 2290

On motion of Senator Ward, **Senate File 2290**, a bill for an act relating to the payment of costs of reasonable attorney fees and other expenses related to certain paternity and adoption proceedings, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2290), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 2296

On motion of Senator McKibben, **Senate File 2296**, a bill for an act relating to dogs, including the right to kill a tagged dog and the

liability of a dog's owner for damages caused by the dog, was taken up for consideration.

Senator McKibben 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. 2296), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate Files 2290 and 2296 be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 2299 and 2304.

Senate File 2299

On motion of Senator Beall, **Senate File 2299**, a bill for an act relating to credit unions and other financial organizations by providing for public funds requirements, membership qualifications, and preservation of records, was taken up for consideration.

Senator Beall 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. 2299), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 2304

On motion of Senator Ward, **Senate File 2304**, a bill for an act relating to indigent defense claims and the reimbursement of costs in juvenile cases paid by a county, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2304), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 2299 and 2304** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 3:15 p.m. until 8:30 a.m., Wednesday, March 8, 2006.

APPENDIX — 2**INTRODUCTION OF BILL**

Senate File 2382, by committee on Local Government, a bill for an act allowing certain assessing jurisdictions to jointly employ an assessor.

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

STUDY BILLS RECEIVED**SSB 3249 Appropriations**

Relating to the housing trust fund and making appropriations.

SSB 3250 Ways and Means

Relating to property taxation and local budgets by modifying the school foundation formula and making related property tax credit changes, abolishing county compensation boards, changing the number of signatures necessary to protest an adopted county budget, adding information to be included on county and city budgets, exempting school foundation property taxes from incremental taxes collected by certain urban renewal areas, eliminating the assessment limitation for residential and agricultural property, limiting taxable value of residential property, establishing an implementation task force, and including effective and retroactive and other applicability date provisions.

SSB 3251 Ways and Means

Concerning residential property and property taxation within a self-supported municipal improvement district and providing that related notices may be sent by first class mail.

SSB 3252 Ways and Means

Establishing a study of the property assessment and assessment appeal process as it relates to property taxation and providing an appropriation.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 122

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 123

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate File 2182

WAYS AND MEANS: McCoy and Zieman, Co-chairs; Dotzler and McKinley

Senate File 2256

WAYS AND MEANS: Danielson and Miller, Co-chairs; Seng and Zaun

Senate File 2258

WAYS AND MEANS: Connolly and Zieman, Co-chairs; Bolkcom and Zaun

Senate File 2307

WAYS AND MEANS: Bolkcom and McKinley, Co-chairs; Dotzler and Hahn

SSB 3249

APPROPRIATIONS: Dotzler and Ward, Co-chairs; Angelo and Dvorsky

SSB 3250

WAYS AND MEANS: Miller and Quirmbach, Co-chairs; Bolkcom, Connolly, Wieck, and Zieman

SSB 3251

WAYS AND MEANS: Connolly and Wieck, Co-chairs; Bolkcom, Miller, Quirmbach, and Zieman

SSB 3252

WAYS AND MEANS: Quirmbach and Zieman, Co-chairs; Bolkcom and Miller

FINAL COMMITTEE REPORT OF BILL ACTION

LOCAL GOVERNMENT

Bill Title: *SENATE FILE 2382 (formerly SF 2106), a bill for an act allowing certain assessing jurisdictions to jointly employ an assessor.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Quirmbach, Shull, Lundby, McCoy, Putney, Rielly, and Zaun.
Nays, 5: Houser, Kreiman, Mulder, Schoenjahn, and Stewart. 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 Local Government Committee on Senate File 2382, 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 7th day of March, 2006:

Senate File 2056.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

S-5023	S.F.	2252	Brad Zaun
S-5024	H.F.	2365	Steve Warnstadt
S-5025	H.F.	2365	James F. Hahn
S-5026	S.F.	2272	Bob Brunkhorst Frank B. Wood
S-5027	S.F.	2301	Larry McKibben
S-5028	S.F.	2353	Roger Stewart
S-5029	S.F.	2264	Keith A. Kreiman
S-5030	S.F.	2368	Pat Ward

JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 8, 2006

The Senate met in regular session at 8:34 a.m., President Kibbie presiding.

Prayer was offered by Loren Strait, pastor of the Glen Echo Christian Church in Des Moines, Iowa. He was the guest of Senator Zaun.

The Journal of Tuesday, March 7, 2006, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 7, 2006, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2232, a bill for an act relating to and making transportation and other infrastructure-related appropriations to the state department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

ALSO: That the House has on March 7, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2361, a bill for an act relating to energy conservation standards included in the state building code for new single-family or two-family residential construction.

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

House File 2397, a bill for an act relating to an assault upon an employee of a jail or correctional institution, and providing a penalty.

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

House File 2398, a bill for an act relating to criminal penalties for a driver convicted of failure to stop and render aid at the scene of a motor vehicle accident.

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

House File 2461, a bill for an act updating the Code references to the Internal Revenue Code and including retroactive applicability and effective date provisions.

Read first time and referred to committee on **Ways and Means**.

House File 2465, a bill for an act relating to the determination of the holding period for purposes of certain capital gains under the individual income tax and including effective and retroactive applicability date provisions.

Read first time and attached to **companion Senate File 2271**.

House File 2521, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters and providing an effective date.

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

House File 2541, a bill for an act eliminating certain duties of the department of natural resources.

Read first time and attached to **companion Senate File 2306**.

RECESS

On motion of Senator Iverson, the Senate recessed at 8:37 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 8:40 a.m., President Kibbie presiding.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 104.

Senate Concurrent Resolution 104

On motion of Senator Tinsman, **Senate Concurrent Resolution 104**, a concurrent resolution designating March 2006 as Iowa Women's History Month, with report of committee recommending passage, was taken up for consideration.

Senator Tinsman moved the adoption of Senate Concurrent Resolution 104, which motion prevailed by a voice vote.

SPECIAL GUESTS

In celebration of Women's History Month, Senators McCoy and Tinsman welcomed student winners of the 22nd Annual "Write Women Back Into History" Essay Contest to the Senate chamber. The contest is sponsored by the Iowa Commission on the Status of Women, the Iowa Department of Education, and the State Historical Society of Iowa.

Sixth and Seventh Grades:

First Place: Emily Wridler of Harding Middle School in Cedar Rapids

Second Place: Stephanie Wenclawski of Harding Middle School in Cedar Rapids

Third Place: Fontavia Reynolds of Waukee Middle School in Waukee

Eighth and Ninth Grades:

First Place: Paul Hayden of Thomas Jefferson High School in Council Bluffs

Second Place: Amanda de Neui of Dunkerton Community School in Dunkerton

Third Place: Rachel Kuenning of Thomas Jefferson High School in Council Bluffs

Best Essay on Women in Science and Engineering for Sixth and Seventh Grades:

First Place: Connor Steffens of Prairie Middle School in Cedar Rapids

Best Essay on Women in Science and Engineering for Eighth and Ninth Grades:

First Place: Allison MacKay of Urbandale Middle School in Urbandale

Second Place: Tess Myer of Mount Ayr High School in Mount Ayr

The Senate rose and expressed its welcome.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Concurrent Resolution 104** be **immediately messaged** to the House.

BILLS REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that the following bills on the Senate Calendar be referred to committee:

S.F. 2329	Ways and Means
S.F. 2331	Appropriations
S.F. 2338	Appropriations
S.F. 2357	Appropriations

RECESS

On motion of Senator Iverson, the Senate recessed at 8:58 a.m. until 2:00 p.m.

APPENDIX — 1

CERTIFICATES OF RECOGNITION

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

Taylor Russell Thompson, Lake View—For achieving the rank of Eagle Scout. Senator Kettering (3/8/06).

Betty Jo Wilcox, Des Moines—For her many years of service to the Sherman Hill Neighborhood. Senator Hatch (3/8/06).

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: March 8, 2006, 8:38 a.m.

Members Present: Gronstal and Iverson, Co-chairs; Angelo, Boettger, Courtney, Hahn, Kibbie, Lamberti, and Ragan.

Members Absent: Dvorsky (excused).

Committee Business: Approved SRs 121, 122, and 123.

Adjourned: 8:40 a.m.

INTRODUCTION OF BILLS

Senate File 2383, by committee on Agriculture, a bill for an act providing for state petroleum replacement, by providing for renewable fuel including ethanol blended fuel and biodiesel blended fuel, providing incentives for infrastructure used to store and dispense renewable fuel, income tax credits, and an appropriation, providing penalties, making penalties applicable, and providing an applicability date.

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

Senate File 2384, by committee on Human Resources, a bill for an act providing that a child who is ten years of age or older, truant, and who refuses to engage in mediation or who violates a truancy mediation agreement commits a delinquent act.

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

Senate File 2385, by committee on Agriculture, a bill for an act relating to motor vehicle fuel by providing for the establishment of standards, providing for tax credits, and providing for applicability and effective dates.

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

Senate File 2386, by committee on Human Resources, a bill for an act to eliminate certain restrictions on the authority of a physician assistant to prescribe certain schedule II controlled substances.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: SENATE FILE 2383 (formerly SF 2129), a bill for an act providing for state petroleum replacement, by providing for renewable fuel including ethanol blended fuel and biodiesel blended fuel, providing incentives for infrastructure used to store and dispense renewable fuel, income tax credits, and an appropriation, providing penalties, making penalties applicable, and providing an applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Fraise, Johnson, Black, Brunkhorst, Courtney, Gaskill, Hahn, Hancock, Houser, Kibbie, Mulder, Putney, Ragan, and Rielly. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2385 (formerly SF 2130), a bill for an act relating to motor vehicle fuel by providing for the establishment of standards, providing for tax credits, and providing for applicability and effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Fraise, Johnson, Black, Brunkhorst, Courtney, Gaskill, Hahn, Hancock, Houser, Kibbie, Mulder, Putney, Ragan, and Rielly. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: SENATE FILE 2384 (formerly SF 295), a bill for an act providing that a child who is ten years of age or older, truant, and who refuses to engage in mediation or who violates a truancy mediation agreement commits a delinquent act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2386 (formerly SSB 1148), a bill for an act to eliminate certain restrictions on the authority of a physician assistant to prescribe certain schedule II controlled substances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Tinsman, and Wood. Nays, 1: Quirmbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 121, a resolution honoring David J. Skorton for his service to Iowa as an educator and administrator and as President of the University of Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Gronstal, Iverson, Angelo, Boettger, Courtney, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 122, a resolution supporting the proposal of Iowa State University to pursue the location of the national bio and agro-defense facility at the site of the current National Center for Animal Health in Ames, Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Gronstal, Iverson, Angelo, Boettger, Courtney, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 123, a resolution designating a Technology and Science Day in Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Gronstal, Iverson, Angelo, Boettger, Courtney, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 2:07 p.m., President Kibbie presiding.

HOUSE MESSAGE RECEIVED

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 March 8, 2006, **adopted** the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 104, a concurrent resolution designating March 2006 as Iowa Women's History Month.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 2241 and 2252.

Senate File 2241

On motion of Senator Ragan, **Senate File 2241**, a bill for an act requiring invasive pneumococcal disease immunization for children enrolling in licensed child care centers, 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?" (S.F. 2241), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt

Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 2252

On motion of Senator Zaun, **Senate File 2252**, a bill for an act relating to adoption petitions and proceedings including the information required to be included in an adoption petition, was taken up for consideration.

Senator Zaun offered amendment S-5023, filed by him on March 7, 2006, to page 1 of the bill, and moved its adoption.

Amendment S-5023 was adopted by a voice vote.

Senator Zaun 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. 2252), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Zieman asked and received unanimous consent to take up for consideration Senate Files 2255, 2285, and 2291.

Senate File 2255

On motion of Senator Hancock, **Senate File 2255**, a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions, was taken up for consideration.

Senator Hancock offered amendment S-5010, filed by the committee on Judiciary on February 22, 2006, to pages 6, 10, 16, 44, 53, 56, and 67 of the bill, and moved its adoption.

Amendment S-5010 was adopted by a voice vote.

Senator Hancock asked and received unanimous consent that **House File 2543** be substituted for **Senate File 2255**.

House File 2543

On motion of Senator Hancock, **House File 2543**, a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2543), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 Hancock asked and received unanimous consent that **Senate File 2255** be **withdrawn** from further consideration of the Senate.

Senate File 2285

On motion of Senator Quirmbach, **Senate File 2285**, a bill for an act relating to the distribution of a presentence investigation report in a criminal proceeding, 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. 2285), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour

Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 2291

On motion of Senator Tinsman, **Senate File 2291**, a bill for an act relating to the victim compensation fund and mileage reimbursement, was taken up for consideration.

Senator Tinsman 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. 2291), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 2241, 2252, 2285, and 2291 and House File 2543** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 2327 and 2341.

Senate File 2327

On motion of Senator Schoenjahn, **Senate File 2327**, a bill for an act relating to access to confidential information used to secure an arrest warrant, was taken up for consideration.

Senator Schoenjahn 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. 2327), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun

Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 2341

On motion of Senator Boettger, **Senate File 2341**, a bill for an act relating to county processing of orders for observation, evaluation, and treatment of public patients at the state psychiatric hospital at the state university of Iowa, was taken up for consideration.

Senator Boettger 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. 2341), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wick
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 2327 and 2341** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 2342, 2349, and 2358.

Senate File 2342

On motion of Senator Kreiman, **Senate File 2342**, a bill for an act relating to the appointment of district associate judges and magistrates, was taken up for consideration.

Senator Kreiman 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. 2342), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 2349

On motion of Senator Fraise, **Senate File 2349**, a bill for an act providing grounds for termination of parental rights under certain circumstances for parents convicted of certain felonies, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2349), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 2358

On motion of Senator Dvorsky, **Senate File 2358**, a bill for an act relating to the administrative duties of the state board of regents, was taken up for consideration.

Senator Dvorsky 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. 2358), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 2342, 2349, and 2358** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 3:10 p.m. until 8:30 a.m., Thursday, March 9, 2006.

APPENDIX—2

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: March 8, 2006, 1:30 p.m.

Members Present: Bolkcom and Zieman, Co-chairs; Connolly, Danielson, Dotzler, Hahn, McKinley, Miller, Stewart, Wieck, and Zaun.

Members Absent: Larson, McCoy, McKibben, Quirmbach, and Seng (all excused).

Committee Business: Subcommittee assignments.

Adjourned: 1:40 p.m.

PRESENTATION OF VISITORS

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

The girls' basketball team from Postville High School in Postville, Iowa, accompanied by Coach Daryl Schultz. Senator Zieman.

Students from Graceland University in Lamoni, Iowa, accompanied by Professor Bill Russell. Senator Angelo.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 105, by Hancock, a concurrent resolution requesting the legislative council to establish an interim committee to study emergency services in the state.

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

STUDY BILLS RECEIVED

SSB 3253 Appropriations

Relating to the compensation and benefits for public officials and employees, providing for related matters, and making appropriations.

SSB 3254 Ways and Means

Relating to manufactured or mobile home regulation, and including fee, penalty, and effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2310**

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs; Boettger and Connolly

Senate File 2312

APPROPRIATIONS: Miller and Stewart, Co-chairs; Lamberti and Warnstadt

Senate File 2315

APPROPRIATIONS: Black and Johnson, Co-chairs; Angelo and Dvorsky

Senate File 2329

WAYS AND MEANS: Dotzler and Zaun, Co-chairs; Hahn and McCoy

Senate File 2355

COMMERCE: Gronstal and McKinley, Co-chairs; McCoy and Zaun

House File 2177

LOCAL GOVERNMENT: Mulder and Stewart, Co-chairs; Rielly and Zaun

House File 2240

LOCAL GOVERNMENT: Lundby and Stewart, Co-chairs; Rielly and Zaun

House File 2283

COMMERCE: Beall and Zaun, Co-chairs; Courtney and Ziemann

House File 2459

APPROPRIATIONS: Dotzler and Ward, Co-chairs; Angelo and Dvorsky

House File 2540

APPROPRIATIONS: Gaskill and Seng, Co-chairs; Angelo and Dvorsky

House File 2557

APPROPRIATIONS: Fraise and Miller, Co-chairs; Angelo and Dvorsky

House File 2558

APPROPRIATIONS: Fraise and Miller, Co-chairs; Angelo and Dvorsky

SSB 3253

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

SSB 3254

WAYS AND MEANS: Connolly and Zieman, Co-chairs; Bolkom and Miller

AMENDMENTS FILED

S-5031	S.F.	2251	Frank B. Wood
S-5032	S.F.	2354	Frank B. Wood
S-5033	S.F.	2272	John Putney
S-5034	S.F.	2272	Bob Brunkhorst
S-5035	S.F.	2272	Michael Connolly
S-5036	S.F.	2300	Gene Fraise
S-5037	S.F.	2346	Matt McCoy
			Bob Brunkhorst
			David Miller
			John Putney
S-5038	S.F.	2269	David Johnson

JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 9, 2006

The Senate met in regular session at 8:32 a.m., President Kibbie presiding.

Prayer was offered by Pastor Donald Corr of the First Congregational Church in Charles City, Iowa. He was the guest of Senator Ragan.

The Journal of Wednesday, March 8, 2006, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 8, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2233, a bill for an act relating to the time limit on executions of judgments and orders for wage garnishments.

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

House File 2239, a bill for an act requiring the board of directors of a school district to adopt a parent and guardian involvement policy.

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

House File 2330, a bill for an act relating to the allowed growth factor adjustment funding for county mental health, mental

retardation, and developmental disabilities services funds and including effective date and retroactive applicability provisions.

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

House File 2396, a bill for an act relating to the Iowa early intervention block grant program by requiring school districts to report certain reading assessment results to parents and extending the program's repeal date.

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

House File 2445, a bill for an act authorizing community colleges and state universities to seek approval to establish charter magnet schools and increasing the number of charter schools that may be approved and providing an effective date.

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

House File 2512, a bill for an act relating to the jurisdiction of the ethics and campaign disclosure board and including effective date and retroactive applicability provisions and subjecting violators to remedies and penalties.

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

House File 2515, a bill for an act relating to obstructions in highways and providing penalties.

Read first time and attached to **similar Senate File 2297**.

House File 2528, a bill for an act relating to prohibited business practices by a real estate broker or salesperson.

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

House File 2546, a bill for an act relating to public and private landowners' immunity from premises liability during urban deer control hunts authorized by municipal ordinances.

Read first time and attached to **similar Senate File 2107**.

House File 2564, a bill for an act relating to notification of parents, guardians, or custodians of children receiving child care from an unregistered child care home when it is determined that child abuse involving the home has occurred.

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

House File 2587, a bill for an act relating to financial institutions including the regulation of state banks, bank holding companies, and industrial loan companies, and providing for penalties.

Read first time and attached to **companion Senate File 2376**.

House File 2589, a bill for an act providing for the release of certain morbidity and mortality study information to the Iowa healthcare collaborative.

Read first time and attached to **similar Senate File 2250**.

House File 2593, a bill for an act relating to activities of lobbyists and the ethical conduct of state officials and employees.

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

House File 2612, a bill for an act providing criminal penalties for the failure of a vessel operator to offer assistance and information at the scene of a collision, accident, or casualty.

Read first time and attached to **similar Senate File 2085**.

House File 2631, a bill for an act creating the Iowa proprietary tuition grant program, and adding a member to represent proprietary institutions to the college student aid commission.

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

House File 2635, a bill for an act relating to drainage and levee districts by providing for the publication of notice and the letting of bids.

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

BILL REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that **Senate File 2325** be referred from the Regular Calendar to the committee on **Ways and Means**.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 8:55 a.m. until 1:00 p.m., Monday, March 13, 2006.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Megan Dial, Shenandoah—For your outstanding student achievements in the FCCLA organization. Senator Houser (3/9/06).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 9, 2006, 11:10 a.m.

Members Present: Angelo and Dvorsky, Co-chairs; Black, Boettger, Bolkom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt.

Members Absent: Lamberti, Miller, and Putney (all excused).

Committee Business: Approved SSB 3249 (as amended).

Adjourned: 11:15 a.m.

STATE GOVERNMENT

Convened: March 9, 2006, 10:35 a.m.

Members Present: Horn and McKibben, Co-chairs; Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Tinsman, Ward, Wieck, and Wood.

Members Absent: Miller and Zieman (both excused).

Committee Business: Passed SF 2330.

Adjourned: 10:40 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 124, by Iverson and Gronstal, a resolution honoring Tom Griffiths for over three decades of service to Iowa's credit unions.

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

STUDY BILL RECEIVED

SSB 3255 Education

Declaring March 15, 2006, as a day to recognize and honor Iowa's community colleges on their 40th anniversary.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 105

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 124

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate File 2330

STATE GOVERNMENT: Horn and McKibben, Co-chairs; Kibbie and Zieman

House File 832 (Reassignment)

WAYS AND MEANS: Miller and Quirnbach, Co-chairs; Connolly and Zaun

House File 2361

COMMERCE: Bolkcom and Zaun, Co-chairs; McCoy and Zieman

House File 2461

WAYS AND MEANS: Connolly and McKibben, Co-chairs; Danielson and Miller

SSB 3255

EDUCATION: Connolly and McKinley, Co-chairs

FINAL COMMITTEE REPORT OF BILL ACTION**STATE GOVERNMENT**

Bill Title: SENATE FILE 2330 (formerly SF 2142), a bill for an act prohibiting monitor vending machines and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Tinsman, Ward, Wieck, and Wood. Nays, none. Absent, 2: Miller and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 9, 2006, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 2056 – Relating to the Honey Creek Premier Destination Park bond program and providing an effective date.

AMENDMENTS FILED

S-5039	S.F.	2272	John Putney Michael Connolly
S-5040	S.F.	2085	David Johnson
S-5041	S.F.	2231	Jeff Danielson
S-5042	S.F.	2314	Jeff Danielson
S-5043	S.F.	2221	Bob Brunkhorst

JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 13, 2006

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

Prayer was offered by Spencer Keroff, pastor of the Assembly of God Church in Centerville, Iowa. He was the guest of Senator Kreiman.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Lucas Strittmatter.

The Journal of Thursday, March 9, 2006, was approved.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate File 2372** be referred from the Regular Calendar to the committee on **Ways and Means**.

The Senate stood at ease at 1:14 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:45 p.m., President Lamberti presiding.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2271.

Senate File 2271

On motion of Senator Connolly, **Senate File 2271**, a bill for an act relating to the holding period for purposes of certain capital assets under the individual income tax and including effective and applicability date provisions, was taken up for consideration.

Senator Connolly asked and received unanimous consent that **House File 2465** be substituted for **Senate File 2271**.

House File 2465

On motion of Senator Connolly, **House File 2465**, a bill for an act relating to the holding period for purposes of certain capital assets under the individual income tax and including effective and applicability date provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2465), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 Connolly asked and received unanimous consent that **Senate File 2271** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2306 and 2378.

Senate File 2306

On motion of Senator Dearden, **Senate File 2306**, a bill for an act eliminating certain duties of the department of natural resources, was taken up for consideration.

Senator Dearden asked and received unanimous consent that **House File 2541** be **substituted** for **Senate File 2306**.

House File 2541

On motion of Senator Dearden, **House File 2541**, a bill for an act eliminating certain duties of the department of natural resources, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2541), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood

Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 Dearden asked and received unanimous consent that **Senate File 2306** be **withdrawn** from further consideration of the Senate.

Senate File 2378

On motion of Senator Johnson, **Senate File 2378**, a bill for an act providing for the conversion of cooperative associations, and providing for an effective date, was taken up for consideration.

Senator Johnson 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. 2378), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolutions 122 and 123.

Senate Resolution 122

On motion of Senator Johnson, **Senate Resolution 122**, a resolution supporting the proposal of Iowa State University to pursue the location of the national bio and agro-defense facility at the site of the current National Center for Animal Health in Ames, Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Johnson moved the adoption of Senate Resolution 122, which motion prevailed by a voice vote.

Senate Resolution 123

On motion of Senator Danielson, **Senate Resolution 123**, a resolution designating a Technology and Science Day in Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Danielson moved the adoption of Senate Resolution 123, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2378** and **House Files 2465** and **2541** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Joint Resolution 4.

Senate Joint Resolution 4

On motion of Senator Miller, **Senate Joint Resolution 4**, a joint resolution designating the channel catfish as the official state fish for the State of Iowa, with report of committee recommending passage, was taken up for consideration.

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

Senate Joint Resolution 4, a joint resolution designating the channel catfish as the official state fish for the State of Iowa.

WHEREAS, the channel catfish (*ictalurus punctatus*) is a native fish to Iowa's prairie streams and rivers inhabiting all 99 counties, and is one of the most abundant fish in Iowa lakes, streams, and rivers; and

WHEREAS, the channel catfish's appearance is easily recognizable by its slender scaleless body, deeply forked tail, fleshy whiskers, and sharp spines; and

WHEREAS, the channel catfish can be caught with a wide variety of tackle, most of which is inexpensive and available to all anglers; and

WHEREAS, the channel catfish is excellent table fare, with Iowa anglers reporting that they eat catfish more often than any other sport fish; and

WHEREAS, more Iowans participate in sport fishing than any other outdoor recreational sport with nearly one million anglers spending approximately \$400 million annually and generating \$1.2 billion in economic activity; and

WHEREAS, the channel catfish is the most preferred fish among Iowa anglers, reaching trophy size above 30 pounds and providing pole-bending action, with over four million caught annually; and

WHEREAS, the channel catfish is an important fish to Mississippi river commercial fishers with nearly 500,000 pounds of channel catfish marketed each year from the river; NOW THEREFORE, BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. STATE FISH DESIGNATED. The channel catfish (*Ictalurus punctatus*) is designated and shall be officially known as the state fish of Iowa.

Sec. 2. APPROPRIATE REPRESENTATIONS. The director of the department of cultural affairs shall obtain appropriate pictures and other representations of the channel catfish and shall display the pictures and representations in an appropriate place in the state historical museum.

Sec. 3. OFFICIAL REGISTER. The editor of the Iowa official register shall include an appropriate picture and commentary of the channel catfish in the Iowa official register, along with the pictures of the state rock, state flower, state bird, and state tree.

On the question "Shall the resolution be adopted?" (S.J.R. 4), the vote was:

Yeas, 45:

Angelo	Fraise	Larson	Seymour
Beall	Gaskill	Lundby	Shull
Behn	Gronstal	McKibben	Stewart
Black	Hahn	McKinley	Ward
Boettger	Hancock	Miller	Warnstadt
Bolkcom	Hatch	Mulder	Wieck
Connolly	Horn	Putney	Wood
Courtney	Houser	Quirnbach	Zaun
Danielson	Johnson	Ragan	Zieman
Dearden	Kettering	Rielly	
Dotzler	Kibbie	Schoenjahn	
Dvorsky	Lamberti	Seng	

Nays, 5:

Brunkhorst	Kreiman	Tinsman
Iverson	McCoy	

Absent, none.

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2316, 2364, 2339, and 2333.

Senate File 2316

On motion of Senator Danielson, **Senate File 2316**, a bill for an act relating to the procedures for filing administrative rules, was taken up for consideration.

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. 2316), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Larson	Shull
Behn	Gronstal	McCoy	Stewart
Black	Hahn	McKibben	Tinsman
Boettger	Hancock	McKinley	Ward
Bolkcom	Hatch	Miller	Warnstadt
Brunkhorst	Horn	Mulder	Wieck
Connolly	Houser	Putney	Wood
Courtney	Iverson	Quirnbach	Zaun
Danielson	Johnson	Ragan	Zieman
Dearden	Kettering	Rielly	
Dotzler	Kibbie	Schoenjahn	
Dvorsky	Kreiman	Seng	

Nays, 1:

Lundby

Absent, none.

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

Senate File 2364

On motion of Senator McCoy, **Senate File 2364**, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including the securities and regulated industries bureau, insurance premium taxes, the uniform securities Act, insurance division procedures, regulation of insurance companies and other entities including administrative penalties, motor vehicle service contracts, county and state mutual insurance associations, reciprocal or interinsurance insurers, consolidation, merger and reinsurance contracts, insurance holding company systems, and cemeteries, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2364), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 2339

On motion of Senator Tinsman, **Senate File 2339**, a bill for an act relating to the crime victim compensation fund, was taken up for consideration.

Senator Tinsman 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. 2339), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 2333

On motion of Senator Kibbie, **Senate File 2333**, a bill for an act relating to the transfer of veterans commemorative property placed in a cemetery, recodifying a provision regarding veteran markers, and providing a penalty, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2333), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Joint Resolution 4** and **Senate Files 2316, 2333, 2339, and 2364** be **immediately messaged** to the House.

CONSIDERATION OF BILLS

(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2343, 2352, 2362, 2374, and 2376.

Senate File 2343

On motion of Senator Tinsman, **Senate File 2343**, a bill for an act revising the membership requirements for the child advocacy board, was taken up for consideration.

Senator Tinsman 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. 2343), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 2352

On motion of Senator Johnson, **Senate File 2352**, a bill for an act relating to the regulation of all-terrain vehicles, and providing penalties for violations committed by snowmobile or all-terrain vehicle operators, was taken up for consideration.

Senator Johnson 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. 2352), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck

Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 2362

On motion of Senator Tinsman, **Senate File 2362**, a bill for an act relating to involuntary hospitalization proceedings for chronic substance abusers and persons with mental illness, was taken up for consideration.

Senator Tinsman 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. 2362), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 2374

On motion of Senator Schoenjahn, **Senate File 2374**, a bill for an act containing various provisions relating to business entities, including limited partnerships, corporations, limited liability companies, cooperatives, and nonprofit corporations, was taken up for consideration.

Senator Schoenjahn offered amendment S-5052, filed by him from the floor to the title page of the bill, and moved its adoption.

Amendment S-5052 was adopted by a voice vote.

Senator McKinley asked and received unanimous consent that action on **Senate File 2374** be **deferred**.

Senate File 2376

On motion of Senator Rielly, **Senate File 2376**, a bill for an act relating to financial institutions including the regulation of state banks, bank holding companies, and industrial loan companies, and providing for penalties, was taken up for consideration.

Senator Rielly asked and received unanimous consent that **House File 2587** be **substituted** for **Senate File 2376**.

House File 2587

On motion of Senator Rielly, **House File 2587**, a bill for an act relating to financial institutions including the regulation of state banks, bank holding companies, and industrial loan companies, and providing for penalties, was taken up for consideration.

Senator Beall asked and received unanimous consent that action on **House File 2587** be **deferred**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2343, 2352, and 2362** be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED

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 March 13, 2006, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2273, a bill for an act relating to financial and regulatory matters by making and revising appropriations for the fiscal year beginning July 1, 2005, and providing an effective date.

CONSIDERATION OF BILLS

(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2369 and 2320.

Senate File 2369

On motion of Senator Fraise, **Senate File 2369**, a bill for an act relating to requirements for open feedlot operations, by providing for nutrient management plans and operating permits, and providing an effective date and retroactive applicability, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2369), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun

Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 2320

On motion of Senator Beall, **Senate File 2320**, a bill for an act relating to the development of an Iowa studies professional development plan and the establishment of an Iowa studies committee, was taken up for consideration.

Senator Beall offered amendment S-5048, filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment S-5048 was adopted by a voice vote.

Senator Beall 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. 2320), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2320 and 2369** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 2374

The Senate resumed consideration of **Senate File 2374**, a bill for an act containing various provisions relating to business entities, including limited partnerships, corporations, limited liability companies, cooperatives, and nonprofit corporations, previously deferred.

Senator Schoenjahn 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. 2374), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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 (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2330.

Senate File 2330

On motion of Senator McKibben, **Senate File 2330**, a bill for an act prohibiting monitor vending machines and providing an effective date, with report of committee on State Government recommending passage, was taken up for consideration.

(Senate File 2330 was deferred.)

The Senate stood at ease at 4:35 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 5:35 p.m., President Lamberti 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 13, 2006, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2124, a bill for an act providing for the establishment of a nutrition and physical activity community obesity prevention grant program, and providing a contingent effective date.

Senate File 2147, a bill for an act relating to the requirement of location as an eligibility criterion for businesses under the enterprise zone program.

Senate File 2285, a bill for an act relating to the distribution of a presentence investigation report in a criminal proceeding.

ALSO: That the House has on March 13, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2464, a bill for an act authorizing an approved nursing education program to initiate criminal and child and dependent adult abuse record checks of students and prospective students regarding the students' involvement with the clinical education component of the program.

Read first time and attached to **companion Senate File 2287**.

House File 2492, a bill for an act relating to the costs of services provided to persons with mental retardation whose service costs are a state responsibility.

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

House File 2493, a bill for an act providing for the establishment of a viral hepatitis program and study.

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

House File 2509, a bill for an act relating to financial education for applicants for and participants in the family investment program.

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

House File 2565, a bill for an act requiring the department of human services to implement an electronic payment system for the state child care assistance program.

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

House File 2567, a bill for an act creating a multidimensional treatment level foster care program.

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

House File 2569, a bill for an act relating to the operation of all-terrain vehicles on the highway for limited purposes.

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

House File 2588, a bill for an act relating to the criminal and abuse registry checks required of a person employed by a licensed health care facility.

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

House File 2644, a bill for an act relating to department of human services' technical requirements involving individual development accounts, family investment program limited benefit plans, paternity establishment definitions, and the state child care assistance program, and including effective date and retroactive applicability provisions.

Read first time and attached to **companion Senate File 2336**.

House File 2697, a bill for an act relating to the confinement of a prisoner in a municipal holding facility or county jail.

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

House File 2712, a bill for an act establishing a deferred retirement option plan for members of the statewide fire and police retirement system and including an implementation provision.

Read first time and attached to **companion Senate File 2265**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2374** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 2330

The Senate resumed consideration of **Senate File 2330**, a bill for an act prohibiting monitor vending machines and providing an effective date, previously deferred.

Senator Horn offered amendment S-5045, filed by Senator Horn, et al., from the floor striking and replacing everything after the enacting clause and to the title page of the bill.

Senator Gronstal offered amendment S-5055, filed by him from the floor to pages 1-4 of amendment S-5045, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5055 (to amendment S-5045) be adopted?" (S.F. 2330), the vote was:

Yeas, 22:

Beall	Dotzler	Kibbie	Seng
Black	Dvorsky	McCoy	Stewart
Bolkcom	Fraise	Quirnbach	Warnstadt
Connolly	Gronstal	Ragan	Wood
Courtney	Hancock	Rielly	
Danielson	Horn	Schoenjahn	

Nays, 28:

Angelo	Hatch	Larson	Seymour
Behn	Houser	Lundby	Shull
Boettger	Iverson	McKibben	Tinsman
Brunkhorst	Johnson	McKinley	Ward
Dearden	Kettering	Miller	Wieck
Gaskill	Kreiman	Mulder	Zaun
Hahn	Lamberti	Putney	Zieman

Absent, none.

Amendment S-5055 lost.

Senator Lundby withdrew amendment S-5056, filed by her from the floor to pages 1-4 of amendment S-5045.

Senator Dotzler withdrew amendment S-5061, filed by him from the floor to pages 1-4 of amendment S-5045.

Senator Lundby offered amendment S-5062, filed by her from the floor to pages 1-4 of amendment S-5045, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5062 (to amendment S-5045) be adopted?" (S.F. 2330), the vote was:

Yeas, 41:

Beall	Gaskill	Lundby	Seymour
Behn	Gronstal	McKibben	Shull
Black	Hahn	McKinley	Stewart
Boettger	Hancock	Miller	Tinsman
Bolkcom	Hatch	Mulder	Ward
Brunkhorst	Houser	Putney	Wieck
Connolly	Iverson	Quirmbach	Wood
Danielson	Johnson	Ragan	Zaun
Dearden	Kibbie	Rielly	
Dvorsky	Lamberti	Schoenjahn	
Fraise	Larson	Seng	

Nays, 9:

Angelo	Horn	McCoy
Courtney	Kettering	Warnstadt
Dotzler	Kreiman	Zieman

Absent, none.

Amendment S-5062 was adopted.

With the adoption of S-5062, the Chair ruled the following amendments to amendment S-5045, out of order:

S-5053, filed by Senator McCoy, et al., from the floor to pages 1-4; and S-5051, filed by Senator Lundby from the floor to pages 1-4.

Senator Horn moved the adoption of amendment S-5045, which motion prevailed by a voice vote.

With the adoption of amendment S-5045, the Chair ruled the following amendments out of order:

S-5059, filed by Senator Zieman from the floor striking and replacing everything after the enacting clause and to the title page of the bill;

S-5046, filed by Senator McKibben from the floor to page 1 and to the title page of the bill; and

S-5058, filed by Senator Dotzler from the floor to page 1 of the bill.

Senator McKibben 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. 2330), the vote was:

Yeas, 40:

Beall	Fraise	Lamberti	Rielly
Behn	Gaskill	Larson	Seng
Black	Gronstal	Lundby	Seymour
Boettger	Hahn	McKibben	Shull
Bolkcom	Hancock	McKinley	Stewart
Brunkhorst	Hatch	Miller	Tinsman
Connolly	Houser	Mulder	Ward
Danielson	Iverson	Putney	Warnstadt
Dearden	Johnson	Quirnbach	Wieck
Dvorsky	Kibbie	Ragan	Zaun

Nays, 10:

Angelo	Horn	McCoy	Zieman
Courtney	Kettering	Schoenjahn	
Dotzler	Kreiman	Wood	

Absent, none.

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 File 2330 be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2272 and 2208.

Senate File 2272

On motion of Senator Brunkhorst, **Senate File 2272**, a bill for an act relating to the duties and operations of the state board of education, the department of education, and local school boards, was taken up for consideration.

Senator Connolly withdrew amendment S-5035, filed by him on March 8, 2006, to the title page of the bill.

With the withdrawal of amendment S-5035, the Chair ruled amendment S-5047, filed by Senators Putney and Connolly from the floor to page 1 of amendment S-5035, out of order.

President Pro Tempore McKibben took the chair at 8:05 p.m.

Senator Brunkhorst offered amendment S-5026, filed by Senators Brunkhorst and Wood on March 7, 2006, to page 2 of the bill, and moved its adoption.

Amendment S-5026 was adopted by a voice vote.

Senator Brunkhorst offered amendment S-5050, filed by Senators Brunkhorst and Connolly from the floor to pages 3, 4, 7, 10, and 12-14 of the bill, and moved its adoption.

Amendment S-5050 was adopted by a voice vote.

With the adoption of amendment S-5050, the Chair ruled amendment S-5034, filed by Senator Brunkhorst on March 8, 2006, to page 12 of the bill, out of order.

Senator Putney withdrew amendment S-5033, filed by him on March 8, 2006, to pages 3 and 9 of the bill.

Senator Putney offered amendment S-5039, filed by Senators Putney and Connolly on March 9, 2006, to pages 3, 9, 14, and to the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5039 be adopted?" (S.F. 2272), the vote was:

Yeas, 35:

Angelo	Gronstal	Lamberti	Quirmbach
Behn	Hahn	Larson	Seymour
Black	Hancock	Lundby	Shull
Boettger	Hatch	McCoy	Stewart
Connolly	Houser	McKibben	Ward
Danielson	Iverson	McKinley	Wieck
Dearden	Johnson	Miller	Zaun
Dotzler	Kettering	Mulder	Zieman
Gaskill	Kibbie	Putney	

Nays, 15:

Beall	Dvorsky	Ragan	Tinsman
Bolkcom	Fraise	Rielly	Warnstadt
Brunkhorst	Horn	Schoenjahn	Wood
Courtney	Kreiman	Seng	

Absent, none.

Amendment S-5039 was adopted.

Senator Dvorsky asked and received unanimous consent that action on **Senate File 2272** be **deferred**.

Senate File 2208

On motion of Senator Kreiman, **Senate File 2208**, a bill for an act relating to access to certain burial sites located on private property, was taken up for consideration.

Senator Kreiman offered amendment S-5054, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5054 was adopted by a voice vote.

Senator Kreiman 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. 2208), the vote was:

Yeas, 49:

Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	
Fraise	Lamberti	Seng	

Nays, 1:

Angelo

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 2208** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:28 p.m. until 8:30 a.m., Tuesday, March 14, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Larry Croghan, Dubuque—For receiving the Iowa Girls' High School Athletic Union Golden Plaque Award. Senator Connolly (3/13/06).

Loren DeJong, MOC/FV Dutch—For advancing to the 2006 Boys' State Basketball Tourney to defend your State Championship. Senator Mulder (3/13/06).

Coach Ben Gerleman, George/Little Rock Mustangs—For defeating the #1 seed and advancing to the Final Four of the 2006 Boys' State Basketball Tourney. Senator Mulder (3/13/06).

PRESENTATION OF VISITORS

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

Girl Scout Troop 1289 from Hoover Elementary School in Bettendorf, Iowa, accompanied by Michelle Bonin. Senator Tinsman.

INTRODUCTION OF BILL

Senate File 2387, by committee on Appropriations, a bill for an act relating to the housing trust fund and making appropriations.

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

SUBCOMMITTEE ASSIGNMENTS

Senate File 2325

WAYS AND MEANS: Bolckcom and McKibben, Co-chairs; Hahn and Stewart

Senate File 2331

APPROPRIATIONS: Kettering and Warnstadt, Co-chairs; Angelo and Dvorsky

Senate File 2338

APPROPRIATIONS: Connolly and Gaskill, Co-chairs; Angelo and Dvorsky

Senate File 2357

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs; Fraise and Miller

Senate File 2372

WAYS AND MEANS: Danielson and Miller, Co-chairs; Dotzler and Zaun

House File 2161

APPROPRIATIONS: Angelo and Connolly, Co-chairs; Horn and Kettering

House File 2233

JUDICIARY: Schoenjahn and Zaun, Co-chairs; Hancock and Ward

House File 2282

LOCAL GOVERNMENT: Mulder and Schoenjahn, Co-chairs; Rielly and Zaun

House File 2330

HUMAN RESOURCES: Hatch and Tinsman, Co-chairs; Bolkcom and Seymour

House File 2337

JUDICIARY: Kreiman and Larson, Co-chairs; Dvorsky and Ward

House File 2397

JUDICIARY: Kreiman and McKibben, Co-chairs; Zaun and Dvorsky

House File 2398

JUDICIARY: Boettger and Hancock, Co-chairs; Kreiman and Larson

House File 2521

APPROPRIATIONS: Putney and Stewart, Co-chairs; Angelo and Dvorsky

House File 2564

HUMAN RESOURCES: Boettger and Kreiman, Co-chairs; Ragan and Seymour

House File 2635

AGRICULTURE: Gaskill and Ragan, Co-chairs; Houser and Rielly

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 2387 (SSB 3249), a bill for an act relating to the housing trust fund and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 21: Angelo, Dvorsky, Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt. Nays, none. Absent, 3: Lamberti, Miller, and Putney.

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 2387, and they were attached to the committee report.

AMENDMENTS FILED

S-5044	S.F.	2314	Tom Hancock Mark Zieman
S-5045	S.F.	2330	Wally E. Horn Mark Zieman Ron Wieck Steve Kettering Matt McCoy
S-5046	S.F.	2330	Larry McKibben
S-5047	S.F.	2272	John Putney Michael Connolly
S-5048	S.F.	2320	Daryl Beall
S-5049	S.F.	2300	Gene Fraise
S-5050	S.F.	2272	Bob Brunkhorst Michael Connolly
S-5051	S.F.	2330	Mary Lundby
S-5052	S.F.	2374	Brian Schoenjahn
S-5053	S.F.	2330	Matt McCoy William A. Dotzler, Jr. Wally E. Horn Thomas G. Courtney Jeff Danielson
S-5054	S.F.	2208	Keith A. Kreiman
S-5055	S.F.	2330	Michael E. Gronstal

S-5056	S.F.	2330	Mary Lundby
S-5057	S.F.	2350	Gene Fraise
S-5058	S.F.	2330	William A. Dotzler, Jr.
S-5059	S.F.	2330	Mark Zieman
S-5060	H.F.	2612	Tom Hancock
S-5061	S.F.	2330	William A. Dotzler, Jr.
S-5062	S.F.	2330	Mary Lundby
S-5063	S.F.	2353	Roger Stewart
S-5064	S.F.	2194	Keith A. Kreiman

JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 14, 2006

The Senate met in regular session at 8:34 a.m., President Lamberti presiding.

Prayer was offered by Mark Urlaub, pastor of the Bethlehem Lutheran Church in Vinton, Iowa. He was the guest of Senator Putney.

The Journal of Monday, March 13, 2006, was approved.

SPECIAL GUEST

Senator Kibbie introduced the Honorable Michael Finucane, member of the Irish Senate from Newcastle West in Limerick County. Mr. Finucane was elected to the Limerick County Council in 1985 and to the Dail Deputy in 1989. In 2002, he was elected to the Irish Senate. Mr. Finucane serves as the Fine Gael Party spokesperson for the committees on communications and natural resources.

Mr. Finucane addressed the Senate with brief remarks.

Senator Beall presented Mr. Finucane gifts on behalf of the Iowa Senate and the International Relations Committee.

The Senate rose and expressed its welcome.

SPECIAL GUESTS

Senator Kibbie introduced the 2006 Miss Shamrock Courtney Hanson from Graettinger, Iowa. She is the daughter of Kevin and Jill Hanson. Miss Shamrock was accompanied by her escort Laura Herke

from Graettinger, daughter of Doug and Laura Herke. Also present were Mickey Conlon, chairman of the St. Patrick's Association, and Andy Joyce, escort for Michael Finucane.

The Senate rose and expressed its welcome.

Senator Kibbie introduced the 2006 Irish dancers: Shelby Brindley, Jacque Carlson, Kendall Deitering, Whitney Kibbie, Erin Reedy, Amy Schultes, Taylor Schulz, and Miranda Vlasman. The group was accompanied by their sponsor Jen Schnell. The dancers entertained in the rotunda of the Capitol.

The Senate rose and expressed its welcome.

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following bills on the Senate Calendar be referred to committee:

S.F. 2370	Appropriations
S.F. 2269	Ways and Means

The Senate stood at ease at 9:37 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:45 a.m., President Lamberti presiding.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2387.

Senate File 2387

On motion of Senator Dotzler, **Senate File 2387**, a bill for an act relating to the housing trust fund and making appropriations, 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. 2387), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2301, 2236, 2287, and 2368.

Senate File 2301

On motion of Senator McKibben, **Senate File 2301**, a bill for an act relating to exemptions for certain personal property from execution by creditors in state court debt collection and federal bankruptcy actions, was taken up for consideration.

Senator McKibben offered amendment S-5027, filed by him on March 7, 2006, to page 2 of the bill, and moved its adoption.

Amendment S-5027 was adopted by a voice vote.

Senator McKibben 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. 2301), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 2336

On motion of Senator Johnson, **Senate File 2336**, a bill for an act relating to department of human services' technical requirements involving individual development accounts, family investment program limited benefit plans, paternity establishment definitions, and the state child care assistance program, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Johnson asked and received unanimous consent that **House File 2644** be substituted for **Senate File 2336**.

House File 2644

On motion of Senator Johnson, **House File 2644**, a bill for an act relating to department of human services' technical requirements

involving individual development accounts, family investment program limited benefit plans, paternity establishment definitions, and the state child care assistance program, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Johnson 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. 2644), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 Johnson asked and received unanimous consent that **Senate File 2336** be **withdrawn** from further consideration of the Senate.

Senate File 2287

On motion of Senator Wood, **Senate File 2287**, a bill for an act authorizing an approved nursing education program to initiate criminal and child and dependent adult abuse record checks of

students and prospective students regarding the students' involvement with the clinical education component of the program, was taken up for consideration.

Senator Wood asked and received unanimous consent that **House File 2464** be substituted for Senate File 2287.

House File 2464

On motion of Senator Wood, **House File 2464**, a bill for an act authorizing an approved nursing education program to initiate criminal and child and dependent adult abuse record checks of students and prospective students regarding the students' involvement with the clinical education component of the program, was taken up for consideration.

Senator Wood 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. 2464), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 Wood asked and received unanimous consent that **Senate File 2287** be **withdrawn** from further consideration of the Senate.

Senate File 2368

On motion of Senator Ward, **Senate File 2368**, a bill for an act concerning alcoholic beverage control relating to manufacturers providing free cleaning services to retailers, was taken up for consideration.

Senator Ward offered amendment S-5030, filed by her on March 7, 2006, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5030 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2368), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2301, 2368, and 2387 and House Files 2464 and 2644** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Joint Resolution 5.

House Joint Resolution 5

On motion of Senator Danielson, **House Joint Resolution 5**, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualification of electors, with report of committee recommending passage, was taken up for consideration.

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

House Joint Resolution 5, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualification of electors.

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

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

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

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

Sec. 2. REFERRAL AND PUBLICATION. The foregoing amendment to the Constitution of the State of Iowa is referred to the General Assembly to be chosen at the next general election for members of the General Assembly, and the Secretary of State is directed to cause the same to be published for three consecutive months previous to the date of that election as provided by law.

On the question "Shall the resolution be adopted?" (H.J.R. 5), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Angelo, until he returns, on request of Senator Iverson.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2318.

Senate File 2318

On motion of Senator Seymour, **Senate File 2318**, a bill for an act relating to an exception from emergency medical care requirements for persons providing care within the scope of their certification, was taken up for consideration.

Senator Hancock withdrew amendment S-5065, filed by Senators Hancock and Mulder from the floor to page 1 and to the title page of the bill.

Senator Seymour 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. 2318), the vote was:

Yeas, 49:

Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	
Fraise	Lamberti	Seng	

Nays, none.

Absent, 1:

Angelo

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

UNFINISHED BUSINESS

(Deferred March 13, 2006)

House File 2587

The Senate resumed consideration of **House File 2587**, a bill for an act relating to financial institutions including the regulation of state banks, bank holding companies, and industrial loan companies, and providing for penalties, deferred March 13, 2006.

Senator Reilly 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. 2587), the vote was:

Yeas, 49:

Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	
Fraise	Lamberti	Seng	

Nays, none.

Absent, 1:

Angelo

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

WITHDRAWN

Senator Rielly asked and received unanimous consent that **Senate File 2376** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred March 13, 2006)

Senate File 2272

The Senate resumed consideration of **Senate File 2272**, a bill for an act relating to the duties and operations of the state board of education, the department of education, and local school boards, deferred March 13, 2006.

Senator Dvorsky offered amendment S-5066, filed by Senators Dvorsky and Wood from the floor to page 10 of the bill, and moved its adoption.

A nonrecord roll call was requested.

The ayes were 17, nays 29.

Amendment S-5066 lost.

Senator Brunkhorst 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. 2272), the vote was:

Yeas, 40:

Behn	Hahn	Lundby	Seng
Black	Hancock	McCoy	Seymour
Boettger	Hatch	McKibben	Shull
Brunkhorst	Houser	McKinley	Stewart
Connolly	Iverson	Miller	Tinsman
Danielson	Johnson	Mulder	Ward
Dearden	Kettering	Putney	Warnstadt
Dotzler	Kibbie	Quirnbach	Wieck
Gaskill	Lamberti	Ragan	Zaun
Gronstal	Larson	Rielly	Zieman

Nays, 9:

Beall	Dvorsky	Kreiman
Bolkcom	Fraise	Schoenjahn
Courtney	Horn	Wood

Absent, 1:

Angelo

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
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2353.

Senate File 2353

On motion of Senator Stewart, **Senate File 2353**, a bill for an act relating to debt management, mortgage bankers and brokers, delayed deposit services, regulated loans, and industrial loans, and providing for fees and penalties, was taken up for consideration.

Senator Stewart offered amendment S-5028, filed by him on March 7, 2006, to pages 12-14, 17, 19, and 20 of the bill.

Senator Stewart offered amendment S-5063, filed by him on March 13, 2006, to page 1 of amendment of S-5028, and moved its adoption.

Amendment S-5063 was adopted by a voice vote.

Senator Stewart moved the adoption of amendment S-5028, which motion prevailed by a voice vote.

Senator Gronstal asked and received unanimous consent that action on **Senate File 2353** be **deferred**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2272 and 2318, House Joint Resolution 5, and House File 2587** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 12:00 p.m. until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:32 p.m., President Lamberti presiding.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2322 and 2353.

Senate File 2322

On motion of Senator Seymour, **Senate File 2322**, a bill for an act relating to notification procedures concerning diseases, health conditions, unusual clusters, or suspicious events which may be the cause of a public health disaster, was taken up for consideration.

Senator Seymour offered amendment S-5067, filed by him from the floor to page 1 and to the title page of the bill, and moved its adoption.

Amendment S-5067 was adopted by a voice vote.

Senator Seymour 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. 2322), the vote was:

Yeas, 49:

Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	
Fraise	Lamberti	Seng	

Nays, none.

Absent, 1:

Angelo

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

BUSINESS PENDING

Senate File 2353

The Senate resumed consideration of **Senate File 2353**, a bill for an act relating to debt management, mortgage bankers and brokers, delayed deposit services, regulated loans, and industrial loans, and providing for fees and penalties, previously deferred.

Senator Stewart called up the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which amendment S-5028 to Senate File 2353 was adopted by the Senate on March 14, 2006.

Senator Iverson asked and received unanimous consent that action on the motion to reconsider the vote on S-5028 to Senate File 2353 and **Senate File 2353** be **deferred**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2322** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 14, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2395, a bill for an act directing the state board of regents to conduct a study of the admissions requirements common to the state universities.

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

House File 2462, a bill for an act relating to the number of eligible electors' signatures necessary in a school district to propose at a regular election the question of providing free textbooks for the use of the school district's pupils.

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

House File 2463, a bill for an act relating to adoption and termination of jurisdiction of a court involving prior child support and custody proceedings.

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

House File 2505, a bill for an act authorizing the labor commissioner to represent laborers or employees seeking wage claims in pending receivership or seizure actions and providing an applicability date.

Read first time and referred to committee on **Business and Labor Relations**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:46 p.m. until 8:30 a.m., Wednesday, March 15, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Carl Callies, Titonka—For celebrating your 102nd birthday. Senator Kibbie (3/14/06).

Tena Johnson, Jewell—For celebrating your 104th birthday. Senator Iverson (3/14/06).

Mr. and Mrs. Howard and Velda Mallow, Webster City—For celebrating your 75th wedding anniversary. Senator Iverson (3/14/06).

Liz Trauger, Bode—For being selected for the Class 1A basketball first team all state. Senator Kibbie (3/14/06).

Twin River Valley girls' basketball team—For making the Class 1A semifinals of the Girls' State Basketball Tournament. Senator Kibbie (3/14/06).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: March 14, 2006, 2:05 p.m.

Members Present: Connolly and McKinley, Co-chairs; Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Mulder, Schoenjahn, Ward, and Wood.

Members Absent: Angelo, Larson, and Quirmbach (all excused).

Committee Business: Approved SSB 3255.

Adjourned: 2:10 p.m.

HUMAN RESOURCES

Convened: March 14, 2006, 3:05 p.m.

Members Present: Ragan and Seymour, Co-chairs; Behn, Boettger, Bolkom, Dotzler, Hatch, Houser, Johnson, Quirmbach, Tinsman, and Wood.

Members Absent: Gaskill and Kreiman (both excused).

Committee Business: Subcommittee assignments.

Adjourned: 3:10 p.m.

LOCAL GOVERNMENT

Convened: March 14, 2006, 4:00 p.m.

Members Present: Quirmbach and Shull, Co-chairs; Houser, Kreiman, Mulder, Putney, Rielly, Schoenjahn, and Stewart.

Members Absent: Lundby, McCoy, and Zaun (all excused).

Committee Business: Passed HF 2177.

Adjourned: 4:15 p.m.

PRESENTATION OF VISITORS

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

Government students from Spirit Lake High School in Spirit Lake, Iowa, accompanied by their teacher Roland Schmidt. Senator Johnson.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 125, by Zaun, a resolution to congratulate the Urbandale Senior League All-Star Team for winning the 2005 Senior League Baseball World Series Championship.

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

Senate Resolution 126, by committee on Education, a resolution declaring March 15, 2006, as a day to recognize and honor Iowa's community colleges on their 40th anniversary.

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

SUBCOMMITTEE ASSIGNMENTS

Senate File 2269

WAYS AND MEANS: McCoy and Zaun, Co-chairs; Danielson and Hahn

House File 2239

EDUCATION: Connolly and McKinley, Co-chairs; Boettger and Kreiman

House File 2346

EDUCATION: Mulder and Wood, Co-chairs; McKinley and Schoenjahn

House File 2396

EDUCATION: Beall and Ward, Co-chairs; Mulder and Wood

House File 2445

EDUCATION: Brunkhorst and Dvorsky, Co-chairs; Boettger and Connolly

House File 2492

HUMAN RESOURCES: Hatch and Tinsman, Co-chairs; Bolkcom and Houser

House File 2493

HUMAN RESOURCES: Boettger and Dotzler, Co-chairs; Hatch and Seymour

House File 2509

HUMAN RESOURCES: Boettger and Quirnbach, Co-chairs; Behn and Kreiman

House File 2512

STATE GOVERNMENT: Danielson and Ward, Co-chairs; Brunkhorst and Kibbie

House File 2525

TRANSPORTATION: McCoy and Putney, Co-chairs; Dearden and Hahn

House File 2565

HUMAN RESOURCES: Tinsman and Wood, Co-chairs; Gaskill and Ragan

House File 2567

HUMAN RESOURCES: Johnson and Kreiman, Co-chairs; Ragan and Tinsman

House File 2588

HUMAN RESOURCES: Ragan and Seymour, Co-chairs; Johnson and Wood

House File 2593

STATE GOVERNMENT: Danielson and Ward, Co-chairs; Brunkhorst and Kibbie

House File 2631

EDUCATION: Boettger and Quirmbach, Co-chairs; Kreiman and Larson

House File 2697

JUDICIARY: Hancock and Zaun, Co-chairs; Kreiman and Larson

FINAL COMMITTEE REPORTS OF BILL ACTION**EDUCATION**

Bill Title: SENATE RESOLUTION 126 (SSB 3255), a resolution declaring March 15, 2006, as a day to recognize and honor Iowa's community colleges on their 40th anniversary.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Connolly, McKinley, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Mulder, Schoenjahn, Ward, and Wood. Nays, none. Absent, 3: Angelo, Larson, and Quirmbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: *HOUSE FILE 2177, a bill for an act requiring the county auditor to evidence approval of the name of a subdivision plat and requiring such statement for filing the subdivision plat with the county recorder.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Quirmbach, Shull, Houser, Kreiman, Mulder, Putney, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, 3: Lundby, McCoy, and Zaun.

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 Local Government Committee on House File 2177, and they were attached to the committee report.

AMENDMENTS FILED

S-5065	S.F.	2318	Tom Hancock Dave Mulder
S-5066	S.F.	2272	Robert E. Dvorsky Frank B. Wood
S-5067	S.F.	2322	James A. Seymour
S-5068	S.F.	2353	Joe Bolkcom
S-5069	S.F.	2270	Larry McKibben

JOURNAL OF THE SENATE

SIXTY-SIXTH CALENDAR DAY
THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 15, 2006

The Senate met in regular session at 8:35 a.m., President Pro Tempore McKibben presiding.

Prayer was offered by Pandit Krishna Pandey, priest of the Hindu Temple and Cultural Center in Madrid, Iowa. He was accompanied by Suren Gupta, chairman of the board of the Hindu temple. They were the guests of Senator Quirmbach.

The Journal of Tuesday, March 14, 2006, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 14, 2006, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2330, a bill for an act prohibiting monitor vending machines and providing an excise tax and an effective date.

ALSO: That the House has on March 14, 2006, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2747, a bill for an act relating to prohibiting monitor vending machines and providing an effective date.

Read first time and referred to committee on **Ways and Means**.

The Senate stood at ease at 8:50 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:30 a.m., President Pro Tempore McKibben presiding.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Rielly asked and received unanimous consent to take up for consideration Senate Resolution 126.

Senate Resolution 126

On motion of Senator Connolly, **Senate Resolution 126**, a resolution declaring March 15, 2006, as a day to recognize and honor Iowa's community colleges on their 40th anniversary, was taken up for consideration.

Senator Connolly moved the adoption of Senate Resolution 126, which motion prevailed by a voice vote.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Dearden, until he arrives, on request of Senator Gronstal; and Senator Lamberti, until he arrives, on request of Senator Angelo.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Rielly asked and received unanimous consent to take up for consideration Senate File 2221 and House File 2177.

Senate File 2221

On motion of Senator Brunkhorst, **Senate File 2221**, a bill for an act extending the reduction in the foundation property tax levy for reorganized and dissolved districts, extending supplementary weighting for whole grade sharing, providing supplementary weighting for shared school district operational functions, and providing effective and applicability dates, was taken up for consideration.

Senator Brunkhorst offered amendment S-5043, filed by him on March 9, 2006, to page 3 of the bill.

Senator Connolly asked and received unanimous consent that action on amendment S-5043 and **Senate File 2221** be **deferred**.

House File 2177

On motion of Senator Kreiman, **House File 2177**, a bill for an act requiring the county auditor to evidence approval of the name of a subdivision plat and requiring such statement for filing the subdivision plat with the county recorder, with report of committee recommending passage, was taken up for consideration.

Senator Kreiman 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. 2177), the vote was:

Yeas, 48:

Angelo	Fraise	Kreiman	Schoenjahn
Beall	Gaskill	Larson	Seng
Behn	Gronstal	Lundby	Seymour
Black	Hahn	McCoy	Shull
Boettger	Hancock	McKibben	Stewart
Bolkcom	Hatch	McKinley	Tinsman
Brunkhorst	Horn	Miller	Ward
Connolly	Houser	Mulder	Warnstadt
Courtney	Iverson	Putney	Wieck
Danielson	Johnson	Quirmbach	Wood
Dotzler	Kettering	Ragan	Zaun
Dvorsky	Kibbie	Rielly	Zieman

Nays, none.

Absent, 2:

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

WITHDRAWN

Senator Kreiman asked and received unanimous consent that **Senate File 2263** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Rielly asked and received unanimous consent to take up for consideration Senate File 2264.

Senate File 2264

On motion of Senator Kreiman, **Senate File 2264**, a bill for an act relating to the duties of county recorders and county auditors concerning instruments affecting real estate and certain other filings recorded by the county recorder, was taken up for consideration.

Senator Kreiman offered amendment S-5029, filed by him on March 7, 2006, to pages 6 and 7 of the bill, and moved its adoption.

Amendment S-5029 was adopted by a voice vote.

Senator Kreiman 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. 2264), the vote was:

Yeas, 48:

Angelo	Fraise	Kreiman	Schoenjahn
Beall	Gaskill	Larson	Seng
Behn	Gronstal	Lundby	Seymour
Black	Hahn	McCoy	Shull
Boettger	Hancock	McKibben	Stewart
Bolkcom	Hatch	McKinley	Tinsman
Brunkhorst	Horn	Miller	Ward
Connolly	Houser	Mulder	Warnstadt
Courtney	Iverson	Putney	Wieck
Danielson	Johnson	Quirnbach	Wood
Dotzler	Kettering	Ragan	Zaun
Dvorsky	Kibbie	Rielly	Zieman

Nays, none.

Absent, 2:

Dearden

Lamberti

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 2264** and **House File 2177** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2270.

Senate File 2270

On motion of Senator Iverson, **Senate File 2270**, a bill for an act providing for the confidentiality of certain records relating to charitable donations for the benefit of a government body, was taken up for consideration.

Senator Iverson offered amendment S-5069, filed by Senator McKibben on March 14, 2006, to page 1 and to the title page of the bill.

Senator Quirmbach asked and received unanimous consent that action on amendment S-5069 and **Senate File 2270** be **deferred**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:11 a.m. until 4:00 p.m.

APPENDIX — 1

CERTIFICATES OF RECOGNITION

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

Myrtle Braun, LeMars—For celebrating your 100th birthday. Senator Mulder (3/15/06).

Danielle Durbala, Spirit Lake—For receiving the Gold Award, Girl Scout Troop 158. Senator Lamberti (3/15/06).

Alyssa Geinitz, Spirit Lake—For receiving the Gold Award, Girl Scout Troop 158. Senator Lamberti (3/15/06).

Katie Hansen, Spirit Lake—For receiving the Gold Award, Girl Scout Troop 158. Senator Lamberti (3/15/06).

Ryan Hetzler, Wilton—For earning a spot on the Eastern Iowa Hawkeye Boys' Basketball All-Conference First Team. Senator Hahn (3/15/06).

Master Gunnery Sergeant Ted T.J. Hogan, Holy Cross—For 30 years of outstanding service to Iowa and our nation as a United States Marine. Senator Hancock (3/15/06).

Mary Alice McClure, Council Bluffs—For your induction into the Thomas Jefferson Hall of Fame. Senator Gronstal (3/15/06).

Katie Michelson, Spirit Lake—For receiving the Gold Award, Girl Scout Troop 158. Senator Lamberti (3/15/06).

Ross Petersen, Durant—For earning a spot on the Eastern Iowa Hawkeye Boys' Basketball All-Conference First Team. Senator Hahn (3/15/06).

Nicole Seemann, Spirit Lake—For receiving the Gold Award, Girl Scout Troop 158. Senator Lamberti (3/15/06).

Jake Soy, Durant—For earning a spot on the Eastern Iowa Hawkeye Boys' Basketball All-Conference First Team. Senator Hahn (3/15/06).

Terry Stewart, Dubuque—For retiring from the City of Dubuque Fire Department. Senator Connolly (3/15/06).

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:

IOWA UTILITIES BOARD

Second Statewide Telecommunications Competition Survey for Retail Local Voice Services in Iowa. Report received on March 15, 2006.

PRESENTATION OF VISITORS

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

Family and friends of Senator Kibbie in recognition of his legislative work in the establishment of community colleges in Iowa.

Community College honor students from the Des Moines Area Community College's Boone, Ankeny, and Urban campuses. Senators Beall and Kibbie.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 15, 2006, 11:30 a.m.

Members Present: Angelo and Dvorsky, Co-chairs; Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Horn, Johnson, Kettering, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt.

Members Absent: Hatch and Lamberti (both excused).

Committee Business: Passed SFs 2312 (as amended), 2315, and 2338.

Recessed: 11:35 a.m.

Reconvened: 11:55 a.m.

Adjourned: 12:05 p.m.

TRANSPORTATION

Convened: March 15, 2006, 2:05 p.m.

Members Present: McCoy and Putney, Co-chairs; Beall, Fraise, Hahn, Kettering, Shull, Ward, Warnstadt, and Ziemann.

Members Absent: Danielson and Dearden (both excused).

Committee Business: Passed HF 2525.

Adjourned: 2:15 p.m.

WAYS AND MEANS

Convened: March 15, 2006, 1:10 p.m.

Members Present: Bolkcom and Zieman, Co-chairs; Connolly, Dotzler, Hahn, McKinley, Miller, Seng, Stewart, Wieck, and Zaun.

Members Absent: Danielson, Larson, McCoy, McKibben, and Quirmbach (all excused).

Committee Business: Subcommittee assignments.

Adjourned: 1:15 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 127, by Ragan, a resolution to recognize the sesquicentennial of the city of Osage, Iowa.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: SENATE FILE 2315 (formerly SF 2284), a bill for an act relating to the sale of certain farmland by Iowa state university of science and technology to the department of natural resources and providing for the appropriation and use of proceeds from the sale.

Recommendation: DO PASS.

Final Vote: Ayes, 18: Angelo, Dvorsky, Black, Bolkcom, Connolly, Dotzler, Gaskill, Johnson, Kettering, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Ward, and Warnstadt. Nays, 4: Boettger, Fraise, Horn, and Tinsman. Absent, 2: Hatch and Lamberti.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2338 (SSB 3118), a bill for an act modifying provisions relating to utilization of indirect cost reimbursements in appropriations to the office of grants enterprise management of the department of management, and making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 22: Angelo, Dvorsky, Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Horn, Johnson, Kettering, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt. Nays, none. Absent, 2: Hatch and Lamberti.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: HOUSE FILE 2333, a bill for an act prohibiting a person or club holding a liquor control license or retail wine or beer permit from distributing or possessing machines used to vaporize an alcoholic beverage for consumption and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Horn, McKibben, Black, Brunkhorst, Connolly, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, 1: Danielson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: HOUSE FILE 2525, a bill for an act relating to policies and duties of the state department of transportation, including placement of official signs on primary highways, inspection of bridges, administrative duties, motor vehicle registration and titling, driver licensing, licensing and regulation of vehicle-related businesses, vehicle braking requirements, vehicle length restrictions, proof of financial responsibility requirements, and persons with disabilities parking permits, and including effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 10: McCoy, Putney, Beall, Fraise, Hahn, Kettering, Shull, Ward, Warnstadt, and Zieman. Nays, none. Absent, 2: Danielson and Dearden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President Pro Tempore McKibben presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller, until he returns, on request of Senator Brunkhorst.

UNFINISHED BUSINESS
(Deferred March 14, 2006)

Senate File 2353

The Senate resumed consideration of **Senate File 2353**, a bill for an act relating to debt management, mortgage bankers and brokers, delayed deposit services, regulated loans, and industrial loans, and providing for fees and penalties, and the motion to reconsider the vote on S-5028 to Senate File 2353, deferred March 14, 2006.

Senator Stewart withdrew his motion to reconsider.

With the withdrawal of the motion to reconsider, the Chair ruled amendment S-5068, filed by Senator Bolkcom on March 14, 2006, to page 2 of amendment S-5028, out of order.

Senator Bolkcom offered amendment S-5072, filed by him from the floor to page 21 of the bill, and moved its adoption.

Amendment S-5072 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2353), the vote was:

Yeas, 47:

Angelo
Beall

Fraise
Gaskill

Kreiman
Larson

Seng
Seymour

Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Mulder	Warnstadt
Connolly	Houser	Putney	Wieck
Courtney	Iverson	Quirnbach	Wood
Danielson	Johnson	Ragan	Zaun
Dotzler	Kettering	Rielly	Zieman
Dvorsky	Kibbie	Schoenjahn	

Nays, none.

Absent, 3:

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2353** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:17 p.m. until 8:30 a.m., Thursday, March 16, 2006.

APPENDIX — 2

INTRODUCTION OF RESOLUTION

Senate Resolution 128, by Gronstal and Iverson, a resolution to honor the life and work of Norman Borlaug.

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

STUDY BILLS RECEIVED

SSB 3256 Appropriations

Creating a show Iowa Program and fund, reducing the aggregate limit of certain investment tax credits, making appropriations, and providing an effective date.

SSB 3257 Ways and Means

Creating a recreational class of property for purposes of property assessment and taxation.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 125

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 127

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

House File 2528

COMMERCE: Beall and Zaun, Co-chairs; Kettering and Stewart

House File 2569

TRANSPORTATION: Fraise and Shull, Co-chairs; Beall and Zieman

SSB 3256

APPROPRIATIONS: Hatch and Johnson, Co-chairs; Dotzler and Gaskill

SSB 3257

WAYS AND MEANS: Miller and Quirmbach, Co-chairs; Bolcom and Zieman

FINAL COMMITTEE REPORT OF BILL ACTION**APPROPRIATIONS**

Bill Title: SENATE FILE 2312 (SSB 3137), a bill for an act providing hardship grants on behalf of veterans seriously injured in a combat zone, providing an income tax exclusion, and including an effective date and retroactive applicability provision.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5074.

Final Vote: Ayes, 22: Angelo, Dvorsky, Black, Boettger, Bolcom, Connolly, Dotzler, Fraise, Gaskill, Horn, Johnson, Kettering, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt. Nays, none. Absent, 2: Hatch and Lamberti.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5070	S.F.	2305	Hubert Houser
S-5071	S.F.	2370	Herman C. Quirmbach
S-5072	S.F.	2353	Joe Bolcom
S-5073	S.F.	2323	Thomas G. Courtney
S-5074	S.F.	2313	Appropriations
S-5075	S.F.	2363	Frank B. Wood
S-5076	H.F.	2245	John P. Kibbie
S-5077	S.F.	2314	Jeff Danielson

JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 16, 2006

The Senate met in regular session at 8:33 a.m., President Pro Tempore McKibben presiding.

Prayer was offered by Anthony Menendez of Estherville, Iowa. He sang "Make Me a Channel of Your Peace." He was the guest of Senator Kibbie.

The Journal of Wednesday, March 15, 2006, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 15, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2527, 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 cultural affairs, the department of education, and the state board of regents and including effective and retroactive applicability dates.

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

House File 2734, a bill for an act relating to and making appropriations to the department of human services, the department of elder affairs, the Iowa department of public health, the department of veterans affairs and the Iowa veterans home, and the department of inspections and appeals, providing for fee increases, and including

other related provisions and appropriations, and providing effective dates.

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

House File 2743, a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund.

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

RECESS

On motion of Senator Gronstal, the Senate recessed at 8:38 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 8:42 a.m., President Pro Tempore McKibben presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 128, a resolution to honor the life and work of Norman Borlaug.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Gronstal, Iverson, Angelò, Boettger, Courtney, Dvorsky, Hahn, Kibbie, and Ragan. Nays, none. Absent, 1: Lamberti.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senate Resolution 128

Senator Gronstal asked and received unanimous consent to take up the following resolution:

1 SENATE RESOLUTION 128

2 By: Gronstal and Iverson

3 A resolution to honor the life and work of Norman Borlaug.

4 WHEREAS, the contributions of Norman Borlaug to the

5 well-being of humanity cannot be overstated, as he has

6 through his life's work saved one billion people from

7 starvation to preserve 16 million square miles of

8 global wildlife habitat; and

9 WHEREAS, thanks to his vision and efforts 21st

10 century farmers are feeding 6.3 billion people on the

11 same farmland area that was inadequate to feed 1

12 billion people in 1900; and

13 WHEREAS, after winning the Nobel Peace Prize in

14 1970, Professor Borlaug continued to work tirelessly,

15 spending the next three decades working vigorously to

16 bring the Green Revolution to Africa; and

17 WHEREAS, as a result of his efforts in Africa, crop

18 yields have doubled and tripled and sometimes

19 quadrupled what traditional farming practices were

20 yielding; and

21 WHEREAS, at the age of 92 Professor Borlaug is

22 still active and well-recognized for his

23 contributions, having just been awarded the United

24 States National Science Medal; NOW THEREFORE,

25 BE IT RESOLVED BY THE SENATE, That the Senate, with

26 deepest respect, honors and expresses its thanks to

27 Professor Norman Borlaug, a Cresco, Iowa, native, who

28 has made it his life's work to feed the hungry and

29 uplift the poor, and in doing so has made the 21st

30 century a time of hope for billions of people.

Senator Kibbie moved the adoption of Senate Resolution 128, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Kibbie introduced Professor Norman Borlaug, a native of Cresco, Iowa, and winner of the Nobel Peace Prize in 1970. Mr. Borlaug has made it his life's work to find ways to use innovative farming practices to help feed the hungry throughout the world.

Mr. Borlaug was accompanied by Ken Quinn, president of the World Food Prize Foundation, and three high school students who are Borlaug/Ruan interns.

The Senate rose and expressed its welcome to all the guests and its appreciation of Mr. Borlaug's work in both feeding the hungry and in preserving global wildlife habitat.

The Senate stood at ease at 9:21 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:26 a.m., President Pro Tempore McKibben presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lamberti, for the day, and Senator Miller, until he arrives, on request of Senator Ziemann.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2332, 2251, 2363, and 2377.

Senate File 2332

On motion of Senator Hatch, **Senate File 2332**, a bill for an act establishing an Iowa food policy council, was taken up for consideration.

Senator Hatch offered amendment S-5078, filed by him from the floor to page 3 of the bill.

Senator Johnson asked and received unanimous consent that action on amendment S-5078 and **Senate File 2332** be **deferred**.

Senate File 2251

On motion of Senator Beall, **Senate File 2251**, a bill for an act directing the department of education and the Iowa department of public health to convene a healthy children task force and providing an effective date, was taken up for consideration.

Senator Wood withdrew amendment S-5031, filed by him on March 8, 2006, to page 1 of the bill.

Senator Boettger withdrew amendment S-5015, filed by her on February 27, 2006, to page 2 of the bill.

Senator Boettger offered amendment S-5081, filed by her from the floor to page 2 of the bill, and moved its adoption.

Amendment S-5081 was adopted by a voice vote.

With the adoption of amendment S-5081, the Chair ruled amendment S-5008, filed by Senator Boettger on February 22, 2006, to page 2 of the bill, out of order.

Senator Beall 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. 2251), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Schoenjahn
Beall	Fraise	Kreiman	Seng
Behn	Gaskill	Larson	Seymour
Black	Gronstal	Lundby	Shull
Boettger	Hahn	McCoy	Stewart
Bolkcom	Hancock	McKibben	Tinsman
Brunkhorst	Hatch	McKinley	Ward
Connolly	Horn	Mulder	Warnstadt
Courtney	Houser	Putney	Wieck
Danielson	Iverson	Quirnbach	Wood
Dearden	Johnson	Ragan	Zaun
Dotzler	Kettering	Rielly	Zieman

Nays, none.

Absent, 2:

Lamberti Miller

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

Senate File 2363

On motion of Senator Wood, **Senate File 2363**, a bill for an act relating to water quality standards, was taken up for consideration.

Senator Wood withdrew amendment S-5075, filed by him on March 15, 2006, to pages 3, 4, 8, and 10 of the bill.

Senator Wood offered amendment S-5080, filed by him from the floor to pages 3, 4, 8, 10, and 13 of the bill, and moved its adoption.

Amendment S-5080 was adopted by a voice vote.

Senator Wood 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. 2363), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Schoenjahn
Beall	Fraise	Kreiman	Seng
Behn	Gaskill	Larson	Seymour
Black	Gronstal	Lundby	Shull
Boettger	Hahn	McCoy	Stewart
Bolkcom	Hancock	McKibben	Tinsman
Brunkhorst	Hatch	McKinley	Ward
Connolly	Horn	Mulder	Warnstadt
Courtney	Houser	Putney	Wieck
Danielson	Iverson	Quirmbach	Wood
Dearden	Johnson	Ragan	Zaun
Dotzler	Kettering	Rielly	Zieman

Nays, none.

Absent, 2:

Lamberti	Miller
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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 2377

On motion of Senator Wood, **Senate File 2377**, a bill for an act relating to animal feeding operations, by providing for standards and evaluations by the department of natural resources, was taken up for consideration.

Senator Wood 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. 2377), the vote was:

Yeas, 36:

Angelo	Gronstal	Kreiman	Seymour
Beall	Hahn	Larson	Shull
Behn	Hancock	Lundby	Stewart
Black	Horn	McKibben	Tinsman
Boettger	Houser	McKinley	Ward
Brunkhorst	Iverson	Mulder	Wieck
Courtney	Johnson	Putney	Wood
Fraise	Kettering	Rielly	Zaun
Gaskill	Kibbie	Seng	Zieman

Nays, 12:

Bolkcom	Dearden	Hatch	Ragan
Connolly	Dotzler	McCoy	Schoenjahn
Danielson	Dvorsky	Quirmbach	Warnstadt

Absent, 2:

Lamberti	Miller
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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 Warnstadt asked and received unanimous consent that **Senate Files 2251, 2363, and 2377** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 2332

The Senate resumed consideration of **Senate File 2332**, a bill for an act establishing an Iowa food policy council, and amendment S-5078, previously deferred.

Senator Hatch moved the adoption of amendment S-5078, which motion prevailed by a voice vote.

Senator Hatch 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. 2332), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Schoenjahn
Beall	Fraise	Kreiman	Seng
Behn	Gaskill	Larson	Seymour
Black	Gronstal	Lundby	Shull
Boettger	Hahn	McCoy	Stewart
Bolkcom	Hancock	McKibben	Tinsman
Brunkhorst	Hatch	McKinley	Ward
Connolly	Horn	Mulder	Warnstadt
Courtney	Houser	Putney	Wieck
Danielson	Iverson	Quirmbach	Wood
Dearden	Johnson	Ragan	Zaun
Dotzler	Kettering	Rielly	Zieman

Nays, none.

Absent, 2:

Lamberti	Miller
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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 BILLS (Regular Calendar)

Senator Warnstadt asked and received unanimous consent to take up for consideration Senate Files 2309 and 2085.

Senate File 2309

On motion of Senator Hatch, **Senate File 2309**, a bill for an act relating to technology transfer and commercialization in certain core platform areas, was taken up for consideration.

Senator Hatch asked and received unanimous consent to withdraw amendment S-5083, filed by Hatch and Brunkhorst from the floor to page 1 of the bill.

Senator Hatch 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. 2309), the vote was:

Yeas, 44:

Beall	Fraise	Kibbie	Schoenjahn
Black	Gaskill	Kreiman	Seng
Boettger	Gronstal	Larson	Seymour
Bolkcom	Hahn	Lundby	Shull
Brunkhorst	Hancock	McCoy	Stewart
Connolly	Hatch	McKibben	Tinsman
Courtney	Horn	Mulder	Ward
Danielson	Houser	Putney	Warnstadt
Dearden	Iverson	Quirmbach	Wieck
Dotzler	Johnson	Ragan	Wood
Dvorsky	Kettering	Rielly	Zieman

Nays, 4:

Angelo	Behn	McKinley	Zaun
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Absent, 2:

Lamberti	Miller
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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 2085

On motion of Senator Wood, **Senate File 2085**, a bill for an act providing criminal penalties for the failure of a vessel operator to offer assistance and information at the scene of a collision, accident, or casualty, with report of committee recommending passage, was taken up for consideration.

Senator Johnson offered amendment S-5040, filed by him on March 9, 2006, to page 1 of the bill, and moved its adoption.

Amendment S-5040 was adopted by a voice vote.

Senator Wood asked and received unanimous consent that **House File 2612** be substituted for **Senate File 2085**.

House File 2612

On motion of Senator Wood, **House File 2612**, a bill for an act providing criminal penalties for the failure of a vessel operator to offer assistance and information at the scene of a collision, accident, or casualty, was taken up for consideration.

Senator Hancock offered amendment S-5060, filed by him on March 13, 2006, to page 1 and to the title page of the bill, and moved its adoption.

Amendment S-5060 was adopted by a voice vote.

Senator Wood 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. 2612), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Schoenjahn
Beall	Fraise	Kreiman	Seng
Behn	Gaskill	Larson	Seymour
Black	Gronstal	Lundby	Shull
Boettger	Hahn	McCoy	Stewart
Bolkcom	Hancock	McKibben	Tinsman
Brunkhorst	Hatch	McKinley	Ward
Connolly	Horn	Mulder	Warnstadt
Courtney	Houser	Putney	Wieck
Danielson	Iverson	Quirmbach	Wood
Dearden	Johnson	Ragan	Zaun
Dotzler	Kettering	Rielly	Zieman

Nays, none.

Absent, 2:

Lamberti

Miller

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

WITHDRAWN

Senator Wood asked and received unanimous consent that **Senate File 2085** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2309 and 2332** and **House File 2612** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 11:35 a.m. until 1:00 p.m., Monday, March 20, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Mr. and Mrs. Les and Imogene Crouthamel, Webster City—For celebrating your 60th wedding anniversary. Senator Iverson (3/16/06).

Mr. and Mrs. Monroe and Gladys Newcomb, Clarion—For celebrating your 60th wedding anniversary. Senator Iverson (3/16/06).

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 16, 2006, 11:40 a.m.

Members Present: Fraise and Johnson, Co-chairs; Black, Courtney, Gaskill, Hancock, Kibbie, Mulder, Putney, Ragan, and Rielly.

Members Absent: Brunkhorst, Hahn, and Houser (all excused).

Committee Business: Passed HF 2635.

Adjourned: 11:45 a.m.

RULES AND ADMINISTRATION

Convened: March 16, 2006, 8:35 a.m.

Members Present: Gronstal and Iverson, Co-chairs; Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, and Ragan.

Members Absent: Lamberti (excused).

Committee Business: Approved SR 128.

Adjourned: 8:40 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 129, by Seymour and Ragan, a resolution to recognize the month of May 2006 as Heart Health Month.

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

Senate Resolution 130, by Quirmbach and Behn, a resolution honoring The Madrid Homes on its centennial year.

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

STUDY BILL RECEIVED

SSB 3258 Appropriations

Establish an individual training account program within the department of workforce development for the training of unemployed persons and making an appropriation.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 128

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 129

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 130

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate File 2370

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs; Kettering and Warnstadt

House File 2346 (Reassignment)

EDUCATION: Brunkhorst and Wood, Co-chairs; McKinley and Schoenjahrn

House File 2396 (Reassignment)

EDUCATION: Beall and Boettger, Co-chairs; Mulder and Wood

House File 2463

HUMAN RESOURCES: Kreiman and Tinsman, Co-chairs; Boettger and Quirmbach

House File 2505

BUSINESS AND LABOR RELATIONS: Behn and Horn, Co-chairs; Seng and Shull

House File 2747

WAYS AND MEANS: Connolly and Ziemann, Co-chairs; Dotzler and Hahn

SSB 3258

APPROPRIATIONS: Hatch and Tinsman, Co-chairs; Dotzler and Ward

FINAL COMMITTEE REPORT OF BILL ACTION**AGRICULTURE**

Bill Title: HOUSE FILE 2635, a bill for an act relating to drainage and levee districts by providing for the publication of notice and the letting of bids.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Fraiese, Johnson, Black, Courtney, Gaskill, Hancock, Kibbie, Mulder, Putney, Ragan, and Rielly. Nays, none. Absent, 3: Brunkhorst, Hahn, and Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5078	S.F.	2332	Jack Hatch
S-5079	S.F.	2231	Jeff Danielson
S-5080	S.F.	2363	Frank B. Wood
S-5081	S.F.	2251	Nancy J. Boettger
S-5082	S.F.	2305	Hubert Houser
S-5083	S.F.	2309	Jack Hatch Bob Brunkhorst
S-5084	S.F.	2314	Jeff Danielson
S-5085	S.F.	2297	John Putney
S-5086	S.F.	2217	Keith A. Kreiman
S-5087	S.F.	2337	Jeff Danielson
S-5088	S.F.	2337	Jeff Danielson
S-5089	S.F.	2194	Brad Zaun
S-5090	S.F.	2231	Jeff Danielson

JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
FORTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 20, 2006

The Senate met in regular session at 1:02 p.m., President Kibbie presiding.

Prayer was offered by the Honorable Dave Mulder, member of the Senate from Sioux County, Sioux Center, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Nora Tobin.

The Journal of Thursday, March 16, 2006, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 16, 2006, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2316, a bill for an act relating to the procedures for filing administrative rules.

ALSO: That the House has on March 16, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2162, a bill for an act relating to the scope of rulemaking authority delegated to an administrative agency.

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

House File 2215, a bill for an act relating to requests for regulatory analysis of administrative rules.

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

House File 2424, a bill for an act relating to the approval of emergency rulemaking by the governor.

Read first time and attached to **companion Senate File 2334**.

House File 2506, a bill for an act relating to the issuance of identity theft passports by the attorney general.

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

House File 2507, a bill for an act relating to priority of labor or wage claims over other debts when an employer's property is placed in receivership or otherwise seized by creditors.

Read first time and referred to committee on **Business and Labor Relations**.

House File 2508, a bill for an act relating to direct deposit of wages and creating an exception to the payday information employers are required to provide each employee under the Iowa wage payment collection law and providing for retroactive applicability.

Read first time and referred to committee on **Business and Labor Relations**.

House File 2562, a bill for an act to make electronic mail and telephone billing records of law enforcement agencies confidential if that information is part of an investigation.

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

House File 2571, a bill for an act relating to the confidentiality and release of an intelligence assessment or intelligence data.

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

House File 2586, a bill for an act relating to the collection of liquidated debts owed to and various authorizations issued by the labor commissioner.

Read first time and referred to committee on **Business and Labor Relations**.

House File 2590, a bill for an act providing for the confidentiality of information concerning security procedures or emergency preparedness information developed and maintained by a government body.

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

House File 2619, a bill for an act relating to high school graduation, dropout, and equivalency reporting requirements.

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

House File 2623, a bill for an act relating to the membership, authority, and duties of the board of educational examiners.

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

House File 2632, a bill for an act relating to real estate, including real estate broker and salesperson licensing and real estate disclosures.

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

House File 2661, a bill for an act relating to the linked investments for tomorrow Act.

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

House File 2671, a bill for an act relating to illegal aliens of the United States including restricting the allocation of housing trust fund moneys, prohibiting the servicing of first mortgages, relating to employment, and providing for penalties.

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

House File 2693, a bill for an act relating to the voting requirements for actions by the administrative rules review committee.

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

House File 2713, a bill for an act changing the bid threshold requirement for certain public improvement contracts and providing for an effective date.

Read first time and attached to **similar Senate File 2360**.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Connolly asked and received unanimous consent to take up for consideration Senate Resolution 119.

Senate Resolution 119

On motion of Senator Connolly, **Senate Resolution 119**, a resolution honoring the life and work of Benjamin C. Duehr, with report of committee recommending passage, was taken up for consideration.

Senator Connolly moved the adoption of Senate Resolution 119, which motion prevailed by a voice vote.

The Senate stood at ease at 1:15 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:35 p.m., President Kibbie presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Warnstadt, for the day, on request of Senator Gronstal; and Senator Ward, for the day, on request of Senator McKibben.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 2346 and 2338.

Senate File 2346

On motion of Senator McCoy, **Senate File 2346**, a bill for an act relating to driver education, graduated driver licensing provisions, and passenger restraint requirements, and making a penalty applicable, was taken up for consideration.

Senator McCoy offered amendment S-5037, filed by Senator McCoy, et al., on March 8, 2006, to page 1 and to the title page of the bill, and moved its adoption.

Amendment S-5037 was adopted by a voice vote.

Senator Brunkhorst offered amendment S-5091, filed by him from the floor to pages 1, 3, and 4 of the bill, and moved its adoption.

Amendment S-5091 lost by a voice vote.

Senator McCoy offered amendment S-5095, filed by Senators McCoy and Putney from the floor to page 6 and to the title page of the bill, and moved its adoption.

Amendment S-5095 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. 2346), the vote was:

Yeas, 48:

Angelo
Beall
Behn
Black
Boettger

Dvorsky
Fraise
Gaskill
Gronstal
Hahn

Kibbie
Kreiman
Lamberti
Larson
Lundby

Ragan
Rielly
Schoenjahn
Seng
Seymour

Bolkcom	Hancock	McCoy	Shull
Brunkhorst	Hatch	McKibben	Stewart
Connolly	Horn	McKinley	Tinsman
Courtney	Houser	Miller	Wieck
Danielson	Iverson	Mulder	Wood
Dearden	Johnson	Putney	Zaun
Dotzler	Kettering	Quirnbach	Zieman

Nays, none.

Absent, 2:

Ward Warnstadt

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

Senate File 2338

On motion of Senator Connolly, **Senate File 2338**, a bill for an act modifying provisions relating to utilization of indirect cost reimbursements in appropriations to the office of grants enterprise management of the department of management, and making an appropriation, with report of committee on Appropriations recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2338), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Rielly
Behn	Gaskill	Lamberti	Schoenjahn
Black	Gronstal	Larson	Seng
Boettger	Hahn	Lundby	Seymour
Bolkcom	Hancock	McCoy	Shull
Brunkhorst	Hatch	McKibben	Stewart
Connolly	Horn	McKinley	Tinsman
Courtney	Houser	Miller	Wieck
Danielson	Iverson	Mulder	Wood
Dearden	Johnson	Putney	Zaun
Dotzler	Kettering	Quirnbach	Zieman

Nays, none.

Absent, 2:

Ward

Warnstadt

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Zieman asked and received unanimous consent to take up for consideration Senate Files 2319, 2305, and 2313.

Senate File 2319

On motion of Senator Bolkcom, **Senate File 2319**, a bill for an act relating to littering and illegal discarding of solid waste and increasing fines and penalties and making appropriations, was taken up for consideration.

Senator Bolkcom asked and received unanimous consent that action on **Senate File 2319** be **deferred**.

Senate File 2305

On motion of Senator Houser, **Senate File 2305**, a bill for an act concerning wine, including the allowable alcohol content of wine and inspection of certain wine permittees, was taken up for consideration.

Senator Houser withdrew amendment S-5070, filed by him on March 15, 2006, to pages 1 and 2 of the bill.

Senator Houser offered amendment S-5082, filed by him on March 16, 2006, to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-5082 was adopted by a voice vote.

Senator Houser 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. 2305), the vote was:

Yeas, 47:

Angelo	Dvorsky	Kibbie	Rielly
Beall	Fraise	Kreiman	Schoenjahn
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Larson	Seymour
Boettger	Hahn	Lundby	Shull
Bolkcom	Hancock	McCoy	Stewart
Brunkhorst	Hatch	McKibben	Tinsman
Connolly	Horn	McKinley	Wieck
Courtney	Houser	Miller	Wood
Danielson	Iverson	Putney	Zaun
Dearden	Johnson	Quirmbach	Zieman
Dotzler	Kettering	Ragan	

Nays, 1:

Mulder

Absent, 2:

Ward Warnstadt

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

Senate File 2313

On motion of Senator Wood, **Senate File 2313**, a bill for an act relating to confidentiality of voter registration records and property assessment information for certain persons and providing an effective date, was taken up for consideration.

Senator Zieman offered amendment S-5098, filed by Senators Zieman and Wood from the floor striking and replacing everything after the enacting clause and to the title page of the bill, and moved its adoption.

Amendment S-5098 was adopted by a voice vote.

Senator Wood 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. 2313), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Rielly
Behn	Gaskill	Lamberti	Schoenjahn
Black	Gronstal	Larson	Seng
Boettger	Hahn	Lundby	Seymour
Bolkcom	Hancock	McCoy	Shull
Brunkhorst	Hatch	McKibben	Stewart
Connolly	Horn	McKinley	Tinsman
Courtney	Houser	Miller	Wieck
Danielson	Iverson	Mulder	Wood
Dearden	Johnson	Putney	Zaun
Dotzler	Kettering	Quirmbach	Zieman

Nays, none.

Absent, 2:

Ward Warnstadt

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 Iverson asked and received unanimous consent that **Senate Files 2305, 2313, 2338, and 2346** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 2292, 2270, 2265, and 2217.

Senate File 2292

On motion of Senator Rielly, **Senate File 2292**, a bill for an act relating to farm tenancies, was taken up for consideration.

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. 2292), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Rielly
Behn	Gaskill	Lamberti	Schoenjahn
Black	Gronstal	Larson	Seng
Boettger	Hahn	Lundby	Seymour
Bolkcom	Hancock	McCoy	Shull
Brunkhorst	Hatch	McKibben	Stewart
Connolly	Horn	McKinley	Tinsman
Courtney	Houser	Miller	Wieck
Danielson	Iverson	Mulder	Wood
Dearden	Johnson	Putney	Zaun
Dotzler	Kettering	Quirmbach	Zieman

Nays, none.

Absent, 2:

Ward Warnstadt

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

President Pro Tempore Dvorsky took the chair at 3:25 p.m.

UNFINISHED BUSINESS (Deferred March 15, 2006)

Senate File 2270

The Senate resumed consideration of **Senate File 2270**, a bill for an act providing for the confidentiality of certain records relating to charitable donations for the benefit of a government body, and amendment S-5069, deferred March 15, 2006.

Senator Quirmbach asked and received unanimous consent that action on amendment S-5069 and **Senate File 2270** be **deferred**.

Senate File 2265

On motion of Senator Kibbie, **Senate File 2265**, a bill for an act establishing a deferred retirement option plan for members of the

statewide fire and police retirement system and including an implementation provision, was taken up for consideration.

Senator Kibbie asked and received unanimous consent that **House File 2712** be **substituted** for **Senate File 2265**.

House File 2712

On motion of Senator Kibbie, **House File 2712**, a bill for an act establishing a deferred retirement option plan for members of the statewide fire and police retirement system and including an implementation provision, with report of committee recommending passage, was taken up for consideration.

Senator McKibben offered amendment S-5099, filed by him from the floor to page 3 and to the title page of the bill.

Senator Kibbie asked and received unanimous consent that action on amendment S-5099 and **House File 2712** be **deferred**.

Senate File 2217

On motion of Senator Kreiman, **Senate File 2217**, a bill for an act requiring the department of human services to maintain compliance with privacy laws applicable to mental health, mental retardation, developmental disabilities, and brain injury services data, with report of committee recommending passage, was taken up for consideration.

Senator Kreiman asked and received unanimous consent that action on **Senate File 2217** be **deferred**.

BUSINESS PENDING

Senate File 2319

The Senate resumed consideration of **Senate File 2319**, a bill for an act relating to littering and illegal discarding of solid waste and increasing fines and penalties and making appropriations, previously deferred.

Senator Bolkcom withdrew amendment S-5100, filed by him from the floor to page 1 and to the title page of the bill.

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. 2319), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Rielly
Behn	Gaskill	Lamberti	Schoenjahn
Black	Gronstal	Larson	Seng
Boettger	Hahn	Lundby	Seymour
Bolkcom	Hancock	McCoy	Shull
Brunkhorst	Hatch	McKibben	Stewart
Connolly	Horn	McKinley	Tinsman
Courtney	Houser	Miller	Wieck
Danielson	Iverson	Mulder	Wood
Dearden	Johnson	Putney	Zaun
Dotzler	Kettering	Quirmbach	Zieman

Nays, none.

Absent, 2:

Ward Warnstadt

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

President Kibbie took the chair at 3:42 p.m.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 2292 and 2319 be immediately messaged to the House.**

RECESS

On motion of Senator Iverson, the Senate recessed at 3:45 p.m. until the completion of a meeting of the committee on State Government.

RECONVENED

The Senate reconvened at 4:00 p.m., President Kibbie presiding.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 2231, 2194, and 2381.

Senate File 2231

On motion of Senator Danielson, **Senate File 2231**, a bill for an act concerning accrued sick leave and the conversion of sick leave for state employees, with report of committee recommending passage, was taken up for consideration.

Senator Danielson withdrew amendment S-5041, filed by him on March 9, 2006, to pages 2, 3, 5, and 6 of the bill.

Senator Danielson offered amendment S-5079, filed by him on March 16, 2006, to page 3 of the bill, and moved its adoption.

Amendment S-5079 was adopted by a voice vote.

Senator Danielson offered amendment S-5090, filed by him on March 16, 2006, to pages 5 and 6 of the bill, and moved its adoption.

Amendment S-5090 was adopted by a voice vote.

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. 2231), the vote was:

Yeas, 48:

Angelo
Beall
Behn
Black
Boettger

Dvorsky
Fraise
Gaskill
Gronstal
Hahn

Kibbie
Kreiman
Lamberti
Larson
Lundby

Ragan
Rielly
Schoenjahn
Seng
Seymour

Bolkcom	Hancock	McCoy	Shull
Brunkhorst	Hatch	McKibben	Stewart
Connolly	Horn	McKinley	Tinsman
Courtney	Houser	Miller	Wieck
Danielson	Iverson	Mulder	Wood
Dearden	Johnson	Putney	Zaun
Dotzler	Kettering	Quirmbach	Zieman

Nays, none.

Absent, 2:

Ward

Warnstadt

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

Senate File 2194

On motion of Senator Zaun, **Senate File 2194**, a bill for an act relating to county, city, and school board publication of allowed claims, was taken up for consideration.

Senator Kreiman offered amendment S-5064, filed by him on March 13, 2006, to pages 1-4 of the bill, and moved its adoption.

Amendment S-5064 was adopted by a voice vote.

Senator Zaun offered amendment S-5089, filed by him on March 16, 2006, to pages 1-4 of the bill, and moved its adoption.

Amendment S-5089 was adopted by a voice vote.

Senator Zaun 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. 2194), the vote was:

Yeas, 46:

Angelo	Gaskill	Lamberti	Schoenjahn
Beall	Gronstal	Larson	Seng
Behn	Hahn	Lundby	Seymour
Black	Hancock	McCoy	Shull
Boettger	Hatch	McKibben	Stewart

Brunkhorst	Horn	McKinley	Tinsman
Connolly	Houser	Miller	Wieck
Courtney	Iverson	Mulder	Wood
Danielson	Johnson	Putney	Zaun
Dearden	Kettering	Quirnbach	Zieman
Dotzler	Kibbie	Ragan	
Fraise	Kreiman	Rielly	

Nays, 2:

Bolkcom Dvorsky

Absent, 2:

Ward Warnstadt

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

Senate File 2381

On motion of Senator Schoenjahn, **Senate File 2381**, a bill for an act relating to combustion of solid waste with energy recovery, was taken up for consideration.

Senator Schoenjahn 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. 2381), the vote was:

Yeas, 46:

Angelo	Gaskill	Lamberti	Schoenjahn
Beall	Gronstal	Larson	Seng
Behn	Hahn	Lundby	Seymour
Black	Hancock	McCoy	Shull
Boettger	Hatch	McKibben	Stewart
Brunkhorst	Horn	McKinley	Tinsman
Connolly	Houser	Miller	Wieck
Courtney	Iverson	Mulder	Wood
Danielson	Johnson	Putney	Zaun
Dearden	Kettering	Quirnbach	Zieman
Dotzler	Kibbie	Ragan	
Fraise	Kreiman	Rielly	

Nays, 2:

Bolkcom

Dvorsky

Absent, 2:

Ward

Warnstadt

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 2194, 2231, and 2381** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 20, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 590, a bill for an act providing for special senior crossbow deer hunting licenses.

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

House File 2613, a bill for an act concerning programs and reports related to economic development.

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

House File 2621, a bill for an act requiring reports from the department of education and from school districts relating to student achievement, percentile rank, and grade level equivalency.

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

House File 2624, a bill for an act extending the statute of limitations for the filing of an indictment or information in a felony or

aggravated or serious misdemeanor proceeding involving DNA profiling.

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

House File 2645, a bill for an act relating to services and requirements for current and former participants in the child welfare system.

Read first time and attached to **similar Senate File 2375.**

House File 2651, a bill for an act relating to a restitution order in a juvenile delinquency proceeding.

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

House File 2652, a bill for an act relating to civil and criminal procedure including the issuance of and violations of certain civil protective orders and criminal no-contact orders.

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

House File 2672, a bill for an act relating to payment of attorney fees in termination of parental rights proceedings, providing an effective date, and providing for retroactive applicability.

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

House File 2708, a bill for an act concerning the veterans trust fund by providing for the minimum balance necessary in order to expend funds from the veterans trust fund, providing an individual income tax checkoff for the fund, and providing for an annual report concerning the fund, and including a retroactive applicability provision.

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

House File 2717, a bill for an act providing for an equine industry development commission and related fund, and providing an effective date.

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

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 4:28 p.m. until 8:30 a.m., Tuesday, March 21, 2006.

APPENDIX

APPOINTMENTS

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNOR

TERM

ACCOUNTANCY EXAMINING BOARD (Sec. 542.4)

Nancy Bruner, Cedar Rapids	05/01/2006 – 04/30/2009
Richard Johnson, Sheldahl	05/01/2006 – 04/30/2009
Telford Lodden, West Des Moines	05/01/2006 – 04/30/2009

ADMINISTRATOR OF THE DIVISION ON THE STATUS OF AFRICAN-AMERICANS (Sec. 216A.2)

Abraham Funchess, Jr., Waterloo	02/10/2006 – Pleasure of the Governor
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COMMISSION ON THE STATUS OF AFRICAN-AMERICANS (Sec. 216A.142)

Michael Blackwell, Cedar Falls	05/01/2006 – 04/30/2010
John Campbell, Jr., Des Moines	02/24/2006 – 04/30/2008
Charles Clayton, Fort Dodge	02/03/2006 – 04/30/2006
Charles Clayton, Fort Dodge	05/01/2006 – 04/30/2010
Marlene Jessop, Cedar Rapids	02/24/2006 – 04/30/2009
Redmond Jones, II, Davenport	05/01/2006 – 04/30/2010
Krystal Madlock, Waterloo	03/15/2006 – 04/30/2008

AGRICULTURAL DEVELOPMENT AUTHORITY (Sec. 175.3)

Frank Carroll, Des Moines	05/01/2006 – 04/30/2012
Timothy Galm, Everly	05/01/2006 – 04/30/2012
Fred Lundt, Rockwell	05/01/2006 – 04/30/2012

ADMINISTRATOR OF THE ALCOHOLIC BEVERAGES DIVISION (Sec. 123.10)	
Lynn M. Walding, Des Moines	05/01/2006 – 04/30/2010
ALCOHOLIC BEVERAGES COMMISSION (Sec. 123.5-6)	
Richard Hunsaker, Carroll	05/01/2006 – 04/30/2011
ARCHITECTURAL EXAMINING BOARD (Sec. 544A.1)	
Martha Green, Des Moines	05/01/2006 – 04/30/2009
Jeffrey Morgan, Des Moines	05/01/2006 – 04/30/2009
BOARD OF EXAMINERS FOR ATHLETIC TRAINING (Sec. 147.14(18))	
Terri Craft, Marshalltown	05/01/2006 – 04/30/2009
Daniel McGuire, Des Moines	05/01/2006 – 04/30/2009
BOARD OF BARBER EXAMINERS (Sec. 147.14(1))	
Kristina Lusk, Des Moines	05/01/2006 – 04/30/2009
Barbara Martin, Luzerne	05/01/2006 – 04/30/2009
BOARD OF BEHAVIORAL SCIENCE EXAMINERS (Sec. 147.14(13))	
John Freeland, Mount Pleasant	05/01/2006 – 04/30/2009
Barbara O'Rourke, North Liberty	05/01/2006 – 04/30/2009
Timothy Ruppert, Marion	05/01/2006 – 04/30/2009
COMMISSION FOR THE BLIND (Sec. 216B.2)	
Behnaz Soulati, Des Moines	05/01/2006 – 04/30/2009
BOILER AND PRESSURE VESSEL BOARD (Sec. 89.14)	
James Kruzic, Pleasantville	05/01/2006 – 04/30/2010
Joseph Rodenkirk, Cedar Rapids	05/01/2006 – 04/30/2010
Lynne Rush, Victor	05/01/2006 – 04/30/2010
IOWA CAPITAL INVESTMENT BOARD (Sec. 15E.63)	
Gordon Neumann, Des Moines	05/01/2006 – 04/30/2011
Daniel Rogers, Cedar Rapids	03/06/2006 – 04/30/2009
CHILD ADVOCACY BOARD (Sec. 237.16)	
Brian Michaelson, Le Mars	05/01/2006 – 04/30/2010
Camella Richards, Ottumwa	05/01/2006 – 04/30/2010
Heather Stephenson, Ames	05/01/2006 – 04/30/2010
Nancylee Ziese, Cedar Rapids	05/01/2006 – 04/30/2010
BOARD OF CHIROPRACTIC EXAMINERS (Sec. 147.14(8))	
John Calisesi, Fort Dodge	05/01/2006 – 04/30/2009
Michael Powell, Cedar Rapids	05/01/2006 – 04/30/2009
Diane Puthoff, Davenport	05/01/2006 – 04/30/2009
CITY DEVELOPMENT BOARD (Sec. 368.9)	
James Halverson, Cedar Rapids	05/01/2006 – 04/30/2012
COMMISSION ON COMMUNITY ACTION AGENCIES (Sec. 216A.92A)	
Carol Besch, Hampton	05/01/2006 – 04/30/2009

Thomas Letsche, Remsen	05/01/2006 – 04/30/2009
Marc Lindeen, Mount Pleasant	05/01/2006 – 04/30/2009

BOARD OF CORRECTIONS (Sec. 904.104)	
Sheryl Griffith, Fort Dodge	05/01/2006 – 04/30/2010

BOARD OF COSMETOLOGY ARTS AND SCIENCES EXAMINERS (Sec. 147.14(14))	
Jerry Talbott, Mount Union	05/01/2006 – 04/30/2009

CREDIT UNION REVIEW BOARD (Sec. 533.53)	
Michael Harvey, Buckingham	05/01/2006 – 04/30/2009
Roger Reiser, Grimes	05/01/2006 – 04/30/2009
Kathleen Steffes, Carroll	05/01/2006 – 04/30/2009

CRIMINAL AND JUVENILE JUSTICE PLANNING ADVISORY COUNCIL
(Sec. 216A.132)

Elaine Armstrong, Clarinda	05/01/2006 – 04/30/2010
Thomas Ferguson, Waterloo	05/01/2006 – 04/30/2010
Paul Fitzgerald, Colo	05/01/2006 – 04/30/2010
Daniel Hoeger, Cedar Rapids	05/01/2006 – 04/30/2010
David Moskowitz, West Des Moines	05/01/2006 – 04/30/2010
Susan Nelson, Estherville	05/01/2006 – 04/30/2010
Catherine Reaman-Gerdes, St. Charles	05/01/2006 – 04/30/2010

BOARD OF TRUSTEES OF THE IOWA CULTURAL TRUST (Sec. 303A.5)	
Willard Boyd, Iowa City	05/01/2006 – 04/30/2011
Ellen deLathouder, Des Moines	05/01/2006 – 04/30/2011
Kim Poam Logan, Urbandale	05/01/2006 – 04/30/2011

ADMINISTRATOR OF THE DIVISION OF DEAF SERVICES (Sec. 216A.2)	
Kathryn L. Baumann-Reese, Des Moines	05/01/2006 – Pleasure of the Governor

COMMISSION ON THE DEAF (Sec. 216A.112)	
August Cordero, Pleasant Hill	05/01/2006 – 04/30/2009
Brenda Wernimont, Council Bluffs	05/01/2006 – 04/30/2009

BOARD OF DENTAL EXAMINERS (Sec. 147.14(4))	
Elizabeth Brennan, West Des Moines	05/01/2006 – 04/30/2009
Eileen Cacioppo, Davenport	05/01/2006 – 04/30/2009
Gary Roth, Fairfield	05/01/2006 – 04/30/2009

BOARD OF DIETETIC EXAMINERS (Sec. 147.14(11))	
Michael Killmer, Des Moines	05/01/2006 – 04/30/2009
Rachel Pederson, Fort Dodge	05/01/2006 – 04/30/2009

IOWA DRUG POLICY ADVISORY COUNCIL (Sec. 80E.2)	
Stewart Barnes, Des Moines	05/01/2006 – 04/30/2010
Jeffrey Hughes, Grinnell	02/13/2006 – 04/30/2008
Brian Vos, New Virginia	05/01/2006 – 04/30/2010

ADMINISTRATOR OF THE DIVISION OF PERSONS WITH DISABILITIES

(Sec. 216A.71)

Jill Avery, Des Moines

05/01/2006 – Pleasure of the Governor

DIRECTOR OF THE DEPARTMENT OF ECONOMIC DEVELOPMENT (Sec. 15.105)

Mary Lawyer, Johnston

09/14/2005 – Pleasure of the Governor

IOWA ECONOMIC DEVELOPMENT BOARD (Sec. 15.103)

Peggy Armstrong-Gustafson, Wauke	07/01/2006 – 04/30/2010
Bonnie Barney, Tiffin	07/01/2006 – 04/30/2010
George (Curtis) Baugh, Pella	07/01/2006 – 04/30/2010
Linda Bloodsworth, Davenport	07/01/2006 – 04/30/2010
Robert Bocken, Fort Dodge	07/01/2006 – 04/30/2010
Joni Carroll, Des Moines	07/01/2006 – 04/30/2010
Jerry Courtney, Burlington	07/01/2006 – 04/30/2010
Arvind Dandekar, Marion	07/01/2006 – 04/30/2010
Nancy Dunkel, Dyersville	07/01/2006 – 04/30/2010
William Gerhard, Iowa City	07/01/2006 – 04/30/2010
Cynthia (Cindi) Keithley, Council Bluffs	07/01/2006 – 04/30/2010
Craig Lang, Brooklyn	07/01/2006 – 04/30/2010
John Lisle, Clarinda	07/01/2006 – 04/30/2010
Marcia Rogers, Cedar Rapids	07/01/2006 – 04/30/2010
Toby Shine, Wahpeton	07/01/2006 – 04/30/2010

STATE BOARD OF EDUCATION (Sec. 256.3)

Anne Dout, Pella	05/01/2006 – 04/30/2012
Charles Edwards, Jr., Des Moines	05/01/2006 – 04/30/2012
N. Brian Gentry, Des Moines	05/01/2006 – 04/30/2012

BOARD OF EDUCATIONAL EXAMINERS (Sec. 272.3)

Tammy Duehr, Dubuque	05/01/2006 – 04/30/2010
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ELEVATOR SAFETY BOARD (Sec. 89A.13)

Rita Conner, Ames	05/01/2006 – 04/30/2010
Peter Fromm, Ankeny	05/01/2006 – 04/30/2010
Robert Olney, Urbandale	05/01/2006 – 04/30/2010

IOWA EMERGENCY RESPONSE COMMISSION (Sec. 30.2)

Julie Bell, Winterset	05/01/2006 – 04/30/2009
David Coppess, Urbandale	05/01/2006 – 04/30/2009

EMPLOYMENT APPEAL BOARD (Sec. 10A.601)

Elizabeth Seiser, Des Moines	05/01/2006 – 04/30/2012
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IOWA EMPOWERMENT BOARD (Sec. 28.3)

Michael Bergan, Decorah	05/01/2006 – 04/30/2009
Rebecca Burgart, Council Bluffs	05/01/2006 – 04/30/2009
Mary Cameron, Ames	05/01/2006 – 04/30/2009
Christopher Carman, Cedar Rapids	05/01/2006 – 04/30/2009
Judy McCoy Davis, Des Moines	05/01/2006 – 04/30/2009
John Dotson, Fruitland	02/23/2006 – 04/30/2008
Arnold Honkamp, Dubuque	02/23/2006 – 04/30/2008

Douglas Peters, West Des Moines
Floyd Winter, Cedar Falls

05/01/2006 – 04/30/2009
05/01/2006 – 04/30/2009

ENGINEERING AND LAND SURVEYING EXAMINING BOARD (Sec. 542B.3)

Forrest Holly, Iowa City
Christy VanBuskirk, Hedrick

05/01/2006 – 04/30/2009
05/01/2006 – 04/30/2009

HEALTHY AND WELL KIDS IN IOWA BOARD (HAWK-I) (Sec. 214I.5)

John Baker, Waterloo
Angelita Ramirez, Des Moines

05/01/2006 – 04/30/2008
05/01/2006 – 04/30/2008

BOARD OF EXAMINERS FOR THE LICENSING AND REGULATION OF HEARING
AID DISPENSERS (Sec. 154A.2-3)

Leslie Whippen, Des Moines

05/01/2006 – 04/30/2009

IOWA HIGHER EDUCATION LOAN AUTHORITY (Sec. 261A.5-6)

Dennis Houlihan, Dubuque

05/01/2006 – 04/30/2012

COMMISSION ON THE STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER
HERITAGE (Sec. 216A.152)

Rita Arora, Iowa City
Thomas Baccam, Des Moines
Cyndi Chen, Des Moines
Lin Ly, Burlington

05/01/2006 – 04/30/2010
05/01/2006 – 04/30/2010
05/01/2006 – 04/30/2010
05/01/2006 – 04/30/2010

DIRECTOR OF THE DEPARTMENT OF INSPECTIONS AND APPEALS
(Sec. 10A.102)

Steven K. Young, Waukee

05/01/2006 – Pleasure of the Governor

INTERIOR DESIGN EXAMINING BOARD (Sec. 544C.2)

Jason Alread, Des Moines
Kathleen Flack, Waterloo
David Kenworthy, West Des Moines
Frederic Malven, Nevada
Michele Rosenboom, Orange City
Kathy Stavneak, Des Moines
Jennifer Voorhees, West Des Moines

02/24/2006 – 04/30/2008
02/24/2006 – 04/30/2008
02/24/2006 – 04/30/2007
02/24/2006 – 04/30/2008
02/24/2006 – 04/30/2007
02/24/2006 – 04/30/2009
02/24/2006 – 04/30/2009

BOARD OF INTERPRETERS FOR THE HEARING IMPAIRED EXAMINERS
(Sec. 147.14(21))

Philippe Gallant, Norwalk
Diana Kautzky, Johnston
Cynthia Smith-Byer, Davenport

05/01/2006 – 04/30/2009
05/01/2006 – 04/30/2009
05/01/2006 – 04/30/2009

IOWACCESS ADVISORY COUNCIL (Sec. 8A.221)

Dawn Ainger, Hiawatha
Barbara Corson, Des Moines
Lawrence Lentz, Davenport
Teresa Selberg, Urbandale
Miriam Ubben, Urbandale

05/01/2006 – 04/30/2010
05/01/2006 – 04/30/2010
05/01/2006 – 04/30/2010
03/14/2006 – 04/30/2007
05/01/2006 – 04/30/2010

LANDSCAPE ARCHITECTURAL EXAMINING BOARD (Sec. 544B.3)

Tim Adams, Webster City	05/01/2006 – 04/30/2009
David Biehl, Iowa City	05/01/2006 – 04/30/2009

ADMINISTRATOR OF THE DIVISION OF LATINO AFFAIRS (Sec. 216A.11)

Armando Villareal, Des Moines	12/14/2005 – Pleasure of the Governor
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IOWA LAW ENFORCEMENT ACADEMY COUNCIL (Sec. 80B.6)

Thomas Gustafson, Denison	05/01/2006 – 04/30/2010
Brian Guy, Clinton	05/01/2006 – 04/30/2010

IOWA LEWIS AND CLARK BICENTENNIAL COMMISSION (Sec. 15.221)

Mark Monson, Sergeant Bluff	05/01/2006 – 04/30/2009
Wynema Morris, Walthill, Nebraska	05/01/2006 – 04/30/2009
Michele Walker, Red Oak	05/01/2006 – 04/30/2009

IOWA LOTTERY AUTHORITY BOARD OF DIRECTORS (Sec. 99G.8)

Mary Junge, Cedar Rapids	05/01/2006 – 04/30/2010
Michael Klappholz, Cedar Rapids	05/01/2006 – 04/30/2010

BOARD OF EXAMINERS FOR MASSAGE THERAPY (Sec. 147.14(17))

Larry Dallenbach, Arlington	02/24/2006 – 04/30/2008
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BOARD OF MEDICAL EXAMINERS (Sec. 147.14(2))

Carole Frier, Des Moines	05/01/2006 – 04/30/2009
Siroos Shirazi, Iowa City	05/01/2006 – 04/30/2009
Janece Valentine, Fort Dodge	05/01/2006 – 04/30/2009

MENTAL HEALTH, MENTAL RETARDATION, DEVELOPMENTAL DISABILITIES, AND BRAIN INJURY COMMISSION (Sec. 225C.5(1))

Lynn Ferrell, Urbandale	05/01/2006 – 04/30/2009
William Gorman, Solon	05/01/2006 – 04/30/2009
Jane Halliburton, Ames	05/01/2006 – 04/30/2009
Janice Heikes, Mabel	05/01/2006 – 04/30/2009
Richard Heitmann, Manchester	03/15/2006 – 04/30/2007
Cindy Kaestner, Newhall	05/01/2006 – 04/30/2009
Susan Koch-Seehase, Sumner	03/09/2006 – 04/30/2008

MENTAL HEALTH RISK POOL BOARD (Sec. 426B.5(2))

William Gorman, Solon	05/01/2006 – 04/30/2009
Ralph Kremer, Aurora	05/01/2006 – 04/30/2009
Andrew Nielsen, Ankeny	05/01/2006 – 04/30/2009
Linda Young-Streit, Urbandale	05/01/2006 – 04/30/2009

BOARD OF MORTUARY SCIENCE EXAMINERS (Sec. 147.14(16))

Paul Johnson, West Des Moines	05/01/2006 – 04/30/2009
Ruth Ohde, Manning	05/01/2006 – 04/30/2009

BOARD OF NURSING EXAMINERS (Sec. 147.14(3))

M. Ann Aulwes-Allison, Ottumwa

05/01/2006 – 04/30/2009

STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS

(Sec. 155.2)

Susan Frey, Villisca

05/01/2006 – 04/30/2009

Daniel Larmore, Traer

05/01/2006 – 04/30/2009

Mary Ann Nielsen, Johnston

05/01/2006 – 04/30/2009

Michael Svejda, Mason City

05/01/2006 – 04/30/2009

Audrae Zoeckler, Davenport

05/01/2006 – 04/30/2009

BOARD OF OPTOMETRY EXAMINERS (Sec. 147.14(6))

Barbara Washburn, Cedar Rapids

05/01/2006 – 04/30/2009

Robert Weiland, Greenfield

05/01/2006 – 04/30/2009

CHAIRPERSON OF THE BOARD OF PAROLE (Sec. 904A.1-3)

Elizabeth Robinson, Des Moines

05/01/2006 – 04/30/2010

BOARD OF PAROLE (Sec. 904A.1-3)

Karen Muelhaupt, West Des Moines

05/01/2006 – 04/30/2010

Elizabeth Robinson, Des Moines

05/01/2006 – 04/30/2010

PEACE OFFICERS' RETIREMENT, ACCIDENT, AND DISABILITY SYSTEM**TRUSTEE (Sec. 97A.5)**

Terrance Lillis, Urbandale

05/01/2006 – 04/30/2008

BOARD OF PHARMACY EXAMINERS (Sec. 147.14(5))

Susan Frey, Villisca

05/01/2006 – 04/30/2009

Leman Olson, Mason City

05/01/2006 – 04/30/2009

BOARD OF PHYSICAL AND OCCUPATIONAL THERAPY EXAMINERS

(Sec. 147.14(10))

Helen McNurlen, Grinnell

05/01/2006 – 04/30/2009

BOARD OF PHYSICIAN ASSISTANT EXAMINERS (Sec. 147.14(12))

John Olson, Marshalltown

05/01/2006 – 04/30/2009

Mara Swanson, West Des Moines

05/01/2006 – 04/30/2009

Patricia Weishaar, Manson

05/01/2006 – 04/30/2009

BOARD OF PODIATRY EXAMINERS (Sec. 147.14(19))

Ethel Campbell, Shannon City

05/01/2006 – 04/30/2009

Kelly Kadel, New London

05/01/2006 – 04/30/2009

PREVENTION OF DISABILITIES POLICY COUNCIL (Sec. 225B.3)

Christopher Atchison, Iowa City

05/01/2006 – 04/30/2009

Laurie Fein, Ankeny

05/01/2006 – 04/30/2009

Diane Schroeder, Des Moines

05/01/2006 – 04/30/2009

Frank Strong, Des Moines

05/01/2006 – 04/30/2009

ADMINISTRATOR OF PROFESSIONAL LICENSING AND REGULATION

(Sec. 546.10)

Bill Schroeder, Des Moines

05/01/2006 – 04/30/2010

CHAIR OF THE PROPERTY ASSESSMENT APPEAL BOARD (Sec. 421.1A)

Richard Stradley, Ankeny	01/01/2007 – 04/30/2009
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PROPERTY ASSESSMENT APPEAL BOARD (Sec. 421.1A)

D. Kevin Burggraaf, Johnston	01/01/2007 – 04/30/2009
Jacqueline Rypma, Clive	01/01/2007 – 04/30/2013
Richard Stradley, Ankeny	01/01/2007 – 04/30/2011

BOARD OF PSYCHOLOGY EXAMINERS (Sec. 147.14(7))

Gerald Jorgensen, Dubuque	05/01/2006 – 04/30/2009
Philip Lonning, Humboldt	05/01/2006 – 04/30/2009
John Tedesco, Johnston	02/06/2006 – 04/30/2008

CHAIR OF THE PUBLIC EMPLOYMENT RELATIONS BOARD (Sec. 20.5)

James Riordan, West Des Moines	05/01/2006 – 04/30/2010
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COMMISSIONER OF THE DEPARTMENT OF PUBLIC SAFETY (Sec. 80.2)

Kevin W. Techau, Des Moines	05/01/2006 – Pleasure of the Governor
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STATE RACING AND GAMING COMMISSION (Sec. 99D.5)

Diane Hamilton, Storm Lake	05/01/2006 – 04/30/2009
Toni Urban, Des Moines	05/01/2006 – 04/30/2009

IOWA RAILWAY FINANCE AUTHORITY (Sec. 327I.5-6)

Harold (Harry) Bormann, Cylinder	05/01/2006 – 04/30/2012
Wanda Carlson, Keokuk	05/01/2006 – 04/30/2012

REAL ESTATE APPRAISER EXAMINING BOARD (Sec. 543D.4)

Debra Floyd, West Des Moines	05/01/2006 – 04/30/2009
John Larson, Indianola	05/01/2006 – 04/30/2009
Judith Zwanziger, Indianola	05/01/2006 – 04/30/2009

REAL ESTATE COMMISSION (Sec. 543B.8)

Daniel Berry, Iowa City	02/13/2006 – 04/30/2008
Laurie Dawley, Walford	05/01/2006 – 04/30/2009
James Hughes, Independence	05/01/2006 – 04/30/2009

RENEWABLE FUELS AND COPRODUCTS ADVISORY COMMITTEE (Sec. 159A.4)

Karen Andersen-Schank, Des Moines	05/01/2006 – 04/30/2009
William Furlong, Iowa City	05/01/2006 – 04/30/2009
Greg Hayes, Ottumwa	05/01/2006 – 04/30/2009
John Ryan, Underwood	05/01/2006 – 04/30/2009

STATE BOARD FOR RESPIRATORY CARE (Sec. 147.14(15))

Arlene Lee, Fort Dodge	05/01/2006 – 04/30/2009
Robert Zeman, Solon	05/01/2006 – 04/30/2009

DIRECTOR OF THE DEPARTMENT OF REVENUE (Sec. 421.2)

Mark Schuling, Des Moines	12/15/2005 – Pleasure of the Governor
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SCHOOL BUDGET REVIEW COMMITTEE (Sec. 257.30)

Jane Babcock, Keokuk	05/01/2006 – 04/30/2009
Don Hansen, Algona	03/14/2006 – 04/30/2008

SMALL BUSINESS ADVISORY COUNCIL (Sec. 15.108(7)(h))

John Cullen, Storm Lake	05/01/2006 – 04/30/2010
James Davis, Charles City	05/01/2006 – 04/30/2010
Joan Severson, Cedar Rapids	03/08/2006 – 04/30/2006
Joan Severson, Cedar Rapids	05/01/2006 – 04/30/2010

BOARD OF SOCIAL WORK EXAMINERS (Sec. 147.14(20))

David Stout, Ankeny	05/01/2006 – 04/30/2009
Mary Tasler, Webster City	05/01/2006 – 04/30/2009

BOARD OF SPEECH PATHOLOGY AND AUDIOLOGY EXAMINERS (Sec. 147.14(9))

Rebecca Vilda, Iowa City	05/01/2006 – 04/30/2009
Douglas Walter, Bettendorf	05/01/2006 – 04/30/2009
Kent Webb, Red Oak	05/01/2006 – 04/30/2009

STATE BOARD OF TAX REVIEW (Sec. 421.1)

Michael Milligan, Belle Plaine	03/10/2006 – 04/30/2009
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TECHNOLOGY GOVERNANCE BOARD (Sec. 8A.204)

Randall Ramundt, Des Moines	05/01/2006 – 04/30/2008
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CHAIR OF THE IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION (Sec. 8D.3)

Betsy Brandsgard, Davenport	05/01/2006 – 04/30/2012
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IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION (Sec. 8D.3)

Betsy Brandsgard, Davenport	05/01/2006 – 04/30/2012
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COMMISSION ON TOBACCO USE PREVENTION AND CONTROL (Sec. 142A.3)

Andrea Coziahr, Council Bluffs	05/01/2006 – 04/30/2009
Catherine Lillehoj, Des Moines	05/01/2006 – 04/30/2009
Bobby Russell, Polk City	05/01/2006 – 04/30/2009

STATE TRANSPORTATION COMMISSION (Sec. 307.3)

Barry Cleaveland, Council Bluffs	05/01/2006 – 04/30/2010
Donald Wiley, Mount Pleasant	05/01/2006 – 04/30/2010

DIRECTOR OF THE IOWA DEPARTMENT OF TRANSPORTATION (Sec. 307.11)

Nancy Richardson, Ankeny	10/02/2005 – Pleasure of the Governor
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EXECUTIVE DIRECTOR OF THE COMMISSION OF VETERANS AFFAIRS (Sec. 25A.8)

Patrick J. Palmersheim, West Des Moines	05/01/2006 – Pleasure of the Governor
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COMMISSION OF VETERANS AFFAIRS (Sec. 35A.2)

Suellen Overton, Council Bluffs	05/01/2006 – 04/30/2010
Laurel Phipps, Marshalltown	05/01/2006 – 04/30/2010
David Rehbein, Ames	05/01/2006 – 04/30/2010

IOWA BOARD OF VETERINARY MEDICINE (Sec. 169.5)

Anne Duffy, Cedar Rapids	05/01/2006 – 04/30/2009
Leslie Hemmingson, Le Mars	05/01/2006 – 04/30/2009

VISION IOWA BOARD (Sec. 15F.102)

Andrew Anderson, Clive	05/01/2006 – 04/30/2009
Regenia Bailey, Iowa City	05/01/2006 – 04/30/2009
Lynn Kueck, Algona	02/06/2006 – 04/30/2007
Carolyn Rants, Sioux City	05/01/2006 – 04/30/2009
Cathy Reece, Chariton	05/01/2006 – 04/30/2009

COMMISSION ON THE STATUS OF WOMEN (Sec. 216A.52-53)

Thomas Carnahan, Davenport	05/01/2006 – 04/30/2010
Carla Espinoza, Ames	05/01/2006 – 04/30/2010
Sue Mullins, Corwith	05/01/2006 – 04/30/2010
Jill Olsen, Mount Vernon	05/01/2006 – 04/30/2010
Matthew Wissing, Davenport	05/01/2006 – 04/30/2010

WORKERS' COMPENSATION COMMISSIONER (Sec. 86.1)

Christopher Godfrey, Des Moines	01/09/2006 – 04/30/2009
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IOWA WORKFORCE DEVELOPMENT BOARD (Sec. 84A.1A)

Jerome Amos, Jr., Waterloo	02/22/2006 – 04/30/2007
Kenneth Anderson, Marshalltown	05/01/2006 – 04/30/2010
Vicki Duchene, Newton	05/01/2006 – 04/30/2010
David Owen, Granger	05/01/2006 – 04/30/2010
Norma Schmoker, Fort Dodge	05/01/2006 – 04/30/2010

BY THE IOWA DEPARTMENT OF
AGRICULTURE AND LAND STEWARDSHIP

GRAPE AND WINE DEVELOPMENT COMMISSION (Sec. 175A.2)

Benjamin Jung, West Des Moines	05/01/2006 – 04/30/2009
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BY THE IOWA RACING
AND GAMING COMMISSION

ADMINISTRATOR OF THE STATE RACING AND GAMING COMMISSION
(Sec. 99D.6)

Jack P. Ketterer, Altoona	05/01/2006 – 04/30/2010
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CERTIFICATES OF RECOGNITION

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

Denzil Barnhill, Dubuque—For retiring from the Dubuque Community School District. Senator Connolly (3/20/06).

Charlie Ellis, Dubuque—For retiring from the Dubuque Community School District. Senator Connolly (3/20/06).

Duane Frick, Dubuque—For retiring from the Dubuque Community School District. Senator Connolly (3/20/06).

Mr. and Mrs. Russ and Jo Knutson, Eagle Grove—For celebrating your 60th wedding anniversary. Senator Iverson (3/20/06).

Mr. and Mrs. Harlan and Judy Poolman, Clarion—For celebrating your 50th wedding anniversary. Senator Iverson (3/20/06).

Mark, Dean, Roger, and Rick Schroeder, Remsen—For being named the 2005 Master Pork Producers. Senator Wieck (3/20/06).

Dana and Nicky Sleezer, Aurelia—For being named the 2005 Master Pork Producers. Senator Wieck (3/20/06).

Kyle Van Leeuwen, Orange City—For being a National Winner of the Outstanding Achievement and Technical Drafting Education. Senator Mulder (3/20/06).

Andy Wailes, Boone—For achieving the rank of Eagle Scout, Boy Scout Troop 145. Senator Behn (3/20/06).

Kevin Wailes, Boone—For achieving the rank of Eagle Scout, Boy Scout Troop 145. Senator Behn (3/20/06).

Mr. and Mrs. Robert and Mary Ellen Wolfe, Eagle Grove—For celebrating your 60th wedding anniversary. Senator Iverson (3/20/06).

Joe Wysocki, Dubuque—For retiring from the Dubuque Community School District. Senator Connolly (3/20/06).

REPORTS OF COMMITTEE MEETINGS

STATE GOVERNMENT

Convened: March 14, 2006, 4:00 p.m.

Members Present: Horn and McKibben, Co-chairs; Black, Brunkhorst, Connolly, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Ziemann.

Members Absent: Danielson (excused).

Committee Business: Discussion of bills.

Recessed: March 14, 2006, 4:40 p.m.

Reconvened: March 20, 2006, 3:45 p.m.

Adjourned: March 20, 2006, 3:50 p.m..

ECONOMIC GROWTH

Convened: March 16, 2006, 1:35 p.m.

Members Present: Brunkhorst and Hatch, Co-chairs; Beall, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Seymour, Shull, Stewart, and Zaun.

Members Absent: None.

Committee Business: Presentation by the Northwest Iowa Developers.

Adjourned: 2:30 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 131, by Angelo, a resolution congratulating the Matilda J. Gibson Memorial Library in Creston, Iowa, on its 75th anniversary.

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

Senate Resolution 132, by Angelo, a resolution congratulating the Creston, Iowa, radio station KSIB for 60 years of broadcasting excellence.

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

Senate Resolution 133, by Danielson, a resolution honoring J.H. Peet Junior High School in Cedar Falls, Iowa, for becoming a 2005-2006 Blue Ribbon School.

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

Senate Resolution 134, by Seymour and Ragan, a resolution designating March 23, 2006, through April 10, 2006, as "Underage Drinking Prevention Days" in Iowa.

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

Senate Resolution 135, by Beall, Black, Kibbie, McCoy, Gronstal, Behn, Boettger, Bolkcom, Connolly, and Iverson, 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.

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

Senate Resolution 136, by Beall, Black, Kibbie, McCoy, Boettger, Behn, Bolkcom, Connolly, and Iverson, a resolution supporting a free trade agreement between the Republic of China on Taiwan and the United States.

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

Senate Resolution 137, by Beall, Kibbie, Black, McCoy, Gronstal, Behn, Boettger, Bolkcom, Connolly, and Iverson, 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.

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

INTRODUCTION OF BILLS

Senate File 2388, by Miller, a bill for an act relating to a refundable preschool tax credit under the individual income tax and including a retroactive applicability date provision.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2389, by Gronstal and Iverson, a bill for an act concerning the offset of workers' compensation benefits under the peace officers' retirement, accident, and disability retirement system and including an effective date and retroactive applicability provision.

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

STUDY BILLS RECEIVED**SSB 3259 Ways and Means**

Exempting sales made to facilities used in substance abuse and treatment programs from sales and use taxes.

SSB 3260 Ways and Means

Relating to local option taxes, including the imposition of a local option sales and service tax by a county in a city located in another county and the use of revenues by a city or county under a joint agreement with another city or county.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 131**

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 132

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 133

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

House File 2162

STATE GOVERNMENT: Connolly and Tinsman, Co-chairs; Kibbie and Miller

House File 2215

STATE GOVERNMENT: Connolly and Tinsman, Co-chairs; Brunkhorst and Kibbie

House File 2507

BUSINESS AND LABOR RELATIONS: Behn and Courtney, Co-chairs; Dotzler and McKibben

House File 2508

BUSINESS AND LABOR RELATIONS: Behn and Dearden, Co-chairs; McKibben and Seng

House File 2527

APPROPRIATIONS: Boettger and Horn, Co-chairs; Angelo and Dvorsky

House File 2586

BUSINESS AND LABOR RELATIONS: Dotzler and McKibben, Co-chairs; Behn, and Horn

House File 2590

STATE GOVERNMENT: Ward and Wood, Co-chairs; Hancock and Kettering

House File 2734

APPROPRIATIONS: Hatch and Tinsman, Co-chairs; Angelo and Dvorsky

House File 2743

APPROPRIATIONS: Bolkcom and Seymour, Co-chairs; Angelo and Dvorsky

SSB 3259

WAYS AND MEANS: Hahn and McCoy, Co-chairs; Bolkcom and Zaun

SSB 3260

WAYS AND MEANS: McCoy and McKibben, Co-chairs; Connolly and Zieman

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 20th day of March, 2006:

Senate Files 2124, 2147, 2232, 2285, and 2330.

MICHAEL E. MARSHALL
Secretary of the Senate

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 20, 2006, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 2330 – Prohibiting monitor vending machines and providing an excise tax and an effective date.

AMENDMENTS FILED

S-5091	S.F.	2346	Bob Brunkhorst
S-5092	S.F.	2386	James A. Seymour
			Amanda Ragan
S-5093	S.F.	2314	Dave Mulder
			Mary Lundby
S-5094	S.F.	2354	Dave Mulder
			Frank B. Wood
S-5095	S.F.	2346	Matt McCoy
			John Putney
S-5096	S.F.	2221	Bob Brunkhorst
			Michael Connolly
S-5097	S.F.	2094	Larry McKibben
S-5098	S.F.	2313	Frank B. Wood
			Mark Zieman
S-5099	H.F.	2712	Larry McKibben
S-5100	S.F.	2319	Joe Bolkcom
S-5101	S.F.	2366	Joe M. Seng
S-5102	S.F.	2217	Keith A. Kreiman
S-5103	S.F.	2094	Larry McKibben

JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
FORTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 21, 2006

The Senate met in regular session at 8:34 a.m., President Kibbie presiding.

Prayer was offered by Reverend Brad Braley, pastor of the First Presbyterian Church in Cedar Falls, Iowa. He was the guest of Senator Danielson.

The Journal of Monday, March 20, 2006, was approved.

The Senate stood at ease at 8:40 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:38 a.m., President Kibbie presiding.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:40 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:58 a.m., President Kibbie presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Warnstadt, for the day, on request of Senator Gronstal; and Senators Tinsman and Ward, until they arrive, on request of Senator McKibben.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Zieman asked and received unanimous consent to take up for consideration Senate Files 2094, 2360, and 2359.

Senate File 2094

On motion of Senator McKibben, **Senate File 2094**, a bill for an act relating to the criminal penalties for certain offenses involving sexual abuse in the second degree, lascivious acts with a child, and sexual exploitation, and establishing a duty to inform law enforcement about a registered sex offender, with report of committee recommending passage, was taken up for consideration.

Senator McKibben withdrew amendment S-5097, filed by him on March 20, 2006, to page 1 of the bill.

Senator McKibben offered amendment S-5103, filed by him on March 20, 2006, to page 1 of the bill, and moved its adoption.

Amendment S-5103 was adopted by a voice vote.

Senator Kreiman asked and received unanimous consent that action on **Senate File 2094** be deferred.

Senate File 2360

On motion of Senator Shull, **Senate File 2360**, a bill for an act relating to the bid threshold requirements for public improvement contracts, was taken up for consideration.

Senator Shull offered amendment S-5105, filed by him from the floor to pages 1, 2, 6-8, 16-19, 21, 22, 24, and to the title page of the bill, and moved its adoption.

Amendment S-5105 was adopted by a voice vote.

Senator Shull asked and received unanimous consent that **House File 2713** be substituted for **Senate File 2360**.

House File 2713

On motion of Senator Shull, **House File 2713**, a bill for an act relating to the bid threshold requirements for public improvement contracts, with report of committee recommending passage, was taken up for consideration.

Senator Quirmbach offered amendment S-5107, filed by him from the floor to pages 2 and 11 of the bill, and moved its adoption.

Amendment S-5107 lost by a voice vote.

Senator Shull 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. 2713), the vote was:

Yeas, 47:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Rielly
Behn	Gaskill	Lamberti	Schoenjahn
Black	Gronstal	Larson	Seng
Boettger	Hahn	Lundby	Seymour
Bolkcom	Hancock	McCoy	Shull
Brunkhorst	Hatch	McKibben	Stewart
Connolly	Horn	McKinley	Wieck
Courtney	Houser	Miller	Wood
Danielson	Iverson	Mulder	Zaun
Dearden	Johnson	Putney	Zieman
Dotzler	Kettering	Quirmbach	

Nays, none.

Absent, 3:

Tinsman	Ward	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.

WITHDRAWN

Senator Shull asked and received unanimous consent that **Senate File 2360** be **withdrawn** from further consideration of the Senate.

Senate File 2359

On motion of Senator Hancock, **Senate File 2359**, a bill for an act restricting fundraising activities by specified professional associations under certain circumstances, and providing for fundraising activity oversight by the department of public safety, was taken up for consideration.

Senator Hancock offered amendment S-5112, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5112 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2359), the vote was:

Yeas, 46:

Angelo	Fraise	Kreiman	Rielly
Beall	Gaskill	Lamberti	Schoenjahn
Behn	Gronstal	Larson	Seng
Black	Hahn	Lundby	Seymour
Boettger	Hancock	McCoy	Shull
Bolkcom	Hatch	McKibben	Stewart
Brunkhorst	Horn	McKinley	Wieck
Connolly	Houser	Miller	Wood
Courtney	Iverson	Mulder	Zaun
Dearden	Johnson	Putney	Zieman
Dotzler	Kettering	Quirnbach	
Dvorsky	Kibbie	Ragan	

Nays, 1:

Danielson

Absent, 3:

Tinsman	Ward	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.

IMMEDIATELY MESSAGED

Senator Zieman asked and received unanimous consent that **Senate File 2359** and **House File 2713** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Zieman asked and received unanimous consent to take up for consideration Senate Files 2348, 2337, and 2314.

Senate File 2348

On motion of Senator Hancock, **Senate File 2348**, a bill for an act requiring certain minor children to wear personal flotation devices while on board certain vessels operated on state waters and providing for a penalty and an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2348), the vote was:

Yeas, 46:

Angelo	Fraise	Kreiman	Rielly
Beall	Gaskill	Lamberti	Schoenjahn
Behn	Gronstal	Larson	Seng
Black	Hahn	Lundby	Seymour
Boettger	Hancock	McCoy	Shull
Bolkcom	Hatch	McKibben	Stewart
Connolly	Horn	McKinley	Wieck
Courtney	Houser	Miller	Wood
Danielson	Iverson	Mulder	Zaun
Dearden	Johnson	Putney	Zieman
Dotzler	Kettering	Quirnbach	
Dvorsky	Kibbie	Ragan	

Nays, 1:

Brunkhorst

Absent, 3:

Tinsman

Ward

Warnstadt

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

Senate File 2337

On motion of Senator Danielson, **Senate File 2337**, a bill for an act establishing precicensing and continuing education requirements for used motor vehicle dealers, was taken up for consideration.

Senator Danielson offered amendment S-5087, filed by him on March 16, 2006, to pages 2 and 3 of the bill, and moved its adoption.

Amendment S-5087 was adopted by a voice vote.

With the adoption of amendment S-5087, the Chair ruled amendment S-5088, filed by Senator Danielson on March 16, 2006, to pages 2 and 3 of the bill, out of order.

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. 2337), the vote was:

Yeas, 41:

Angelo	Dvorsky	Kibbie	Rielly
Beall	Fraise	Kreiman	Schoenjahn
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Larson	Seymour
Boettger	Hahn	Lundby	Shull
Bolkcom	Hancock	McCoy	Stewart
Connolly	Hatch	McKibben	Wieck
Courtney	Horn	Mulder	Wood
Danielson	Houser	Putney	
Dearden	Iverson	Quirnbach	
Dotzler	Johnson	Ragan	

Nays, 6:

Brunkhorst	McKinley	Zaun
Kettering	Miller	Zieman

Absent, 3:

Tinsman	Ward	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.

Senate File 2314

On motion of Senator Danielson, **Senate File 2314**, a bill for an act concerning the awarding of cash prizes for participation in a card or parlor game or tournament conducted by an organization primarily representing veterans, was taken up for consideration.

Senator Danielson withdrew amendment S-5042, filed by him on March 9, 2006, striking and replacing everything after the enacting clause and to the title page of the bill.

Senator Danielson offered amendment S-5077, filed by him on March 15, 2006, striking and replacing everything after the enacting clause and to the title page of the bill.

Senator Danielson offered amendment S-5084, filed by him on March 16, 2006, to page 1 of amendment S-5077.

Senator Zieman asked and received unanimous consent that action on amendment S-5084 to amendment S-5077, amendment S-5077, and **Senate File 2314** be **deferred**.

IMMEDIATELY MESSAGED

Senator Zieman asked and received unanimous consent that **Senate Files 2337** and **2348** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Zieman asked and received unanimous consent to take up for consideration Senate File 2312.

Senate File 2312

On motion of Senator Stewart, **Senate File 2312**, a bill for an act providing hardship grants on behalf of veterans seriously injured in a combat zone, providing an income tax exclusion, and including an effective date and retroactive applicability provision, with report of committee on Appropriations recommending amendment and passage, was taken up for consideration.

Senator Dvorsky offered amendment S-5074, filed by the committee on Appropriations on March 15, 2006, to page 1 and to the title page of the bill, and moved its adoption.

Amendment S-5074 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2312), the vote was:

Yeas, 47:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Rielly
Behn	Gaskill	Lamberti	Schoenjahn
Black	Gronstal	Larson	Seng
Boettger	Hahn	Lundby	Seymour
Bolkcom	Hancock	McCoy	Shull
Brunkhorst	Hatch	McKibben	Stewart
Connolly	Horn	McKinley	Wieck
Courtney	Houser	Miller	Wood
Danielson	Iverson	Mulder	Zaun
Dearden	Johnson	Putney	Zieman
Dotzler	Kettering	Quirnbach	

Nays, none.

Absent, 3:

Tinsman

Ward

Warnstadt

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

UNFINISHED BUSINESS
(Deferred March 20, 2006)

Senate File 2270

The Senate resumed consideration of **Senate File 2270**, a bill for an act providing for the confidentiality of certain records relating to charitable donations for the benefit of a government body, and amendment S-5069 (pending), deferred March 20, 2006.

Senator Quirmbach offered amendment S-5104, filed by him from the floor striking and replacing everything after the enacting clause of the bill, and moved its adoption.

A nonrecord roll call was requested.

The ayes were 22, nays 25.

Amendment S-5104 lost.

Senator Gronstal asked and received unanimous consent that action on amendment S-5069 and **Senate File 2270** be **deferred**.

IMMEDIATELY MESSAGED

Senator Zieman asked and received unanimous consent that **Senate File 2312** be **immediately messaged** to the House.

RECESS

On motion of Senator Zieman, the Senate recessed at 11:30 a.m. until 1:00 p.m.

AFTERNOON SESSION

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

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 21, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2620, a bill for an act providing exceptions to the age of admission to kindergarten.

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

House File 2656, a bill for an act relating to school reorganization and dissolution by allowing certain landowners in a reorganizing or dissolving school district to petition to join a contiguous school district.

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

House File 2679, a bill for an act relating to agricultural drainage wells by providing for the implementation of water quality practices as an alternative to constructing alternative drainage systems.

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

House File 2709, a bill for an act relating to the minimum hours of instructional school time in a school year for grades one through twelve for school districts, charter schools, and accredited nonpublic schools, and providing an effective date.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 1:07 p.m. until 3:00 p.m.

RECONVENED

The Senate reconvened at 3:16 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 21, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2648, a bill for an act relating to private sector drug testing.

Read first time and referred to committee on **Business and Labor Relations**.

House File 2662, a bill for an act providing for the automatic expiration of all administrative rule adoptions, for their reauthorization by the general assembly, and providing additional legislative review.

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

House File 2706, a bill for an act providing for the confidentiality of certain records relating to charitable donations made to a foundation acting solely for the support of an institution governed by the state board of regents, to a private foundation as defined in section 509 of the Internal Revenue Code organized for the support of a government body, or to an endow Iowa qualified community foundation, as defined in section 15E.303, organized for the support of a government body.

Read first time and attached to **similar Senate File 2270**.

BUSINESS PENDING

Senate File 2094

The Senate resumed consideration of **Senate File 2094**, a bill for an act relating to the criminal penalties for certain offenses involving sexual abuse in the second degree, lascivious acts with a child, and sexual exploitation, and establishing a duty to inform law enforcement about a registered sex offender, previously deferred.

Senator McKibben 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. 2094), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Rielly
Behn	Gaskill	Lamberti	Schoenjahn
Black	Gronstal	Larson	Seng
Boettger	Hahn	Lundby	Seymour
Bolkcom	Hancock	McCoy	Shull
Brunkhorst	Hatch	McKibben	Stewart
Connolly	Horn	McKinley	Warnstadt
Courtney	Houser	Miller	Wieck
Danielson	Iverson	Mulder	Wood
Dearden	Johnson	Putney	Zaun
Dotzler	Kettering	Quirmbach	Zieman

Nays, none.

Absent, 2:

Tinsman Ward

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 Iverson asked and received unanimous consent to take up for consideration Senate File 2366.

Senate File 2366

On motion of Senator Seng, **Senate File 2366**, a bill for an act regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties, was taken up for consideration.

Senator Seng offered amendment S-5101, filed by him on March 20, 2006, to page 1 of the bill, and moved its adoption.

Amendment S-5101 was adopted by a voice vote.

Senator Seng offered amendment S-5113, filed by him from the floor to pages 1 and 3-10 of the bill, and moved its adoption.

Amendment S-5113 was adopted by a voice vote.

Senator Beall offered amendment S-5106, filed by him from the floor to page 9 of the bill, and moved its adoption.

Amendment S-5106 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2366), the vote was:

Yeas, 45:

Angelo	Gronstal	Larson	Seng
Beall	Hahn	Lundby	Seymour
Behn	Hancock	McCoy	Shull
Black	Hatch	McKibben	Stewart
Bolkcom	Horn	McKinley	Warnstadt
Brunkhorst	Houser	Miller	Wieck
Connolly	Iverson	Mulder	Wood
Danielson	Johnson	Putney	Zaun
Dearden	Kettering	Quirnbach	Zieman
Dvorsky	Kibbie	Ragan	
Fraise	Kreiman	Rielly	
Gaskill	Lamberti	Schoenjahn	

Nays, 3:

Boettger Courtney Dotzler

Absent, 2:

Tinsman Ward

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

IMMEDIATELY MESSAGED

Senator Behn asked and received unanimous consent that **Senate Files 2094 and 2366** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 2314

The Senate resumed consideration of **Senate File 2314**, a bill for an act concerning the awarding of cash prizes for participation in a card or parlor game or tournament conducted by an organization primarily representing veterans, amendment S-5084 to amendment S-5077, and amendment S-5077, previously deferred.

Senator Danielson moved the adoption of amendment S-5084, to amendment S-5077, which motion prevailed by a voice vote.

Senator Mulder asked and received unanimous consent to withdraw amendment S-5093 to amendment S-5077, filed by Senators Mulder and Lundby on March 20, 2006, to page 3 of the bill.

Senator Mulder offered amendment S-5115, filed by Senators Mulder and Lundby from the floor to page 3 of amendment S-5077, and moved its adoption.

Amendment S-5115 was adopted by a voice vote.

Senator Zieman offered amendment S-5110, filed by him from the floor to page 3 of amendment S-5077, and moved its adoption.

Amendment S-5110 was adopted by a voice vote.

Senator Danielson moved the adoption of amendment S-5077, which motion prevailed by a voice vote.

With the adoption of amendment S-5077, the Chair ruled amendment S-5044, filed by Senators Hancock and Zieman on March 13, 2006, to page 1 and to the title page of the bill, out of order.

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. 2314), the vote was:

Yeas, 41:

Beall	Gronstal	Larson	Seng
Black	Hahn	Lundby	Shull
Bolkcom	Hancock	McCoy	Stewart
Connolly	Hatch	McKibben	Warnstadt
Courtney	Horn	McKinley	Wieck
Danielson	Houser	Mulder	Wood
Dearden	Iverson	Putney	Zaun
Dotzler	Johnson	Quirnbach	Zieman
Dvorsky	Kibbie	Ragan	
Fraise	Kreiman	Rielly	
Gaskill	Lamberti	Schoenjahn	

Nays, 7:

Angelo	Boettger	Kettering	Seymour
Behn	Brunkhorst	Miller	

Absent, 2:

Tinsman	Ward
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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.

BUSINESS PENDING

Senate File 2270

The Senate resumed consideration of **Senate File 2270**, a bill for an act providing for the confidentiality of certain records relating to

charitable donations for the benefit of a government body, and amendment S-5069, previously deferred.

Senator McKibben moved the adoption of amendment S-5069, which motion prevailed by a voice vote.

Senator McKibben asked and received unanimous consent that **House File 2706 be substituted for Senate File 2270.**

House File 2706

On motion of Senator McKibben, **House File 2706**, a bill for an act providing for the confidentiality of certain records relating to charitable donations for the benefit of a government body, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 2706 be deferred.**

IMMEDIATELY MESSAGED

Senator Behn asked and received unanimous consent that **Senate File 2314 be immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred March 15, 2006)

Senate File 2221

The Senate resumed consideration of **Senate File 2221**, a bill for an act extending the reduction in the foundation property tax levy for reorganized and dissolved districts, extending supplementary weighting for whole grade sharing, providing supplementary weighting for shared school district operational functions, and providing effective and applicability dates, and amendment S-5043 (pending), deferred March 15, 2006.

Senator Brunkhorst offered amendment S-5096, filed by Senators Brunkhorst and Connolly on March 20, 2006, to page 2 of the bill, and moved its adoption.

Amendment S-5096 was adopted by a voice vote.

Senator Brunkhorst moved the adoption of amendment S-5043, which motion prevailed by a voice vote.

Senator Brunkhorst offered amendment S-5111, filed by Senators Brunkhorst and Connolly from the floor to page 5 of the bill, and moved its adoption.

Amendment S-5111 was adopted by a voice vote.

Senator Brunkhorst 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. 2221), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Rielly
Behn	Gaskill	Lamberti	Schoenjahn
Black	Gronstal	Larson	Seng
Boettger	Hahn	Lundby	Seymour
Bolkcom	Hancock	McCoy	Shull
Brunkhorst	Hatch	McKibben	Stewart
Connolly	Horn	McKinley	Warnstadt
Courtney	Houser	Miller	Wieck
Danielson	Iverson	Mulder	Wood
Dearden	Johnson	Putney	Zaun
Dotzler	Kettering	Quirnbach	Zieman

Nays, none.

Absent, 2:

Tinsman Ward

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

UNFINISHED BUSINESS

(Deferred March 20, 2006)

Senate File 2217

The Senate resumed consideration of **Senate File 2217**, a bill for an act requiring the department of human services to maintain compliance with privacy laws applicable to mental health, mental retardation, developmental disabilities, and brain injury services data, deferred March 20, 2006.

Senator Kreiman withdrew amendment S-5086, filed by him on March 16, 2006, to page 1 of the bill.

Senator Kreiman offered amendment S-5102, filed by him on March 20, 2006, to page 1 of the bill, and moved its adoption.

Amendment S-5102 was adopted by a voice vote.

Senator Kreiman 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. 2217), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Rielly
Behn	Gaskill	Lamberti	Schoenjahn
Black	Gronstal	Larson	Seng
Boettger	Hahn	Lundby	Seymour
Bolkcom	Hancock	McCoy	Shull
Brunkhorst	Hatch	McKibben	Stewart
Connolly	Horn	McKinley	Warnstadt
Courtney	Houser	Miller	Wieck
Danielson	Iverson	Mulder	Wood
Dearden	Johnson	Putney	Zaun
Dotzler	Kettering	Quirnbach	Zieman

Nays, none.

Absent, 2:

Tinsman

Ward

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 2217 and 2221** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 21, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2611, a bill for an act authorizing the department of natural resources to issue a fishing permit to certain students.

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

House File 2665, a bill for an act concerning the line of duty death benefit payable to public safety providers.

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

House File 2687, a bill for an act relating to the prosecution of certain criminal offenses and the gathering of evidence for prosecution.

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

House File 2696, a bill for an act relating to the disposal of a controlled substance.

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

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 4:40 p.m. until 8:30 a.m., Wednesday, March 22, 2006.

APPENDIX

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to state boards, commissions, and departments to Senate standing committees, as indicated for investigation on March 21, 2006:

AGRICULTURE

Frank Carroll – Agricultural Development Authority
Timothy Galm – Agricultural Development Authority
Fred Lundt – Agricultural Development Authority

Benjamin Jung – Grape and Wine Development Commission

BUSINESS AND LABOR RELATIONS

Elizabeth Seiser – Employment Appeal Board

James Riordan – Chair of the Public Employment Relations Board

Christopher Godfrey – Workers' Compensation Commissioner

Jerome Amos, Jr. – Iowa Workforce Development Board
Kenneth Anderson – Iowa Workforce Development Board
Vicki Duchene – Iowa Workforce Development Board
David Owen – Iowa Workforce Development Board
Norma Schmoker – Iowa Workforce Development Board

COMMERCE

Michael Harvey – Credit Union Review Board
Roger Reiser – Credit Union Review Board
Kathleen Steffes – Credit Union Review Board

Betsy Brandsgard – Chairperson of the Iowa Telecommunications and Technology Commission

Betsy Brandsgard – Iowa Telecommunications and Technology Commission

ECONOMIC GROWTH

Gordon Neumann – Iowa Capital Investment Board
Daniel Rogers – Iowa Capital Investment Board

Mary Lawyer – Director of the Department of Economic Development

Peggy Armstrong-Gustafson – Iowa Economic Development Board
Bonnie Barney – Iowa Economic Development Board
George (Curtis) Baugh – Iowa Economic Development Board
Linda Bloodsworth – Iowa Economic Development Board
Robert Bocken – Iowa Economic Development Board
Joni Carroll – Iowa Economic Development Board
Jerry Courtney – Iowa Economic Development Board
Arvind Dandekar – Iowa Economic Development Board
Nancy Dunkel – Iowa Economic Development Board
William Gerhard – Iowa Economic Development Board
Cynthia (Cindi) Keithley – Iowa Economic Development Board
Craig Lang – Iowa Economic Development Board
John Lisle – Iowa Economic Development Board
Marcia Rogers – Iowa Economic Development Board
Toby Shine – Iowa Economic Development Board

John Cullen – Small Business Advisory Council
James Davis – Small Business Advisory Council
Joan Severson – Small Business Advisory Council (appointment)
Joan Severson – Small Business Advisory Council (reappointment)

EDUCATION

Anne Dout – State Board of Education
Charles Edwards, Jr. – State Board of Education
N. Brian Gentry – State Board of Education

Tammy Duehr – Board of Educational Examiners

Dennis Houlihan – Iowa Higher Education Loan Authority

Jane Babcock – School Budget Review Committee
Don Hansen – School Budget Review Committee

Randall Ramundt – Technology Governance Board

HUMAN RESOURCES

Terri Craft – Board of Athletic Training Examiners
Daniel McGuire – Board of Athletic Training Examiners

John Freeland – Board of Behavioral Science Examiners
Barbara O'Rourke – Board of Behavioral Science Examiners
Timothy Rupert – Board of Behavioral Science Examiners

Behnaz Soulati – Commission for the Blind

Brian Michaelson – Child Advocacy Board
Camella Richards – Child Advocacy Board
Heather Stephenson – Child Advocacy Board
Nancylee Ziese – Child Advocacy Board

Carol Besch – Commission on Community Action Agencies
Thomas Letsche – Commission on Community Action Agencies
Marc Lindeen – Commission on Community Action Agencies

Kathryn L. Baumann-Reese – Administrator of the Division of Deaf Services

August Cordero – Commission on the Deaf
Brenda Wernimont – Commission on the Deaf

Jill Avery – Administrator of the Division of Persons with Disabilities

Michael Bergan – Iowa Empowerment Board
Rebecca Burgart – Iowa Empowerment Board
Mary Cameron – Iowa Empowerment Board
Christopher Carman – Iowa Empowerment Board
Judy McCoy Davis – Iowa Empowerment Board
John Dotson – Iowa Empowerment Board
Arnold Honkamp – Iowa Empowerment Board
Douglas Peters – Iowa Empowerment Board
Floyd Winter – Iowa Empowerment Board

John Baker – Healthy and Well Kids in Iowa (HAWK-I) Board
Angelita Ramirez – Healthy and Well Kids in Iowa (HAWK-I) Board

Rita Arora – Commission on the Status of Iowans of Asian and Pacific Islander Heritage

Thomas Baccam – Commission on the Status of Iowans of Asian and Pacific Islander Heritage

Cyndi Chen – Commission on the Status of Iowans of Asian and Pacific Islander Heritage

Lin Ly – Commission on the Status of Iowans of Asian and Pacific Islander Heritage

Philippe Gallant – Board of Interpreters for the Hearing Impaired Examiners
Diana Kautzky – Board of Interpreters for the Hearing Impaired Examiners
Cynthia Smith-Byer – Board of Interpreters for the Hearing Impaired Examiners

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

William Gorman – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission

Jane Halliburton – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission

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

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

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

Susan Koch-Seehase – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission

John Olson – Board of Physician Assistant Examiners
Mara Swanson – Board of Physician Assistant Examiners
Patricia Weishaar – Board of Physician Assistant Examiners

Christopher Atchison – Prevention of Disabilities Policy Council
Laurie Fein – Prevention of Disabilities Policy Council
Diane Schroeder – Prevention of Disabilities Policy Council
Frank Strong – Prevention of Disabilities Policy Council

Andrea Coziahr – Commission on Tobacco Use Prevention and Control
Catherine Lillehoj – Commission on Tobacco Use Prevention and Control
Bobby Russell – Commission on Tobacco Use Prevention and Control

Thomas Carnahan – Commission on the Status of Women
Carla Espinoza – Commission on the Status of Women
Sue Mullins – Commission on the Status of Women
Jill Olsen – Commission on the Status of Women
Matthew Wissing – Commission on the Status of Women

JUDICIARY

Sheryl Griffith – Board of Corrections

Elaine Armstrong – Criminal and Juvenile Justice Planning Advisory Council
Thomas Ferguson – Criminal and Juvenile Justice Planning Advisory Council
Paul Fitzgerald – Criminal and Juvenile Justice Planning Advisory Council
Daniel Hoeger – Criminal and Juvenile Justice Planning Advisory Council
David Moskowitz – Criminal and Juvenile Justice Planning Advisory Council
Susan Nelson – Criminal and Juvenile Justice Planning Advisory Council
Catherine Reaman-Gerdes – Criminal and Juvenile Justice Planning Advisory Council

Stewart Barnes – Iowa Drug Policy Advisory Council
Jeffrey Hughes – Iowa Drug Policy Advisory Council
Brian Vos – Iowa Drug Policy Advisory Council

Elizabeth Robinson – Chairperson of the Board of Parole

Karen Muelhaupt – Board of Parole
Elizabeth Robinson – Board of Parole

LOCAL GOVERNMENT

James Halverson – City Development Board

Mark Monson – Iowa Lewis and Clark Bicentennial Commission
Wynema Morris – Iowa Lewis and Clark Bicentennial Commission
Michele Walker – Iowa Lewis and Clark Bicentennial Commission

William Gorman – Mental Health Risk Pool Board
Ralph Kremer – Mental Health Risk Pool Board

Andrew Nielsen – Mental Health Risk Pool Board
Linda Young-Streit – Mental Health Risk Pool Board

Richard Stradley – Chair of the Property Assessment Appeal Board

D. Kevin Burggraaf – Property Assessment Appeal Board
Jacqueline Rypma – Property Assessment Appeal Board
Richard Stradley – Property Assessment Appeal Board

NATURAL RESOURCES AND ENVIRONMENT

Karen Andersen-Schank – Renewable Fuels and Coproducts Advisory Committee
William Furlong – Renewable Fuels and Coproducts Advisory Committee
Greg Hayes – Renewable Fuels and Coproducts Advisory Committee
John Ryan – Renewable Fuels and Coproducts Advisory Committee

STATE GOVERNMENT

Nancy Bruner – Accountancy Examining Board
Richard Johnson – Accountancy Examining Board
Telford Lodden – Accountancy Examining Board

Abraham Funchess, Jr. – Administrator of the Division on the Status of African-Americans

Michael Blackwell – Commission on the Status of African-Americans
John Campbell, Jr. – Commission on the Status of African-Americans
Charles Clayton – Commission on the Status of African-Americans (appointment)
Charles Clayton – Commission on the Status of African-Americans (reappointment)
Marlene Jessop – Commission on the Status of African-Americans
Redmond Jones, II – Commission on the Status of African-Americans
Krystal Madlock – Commission on the Status of African-Americans

Lynn M. Walding – Administrator of the Alcoholic Beverages Division

Richard Hunsaker – Alcoholic Beverages Commission

Martha Green – Architectural Examining Board
Jeffrey Morgan – Architectural Examining Board

Kristina Lusk – Board of Barber Examiners
Barbara Martin – Board of Barber Examiners

James Kruzic – Boiler and Pressure Vessel Board
Joseph Rodenkirk – Boiler and Pressure Vessel Board
Lynne Rush – Boiler and Pressure Vessel Board

John Calisesi – Board of Chiropractic Examiners
Michael Powell – Board of Chiropractic Examiners
Diane Puthoff – Board of Chiropractic Examiners

Jerry Talbott – Board of Cosmetology Arts and Sciences Examiners

Willard Boyd – Board of Trustees of the Iowa Cultural Trust
Ellen deLathouder – Board of Trustees of the Iowa Cultural Trust
Kim Poam Logan – Board of Trustees of the Iowa Cultural Trust

Elizabeth Brennan – Board of Dental Examiners
Eileen Cacioppo – Board of Dental Examiners
Gary Roth – Board of Dental Examiners

Michael Killmer – Board of Dietetic Examiners
Rachel Pederson – Board of Dietetic Examiners

Rita Conner – Elevator Safety Board
Peter Fromm – Elevator Safety Board
Robert Olney – Elevator Safety Board

Julie Bell – Iowa Emergency Response Commission
David Coppess – Iowa Emergency Response Commission

Forrest Holly – Engineering and Land Surveying Examining Board
Christy VanBuskirk – Engineering and Land Surveying Examining Board

Leslie Whippen – Board for the Licensing and Regulation of Hearing Aid Dispensers

Steven K. Young – Director of the Department of Inspections and Appeals

Jason Alread – Interior Design Examining Board
Kathleen Flack – Interior Design Examining Board
David Kenworthy – Interior Design Examining Board
Frederic Malven – Interior Design Examining Board
Michele Rosenboom – Interior Design Examining Board
Kathy Stavneak – Interior Design Examining Board
Jennifer Voorhees – Interior Design Examining Board

Dawn Ainger – IowAccess Advisory Council
Barbara Corson – IowAccess Advisory Council
Lawrence Lentz – IowAccess Advisory Council
Teresa Selberg – IowAccess Advisory Council
Miriam Ubben – IowAccess Advisory Council

Tim Adams – Landscape Architectural Examining Board
David Biehl – Landscape Architectural Examining Board

Armando Villareal – Administrator of the Division of Latino Affairs

Mary Junge – Iowa Lottery Authority Board of Directors
Michael Klappholz – Iowa Lottery Authority Board of Directors

Larry Dallenbach – Board of Examiners for Massage Therapy

Carole Frier – Board of Medical Examiners
Siroos Shirazi – Board of Medical Examiners
Janece Valentine – Board of Medical Examiners

Paul Johnson – Board of Mortuary Sciences Examiners
Ruth Ohde – Board of Mortuary Sciences Examiners

M. Ann Aulwes-Allison – Board of Nursing Examiners

Susan Frey – State Board of Examiners for Nursing Home Administrators
Daniel Larmore – State Board of Examiners for Nursing Home Administrators
Mary Ann Nielsen – State Board of Examiners for Nursing Home Administrators
Michael Svejda – State Board of Examiners for Nursing Home Administrators
Audrae Zoeckler – State Board of Examiners for Nursing Home Administrators

Barbara Washburn – Board of Optometry Examiners
Robert Weiland – Board of Optometry Examiners

Terrance Lillis – Peace Officers' Retirement, Accident, and Disability System Trustee

Susan Frey – Board of Pharmacy Examiners
Leman Olson – Board of Pharmacy Examiners

Helen McNurlen – Board of Physical and Occupational Therapy Examiners

Ethel Campbell – Board of Podiatry Examiners
Kelly Kadel – Board of Podiatry Examiners

Bill Schroeder – Administrator of Professional Licensing and Regulation

Gerald Jorgensen – Board of Psychology Examiners
Philip Lonning – Board of Psychology Examiners
John Tedesco – Board of Psychology Examiners

Jack P. Ketterer – Administrator of the State Racing and Gaming Commission

Diane Hamilton – State Racing and Gaming Commission
Toni Urban – State Racing and Gaming Commission

Debra Floyd – Real Estate Appraiser Examining Board
John Larson – Real Estate Appraiser Examining Board
Judith Zwanziger – Real Estate Appraiser Examining Board

Daniel Berry – Real Estate Commission
Laurie Dawley – Real Estate Commission
James Hughes – Real Estate Commission

Arlene Lee – State Board for Respiratory Care
Robert Zeman – State Board for Respiratory Care

David Stout – Board of Social Work Examiners

Mary Tasler – Board of Social Work Examiners

Rebecca Vilda – Board of Speech Pathology and Audiology Examiners

Douglas Walter – Board of Speech Pathology and Audiology Examiners

Kent Webb – Board of Speech Pathology and Audiology Examiners

Patrick J. Palmersheim – Executive Director of the Commission of Veterans Affairs

Suellen Overton – Commission of Veterans Affairs

Laurel Phipps – Commission of Veterans Affairs

David Rehbein – Commission of Veterans Affairs

Anne Duffy – Iowa Board of Veterinary Medicine

Leslie Hemmingson – Iowa Board of Veterinary Medicine

Andrew Anderson – Vision Iowa Board

Regenia Bailey – Vision Iowa Board

Lynn Kueck – Vision Iowa Board

Carolyn Rants – Vision Iowa Board

Cathy Reece – Vision Iowa Board

TRANSPORTATION

Thomas Gustafson – Iowa Law Enforcement Academy Council

Brian Guy – Iowa Law Enforcement Academy Council

Kevin W. Techau – Commissioner of the Department of Public Safety

Nancy Richardson – Director of the Iowa Department of Transportation

Barry Cleaveland – State Transportation Commission

Donald Wiley – State Transportation Commission

WAYS AND MEANS

Harold (Harry) Bormann – Iowa Railway Finance Authority

Wanda Carlson – Iowa Railway Finance Authority

Mark Schuling – Director of the Department of Revenue

Michael Milligan – State Board of Tax Review

BILLS ASSIGNED TO COMMITTEE

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

H.F. 590 Natural Resources and Environment
H.F. 2613 Economic Growth
H.F. 2621 Education
H.F. 2624 Judiciary
H.F. 2651 Judiciary
H.F. 2672 Human Resources
H.F. 2708 State Government
H.F. 2717 Agriculture

CERTIFICATES OF RECOGNITION

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

Willard Dale, Waterloo—For celebrating your 90th birthday. Senator Dotzler (3/21/06).

Jeff Ebbing, Burlington—For achieving the rank of Eagle Scout. Senator Courtney (3/21/06).

Coach Ben Gerleman and the George/Little Rock Mustangs—For winning the 2006 Boys' State Basketball Championship. Senator Mulder (3/21/06).

John Gualtier, Vinton—For extraordinary service to your country and to veterans' causes. Senator Putney (3/21/06).

Steven Philip Hadley, Sioux Center—For achieving the rank of Eagle Scout, Boy Scout Troop 211. Senator Mulder (3/21/06).

Mr. and Mrs. Dale and Lila Hixson, Waterloo—For celebrating your 50th wedding anniversary. Senator Dotzler (3/21/06).

James Vincent Rasmussen, Audubon—For achieving the rank of Eagle Scout, Boy Scout Troop 103. Senator Boettger (3/21/06).

Jennie Stucker, West Burlington—For celebrating your 90th birthday. Senator Courtney (3/21/06).

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: March 21, 2006, 11:35 a.m.

Members Present: Kreiman and Miller, Co-chairs; Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, and Zaun.

Members Absent: Tinsman, Ward, and Warnstadt (all excused).

Committee Business: Passed HF's 2233, 2398, 2562, 2571, 2624, and 2697.

Adjourned: 11:50 a.m.

RULES AND ADMINISTRATION

Convened: March 21, 2006, 9:45 a.m.

Members Present: Gronstal and Iverson, Co-chairs; Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan.

Members Absent: None.

Committee Business: Approved SCR 105 and SRs 112, 118, 124, 125, 127, 129, 130, 131, 132, and 133. Approved Governor's appointments.

Adjourned: 9:50 a.m.

TRANSPORTATION

Convened: March 21, 2006, 2:05 p.m.

Members Present: McCoy and Putney, Co-chairs; Beall, Danielson, Dearden, Fraise, Hahn, Kettering, Shull, Warnstadt, and Zieman.

Members Absent: Ward (excused).

Committee Business: Passed HF's 2362 and 2569.

Adjourned: 2:20 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 138, by Hatch, McCoy, Zaun, and Dearden, a resolution honoring the Des Moines Roosevelt High School Girls' Basketball Team.

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

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 134

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 135

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 136

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 137

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 138

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate File 2388

WAYS AND MEANS: Miller and Quirnbach, Co-chairs; McKibben and Seng

Senate File 2389

STATE GOVERNMENT: Danielson and Zieman, Co-chairs; Horn and Ward

House File 590

NATURAL RESOURCES AND ENVIRONMENT: Black and Dearden, Co-chairs; Houser and Miller

House File 2506

COMMERCE: Beall and McKinley, Co-chairs; Stewart and Wieck

House File 2562

JUDICIARY: Boettger and Schoenjahn, Co-chairs; Kreiman and Ward

House File 2571

JUDICIARY: Schoenjahn and Ward, Co-chairs; Boettger and Kreiman

House File 2613

ECONOMIC GROWTH: Brunkhorst and Hatch, Co-chairs; Dotzler and McKinley

House File 2624

JUDICIARY: Boettger and Schoenjahn, Co-chairs; Kreiman and Zaun

House File 2632

COMMERCE: Beall and Zaun, Co-chairs; Stewart and Zieman

House File 2651

JUDICIARY: Hancock and Zaun, Co-chairs; Fraise and Tinsman

House File 2652

JUDICIARY: Horn and Tinsman, Co-chairs; Larson and Quirmbach

House File 2671

COMMERCE: Courtney and McKinley, Co-chairs; McCoy and Wieck

House File 2672

HUMAN RESOURCES: Johnson and Kreiman, Co-chairs; Gaskill and Wood

House File 2679

AGRICULTURE: Gaskill and Kibbie, Co-chairs; Houser and Ragan

House File 2693

JUDICIARY: Brunkhorst and Horn, Co-chairs; Fraise and Larson

House File 2708

STATE GOVERNMENT: Kibbie and Tinsman, Co-chairs; Horn and Kettering

House File 2717

AGRICULTURE: Black and Johnson, Co-chairs; Hancock and Putney

FINAL COMMITTEE REPORTS OF BILL ACTION**JUDICIARY**

Bill Title: HOUSE FILE 2233, a bill for an act relating to the time limit on executions of judgments and orders for wage garnishments.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, and Zaun. Nays, none. Absent, 3: Tinsman, Ward, and Warnstadt.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2398, a bill for an act relating to criminal penalties for a driver convicted of failure to stop and render aid at the scene of a motor vehicle accident.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, and Zaun. Nays, none. Absent, 3: Tinsman, Ward, and Warnstadt.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2624, a bill for an act extending the statute of limitations for the filing of an indictment or information in a felony or aggravated or serious misdemeanor proceeding involving DNA profiling.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, and Zaun. Nays, none. Absent, 3: Tinsman, Ward, and Warnstadt.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2697, a bill for an act relating to the confinement of a prisoner in a municipal holding facility or county jail.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, and Zaun. Nays, none. Absent, 3: Tinsman, Ward, and Warnstadt.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE CONCURRENT RESOLUTION 105, a concurrent resolution requesting the legislative council to establish an interim committee to study emergency services in the state.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 112, a resolution honoring the Main Street Iowa Program on its 20th anniversary.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 118, a resolution requesting that the legislative council conduct a study of the feasibility of implementing cooperative public and private development projects around public and private lakes in the state.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 124, a resolution honoring Tom Griffiths for over three decades of service to Iowa's credit unions.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 125, a resolution to congratulate the Urbandale Senior League All-Star Team for winning the 2005 Senior League Baseball World Series Championship.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 127, a resolution to recognize the sesquicentennial of the city of Osage, Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 129, a resolution to recognize the month of May 2006 as Heart Health Month.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 130, a resolution honoring The Madrid Homes on its centennial year.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 131, a resolution congratulating the Matilda J. Gibson Memorial Library in Creston, Iowa, on its 75th anniversary.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 132, a resolution congratulating the Creston, Iowa, radio station KSIB for 60 years of broadcasting excellence.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 133, a resolution honoring J.H. Peet Junior High School in Cedar Falls, Iowa, for becoming a 2005-2006 Blue Ribbon School.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: HOUSE FILE 2362, a bill for an act providing for reassignment of a salvage certificate of title for a motor vehicle.

Recommendation: DO PASS.

Final Vote: Ayes, 11: McCoy, Putney, Beall, Danielson, Dearden, Fraise, Hahn, Kettering, Shull, Warnstadt, and Ziemann. Nays, none. Absent, 1: Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2569, a bill for an act relating to the operation of all-terrain vehicles on the highway for limited purposes.

Recommendation: DO PASS.

Final Vote: Ayes, 11: McCoy, Putney, Beall, Danielson, Dearden, Fraise, Hahn, Kettering, Shull, Warnstadt, and Zieman. Nays, none. Absent, 1: Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 21, 2006, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 2124 – Providing for the establishment of a nutrition and physical activity community obesity prevention grant program, and providing a contingent effective date.

Senate File 2232 – Relating to and making transportation and other infrastructure-related appropriations to the state department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

Senate File 2285 – Relating to the distribution of a presentence investigation report in a criminal proceeding.

AMENDMENTS FILED

S-5104	S.F.	2270	Herman C. Quirmbach
S-5105	S.F.	2360	Doug Shull
S-5106	S.F.	2366	Daryl Beall
S-5107	H.F.	2713	Herman C. Quirmbach
S-5108	S.F.	2303	Dick L. Dearden
S-5109	H.F.	2525	Dick L. Dearden
S-5110	S.F.	2314	Mark Zieman
S-5111	S.F.	2221	Bob Brunkhorst Michael Connolly
S-5112	S.F.	2359	Tom Hancock
S-5113	S.F.	2366	Joe M. Seng
S-5114	S.F.	2345	Ron Wieck
S-5115	S.F.	2314	Dave Mulder Mary Lundby
S-5116	S.F.	2373	Jack Hatch

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
FORTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 22, 2006

The Senate met in regular session at 8:32 a.m., President Kibbie presiding.

Prayer was offered by Reverend Bill Kerns, pastor of the First Christian Church in Fort Dodge, Iowa. He was the guest of Senator Beall.

The Journal of Tuesday, March 21, 2006, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 21, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2332, a bill for an act relating to child support, including processing and disbursement of support payments, modification of support based upon permanency orders of the juvenile court, income withholding and information sharing under the child support recovery program and providing for applicability and retroactive applicability.

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

House File 2566, a bill for an act relating to placement of a juvenile in the state training school or other facility.

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

House File 2686, a bill for an act providing for technical and substantive changes relating to the Iowa communications network.

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

House File 2695, a bill for an act relating to landlords and tenants including notice requirements to terminate a periodic tenancy and service of a petition for forcible entry and detainer by publication.

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

House File 2698, a bill for an act concerning the funding and providing of services by the department of administrative services, including the authority of customer councils, and providing an effective date.

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

House File 2705, a bill for an act providing for changes relating to specified aspects of the operation of the department of administrative services.

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

House File 2729, a bill for an act relating to a single point of entry long-term living resources system.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Larson and Ward, until they arrive, on request of Senator Lamberti; Senator Zaun, until he arrives, on request of Senator Miller; Senator McKibben, until he arrives, on request of Senator Putney; and Senators Kreiman, McCoy, and Rielly, until they arrive, on request of Senator Gronstal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 2344 and 2373.

Senate File 2344

On motion of Senator Gronstal, **Senate File 2344**, a bill for an act requiring development of a uniform application form for small employer group health insurance coverage, was taken up for consideration.

Senator Gronstal 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. 2344), the vote was:

Yeas, 43:

Angelo	Dotzler	Johnson	Schoenjahn
Beall	Dvorsky	Kettering	Seng
Behn	Fraise	Kibbie	Seymour
Black	Gaskill	Lamberti	Shull
Boettger	Gronstal	Lundby	Stewart
Bolkcom	Hahn	McKinley	Tinsman
Brunkhorst	Hancock	Miller	Warnstadt
Connolly	Hatch	Mulder	Wieck
Courtney	Horn	Putney	Wood
Danielson	Houser	Quirmbach	Zieman
Dearden	Iverson	Ragan	

Nays, none.

Absent, 7:

Kreiman	McCoy	Rielly	Zaun
Larson	McKibben	Ward	

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

Senate File 2373

On motion of Senator Hatch, **Senate File 2373**, a bill for an act relating to the certification and registration of real estate appraisers and providing a penalty, was taken up for consideration.

Senator Hatch withdrew amendment S-5116, filed by him on March 21, 2006, striking and replacing everything after the enacting clause and to the title page of the bill.

Senator Hatch offered amendment S-5117, filed by him from the floor, striking and replacing everything after the enacting clause and to the title page of the bill, and moved its adoption.

Amendment S-5117 was adopted by a voice vote.

Senator Hatch 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. 2373), the vote was:

Yeas, 46:

Angelo	Dvorsky	Kibbie	Seng
Beall	Fraise	Kreiman	Seymour
Behn	Gaskill	Lamberti	Shull
Black	Gronstal	Larson	Stewart
Boettger	Hahn	Lundby	Tinsman
Bolkcom	Hancock	McKinley	Warnstadt
Brunkhorst	Hatch	Miller	Wieck
Connolly	Horn	Mulder	Wood
Courtney	Houser	Putney	Zaun
Danielson	Iverson	Quirmbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Schoenjahn	

Nays, none.

Absent, 4:

McCoy	McKibben	Rielly	Ward
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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 Iverson asked and received unanimous consent that **Senate Files 2344** and **2373** be **immediately messaged** to the House.

RECESS

On motion of Senator Iverson, the Senate recessed at 8:55 a.m. until 6:00 p.m.

APPENDIX — 1

APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on March 22, 2006, to investigate the appointment and reappointment of the following appointees:

AGRICULTURE

As members of the Agricultural Development Authority:

FRANK CARROLL – Black and Gaskill, Co-chairs; Mulder and Ragan
TIMOTHY GALM – Johnson and Ragan, Co-chairs; Kibbie and Mulder
FRED LUNDT – Gaskill and Ragan, Co-chairs; Kibbie and Putney

As a member of the Grape and Wine Development Commission:

BENJAMIN JUNG – Hancock and Houser, Co-chairs; Brunkhorst and Courtney

BUSINESS AND LABOR RELATIONS

As a member of the Employment Appeal Board:

ELIZABETH SEISER – Seng and Seymour, Co-chairs; Horn and Shull

As Chair of the Public Employment Relations Board:

JAMES RIORDAN – Dotzler and Shull, Co-chairs; Horn and Seymour

As Workers' Compensation Commissioner:

CHRISTOPHER GODFREY – Dearden and McKibben, Co-chairs; Behn and Courtney

As members of the Iowa Workforce Development Board:

JEROME AMOS, JR. – Horn and Seymour, Co-chairs; Behn and Seng
KENNETH ANDERSON – Dotzler and Shull, Co-chairs; Behn and Dearden
VICKI DUCHENE – Dotzler and McKibben, Co-chairs; Courtney and Shull
DAVID OWEN – Behn and Courtney, Co-chairs; Dotzler and Shull
NORMA SCHMOKER – Behn and Horn, Co-chairs; Seng and Seymour

COMMERCE

As members of the Credit Union Review Board:

MICHAEL HARVEY – Bolkcom and Zaun, Co-chairs; Beall and Ziemann
ROGER REISER – Bolkcom and Zaun, Co-chairs; Beall and Ziemann
KATHLEEN STEFFES – Bolkcom and Zaun, Co-chairs; Beall and Ziemann

As Chair of the Iowa Telecommunications and Technology Commission:

BETSY BRANDSGARD – Rielly and Zaun, Co-chairs; Courtney and Ziemann

As a member of the Iowa Telecommunications and Technology Commission:

BETSY BRANDSGARD – Rielly and Zaun, Co-chairs; Courtney and Ziemann

ECONOMIC GROWTH

As members of the Iowa Capital Investment Board:

GORDON NEUMANN – Stewart and Zaun, Co-chairs; Behn and Hatch
DANIEL ROGERS – Shull and Stewart, Co-chairs; Behn and Hatch

As Director of the Department of Economic Development:

MARY LAWYER – Hatch and McKinley, Co-chairs; Behn and Rielly

As members of the Iowa Economic Development Board:

PEGGY ARMSTRONG-GUSTAFSON – Behn and Hatch, Co-chairs; Stewart and Zaun

BONNIE BARNEY – Dotzler and Shull, Co-chairs; Brunkhorst and Hatch

GEORGE (CURTIS) BAUGH – McKinley and Stewart, Co-chairs; Brunkhorst and Hatch

LINDA BLOODSWORTH – Hahn and Hatch, Co-chairs; Brunkhorst and Stewart

ROBERT BOCKEN – Behn and Rielly, Co-chairs; Brunkhorst and Danielson

JONI CARROLL – Stewart and Zaun, Co-chairs; Brunkhorst and Hatch

JERRY COURTNEY – Hahn and Hatch, Co-chairs; Brunkhorst and Stewart

ARVIND DANDEKAR – Shull and Stewart, Co-chairs; Brunkhorst and Hatch

NANCY DUNKEL – Brunkhorst and Dotzler, Co-chairs; Hahn and Stewart

WILLIAM GERHARD – Stewart and Zaun, Co-chairs; Hatch and Shull

CYNTHIA (CINDI) KEITHLEY – Seymour and Stewart, Co-chairs; Brunkhorst and Hatch

CRAIG LANG – Brunkhorst and Rielly, Co-chairs; Hahn and Hatch

JOHN LISLE – McKinley and Stewart, Co-chairs; Brunkhorst and Hatch

MARCIA ROGERS – Dotzler and Hahn, Co-chairs; Brunkhorst and Stewart

TOBY SHINE – Behn and Rielly, Co-chairs; Brunkhorst and Danielson

As members of the Small Business Advisory Council:

JOHN CULLEN – Danielson and Seymour, Co-chairs; Rielly and Shull

JAMES DAVIS – Stewart and Zaun, Co-chairs; Brunkhorst and Hatch

JOAN SEVERSON (appointment) – Hahn and Hatch, Co-chairs; Brunkhorst and Stewart

JOAN SEVERSON (reappointment) – Hahn and Hatch, Co-chairs; Brunkhorst and Stewart

EDUCATION

As members of the State Board of Education:

ANNE DOUT – Kreiman and McKinley, Co-chairs; Dvorsky and Ward

CHARLES EDWARDS, JR. – Beall and McKinley, Co-chairs; Brunkhorst and Wood

N. BRIAN GENTRY – Boettger and Kreiman, Co-chairs; Mulder and Quirmbach

As a member of the Board of Educational Examiners:

TAMMY DUEHR – Angelo and Connolly, Co-chairs; Larson and Schoenjahn

As a member of the Iowa Higher Education Loan Authority:

DENNIS HOULIHAN – Connolly and Mulder, Co-chairs; Ward and Wood

As members of the School Budget Review Committee:

JANE BABCOCK – Brunkhorst and Schoenjahn, Co-chairs; Boettger and Wood

DON HANSEN – Brunkhorst and Wood, Co-chairs; Boettger and Schoenjahn

As a member of the Technology Governance Board:

RANDALL RAMUNDT – Boettger and Dvorsky, Co-chairs; Angelo and Kreiman

HUMAN RESOURCES

As members of the Board of Athletic Training Examiners:

TERRI CRAFT – Dotzler and Tinsman, Co-chairs; Quirmbach and Seymour

DANIEL MCGUIRE – Boettger and Dotzler, Co-chairs; Johnson and Quirmbach

As members of the Board of Behavioral Science Examiners:

JOHN FREELAND – Behn and Dotzler, Co-chairs; Boettger and Quirmbach

BARBARA O'ROURKE – Dotzler and Tinsman, Co-chairs; Quirmbach and Seymour

TIMOTHY RUPPERT – Dotzler and Gaskill, Co-chairs; Houser and Quirmbach

As a member of the Commission for the Blind:

BEHNAZ SOULATI – Behn and Dotzler, Co-chairs; Quirmbach and Tinsman

As members of the Child Advocacy Board:

BRIAN MICHAELSON – Johnson and Kreiman, Co-chairs; Bolkcom and Seymour

CAMELLA RICHARDS – Houser and Kreiman, Co-chairs; Behn and Bolkcom

HEATHER STEPHENSON – Boettger and Kreiman, Co-chairs; Bolkcom and Seymour

NANCYLEE ZIESE – Kreiman and Seymour, Co-chairs; Bolkcom and Tinsman

As members of the Commission on Community Action Agencies:

CAROL BESCH – Gaskill and Kreiman, Co-chairs; Bolkcom and Houser

THOMAS LETSCHE – Kreiman and Seymour, Co-chairs; Boettger and Bolkcom

MARC LINDEEN – Johnson and Kreiman, Co-chairs; Bolkcom and Houser

As members of the Commission on the Deaf:

AUGUST CORDERO – Boettger and Wood, Co-chairs; Hatch and Seymour

BRENDA WERNIMONT – Seymour and Wood, Co-chairs; Hatch and Tinsman

As Administrator of the Division of Deaf Services:

KATHRYN L. BAUMANN-REESE – Johnson and Wood, Co-chairs; Hatch and Seymour

As Administrator of the Division of Persons with Disabilities:

JILL AVERY – Houser and Wood, Co-chairs; Behn and Hatch

As members of the Iowa Empowerment Board:

MICHAEL BERGAN – Johnson and Wood, Co-chairs; Gaskill and Hatch

REBECCA BURGART – Houser and Wood, Co-chairs; Hatch and Seymour

MARY CAMERON – Gaskill and Wood, Co-chairs; Hatch and Johnson

CHRISTOPHER CARMAN – Seymour and Wood, Co-chairs; Boettger and Hatch

JUDY MCCOY DAVIS – Tinsman and Wood, Co-chairs; Hatch and Johnson

JOHN DOTSON – Behn and Wood, Co-chairs; Hatch and Tinsman

ARNOLD HONKAMP – Houser and Wood, Co-chairs; Gaskill and Hatch

DOUGLAS PETERS – Johnson and Wood, Co-chairs; Hatch and Seymour

FLOYD WINTER – Behn and Wood, Co-chairs; Hatch and Seymour

As members of the Healthy and Well Kids in Iowa (HAWK-I) Board:

JOHN BAKER – Quirmbach and Seymour, Co-chairs; Behn and Dotzler

ANGELITA RAMIREZ – Quirmbach and Seymour, Co-chairs; Boettger and Dotzler

As members of the Commission on the Status of Iowans of Asian and Pacific Islander Heritage:

RITA ARORA – Quirmbach and Seymour, Co-chairs; Behn and Dotzler

THOMAS BACCAM – Boettger and Quirmbach, Co-chairs; Dotzler and Seymour

CYNDI CHEN – Boettger and Quirmbach, Co-chairs; Behn and Dotzler

LIN LY – Johnson and Quirmbach, Co-chairs; Dotzler and Tinsman

As members of the Board of Interpreters for the Hearing Impaired Examiners:

PHILIPPE GALLANT – Behn and Quirmbach, Co-chairs; Dotzler and Johnson

DIANA KAUTZKY – Quirmbach and Seymour, Co-chairs; Dotzler and Houser

CYNTHIA SMITH-BYER – Gaskill and Quirmbach, Co-chairs; Dotzler and Johnson

As members of the Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission:

LYNN FERRELL – Hatch and Tinsman, Co-chairs; Boettger and Wood

WILLIAM GORMAN – Gaskill and Hatch, Co-chairs; Houser and Wood

JANE HALLIBURTON – Hatch and Tinsman, Co-chairs; Boettger and Wood

JANICE HEIKES – Hatch and Tinsman, Co-chairs; Boettger and Wood

RICHARD HEITMANN – Gaskill and Hatch, Co-chairs; Houser and Wood

CINDY KAESTNER – Behn and Hatch, Co-chairs; Seymour and Wood

SUSAN KOCH-SEEHASE – Boettger and Hatch, Co-chairs; Tinsman and Wood

As members of the Board of Physician Assistant Examiners:

JOHN OLSON – Bolkcom and Johnson, Co-chairs; Behn and Ragan

MARA SWANSON – Bolkcom and Tinsman, Co-chairs; Behn and Ragan

PATRICIA WEISHAAR – Bolkcom and Johnson, Co-chairs; Ragan and Seymour

As members of the Prevention of Disabilities Policy Council:

CHRISTOPHER ATCHISON – Bolkcom and Houser, Co-chairs; Gaskill and Ragan

LAURIE FEIN – Bolkcom and Houser, Co-chairs; Gaskill and Ragan

DIANE SCHROEDER – Boettger and Bolkcom, Co-chairs; Ragan and Tinsman

FRANK STRONG – Bolkcom and Seymour, Co-chairs; Behn and Ragan

As members of the Commission on Tobacco Use Prevention and Control:

ANDREA COZIAHR – Houser and Ragan, Co-chairs; Bolkcom and Gaskill

CATHERINE LILLEHOJ – Boettger and Ragan, Co-chairs; Bolkcom and Johnson

BOBBY RUSSELL – Gaskill and Ragan, Co-chairs; Bolkcom and Houser

As members of the Commission on the Status of Women:

THOMAS CARNAHAN – Boettger and Ragan, Co-chairs; Behn and Bolcom
CARLA ESPINOZA – Ragan and Tinsman, Co-chairs; Bolcom and Seymour
SUE MULLINS – Boettger and Ragan, Co-chairs; Bolcom and Tinsman
JILL OLSEN – Johnson and Ragan, Co-chairs; Bolcom and Gaskill
MATTHEW WISSING – Ragan and Tinsman, Co-chairs; Bolcom and Seymour

JUDICIARY

As a member of the Board of Corrections:

SHERYL GRIFFITH – Ward and Warnstadt, Co-chairs; Larson and Quirmbach

As members of the Criminal and Juvenile Justice Planning Advisory Council:

ELAINE ARMSTRONG – Boettger and Fraise, Co-chairs; Kreiman and Tinsman
THOMAS FERGUSON – Hancock and McKibben, Co-chairs; Brunkhorst and Schoenjahn
PAUL FITZGERALD – Boettger and Quirmbach, Co-chairs; Hancock and Tinsman
DANIEL HOEGER – Dvorsky and Zaun, Co-chairs; Horn and Ward
DAVID MOSKOWITZ – Horn and Ward, Co-chairs; Quirmbach and Zaun
SUSAN NELSON – Tinsman and Warnstadt, Co-chairs; Boettger and Schoenjahn
CATHERINE REAMAN-GERDES – Fraise and Tinsman, Co-chairs; Boettger and Kreiman

As members of the Iowa Drug Policy Advisory Council:

STEWART BARNES – Schoenjahn and Zaun, Co-chairs; Fraise and Ward
JEFFREY HUGHES – Brunkhorst and Dvorsky, Co-chairs; McKibben and Warnstadt
BRIAN VOS – Kreiman and Zaun, Co-chairs; Fraise and Ward

As Chairperson of the Board of Parole:

ELIZABETH ROBINSON – Dvorsky and Larson, Co-chairs; Horn and Ward

As members of the Board of Parole:

KAREN MUELHAUPT – Horn and Larson, Co-chairs; Hancock and Ward
ELIZABETH ROBINSON – Dvorsky and Larson, Co-chairs; Horn and Ward

LOCAL GOVERNMENT

As a member of the City Development Board:

JAMES HALVERSON – Quirmbach and Zaun, Co-chairs

As members of the Iowa Lewis and Clark Bicentennial Commission:

MARK MONSON – Mulder and Schoenjahn, Co-chairs
WYNEMA MORRIS – Mulder and Schoenjahn, Co-chairs
MICHELE WALKER – Mulder and Schoenjahn, Co-chairs

As members of the Mental Health Risk Pool Board:

WILLIAM GORMAN – Stewart and Zaun, Co-chairs
RALPH KREMER – Stewart and Zaun, Co-chairs
ANDREW NIELSEN – Mulder and Stewart, Co-chairs
LINDA YOUNG-STREIT – Mulder and Stewart, Co-chairs

As Chair of the Property Assessment Appeal Board:

RICHARD STRADLEY – Quirmbach and Zaun, Co-chairs

As members of the Property Assessment Appeal Board:

D. KEVIN BURGGRAAF – Quirmbach and Zaun, Co-chairs
JACQUELINE RYPMA – Quirmbach and Zaun, Co-chairs
RICHARD STRADLEY – Quirmbach and Zaun, Co-chairs

NATURAL RESOURCES AND ENVIRONMENT

As members of the Renewable Fuels and Coproducts Advisory Committee:

KAREN ANDERSEN-SCHANK – Dearden and Houser, Co-chairs; Black and Gaskill
WILLIAM FURLONG – Bolckcom and Kettering, Co-chairs; Lundby and Seng
GREG HAYES – Hancock and Miller, Co-chairs; Black and Bolckcom
JOHN RYAN – Houser and Wood, Co-chairs; Dearden and Johnson

STATE GOVERNMENT

As members of the Accountancy Examining Board:

NANCY BRUNER – Kibbie and McKibben, Co-chairs; Black and Ward
RICHARD JOHNSON – Brunkhorst and Connolly, Co-chairs; Hancock and Wieck
TELFORD LODDEN – Kettering and Wood, Co-chairs; Brunkhorst and Hatch

As Administrator of the Division on the Status of African-Americans:

ABRAHAM FUNCHES, JR. – Danielson and Miller, Co-chairs; Hatch and McKibben

As members of the Commission on the Status of African-Americans:

MICHAEL BLACKWELL – Danielson and Miller, Co-chairs; Connolly and McKibben
JOHN CAMPBELL, JR. – Hatch and Ward, Co-chairs; Black and Wieck
CHARLES CLAYTON (appointment) – Hancock and Wieck, Co-chairs; Danielson and Ward
CHARLES CLAYTON (reappointment) – Hancock and Wieck, Co-chairs; Danielson and Ward
MARLENE JESSOP – Connolly and McKibben, Co-chairs; Black and Miller
REDMOND JONES, II – Brunkhorst and Hancock, Co-chairs; Kettering and Wood
KRISTAL MADLOCK – Kettering and Wood, Co-chairs; Kibbie and Ward

As Administrator of the Alcoholic Beverages Division:

LYNN M. WALDING – Connolly and Miller, Co-chairs; Kibbie and Wieck

As a member of the Alcoholic Beverages Commission:

RICHARD HUNSAKER – Danielson and Tinsman, Co-chairs; Hancock and Zieman

As members of the Architectural Examining Board:

MARTHA GREEN – Black and Ward, Co-chairs; Connolly and Zieman

JEFFREY MORGAN – Hatch and Wieck, Co-chairs; Black and Miller

As members of the Board of Barber Examiners:

KRISTINA LUSK – Danielson and Zieman, Co-chairs; Brunkhorst and Hatch

BARBARA MARTIN – Brunkhorst and Hancock, Co-chairs; Kettering and Wood

As members of the Boiler and Pressure Vessel Board:

JAMES KRUZIC – Danielson and Kettering, Co-chairs; Hatch and McKibben

JOSEPH RODENKIRK – Kibbie and Miller, Co-chairs; Wood and Zieman

LYNNE RUSH – Black and McKibben, Co-chairs; Connolly and Wieck

As members of the Board of Chiropractic Examiners:

JOHN CALISESI – Danielson and Tinsman, Co-chairs; Hancock and Ward

MICHAEL POWELL – Black and Ward, Co-chairs; Hatch and Tinsman

DIANE PUTHOFF – Wieck and Wood, Co-chairs; Kibbie and Miller

As a member of the Board of Cosmetology Arts and Sciences Examiners:

JERRY TALBOTT – Hancock and Zieman, Co-chairs; Kettering and Wood

As members of the Board of Trustees of the Iowa Cultural Trust:

WILLARD BOYD – Connolly and McKibben, Co-chairs; Brunkhorst and Hatch

ELLEN DELATHOUDER – Brunkhorst and Danielson, Co-chairs; Kibbie and McKibben

KIM POAM LOGAN – Kettering and Wood, Co-chairs; Kibbie and McKibben

As members of the Board of Dental Examiners:

ELIZABETH BRENNAN – Black and Miller, Co-chairs; Brunkhorst and Connolly

EILEEN CACIOPPO – Black and Tinsman, Co-chairs; Kettering and Wood

GARY ROTH – Danielson and Ward, Co-chairs; Hancock and Miller

As members of the Board of Dietetic Examiners:

MICHAEL KILLMER – Connolly and Wieck, Co-chairs; Hancock and Tinsman

RACHEL PEDERSON – Hatch and Zieman, Co-chairs; Ward and Wood

As members of the Elevator Safety Board:

RITA CONNER – Kibbie and McKibben, Co-chairs; Hatch and Wieck
PETER FROMM – Brunkhorst and Danielson, Co-chairs; Kibbie and Zieman
ROBERT OLNEY – Kettering and Wood, Co-chairs; Black and Zieman

As members of the Iowa Emergency Response Commission:

JULIE BELL – Black and Miller, Co-chairs; Connolly and Wieck
DAVID COPPES – Danielson and Tinsman, Co-chairs; Hancock and Ward

As members of the Engineering and Land Surveying Examining Board:

FORREST HOLLY – Connolly and Ward, Co-chairs; Hancock and Tinsman
CHRISTY VANBUSKIRK – Wieck and Wood, Co-chairs; Danielson and Miller

As a member of the Board for the Licensing and Regulation of Hearing Aid Dispensers:

LESLIE WHIPPEN – Hatch and Zieman, Co-chairs; Kettering and Kibbie

As Director of the Department of Inspections and Appeals:

STEVEN K. YOUNG – Hancock and McKibben, Co-chairs; Brunkhorst and Wood

As members of the Interior Design Examining Board:

JASON ALREAD – Brunkhorst and Danielson, Co-chairs; Kibbie and McKibben
KATHLEEN FLACK – Black and Kettering, Co-chairs; Connolly and Wieck
DAVID KENWORTHY – Hancock and Miller, Co-chairs; Black and Ward
FREDERIC MALVEN – Hatch and Tinsman, Co-chairs; Connolly and Zieman
MICHELE ROSENBOOM – Ward and Wood, Co-chairs; Danielson and Tinsman
KATHY STAVNEAK – Hatch and Wieck, Co-chairs; Kibbie and Miller
JENNIFER VOORHEES – Hatch and Zieman, Co-chairs; Danielson and Kettering

As members of the Iowa Access Advisory Council:

DAWN AINGER – Connolly and McKibben, Co-chairs; Brunkhorst and Wood
BARBARA CORSON – Black and Brunkhorst, Co-chairs; Kibbie and McKibben
LAWRENCE LENTZ – Hancock and Kettering, Co-chairs; Black and Zieman
TERESA SELBERG – Hatch and Miller, Co-chairs; Hancock and Wieck
MIRIAM UBBEN – Connolly and Tinsman, Co-chairs; Ward and Wood

As members of the Landscape Architectural Examining Board:

TIM ADAMS – Hatch and Ward, Co-chairs; Kibbie and McKibben
DAVID BIEHL – Wieck and Wood, Co-chairs; Black and Tinsman

As Administrator of the Division of Latino Affairs:

ARMANDO VILLAREAL – Danielson and Zieman, Co-chairs; Connolly and McKibben

As members of the Iowa Lottery Authority Board of Directors:

MARY JUNGE – Brunkhorst and Hancock, Co-chairs; Hatch and Kettering

MICHAEL KLAPPHOLZ – Black and McKibben, Co-chairs; Danielson and Miller

As a member of the Board of Massage Therapy Examiners:

LARRY DALLENBACH – Kettering and Wood, Co-chairs; Brunkhorst and Kibbie

As members of the Board of Medical Examiners:

CAROLE FRIER – Miller and Wood, Co-chairs; Black and Ward

SIROOS SHIRAZI – Connolly and Tinsman, Co-chairs; Kibbie and Wieck

JANECE VALENTINE – Danielson and Ward, Co-chairs; Hancock and Zieman

As members of the Board of Mortuary Sciences Examiners:

PAUL JOHNSON – Hatch and Wieck, Co-chairs; Tinsman and Ward

RUTH OHDE – Black and Zieman, Co-chairs; Danielson and Miller

As a member of the Board of Nursing Examiners:

M. ANN AULWES-ALLISON – Brunkhorst and Hancock, Co-chairs; Connolly and Kettering

As members of the State Board of Examiners for Nursing Home Administrators:

SUSAN FREY – Kettering and Kibbie, Co-chairs; Brunkhorst and Danielson

DANIEL LARMORE – Miller and Wood, Co-chairs; Hancock and McKibben

MARY ANN NIELSEN – Hatch and Tinsman, Co-chairs; Ward and Wood

MICHAEL SVEJDA – Connolly and Ward, Co-chairs; Wieck and Wood

AUDRAE ZOECKLER – Wieck and Wood, Co-chairs; Kibbie and Zieman

As members of the Board of Optometry Examiners:

BARBARA WASHBURN – Black and Zieman, Co-chairs; Danielson and Tinsman

ROBERT WEILAND – Kibbie and McKibben, Co-chairs; Hancock and Miller

As the Peace Officers' Retirement, Accident, and Disability System Trustee:

TERRANCE LILLIS – Brunkhorst and Hatch, Co-chairs; Black and Kettering

As members of the Board of Pharmacy Examiners:

SUSAN FREY – Kettering and Wood, Co-chairs; Brunkhorst and Connolly

LEMAN OLSON – Hancock and Miller, Co-chairs; Hatch and McKibben

As a member of the Board of Physical and Occupational Therapy Examiners:

HELEN MCNURLIN – Tinsman and Wood, Co-chairs; Kibbie and McKibben

As members of the Board of Podiatry Examiners:

ETHEL CAMPBELL – Connolly and Ward, Co-chairs; Black and Brunkhorst
KELLY KADEL – Black and Wieck, Co-chairs; Danielson and Kettering

As Administrator of Professional Licensing and Regulation:

BILL SCHROEDER – Danielson and Zieman, Co-chairs; Hancock and Miller

As members of the Board of Psychology Examiners:

GERALD JORGENSEN – Brunkhorst and Connolly, Co-chairs; Hatch and Tinsman
PHILIP LONNING – Kettering and Kibbie, Co-chairs; Ward and Wood
JOHN TEDESCO – Hancock and Miller, Co-chairs; Hatch and Wieck

As Administrator of the State Racing and Gaming Commission:

JACK P. KETTERER – Connolly and Tinsman, Co-chairs; Kibbie and Zieman

As members of the State Racing and Gaming Commission:

DIANE HAMILTON – Danielson and Ward, Co-chairs; Kibbie and Zieman
TONI URBAN – Hatch and Wieck, Co-chairs; Black and Ward

As members of the Real Estate Appraiser Examining Board:

DEBRA FLOYD – Danielson and Zieman, Co-chairs; Hancock and Wieck
JOHN LARSON – McKibben and Wood, Co-chairs; Kibbie and Tinsman
JUDITH ZWANZIGER – Brunkhorst and Kibbie, Co-chairs; Kettering and Wood

As members of the Real Estate Commission:

DANIEL BERRY – Connolly and Kettering, Co-chairs; Black and Miller
LAURIE DAWLEY – Danielson and Miller, Co-chairs; Brunkhorst and Connolly
JAMES HUGHES – Hancock and Tinsman, Co-chairs; Hatch and McKibben

As members of the State Board for Respiratory Care:

ARLENE LEE – Black and Ward, Co-chairs; McKibben and Wood
ROBERT ZEMAN – Hancock and Wieck, Co-chairs; Brunkhorst and Kibbie

As members of the Board of Social Work Examiners:

DAVID STOUT – Hatch and Zieman, Co-chairs; Black and Kettering
MARY TASLER – Kibbie and Zieman, Co-chairs; Danielson and Miller

As members of the Board of Speech Pathology and Audiology Examiners:

REBECCA VILDA – Wieck and Wood, Co-chairs; Kibbie and Ward
DOUGLAS WALTER – Hatch and Ward, Co-chairs; Tinsman and Wood
KENT WEBB – Black and Tinsman, Co-chairs; Connolly and Wieck

As Executive Director of the Commission of Veterans Affairs:

PATRICK J. PALMERSHEIM – Connolly and Miller, Co-chairs; Kibbie and Zieman

As members of the Commission of Veterans Affairs:

SUELLEN OVERTON – Hancock and Kettering, Co-chairs; Danielson and Zieman

LAUREL PHIPPS – Kibbie and McKibben, Co-chairs; Hatch and Miller

DAVID REHBEIN – Brunkhorst and Hancock, Co-chairs; Horn and Wieck

As members of the Iowa Board of Veterinary Medicine:

ANNE DUFFY – Brunkhorst and Danielson, Co-chairs; Ward and Wood

LESLIE HEMMINGSON – Kettering and Kibbie, Co-chairs; Black and Tinsman

As members of the Vision Iowa Board:

ANDREW ANDERSON – Hatch and Miller, Co-chairs; Connolly and Kettering

REGENIA BAILEY – Black and Tinsman, Co-chairs; Danielson and Miller

LYNN KUECK – Kibbie and Wieck, Co-chairs; Hancock and Kettering

CAROLYN RANTS – Hatch and Ward, Co-chairs; McKibben and Wood

CATHY REECE – Hancock and Zieman, Co-chairs; Brunkhorst and Kibbie

TRANSPORTATION

As members of the Iowa Law Enforcement Academy Council:

THOMAS GUSTAFSON – Danielson and Ward, Co-chairs; Beall, Dearden, and Shull

BRIAN GUY – Danielson and Ward, Co-chairs; Dearden and Shull

As Commissioner of the Department of Public Safety:

KEVIN W. TECHAU – Danielson and Ward, Co-chairs; Dearden and Shull

As Director of the Iowa Department of Transportation:

NANCY RICHARDSON – Putney and Warnstadt, Co-chairs; Fraise and Shull

As members of the State Transportation Commission:

BARRY CLEAVELAND – Danielson and Putney, Co-chairs; Beall and Zieman

DONALD WILEY – Danielson and Ward, Co-chairs; Dearden and Shull

WAYS AND MEANS

As members of the Iowa Railway Finance Authority:

HAROLD (HARRY) BORMANN – Danielson and McKinley, Co-chairs; Dotzler and Wieck

WANDA CARLSON – Dotzler and Hahn, Co-chairs; Danielson and Zaun

As Director of the Department of Revenue:

MARK SCHULING – Bolkcom and Ziemann, Co-chairs; McKinley and Stewart

As a member of the State Board of Tax Review:

MICHAEL MILLIGAN – Seng and Zaun, Co-chairs; McCoy and Miller

BILL ASSIGNED TO COMMITTEE

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

H.F. 2661 Economic Growth

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 22, 2006, when the vote was taken on Senate File 2344. Had I been present, I would have voted "Yea."

KEITH A. KREIMAN

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 22, 2006, when the votes were taken on Senate Files 2344 and 2373. Had I been present, I would have voted "Yea" on both.

MATT MCCOY

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 22, 2006, when the votes were taken on Senate Files 2344 and 2373. Had I been present, I would have voted "Yea" on both.

TOM RIELLY

CERTIFICATES OF RECOGNITION

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

Danielle Durbala, Spirit Lake—For receiving the Gold Award, Girl Scout Troop 158. Senator Johnson (3/22/06).

Alyssa Geinitz, Spirit Lake—For receiving the Gold Award, Girl Scout Troop 158. Senator Johnson (3/22/06).

Katie Hansen, Spirit Lake—For receiving the Gold Award, Girl Scout Troop 158. Senator Johnson (3/22/06).

Chief Wally Jorgensen, Spirit Lake—For 42 years of service with the Spirit Lake Community Fire Department. Senator Johnson (3/22/06).

Reverend Bill Kerns, Fort Dodge—For being the Chaplain of the Day. Senator Beall (3/22/06).

Katie Michelson, Spirit Lake—For receiving the Gold Award, Girl Scout Troop 158. Senator Johnson (3/22/06).

Deb Remmerde, Rock Valley—For holding the National Consecutive Free Throw Competitive Record of 133 and for being the two-time All-American NAIA Player of the Year. Senator Mulder (3/22/06).

Nicole Seemann, Spirit Lake—For receiving the Gold Award, Girl Scout Troop 158. Senator Johnson (3/22/06).

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 22, 2006, 11:40 a.m.

Members Present: Fraise and Johnson, Co-chairs; Black, Brunkhorst, Gaskill, Hahn, Hancock, Houser, Kibbie, Mulder, Putney, Ragan, and Rielly.

Members Absent: Courtney (excused).

Committee Business: Passed HF's 2679 and 2717. Approved Governor's appointments.

Adjourned: 12:10 p.m.

BUSINESS AND LABOR RELATIONS

Convened: March 22, 2006, 10:10 a.m.

Members Present: Dearden and Wieck, Co-chairs; Behn, Courtney, Dotzler, Horn, Seng, Seymour, and Shull.

Members Absent: McKibben (excused).

Committee Business: Passed HF's 2505, 2507, 2508, and 2586.

Adjourned: 10:25 a.m.

JUDICIARY

Convened: March 22, 2006, 10:40 a.m.

Members Present: Kreiman and Miller, Co-chairs; Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Quirmbach, Schoenjahn, Tinsman, Warnstadt, and Zaun.

Members Absent: Larson, McKibben, and Ward.

Committee Business: Passed HF's 2337, 2351, 2651, and 2652.

Adjourned: 11:35 a.m.

LOCAL GOVERNMENT

Convened: March 22, 2006, 2:00 p.m.

Members Present: Quirmbach and Shull, Co-chairs; Houser, Kreiman, Lundby, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun.

Members Absent: None.

Committee Business: Passed HF's 2240 (as amended) and 2282 (as amended).

Adjourned: 2:30 p.m.

SUBCOMMITTEE ASSIGNMENTS

House File 2611

NATURAL RESOURCES AND ENVIRONMENT: Johnson and Wood, Co-chairs; Dearden and Kettering

House File 2648

BUSINESS AND LABOR RELATIONS: Behn and Dearden, Co-chairs; Courtney and McKibben

House File 2661

ECONOMIC GROWTH: Shull and Stewart, Co-chairs; Behn and Rielly

House File 2665

STATE GOVERNMENT: Hancock and Ward, Co-chairs; Brunkhorst and Danielson

House File 2698

STATE GOVERNMENT: Connolly and Tinsman, Co-chairs; Kibbie and Miller

House File 2705

STATE GOVERNMENT: Connolly and Wieck, Co-chairs; Kibbie and Ward

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: HOUSE FILE 2679, a bill for an act relating to agricultural drainage wells by providing for the implementation of water quality practices as an alternative to constructing alternative drainage systems.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Fraise, Johnson, Black, Brunkhorst, Gaskill, Hahn, Hancock, Houser, Kibbie, Mulder, Putney, Ragan, and Rielly. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2717, a bill for an act providing for an equine industry development commission and related fund, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Fraise, Johnson, Black, Brunkhorst, Gaskill, Hahn, Hancock, Houser, Kibbie, Mulder, Putney, Ragan, and Rielly. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR RELATIONS

Bill Title: HOUSE FILE 2505, a bill for an act authorizing the labor commissioner to represent laborers or employees seeking wage claims in pending receivership or seizure actions and providing an applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Dearden, Wieck, Behn, Courtney, Dotzler, Horn, Seng, Seymour, and Shull. Nays, none. Absent 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2507, a bill for an act relating to priority of labor or wage claims over other debts when an employer's property is placed in receivership or otherwise seized by creditors.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Dearden, Wieck, Behn, Courtney, Dotzler, Horn, Seng, Seymour, and Shull. Nays, none. Absent 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2508, a bill for an act relating to direct deposit of wages and creating an exception to the payday information employers are required to provide each employee under the Iowa wage payment collection law and providing for retroactive applicability.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Dearden, Wieck, Behn, Courtney, Dotzler, Horn, Seng, Seymour, and Shull. Nays, none. Absent 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2586, a bill for an act relating to the collection of liquidated debts owed to and various authorizations issued by the labor commissioner.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Dearden, Wieck, Behn, Courtney, Dotzler, Horn, Seng, Seymour, and Shull. Nays, none. Absent 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: *HOUSE FILE 2652, a bill for an act relating to civil and criminal procedure including the issuance of and violations of certain civil protective orders and criminal no-contact orders.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, Quirnbach, Schoenjahn, Tinsman, Warnstadt, and Zaun. Nays, none. Absent, 2: McKibben and 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 Judiciary Committee on House File 2652, and they were attached to the committee report.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 22, 2006, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 2147 – Relating to the requirement of location as an eligibility criterion for businesses under the enterprise zone program and providing an effective date.

EVENING SESSION

The Senate reconvened at 5:28 p.m., President Kibbie presiding.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:29 p.m. until 8:30 a.m., Thursday, March 23, 2006.

APPENDIX — 2

CERTIFICATES OF RECOGNITION

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

Ryan Bankson, Dubuque—For achieving the rank of Eagle Scout, Boy Scout Troop 7. Senator Connolly (3/22/06).

Benjamin J. Boxleiter, Dubuque—For achieving the rank of Eagle Scout, Boy Scout Troop 7. Senator Connolly (3/22/06).

Christopher L. Schultz, Dubuque—For achieving the rank of Eagle Scout, Boy Scout Troop 7. Senator Connolly (3/22/06).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: March 22, 2006, 4:00 p.m.

Members Present: Connolly and McKinley, Co-chairs; Beall, Boettger, Brunkhorst, Mulder, Quirnbach, Schoenjahn, Ward, and Wood.

Members Absent: Angelo, Dvorsky, Kreiman, and Larson (all excused).

Committee Business: Approved Governor's appointments.

Adjourned: 4:20 p.m.

HUMAN RESOURCES

Convened: March 22, 2006, 12:15 p.m.

Members Present: Ragan and Seymour, Co-chairs; Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirnbach, Tinsman, and Wood.

Members Absent: None.

Committee Business: Passed HF's 2330, 2463, 2492, 2493, 2509, 2564, 2565, 2567, 2588, and 2672. Approved Governor's appointments.

Adjourned: 12:55 p.m.

STATE GOVERNMENT

Convened: March 22, 2006, 2:05 p.m.

Members Present: Horn and McKibben, Co-chairs; Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Ziemann.

Members Absent: None.

Committee Business: Passed HF's 2162, 2215, 2244, 2323, 2363, 2398, 2512, 2590, 2593, 2665, 2698, 2705, and 2708.

Adjourned: 2:35 p.m.

TRANSPORTATION

Convened: March 22, 2006, 5:00 p.m.

Members Present: McCoy and Putney, Co-chairs; Beall, Danielson, Dearden, Fraise, Hahn, Kettering, Shull, Ward, Warnstadt, and Ziemann.

Members Absent: None.

Committee Business: Approved Governor's appointments.

Adjourned: 5:15 p.m.

WAYS AND MEANS

Convened: March 22, 2006, 1:05 p.m.

Members Present: Bolckcom and Ziemann, Co-chairs; Connolly, Danielson, Dotzler, Hahn, Larson, McCoy, McKibben, McKinley, Miller, Quirnbach, Seng, Stewart, Wieck, and Zaun.

Members Absent: None.

Committee Business: Approved SSBs 1060 (as amended), 3197 (as amended), and 3254 (as amended). Approved Governor's appointments.

Adjourned: 2:00 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 139, by Shull, a resolution honoring the Norwalk High School Girls' Basketball Team.

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

Senate Resolution 140, by McKibben, a resolution designating May 2006 as Huntington's Disease Awareness Month.

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

SUBCOMMITTEE ASSIGNMENTS

House File 2395

EDUCATION: Dvorsky and Mulder, Co-chairs; Brunkhorst and Connolly

House File 2462

EDUCATION: Boettger and Schoenjahn, Co-chairs; Dvorsky and McKinley

House File 2619

EDUCATION: Beall and Mulder, Co-chairs; Brunkhorst and Wood

House File 2620

EDUCATION: Boettger and Schoenjahn, Co-chairs; Connolly and Ward

House File 2621

EDUCATION: Ward and Wood, Co-chairs; Mulder and Schoenjahn

House File 2623

EDUCATION: Connolly and McKinley, Co-chairs; Dvorsky and Larson

House File 2656

EDUCATION: Brunkhorst and Schoenjahn, Co-chairs; McKinley and Wood

House File 2662

JUDICIARY: Brunkhorst and Kreiman, Co-chairs; Dvorsky and Miller

House File 2686

COMMERCE: Rielly and Wieck, Co-chairs; Courtney and McKinley

House File 2687

JUDICIARY: Kreiman and Larson, Co-chairs; Fraise and Zaun

House File 2695

JUDICIARY: Boettger and Hancock, Co-chairs; Kreiman and Miller

House File 2696

JUDICIARY: Horn and McKibben, Co-chairs; Kreiman and Ward

House File 2709

EDUCATION: Brunkhorst and Wood, Co-chairs; Connolly and McKinley

FINAL COMMITTEE REPORTS OF BILL ACTION**HUMAN RESOURCES**

Bill Title: HOUSE FILE 2330, a bill for an act relating to the allowed growth factor adjustment funding for county mental health, mental retardation, and developmental disabilities services funds and including effective date and retroactive applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2463, a bill for an act relating to adoption and termination of jurisdiction of a court involving prior child support and custody proceedings.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2492, a bill for an act relating to the costs of services provided to persons with mental retardation whose service costs are a state responsibility.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2493, a bill for an act providing for the establishment of a viral hepatitis program and study.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2509, a bill for an act relating to financial education for applicants for and participants in the family investment program.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2564, a bill for an act relating to notification of parents, guardians, or custodians of children receiving child care from an unregistered child care home when it is determined that child abuse involving the home has occurred.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2565, a bill for an act requiring the department of human services to implement an electronic payment system for the state child care assistance program.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2567, a bill for an act creating a multidimensional treatment level foster care program.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5120.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2588, a bill for an act relating to the criminal and abuse registry checks required of a person employed by a licensed health care facility.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2672, a bill for an act relating to payment of attorney fees in termination of parental rights proceedings, providing an effective date, and providing for retroactive applicability.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: HOUSE FILE 2351, a bill for an act relating to government authority, including eminent domain authority and condemnation procedures, and other properly related matters, and including effective and applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5118.

Final Vote: Ayes, 12: Kreiman, Miller, Boettger, Brunkhorst, Fraise, Hancock, Horn, Larson, Quirmbach, Schoenjahn, Tinsman, and Warnstadt. Nays, none. Absent, 2: McKibben and Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: *HOUSE FILE 2240, a bill for an act relating to county board of supervisor vacancies.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5122.

Final Vote: Ayes, 12: Quirmbach, Shull, Houser, Kreiman, Lundby, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun. Nays, none. 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 Local Government Committee on House File 2240, and they were attached to the committee report.

ALSO:

Bill Title: *HOUSE FILE 2282, a bill for an act relating to the election of mayor and city council members in a city governed by the council-manager-at-large form of city government.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5121.

Final Vote: Ayes, 12: Quirmbach, Shull, Houser, Kreiman, Lundby, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun. Nays, none. 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 Local Government Committee on House File 2282, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 2389, a bill for an act concerning the offset of workers' compensation benefits under the peace officers' retirement, accident, and disability retirement system and including an effective date and retroactive applicability provision.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Ziemann. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *HOUSE FILE 2162, a bill for an act relating to the scope of rulemaking authority delegated to an administrative agency.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. 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 State Government Committee on House File 2162, and they were attached to the committee report.

ALSO:

Bill Title: HOUSE FILE 2215, a bill for an act relating to requests for regulatory analysis of administrative rules.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2244, a bill for an act relating to hunting and fishing licenses for certain veterans.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2323, a bill for an act relating to the regulation of business organizations including administrative dissolution, registration of agents, authorization of names, the filing, delivery, and service of documents by the secretary of state, and the elimination of certain filing fees, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2363, a bill for an act relating to the process utilized in assessing residents of health care facilities for veterans program benefits.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2512, a bill for an act relating to the jurisdiction of the ethics and campaign disclosure board and including effective date and retroactive applicability provisions and subjecting violators to remedies and penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2590, a bill for an act providing for the confidentiality of information concerning security procedures or emergency preparedness information developed and maintained by a government body.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2593, a bill for an act relating to activities of lobbyists and the ethical conduct of state officials and employees.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2665, a bill for an act concerning the line of duty death benefit payable to public safety providers.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2698, a bill for an act concerning the funding and providing of services by the department of administrative services, including the authority of customer councils, and providing an effective date.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2705, a bill for an act providing for changes relating to specified aspects of the operation of the department of administrative services.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2708, a bill for an act concerning the veterans trust fund by providing for the minimum balance necessary in order to expend funds from the

veterans trust fund, providing an individual income tax checkoff for the fund, and providing for an annual report concerning the fund, and including a retroactive applicability provision.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5117	S.F.	2373	Jack Hatch
S-5118	H.F.	2351	Judiciary
S-5119	S.F.	2075	Tom Hancock
S-5120	H.F.	2567	Human Resources
S-5121	H.F.	2282	Local Government
S-5122	H.F.	2240	Local Government

JOURNAL OF THE SENATE

SEVENTY-FOURTH CALENDAR DAY
FORTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 23, 2006

The Senate met in regular session at 8:35 a.m., President Kibbie presiding.

Prayer was offered by Katie Kustra of Carroll, Iowa. She then sang "Amazing Grace." Katie is the granddaughter of President Kibbie and is the guest of President Kibbie and Senator Kettering.

President Pro Tempore Dvorsky took the chair at 8:42 a.m.

The Journal of Wednesday, March 22, 2006, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 22, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2147, a bill for an act relating to the temporary appointment of a conservator for a dependent adult in an emergency situation.

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

House File 2522, a bill for an act relating to the assessment of a fee when filing a praecipe.

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

House File 2597, a bill for an act relating to the conduct of elections by requiring voters to provide certain identification when voting absentee or in person at the polling place and by requiring that direct recording electronic voting machines used in the state produce paper records to be verified by voters, including other properly related matters, and including an effective date provision.

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

House File 2633, a bill for an act relating to the definition of recycling property for purposes of the property tax exemption for pollution-control or recycling property and providing an applicability date.

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

House File 2663, a bill for an act relating to jurisdiction of the natural resource commission over certain inland lakebeds and riverbeds.

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

House File 2676, a bill for an act relating to sealing and confidentiality of juvenile court records.

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

House File 2716, a bill for an act relating to civil actions for personal injury or death, including certain evidentiary requirements.

Read first time and attached to **similar Senate File 2356**.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:00 a.m. until the fall of the gavel.

RECONVENED

The Senate reconvened at 10:42 p.m., President Kibbie presiding.

BILLS PLACED ON UNFINISHED
BUSINESS CALENDAR

Senator Iverson asked and received unanimous consent that the following bills be placed on the Unfinished Business Calendar:

S.F.	2107	S.F.	2350
S.F.	2250	S.F.	2351
S.F.	2286	S.F.	2356
S.F.	2293	S.F.	2361
S.F.	2295	S.F.	2380
S.F.	2297	S.F.	2383
S.F.	2300	S.F.	2385
S.F.	2321	S.F.	2386
S.F.	2326	S.F.	2389
S.F.	2334	S.F.	2390

BILL REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that **Senate File 2345** be referred from the Regular Calendar to the committee on **Ways and Means**.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 10:45 a.m. until 1:00 p.m., Monday, March 27, 2006.

APPENDIX

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 21, 2006, when the votes were taken on Senate Files 2094, 2217, 2221, 2312, 2314, 2337, 2348, 2359, and 2366, and House File 2713. Had I been present, I would have voted "Yea" on all, except Senate File 2314. I would have voted "Nay" on Senate File 2314.

MAGGIE TINSMAN

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 20, 2006, when the votes were taken on Senate Files 2194, 2231, 2292, 2305, 2313, 2319, 2338, 2346, and 2381. Had I been present, I would have voted "Yea" on all. Also, on March 21, 2006, I was necessarily absent from the Senate chamber when the votes were taken on Senate Files 2094, 2217, 2221, 2312, 2314, 2337, 2348, 2359, 2366, and House File 2713. Had I been present, I would have voted "Yea" on all.

PAT WARD

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 23, 2006, 9:15 a.m.

Members Present: Angelo and Dvorsky, Co-chairs; Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt.

Members Absent: None.

Committee Business: Passed HFs 2459, 2521, and 2540.

Recessed: 9:20 a.m.

Reconvened: 9:30 a.m.

Adjourned: 9:45 a.m.

COMMERCE

Convened: March 23, 2006, 11:15 a.m.

Members Present: Behn and Warnstadt, Co-chairs; Beall, Bolkcom, Courtney, Gronstal, Kettering, McCoy, McKinley, Rielly, Stewart, Wieck, Zaun, and Zieman.

Members Absent: Angelo and Larson (both excused).

Committee Business: Passed HFs 2283, 2361, 2506, 2528, 2632, and 2686.

Adjourned: 11:25 a.m.

ECONOMIC GROWTH

Convened: March 23, 2006, 1:35 p.m.

Members Present: Brunkhorst and Hatch, Co-chairs; Beall, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Shull, Stewart, and Zaun.

Members Absent: Seymour (excused).

Committee Business: Passed HF's 720, 2613, and 2661.

Adjourned: 2:05 p.m.

EDUCATION

Convened: March 23, 2006, 10:45 a.m.

Members Present: Connolly and McKinley, Co-chairs; Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Mulder, Quirnbach, Schoenjahn, Ward, and Wood.

Members Absent: Angelo and Larson (both excused).

Committee Business: Passed HF's 2346 (as amended), 2395, and 2462. Approved Governor's appointments.

Adjourned: 11:10 a.m.

GOVERNMENT OVERSIGHT

Convened: March 23, 2006, 12:00 p.m.

Members Present: Courtney and Lundby, Co-chairs; Connolly and Wieck.

Members Absent: None.

Committee Business: Approved SSBs 3160 and 3261.

Adjourned: 12:10 p.m.

HUMAN RESOURCES

Convened: March 23, 2006, 1:10 p.m.

Members Present: Ragan and Seymour, Co-chairs; Behn, Boettger, Bolckcom, Dotzler, Hatch, Houser, Johnson, Kreiman, Quirnbach, Tinsman, and Wood.

Members Absent: Gaskill (excused).

Committee Business: Passed HF's 722 (as amended) and 2332.

Adjourned: 1:40 p.m.

JUDICIARY

Convened: March 23, 2006, 11:35 a.m.

Members Present: Kreiman and Miller, Co-chairs; Boettger, Dvorsky, Fraise, Hancock, Horn, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun.

Members Absent: Brunkhorst, Larson, and McKibben.

Committee Business: Passed HF's 2147, 2522, 2676, 2695, and 2696. Approved Governor's appointments.

Adjourned: 11:50 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 23, 2006, 1:40 p.m.

Members Present: Black and Houser, Co-chairs; Bolkcom, Dearden, Hancock, Johnson, Kettering, Lundby, Schoenjahn, Seng, and Wood.

Members Absent: Gaskill, Miller, and Putney (all excused).

Committee Business: Passed HF's 590, 2171, 2611, 2633, and 2663. Approved Governor's appointments.

Adjourned: 2:05 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 141, by Ragan, a resolution honoring the City of Stacyville on its sesquicentennial year.

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

INTRODUCTION OF BILLS

Senate File 2390, by committee on Ways and Means, a bill for an act relating to the sales and use tax exemption for central office equipment and transmission equipment used in telecommunications operations.

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

Senate File 2391, by committee on Ways and Means, a bill for an act relating to the assessment for property taxation purposes of machinery, equipment, and fixtures used at concrete mixing facilities and hot mix asphalt facilities and including effective date and retroactive applicability date provisions.

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

STUDY BILL RECEIVED

SSB 3261 Government Oversight

Relating to the filing of reports with the ethics and campaign disclosure board.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 139

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 140

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 141

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

House File 2147

JUDICIARY: Schoenjahn and Tinsman, Co-chairs; Boettger and Kreiman

House File 2332

HUMAN RESOURCES: Tinsman and Wood, Co-chairs; Boettger and Bolckcom

House File 2522

JUDICIARY: Schoenjahn and Ward, Co-chairs; Kreiman and Zaun

House File 2633

NATURAL RESOURCES AND ENVIRONMENT: Lundby and Schoenjahn, Co-chairs; Putney and Seng

House File 2663

NATURAL RESOURCES AND ENVIRONMENT: Black and Johnson, Co-chairs; Dearden and Kettering

House File 2676

JUDICIARY: Hancock and Zaun, Co-chairs; Kreiman and Tinsman

SSB 3261

GOVERNMENT OVERSIGHT: Courtney and Lundby, Co-chairs

FINAL COMMITTEE REPORTS OF BILL ACTION**APPROPRIATIONS**

Bill Title: HOUSE FILE 2459, a bill for an act relating to and making appropriations to the department of economic development, certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters, and providing effective and retroactive applicability dates.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 24: Angelo, Dvorsky, Black, Boettger, Bolcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2521, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters and providing an effective date.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 24: Angelo, Dvorsky, Black, Boettger, Bolcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2540, a bill for an act relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources and providing fees.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 24: Angelo, Dvorsky, Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Bill Title: HOUSE FILE 2283, a bill for an act to provide that the state elevator code supersedes conflicting provisions of building codes.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Behn, Warnstadt, Beall, Bolkcom, Courtney, Gronstal, Kettering, McCoy, McKinley, Rielly, Stewart, Wieck, Zaun, and Zieman. Nays, none. Absent, 2: Angelo and Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2361, a bill for an act relating to energy conservation standards included in the state building code for new single-family or two-family residential construction.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Behn, Warnstadt, Beall, Bolkcom, Courtney, Gronstal, Kettering, McCoy, McKinley, Rielly, Stewart, Wieck, Zaun, and Zieman. Nays, none. Absent, 2: Angelo and Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2506, a bill for an act relating to the issuance of identity theft passports by the attorney general.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Behn, Warnstadt, Beall, Bolkcom, Courtney, Gronstal, Kettering, McCoy, McKinley, Rielly, Stewart, Wieck, Zaun, and Ziemann. Nays, none. Absent, 2: Angelo and Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2528, a bill for an act relating to prohibited business practices by a real estate broker or salesperson.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Behn, Warnstadt, Beall, Bolkcom, Courtney, Gronstal, Kettering, McCoy, McKinley, Rielly, Stewart, Wieck, Zaun, and Ziemann. Nays, none. Absent, 2: Angelo and Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2632, a bill for an act relating to real estate, including real estate broker and salesperson licensing and real estate disclosures.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Behn, Warnstadt, Beall, Bolkcom, Courtney, Gronstal, Kettering, McCoy, McKinley, Rielly, Stewart, Wieck, Zaun, and Ziemann. Nays, none. Absent, 2: Angelo and Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2686, a bill for an act providing for technical and substantive changes relating to the Iowa communications network.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Behn, Warnstadt, Beall, Bolkcom, Courtney, Gronstal, Kettering, McCoy, McKinley, Rielly, Stewart, Wieck, Zaun, and Ziemann. Nays, none. Absent, 2: Angelo and Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ECONOMIC GROWTH

Bill Title: HOUSE FILE 720, a bill for an act creating a women entrepreneurs and young professionals in business program.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 13: Brunkhorst, Hatch, Beall, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Shull, Stewart, and Zaun. Nays, none. Absent, 1: Seymour.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2613, a bill for an act concerning programs and reports related to economic development.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Brunkhorst, Hatch, Beall, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Shull, Stewart, and Zaun. Nays, none. Absent, 1: Seymour.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2661, a bill for an act relating to the linked investments for tomorrow Act.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Brunkhorst, Hatch, Beall, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Shull, Stewart, and Zaun. Nays, none. Absent, 1: Seymour.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: HOUSE FILE 2395, a bill for an act directing the state board of regents to conduct a study of the admissions requirements common to the state universities.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Connolly, McKinley, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Mulder, Quirmbach, Schoenjahn, Ward, and Wood. Nays, none. Absent, 2: Angelo and Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2462, a bill for an act relating to the number of eligible electors' signatures necessary in a school district to propose at a regular election the question of providing free textbooks for the use of the school district's pupils.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Connolly, McKinley, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Mulder, Quirmbach, Schoenjahn, Ward, and Wood. Nays, none. Absent, 2: Angelo and Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: HOUSE FILE 2332, a bill for an act relating to child support, including processing and disbursement of support payments, modification of support based upon permanency orders of the juvenile court, income withholding and information sharing under the child support recovery program and providing for applicability and retroactive applicability.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood. Nays, none. Absent, 1: Gaskill.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: HOUSE FILE 2147, a bill for an act relating to the temporary appointment of a conservator for a dependent adult in an emergency situation.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kreiman, Miller, Boettger, Dvorsky, Fraise, Hancock, Horn, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent: 3: Brunkhorst, Larson, and McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2337, a bill for an act relating to the use of a peace officer of the department of public safety in an industrial dispute and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, Quirmbach, Schoenjahn, Tinsman, Warnstadt, and Zaun. Nays, none. Absent: 2: McKibben and Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2522, a bill for an act relating to the assessment of a fee when filing a praecipe.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kreiman, Miller, Boettger, Dvorsky, Fraise, Hancock, Horn, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent: 3: Brunkhorst, Larson, and McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2562, a bill for an act to make electronic mail and telephone billing records of law enforcement agencies confidential if that information is part of an investigation.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, and Zaun. Nays, none. Absent: 3: Tinsman, Ward, and Warnstadt.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2571, a bill for an act relating to the confidentiality and release of an intelligence assessment or intelligence data.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, and Zaun. Nays, none. Absent: 3: Tinsman, Ward, and Warnstadt.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2651, a bill for an act relating to a restitution order in a juvenile delinquency proceeding.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5124.

Final Vote: Ayes, 13: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Quirmbach, Schoenjahn, Tinsman, Warnstadt, and Zaun. Nays, none. Absent, 3: Larson, McKibben, and Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2676, a bill for an act relating to sealing and confidentiality of juvenile court records.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kreiman, Miller, Boettger, Dvorsky, Fraise, Hancock, Horn, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent: 3: Brunkhorst, Larson, and McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2695, a bill for an act relating to landlords and tenants including notice requirements to terminate a periodic tenancy and service of a petition for forcible entry and detainer by publication.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kreiman, Miller, Boettger, Dvorsky, Fraise, Hancock, Horn, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent: 3: Brunkhorst, Larson, and McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2696, a bill for an act relating to the disposal of a controlled substance.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kreiman, Miller, Boettger, Dvorsky, Fraise, Hancock, Horn, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent: 3: Brunkhorst, Larson, and McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: HOUSE FILE 590, a bill for an act providing for special senior crossbow deer hunting licenses.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Black, Houser, Bolkcom, Dearden, Hancock, Johnson, Kettering, Lundby, Schoenjahn, Seng, and Wood. Nays, none. Absent, 3: Gaskill, Miller, and Putney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2171, a bill for an act allowing fishing without a license for certain persons who fish in a supervised group.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Black, Houser, Bolkcom, Dearden, Hancock, Johnson, Kettering, Lundby, Schoenjahn, Seng, and Wood. Nays, none. Absent, 3: Gaskill, Miller, and Putney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2611, a bill for an act authorizing the department of natural resources to issue a fishing permit to certain students.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Black, Houser, Bolkcom, Dearden, Hancock, Johnson, Kettering, Lundby, Schoenjahn, Seng, and Wood. Nays, none. Absent, 3: Gaskill, Miller, and Putney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2633, a bill for an act relating to the definition of recycling property for purposes of the property tax exemption for pollution-control or recycling property and providing an applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Black, Houser, Bolkcom, Dearden, Hancock, Johnson, Kettering, Lundby, Schoenjahn, Seng, and Wood. Nays, none. Absent, 3: Gaskill, Miller, and Putney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2663, a bill for an act relating to jurisdiction of the natural resource commission over certain inland lakebeds and riverbeds.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 7: Black, Houser, Dearden, Hancock, Johnson, Kettering, and Wood. Nays, 4: Bolkcom, Lundby, Schoenjahn, and Seng. Absent, 3: Gaskill, Miller, and Putney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *SENATE FILE 2390 (SSB 1060), a bill for an act relating to the sales and use tax exemption for central office equipment and transmission equipment used in telecommunications operations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Bolkcom, Zieman, Connolly, Danielson, Dotzler, Hahn, McCoy, McKibben, Quirnbach, Seng, Stewart, and Wieck. Nays, 1: Miller. Absent 3: Larson, McKinley, and Zaun.

Fiscal Note: 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 2390, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2391 (SSB 3197), a bill for an act relating to the assessment for property taxation purposes of machinery, equipment, and fixtures used at concrete mixing facilities and hot mix asphalt facilities and including effective date and retroactive applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bolkcom, Zieman, Connolly, Danielson, Dotzler, Hahn, McCoy, McKibben, McKinley, Quirnbach, Seng, Stewart, Wieck, and Zaun. Nays, 1: Miller. Absent, 1: Larson.

Fiscal Note: 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 2391, and they were attached to the committee report.

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

The following appointees, assigned to standing committee with investigation completed on March 22, 2006, were placed on the En Bloc Calendar with recommendation for confirmation:

AGRICULTURE

Frank Carroll – Agricultural Development Authority
Timothy Galm – Agricultural Development Authority
Fred Lundt – Agricultural Development Authority

Benjamin Jung – Grape and Wine Development Commission

EDUCATION

Anne Dout – State Board of Education

Tammy Duehr – Board of Educational Examiners

Dennis Houlihan – Iowa Higher Education Loan Authority

Jane Babcock – School Budget Review Committee

Don Hansen – School Budget Review Committee

Randall Ramundt – Technology Governance Board

HUMAN RESOURCES

Daniel McGuire – Board of Athletic Training Examiners

Barbara O'Rourke – Board of Behavioral Science Examiners

Timothy Ruppert – Board of Behavioral Science Examiners

Brian Michaelson – Child Advocacy Board

Carol Besch – Commission on Community Action Agencies

Marc Lindeen – Commission on Community Action Agencies

August Cordero – Commission on the Deaf

Michael Bergan – Iowa Empowerment Board

Mary Cameron – Iowa Empowerment Board

Judy McCoy Davis – Iowa Empowerment Board

Arnold Honkamp – Iowa Empowerment Board

Douglas Peters – Iowa Empowerment Board

Floyd Winter – Iowa Empowerment Board

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

William Gorman – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission

Jane Halliburton – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission

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

Susan Koch-Seehase – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission

John Olson – Board of Physician Assistant Examiners

Patricia Weishaar – Board of Physician Assistant Examiners

Laurie Fein – Prevention of Disabilities Policy Council

Frank Strong – Prevention of Disabilities Policy Council

Bobby Russell – Commission on Tobacco Use Prevention and Control

Jill Olsen – Commission on the Status of Women

TRANSPORTATION

Thomas Gustafson – Iowa Law Enforcement Academy Council

Brian Guy – Iowa Law Enforcement Academy Council

Kevin W. Techau – Commissioner of the Department of Public Safety

Nancy Richardson – Director of the Iowa Department of Transportation

Barry Cleaveland – State Transportation Commission

Donald Wiley – State Transportation Commission

WAYS AND MEANS

Harold (Harry) Bormann – Iowa Railway Finance Authority

Wanda Carlson – Iowa Railway Finance Authority

ALSO:

The following appointees, assigned to standing committee with investigation completed on March 23, 2006, were placed on the En Bloc Calendar with recommendation for confirmation:

EDUCATION

Charles Edwards, Jr. – State Board of Education

JUDICIARY

Stewart Barnes – Iowa Drug Policy Advisory Council

Brian Vos – Iowa Drug Policy Advisory Council

NATURAL RESOURCES AND ENVIRONMENT

Karen Andersen-Schank – Renewable Fuels and Coproducts Advisory Committee

William Furlong – Renewable Fuels and Coproducts Advisory Committee

John Ryan – Renewable Fuels and Coproducts Advisory Committee

AMENDMENTS FILED

S-5123	S.F.	2323	Thomas G. Courtney
S-5124	H.F.	2651	Judiciary

JOURNAL OF THE SENATE

SEVENTY-EIGHTH CALENDAR DAY
FORTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 27, 2006

The Senate met in regular session at 1:08 p.m., President Lamberti presiding.

Prayer was offered by Gail Thiessen, pastor of the Central Christian Church in Marshalltown, Iowa. She was the guest of Senator McKibben.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senate Page Jackie Ernst.

The Journal of Thursday, March 23, 2006, 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 March 27, 2006, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 109, that a joint convention of the two houses of the 2006 session of the Eighty-first General Assembly be held on Monday, March 27, 2006, at 1:00 p.m.

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

INTRODUCTION OF RESOLUTION

Senate Resolution 142, by Zaun, Hatch, McCoy, and Dearden, a resolution congratulating the Des Moines Hoover High School Boys' Basketball Team on winning the class 4-A championship at the 2006 Iowa Boys' State Basketball Tournament.

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

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:14 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 1:18 p.m., President Lamberti presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: HOUSE CONCURRENT RESOLUTION 109, that a joint convention of the two houses of the 2006 session of the Eighty-first General Assembly be held on Monday, March 27, 2006, at 1:00 p.m.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, Ragan. Nays, none. Absent, none.

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 House Concurrent Resolution 109.

House Concurrent Resolution 109

On motion of Senator Gronstal, **House Concurrent Resolution 109**, that a joint convention of the two houses of the 2006 session of the Eighty-first General Assembly be held on Monday, March 27, 2006, at 1:00 p.m., with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 109, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Concurrent Resolution 109** be **immediately messaged** to the House.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

In accordance with House Concurrent Resolution 109, duly adopted, the Senate proceeded to the House chamber under the direction of the Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 109, duly adopted, the joint convention was called to order at 1:23 p.m., President Lamberti presiding.

Senator Gronstal moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present, which motion prevailed by a voice vote.

Senator Gronstal moved that a committee of seven, four members from the Senate and three members from the House, be appointed to escort Governor Thomas J. Vilsack to the House chamber.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Ragan, Ward, Stewart, and Shull, on the

part of the Senate, and Representatives Freeman, Kaufmann, and Whitead, on the part of the House.

Senator Gronstal moved that a committee of seven, four members from the Senate and three members from the House be appointed to notify the Adjutant General of the Iowa National Guard, Major General Ron Dardis, that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Larson, Warnstadt, Wieck, and Beall, on the part of the Senate, and Representatives Tymeson, Alons, and Zirkelbach, the honorary representative who is serving in Iraq, on the part of the House.

Secretary of Agriculture Patty Judge, Treasurer of State Michael Fitzgerald, State Auditor David Vaudt, and Administrator of Homeland Security and Emergency Management David Miller, were escorted into the House chamber.

General Dardis's wife, Carmel, his son, Ruan, and his daughters, Jamie and Jill, were escorted into the House chamber.

Lieutenant Governor Sally J. Pederson was escorted into the House chamber.

The committee waited upon Governor Thomas J. Vilsack and escorted him into the House chamber.

The committee waited upon Major General Ron Dardis, Adjutant General of the Iowa National Guard, and escorted him to the Speaker's station.

President Lamberti presented Major General Ron Dardis, Adjutant General of the Iowa National Guard, who delivered the following Condition of the Iowa National Guard Address:

Good afternoon everyone. Thank you for the warm welcome!

Speaker Rants, Presidents Lamberti and Kibbie, thank you for inviting me to address this distinguished body today and to once again share the tremendous story of the Iowa National Guard with you.

Governor Vilsack, members of the General Assembly, and special invited guests, thank you so much for being here today.

It is a great honor to stand before you representing the wonderful men and women of the Iowa National Guard. On their behalf, I want to say a heartfelt "thank you" for all you have done over the years to assist us in building a world-class organization.

We are enormously grateful for the unyielding support we continue to receive from our Commander-in-Chief, Governor Vilsack, and our Lieutenant Governor Sally Pederson. Governor and Lieutenant Governor, you have been with us every step of this journey. Thank you for your leadership and thank you for your incredible support of the Iowa National Guard.

We are also thankful for the strong support we receive from the members of this General Assembly, from our Iowa congressional delegation, and above all, from the great people of the state of Iowa.

This extraordinary support has made it possible for the Iowa National Guard to serve our state and nation during unprecedented times. It helped us create a climate of success that is the envy of National Guard and state officials throughout the nation.

Yet no measure of success matters if, at the end of the day, you cannot say "yes" to one basic question—are you making a difference? As I share our story with you today, I challenge you to see how our soldiers, airmen, and their families are making a difference—a difference in our communities, a difference in our state, a difference in our nation, and a difference in the Global War on Terrorism.

Our success is particularly remarkable considering the challenging and dynamic environment we are operating in. Since 9/11, we have mobilized and deployed more soldiers and airmen than at any time in recent history, including World War II. You would have to go back to the Civil War era to find a higher operational tempo for the Iowa National Guard.

And all of this is being done during a historic period of institutional change for our Armed Forces—changes that will affect us for years to come. The effects of the base realignment and closure process on the Iowa National Guard were positive. Thanks to our position as a top-tier state in the areas of recruiting and readiness, we did not lose any units or force structure, and in fact, benefited greatly in the area of military construction projects. Once fully implemented and funded, we stand to gain four Armed Forces Reserve Centers—one at Camp Dodge, one at Middletown, one at Cedar Rapids, and one at Muscatine. These projects will bring more than \$100 million of military construction money into the state of Iowa. No state matching funds are required for these projects. They will greatly enhance our ability to meet future space and operational requirements.

Last year, the Iowa Army National Guard ended the year number one in strength readiness in the National Guard system. Strength readiness is a measure of our ability to recruit new soldiers, to retain existing soldiers, and to ensure our soldiers are trained in their military specialties. We are currently number two in the nation in strength readiness and are on a record-breaking pace for recruiting new and prior-service soldiers. A key component of our readiness is our retention rate. Currently, we are exceeding the retention standard set by the National Guard Bureau by more than four percent. With more than half the recruiting year remaining, we have reached 53 percent of our recruiting goal.

The Iowa Air National Guard is doing equally well. In 2005, we finished the year at 104 percent of assigned strength—106 percent today—with a high retention rate of 98 percent.

The soldiers and airmen we are recruiting today are high-quality men and women—men and women who join knowing full well they will likely be deployed in the near future.

By any measure, these are incredible accomplishments. But they are not just accomplishments to feel good about—they are tangible achievements that literally

mean the difference between success or failure as states position themselves to capture shrinking segments of the National Guard force structure.

For the last five years, the Iowa National Guard has continued to excel in the area of strength readiness, and time and again we have been rewarded for that performance. This success did not happen by accident. It is the result of many years of hard work and untold numbers of dedicated men and women working together as a team to build a community-based organization that is prepared to serve Iowa and the nation today and tomorrow.

At this time, I'd like to introduce to you a group of individuals who epitomize the quality men and women who make up our Iowa team. These individuals are here today to represent the achievements of our soldiers and airmen during the last year. They were selected as the best of the best in their respective categories.

As I call your name, please stand and remain standing. I ask everyone to hold their applause until I've introduced all our distinguished soldiers, airmen, and civilian employees:

Specialist Zachariah McDowell, Troop A, 1st Squadron, 113th Cavalry—Soldier of the Year;

Airman Travis W. Christiansen, 133rd Test Squadron—Airman of the Year;

Sergeant William D. Speicher, Troop A, 1st Squadron, 113th Cavalry—Noncommissioned Officer of the Year—Army;

Tech Sergeant Julie A. Pover, 133rd Test Squadron—Noncommissioned Officer of the Year—Air;

SMSgt Larry L. Lorton, 132 Fighter Wing—Senior Noncommissioned Officer of the Year;

Captain Doug Houston, 67th Troop Command—General Douglas MacArthur Leadership Award recipient;

Captain John McClelland, 132nd Fighter Wing—Officer of the Year; and

Margaret Seals, State Equal Employment Manager—2005 Blacks in Government Civilian Meritorious Service Award recipient.

I think you'll agree this is a terrific group of achievers. Please join me in a warm round of applause in recognition of their outstanding accomplishments.

Thanks to their hard work and that of their fellow soldiers, airmen, and civilian employees, the Iowa National Guard is making a difference. Nowhere is this more apparent than in looking at some of our recent missions.

At this time, I want to introduce a group of individuals who represent our soldiers and airmen who have returned from deployments—both here at home and abroad—this past year.

LTC Todd Jacobus, commander of the 224th Engineer Battalion located in southeast Iowa, led 500 soldiers to Iraq in January 2005. Their mission was to increase the combat effectiveness of U.S. and coalition forces by removing obstacles; identifying and reducing minefields, unexploded ordnance, and improvised explosive devices (IEDs); repairing bridges and roadways; and conducting route clearing operations, convoy escorts, security missions, and detainee operations. Few of our deployed units have had missions as challenging or as difficult as the 224th. During their tour in Iraq, the 224th found and reduced more than 580 IEDs, cleared more than 16,000 miles of roadway, drove nearly 800,000 miles in convoy escorts, and supported 740 combat missions with personnel and equipment.

Their effectiveness at reducing the threat posed to our soldiers by IEDs was incredible. When they arrived, only 30 percent of IEDs were detected and disarmed, meaning that 70 percent of these killers were going unnoticed until it was too late. By the time the 224th left Iraq, they had completely reversed those numbers. Through good, old-fashioned Iowa ingenuity, along with assistance from the business

community, the 224th developed an IED detection protocol that was being adopted for use throughout Iraq. Unfortunately, the 224th's accomplishments did not come without a price: 37 of their soldiers were awarded Purple Hearts, 24 were awarded Bronze Stars, and four brave engineers were killed in action during their deployment.

Captain Jenny Mlocek, commander of the 2168th Transportation Company, comprised of units located in Sheldon and Cedar Rapids, led approximately 170 soldiers to the Iraqi theater of operations in October 2004. The mission of the 2168th, a medium truck company, was to move equipment and supplies around the theater of operations. This highly motivated unit hauled 15,500 pieces of equipment, provided convoy escort to commercial haulers for more than 6 million miles, hauled supplies and equipment nearly 2 million miles, and conducted over 300 missions to key drop-off collection points in Iraq—all the while maintaining a fully mission-capable rate in excess of 98 percent throughout the deployment. Five soldiers from this unit were awarded Purple Hearts, eight were awarded Bronze Stars, and two soldiers were killed in a tragic accident enroute to their mobilization station.

MAJ Aaron Baugher and 60 soldiers from the 194th Infantry Detachment (Long Range Surveillance) returned from Iraq in February 2005. During the first part of its deployment, the 194th was tasked with supervising, training, and equipping an Iraqi border patrol battalion along the Turkish and Iranian border. The unit conducted over 600 joint patrols, traffic control points, and surveillance missions while assigned to the Iraqi border patrol training mission. During the last half of their deployment, the 194th was ordered to the Mosul area where it conducted surveillance, counter-mortar, sniper, overwatch, security patrols, and cordon and search missions. One soldier was awarded a Purple Heart and three soldiers were awarded Bronze Stars.

Lieutenant Colonel Scott Visser led 700 soldiers from Task Force 168 to Afghanistan in February 2004. They served in Afghanistan for 13 months, playing a critical role in Provincial Reconstruction Team (PRT) operations and providing security and support to Civil Affairs personnel allowing them to plan and help rebuild Afghanistan's infrastructure. Task Force 168 soldiers organized, conducted, and participated in more than 12,000 missions including leader's reconnaissance, force protection, convoy escort, presence patrols, and quick reaction forces. A highlight of their mission was their participation in Afghanistan's presidential elections in October 2004. Task Force 168's PRTs provided route security for voters, secured polling sites, and escorted ballot boxes to the counting houses, and secured the counting houses while the votes were tallied. Seven soldiers were awarded Purple Hearts and one soldier was killed in action during the deployment.

Staff Sergeant Joe Kelley and sixteen members of the 767th Firefighters returned from Iraq this past year where the unit provided fire-fighting support at the Al Asad Airbase at Ar Ramadi. The unit also provided off-post fire-fighting support and body recovery assistance on several missions. They initiated fire protection services for the Ramadi Forward Operating Base and surrounding camps and assisted Civil Affairs teams with humanitarian assistance missions like building playground sets at local schools. They performed over 250 missions without any combat injuries, including the treatment and rescue of patients during a suicide vehicle-borne IED that killed 19.

MAJ Matt Carver, commander of the 1088th Personnel Service Detachment located at Camp Dodge in Johnston, lead 45 soldiers on a mission to Kuwait where they served in support of Operation Iraqi Freedom for twelve months. The unit's mission was to provide administrative services in support of the Iraqi theater of operation. The 1088th performed an incredible number of personnel actions—more than 124,000—for thousands of soldiers moving in and out of Iraq.

MAJ Michael Wunn led ten soldiers from the 135th Mobile Public Affairs Detachment on a deployment to Kosovo in January of 2005 to provide public affairs

support to the 40th Infantry Division that was performing peacekeeping operations in the Balkans. Their mission was to "tell the Army story" to civilian and military media by providing digital images, video, audio, and print stories. The unit produced monthly news magazines and news broadcasts, conducted monthly press conferences, and escorted several news media representatives in support of the NATO mission.

LTC Randy Greenwood and approximately 400 airmen from the 132nd Fighter Wing, Des Moines, deployed in May 2005 to Qatar and other locations in support of Operations Iraqi Freedom, Enduring Freedom, and the Global War on Terror. During the deployment, the 132nd Fighter Wing flew combat missions in support of ground forces primarily in the Central Command theater of operation. The unit flew an astounding number of hours—3,146 in 47 days. This compares to 3,500 hours in a normal training year. During the deployment, the 132nd flew every mission tasked and maintained an incredible fully mission capable-rate of 85 percent.

Unlike previous rotations performed in the Iraqi theater, this mission brought about unique measures of mission success for the 132nd. Success used to be measured in the number of bombs dropped and targets destroyed. But the current environment on the ground in Iraq has changed that. An example of this was when one of our Iowa Air Guard pilots spotted an individual placing an IED in a roadway. He immediately reported the incident, the site was located, and the IED disarmed preventing soldiers on the ground from being injured or possibly even killed by that device.

SMSgt Phil Frank, representing the more than 50 crewmembers and support personnel from the Sioux City's 185th Air Refueling Wing, is a boom operator, who was heavily involved in the Hurricane Katrina relief efforts. The 185th led the U.S. Air Force in the number of missions flown in support of recovery operations—82 sorties. Four of our KC-135E Stratotankers performed daily evacuation, transport, security, and fuel handling missions from the Sioux City airbase.

I ask you again—are our soldiers and airmen making a difference? You bet they are! And these folks standing before you representing our deployed soldiers and airmen are a testament to how the Iowa National Guard impacts our state and nation every day. Please join me in recognizing these outstanding Iowans and the fine men and women of the Iowa National Guard they represent.

You know the great thing about our soldiers and airmen is that when they go somewhere they always try to leave it a better place than when they arrived. If they see a problem, they try to fix it. If they see someone in need, they try to help.

Chief Warrant Officer 1 Al Kakac, and his fellow soldiers from Task Force 168, looked across a barren stretch of underdeveloped Afghani farmland and saw an opportunity to help bring the green revolution to that desolate part of the world. Working with U.S.D.A. and Iowa agricultural experts, Mr. Kakac helped develop the largest agricultural test plot in Afghanistan to teach Afghans how to be better farmers. Showing them it is possible to improve their corn yields by more than 100 bushels merely by planting corn in rows rather than scattering seeds on the ground got their attention. Faced with viable alternatives, they were more than willing to stop producing opium, previously the most profitable crop they knew how to produce.

Staff Sergeant Mark Matteson, another Task Force 168 Soldier, likewise saw a need and found a way to make a difference. Sergeant Matteson was appalled when he arrived in Afghanistan and saw children walking and playing barefoot. He emailed home and said send shoes—lots of shoes. Within weeks shoes began to arrive—thousands of them. Working through organizations like Shoes for Kids and family support groups, Matteson and his fellow soldiers were able to put shoes on the feet of thousands of Afghan children.

In Iraq, the 224th Engineer Battalion also saw a need and decided to make a difference. Working with family members and Iowa businesses back home, they

collected more than 1,350 backpacks full of school supplies to distribute to Iraqi children.

These types of humanitarian projects did more than just help people in need; they helped make these deployments safer for our soldiers. As Mr. Kakac says, "We shouldn't try to change their opinions but we can change their expectations." By helping provide humanitarian assistance to the people of Iraq and Afghanistan, we are changing their expectations and making a difference in their lives. Thank you, Mr. Kakac and Sergeant Matteson, for your contributions to that effort.

When talking about the Iowa Guard, people often focus on our state and federal missions. But we cannot forget that the Iowa National Guard is a community-based organization with an important community mission. As an organization and through individual members, we participate in programs that add value to our communities, to Iowa, and to America.

Our members strive to be true role models and to make our communities safer and better places to raise our families. Part of our command philosophy is to leave something behind—mentor the young men and women in the Iowa National Guard, as well as the young men and women in our communities.

One of the ways we do this is through our counterdrug mission. Our 50-person Iowa Counterdrug Taskforce is a national leader. We have one of the most advanced systems of information sharing available to support law enforcement personnel in the fight against illegal narcotics. It has resulted in over \$24 million in drug-related seizures in 2005 alone.

Our drug demand education program demonstrates true efficiency by providing life skills training to over 7,000 students in our local schools and communities each year. This is a proven program and is an important tool in helping prepare our youth to deal with the challenges of adolescence.

The Midwest Counterdrug Training Center, located at Camp Dodge, is the newest, yet highest-producing counterdrug school in the nation. It will train more than 7,000 local and state narcotics law enforcement officers in 2006. Approximately 50 percent of these students will come from Iowa with the rest attending from the nation's remaining 53 states and territories. This could not have been accomplished without the overwhelming support of the Iowa team, including our Iowa congressional delegation.

Every day, the Air and Army National Guard members—both men and women—of the Iowa Counterdrug Taskforce serve side by side with local and state law enforcement officers and prevention specialists in order to ensure a safe and ever-improving quality of life in our Iowa communities.

Another way we work to support Iowa communities is through support to special projects such as the Hale Bridge move. Three weeks ago, two of our Chinook helicopters and crew from Davenport's Company B, 2nd Battalion, 211th Aviation, helped transport three sections of a 127-year-old bridge from Hale Township to Anamosa, to become part of a three-mile recreational path through Wapsipinicon State Park. The aircraft moved a 100-foot span (weighing 19,600 pounds) and two 80-foot spans (weighing 16,500 pounds each) approximately 15 miles across the Iowa countryside in Jones County. Picking up and moving something like this may seem like a standard mission for a Chinook helicopter crew—but I'm here to tell you this was anything but routine. There are no military manuals explaining how to rig a bridge for movement. And the aerodynamics of a bridge span 80 to 100 feet in length flying through the air requires incredible patience and skill to control. Setting the spans in place required a degree of precision few helicopter pilots possess. But our Iowa National Guard soldiers and aviators did it, and did it with ease. Thanks to their

efforts, communities in eastern Iowa will now have a wonderful new recreational trail to enjoy.

As you can see we are extremely proud of our accomplishments. But the nature of our responsibilities precludes us from resting on our laurels. We must remain ever vigilant and continue moving ahead as an organization.

Nowhere is this more important than in the areas of emergency response and homeland security. A lesson learned from the Katrina disaster is the importance of building relationships and assessing capabilities. Doing so after something happens is too late. That is why we are working closely with the Departments of Public Safety and Homeland Security/Emergency Management to prepare contingency plans and conduct joint exercises and operations. Recently our personnel have participated in exercises testing our state's ability to respond to pandemic influenza and foreign animal disease outbreaks.

Additionally, we have participated in numerous exercises testing contingency plans to respond to nuclear power plant incidents. Our 71st Civil Support Team has been activated for multiple white powder and civil support events in both an active and advisory role. We have also done extensive coordination with the Civil Air Patrol in order to rely on them as an asset during state emergencies.

There is little debate that the state and federal responses to the Hurricane Katrina catastrophe fell short. However, what is often overlooked is the unprecedented response of our nation's traditional first responders in times of natural disasters—the National Guard.

Thousands of National Guard soldiers and airmen were positioned before Katrina reached land. Guard forces were in hurricane-affected neighborhoods rescuing people within four hours of landfall. More than 11,000 soldiers and airmen were involved in rescue operations on August 31. The Guard mobilized and deployed, in support of rescue and recovery, an additional 19,000 troops in the following 96 hours. Guard participation peaked at over 50,000 personnel on September 7. The National Guard saved 17,000 lives and rescued and evacuated more than 75,000 people during Katrina recovery efforts. The National Guard responded in spite of massive overseas deployment of personnel—more than 80,000 deployed at the time—and equipment in support of our federal mission.

No state, regardless of its size, can handle a natural or man-made catastrophe of the magnitude of a Katrina. Emergency Management Assistance Compacts allowed governors of affected states to immediately call upon another state's National Guard as reinforcements for recovery efforts.

In addition to the support provided by the 185th Air Refueling Wing, the Iowa National Guard stood up Joint Task Force Iowa. Joint Task Force Iowa was comprised of approximately 215 soldiers and airmen from all corners of the state. Their mission was to provide medical, logistics, and water purification support to the people of Mississippi. This was the first joint emergency response mission in our history. It allowed us to fully exercise, for the first time, all of our major resources responsible for responding to a natural or manmade disaster.

Despite these unprecedented operational requirements during the last several years, the Iowa National Guard is maintaining historic readiness levels. This is because of our ability to recruit and retain quality soldiers. We are able to do so thanks to two invaluable tools—the military service member Home Ownership Assistance and State Tuition Assistance programs.

The Home Ownership Assistance program, approved in 2005, has been an extremely popular program with returning service members. To date, nearly 250 service members have taken advantage of this generous benefit to purchase a home in Iowa, surpassing the program's goal of assisting at least 200 individuals. More than

138 of these service members came from the Iowa National Guard. Not only is this program helping us retain service members in the Iowa National Guard, it is helping retain Iowans in Iowa—a winning solution for us all.

The State Tuition Assistance program is similarly valuable. It allows us to compete head-to-head with neighboring states in recruiting and retaining high-performing individuals. Dollar for dollar, this is money well spent. It helps us attract education-minded individuals, leading to stronger and more capable soldiers and airmen. Tying the educational assistance to service in the National Guard encourages them to stay in Iowa to live, serve their state and nation, and raise their children.

Working in tandem, these programs help us to recruit and retain the soldiers and airmen we need to fulfill our mission requirements. And of course, an added benefit of these programs is that they help keep young people in Iowa.

We are also very grateful for your support of House File 2080, the “Bobby and Michelle Bill,” which provides money for military veterans who are seriously injured in a combat zone. This funding enables our families to be with their loved ones who have been wounded in action and are going through lengthy rehabilitation at various hospitals across America.

We often talk about the impact that federal dollars coming into the state to fund the National Guard has on the state’s economy. But just as, if not more important, is the impact—in terms of human capital—created by guard members returning from military training, and domestic and overseas deployments. Their training and experience is a value-added component these citizen soldiers and airmen bring back to their jobs at no cost to their employers. Unbelievable experience and training—something impossible to replicate regardless of time or resources available to the employer.

When our soldiers and airmen leave Iowa for a deployment—each an extraordinary ambassador of our great state—they embark on a journey that leaves them forever changed. They are challenged both physically and mentally in ways few can imagine. They are charged with performing, often in dangerous and inhospitable environments, incredible tasks—tasks that would cause even the most resilient among us to waver. Yet they do so with a steely professionalism and sense of confidence few can emulate. And when they complete their mission, they return home to their families, friends, employers, and communities to pick up where they left off. For the great majority of these individuals, they return to Iowa more focused, more disciplined, and generally more capable than when they left.

College students return to classrooms with a renewed sense of confidence and determination. They not only succeed, but excel in their studies. And because we offer benefits like state tuition assistance and the homebuyer’s program, we are retaining them in the Iowa National Guard and in Iowa. A commitment to the Iowa National Guard is a commitment to Iowa.

As he stood on the beaches of Normandy some 60 years ago, taking stock of what it cost to invade Europe, then-General Eisenhower asked. “Where do we get such men?” That same question could be asked of the men and women serving today. Today we have a new generation of heroes in our midst. The men and women returning home from serving in the Global War on Terrorism are carrying freedom’s torch in the same proud tradition as the heroic veterans of previous conflicts.

Like the veterans of World War II, our next “Greatest Generation” returns with a renewed sense of purpose and energy, eager to contribute their skills and talents to improving life in their homes and communities. In places like Iraq, Afghanistan, and the Balkans, they witnessed firsthand the disappointment and despair wrought by failed nation-states. They saw homes and communities torn apart by sectarian violence and ethnic strife. Once home, these quiet, unassuming veterans stand ready,

through volunteerism and community participation, to work with their friends and neighbors to strengthen and better their communities. We have not had a collection of such talent concentrated in our state since the end of World War II.

Sadly, not all of our Iowa heroes return home. More than 30 Iowans have made the ultimate sacrifice while defending or preparing to defend this country from the evils of terror. In the last eighteen months, we have lost nine Iowa National Guard soldiers in the Global War on Terrorism:

SGT James Kearney—Task Force 168;

2LT Brian Gienau; SPC Seth Garceau, SPC John W. Miller, and SPC Casey Byers—224th ENG BN;

SGT Robert J. Gore—186th MP Company;

SGT Gregory L. Tull—194th Field Artillery; and

SSG Bruce J. Pollema and SPC Dustin Colby—2168th Transportation Company

I have asked their family members to join us here today as our honored guests. I now ask them to stand and be recognized. Their loved one's sacrifice and their families' contributions to our national struggle against terrorism will never be forgotten. The loss of our fallen Iowa National Guard soldiers falls hardest on you—the family members left behind. But my profound hope is that you sense the love and support of your loved one's larger family—the men and women of the Iowa National Guard. You are not alone in your loss. You now share a common bond with other family members who have lost loved ones and with all members of our National Guard family. As a state and nation, we are eternally grateful for the sacrifice your family has made in defense of our freedoms.

Ladies and gentlemen, it was an honor addressing you today. Thank you once again for your continued strong support of the Iowa National Guard and of the dedicated men and women in uniform who call Iowa home. May God continue to bless you and your families, our great state, and the United States of America! Thank you!

Major General Ron Dardis was escorted from the House chamber by the committee previously appointed.

Governor Thomas J. Vilsack was escorted from the House chamber by the committee previously appointed.

Representative Gipp moved that the joint resolution be dissolved, which motion prevailed by a voice vote.

RECONVENED

The Senate reconvened at 2:38 p.m., President Lamberti presiding.

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following bills on the Senate Calendar be referred to committee:

S.F. 2017	Commerce
S.F. 2075	Natural Resources and Environment
S.F. 2163	Local Government
S.F. 2201	Economic Growth
S.F. 2220	Transportation
S.F. 2235	Commerce
S.F. 2238	Local Government
S.F. 2254	Transportation
S.F. 2266	State Government
S.F. 2293	Agriculture
S.F. 2294	Agriculture
S.F. 2298	Judiciary
S.F. 2302	Natural Resources and Environment
S.F. 2303	Natural Resources and Environment
S.F. 2308	Natural Resources and Environment
S.F. 2311	Education
S.F. 2315	State Government
S.F. 2317	Education
S.F. 2324	Education
S.F. 2335	Commerce
S.F. 2340	Judiciary
S.F. 2347	Natural Resources and Environment
S.F. 2354	Education
S.F. 2367	Commerce
S.F. 2371	Local Government
S.F. 2375	Human Resources
S.F. 2379	Natural Resources and Environment
S.F. 2382	Local Government
S.F. 2384	Human Resources

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 2:43 p.m. until 8:30 a.m., Tuesday, March 28, 2006.

APPENDIX

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 22, 2006, when the votes were taken on Senate Files 2344 and 2373. Had I been present, I would have voted "Yea" on both.

PAT WARD

CERTIFICATES OF RECOGNITION

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

Mr. and Mrs. Lee and Deloris Ayers, Webster City—For celebrating your 55th wedding anniversary. Senator Iverson (3/27/06).

Kaila Ballard, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Angie Berry, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Candace Booth, Rockwell City—For being named Iowa Reading Teacher of the Year. Senator Beall (3/27/06).

Stacy Brandenburg, manager for the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Carter Lake Fire Department—For celebrating its 50th anniversary. Senator Gronstal (3/27/06).

Kelsey Cermak, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Jennie Clark, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Megan Dooly, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Jessica Fraser, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Mike Gavin, assistant coach for the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Betsy Hildreth, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Roger Huff, assistant coach for the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Kurt Larson, Lake View—For achieving the rank of Eagle Scout. Senator Kettering (3/27/06).

Lanell LeDosquet, manager for the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Brittani McAninch, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Lillian Mertz, West Bend—For celebrating your 90th birthday. Senator Kibbie (3/27/06).

Katie Miller, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Hannah Noel, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Kelly Obley, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Katheryn Pearson, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Brittany Pritchard, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Mallory Reed, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Mary Thomas-Merk, Manson—For celebrating your 100th birthday. Senator Beall (3/27/06).

Brent Walker, coach for the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Krista Walker, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Steve Wermerskirchen, assistant coach for the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

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:

IOWA RACING AND GAMING COMMISSION

2005 Annual Report. Report received on March 27, 2006.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: March 27, 2006, 3:10 p.m.

Members Present: Kreiman and Miller, Co-chairs; Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Quirmbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun.

Members Absent: Larson and McKibben (both excused).

Committee Business: Approved Governor's appointments.

Adjourned: 3:20 p.m.

RULES AND ADMINISTRATION

Convened: March 27, 2006, 1:15 p.m.

Members Present: Gronstal and Iverson, Co-chairs; Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan.

Members Absent: None.

Committee Business: Approved SRs 138, 139, and 142 and HCR 109.

Adjourned: 1:20 p.m.

INTRODUCTION OF BILLS

Senate File 2392, by committee on Government Oversight, a bill for an act relating to the filing of reports with the ethics and campaign disclosure board.

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

Senate File 2393, by committee on Government Oversight, a bill for an act relating to violations of Iowa's noncompetition by government law and providing penalties and remedies.

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

Senate File 2394, by committee on Ways and Means, a bill for an act relating to manufactured or mobile home regulation, and including fee, penalty, and effective date provisions.

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

STUDY BILLS RECEIVED

SSB 3262 Ways and Means

Relating to the return of refund values to consumers for empty beverage containers.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2345

WAYS AND MEANS: Connolly and Wieck, Co-chairs; Bolkcom and Zieman.

SSB 3262

WAYS AND MEANS: Quirmbach and Zieman, Co-chairs; Connolly and Miller

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: HOUSE FILE 2346, a bill for an act relating to public access to school district financial information, providing for the establishment and distribution of a financial report by school districts, and providing for the posting of information relating to outstanding school district levies.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5125.

Final Vote: Ayes, 9: McKinley, Boettger, Brunkhorst, Dvorsky, Mulder, Quirmbach, Schoenjahn, Ward, and Wood. Nays, 3: Connolly, Beall, and Kreiman. Absent, 2: Angelo and Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNMENT OVERSIGHT

Bill Title: SENATE FILE 2392 (SSB 3261) a bill for an act relating to the filing of reports with the ethics and campaign disclosure board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 4: Courtney, Lundby, Connolly and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2393 (SSB 3160), a bill for an act relating to violations of Iowa's noncompetition by government law and providing penalties and remedies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 4: Courtney, Lundby, Connolly and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: HOUSE FILE 722, a bill for an act providing for the creation of an electronic drug database, establishing fees, providing penalties, and providing an effective date.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5126.

Final Vote: Ayes, 12: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Houser, Johnson, Kreiman, Tinsman, and Wood. Nays, 1: Quirmbach. Absent, 1: Gaskill.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 138, a resolution honoring the Des Moines Roosevelt High School Girls' Basketball Team.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 139, a resolution honoring the Norwalk High School Girls' Basketball Team.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 142, a resolution congratulating the Des Moines Hoover High School Boys' Basketball Team on winning the class 4-A championship at the 2006 Iowa Boys' State Basketball Tournament.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *SENATE FILE 2394 (SSB 3254), a bill for an act relating to manufactured or mobile home regulation, and including fee, penalty, and effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolkcom, Zieman, Connolly, Danielson, Dotzler, Hahn, McCoy, McKibben, McKinley, Miller, Quirmbach, Seng, Stewart, Wieck, and Zaun. Nays, none. Absent, 1: Larson.

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 2394, and they were attached to the committee report.

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 27th day of March, 2006:

Senate Files 2273 and 2316.

MICHAEL E. MARSHALL
Secretary of the Senate

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

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

JUDICIARY

Sheryl Griffith – Board of Corrections

Elaine Armstrong – Criminal and Juvenile Justice Planning Advisory Council

Thomas Ferguson – Criminal and Juvenile Justice Planning Advisory Council

Paul Fitzgerald – Criminal and Juvenile Justice Planning Advisory Council

Daniel Hoeger – Criminal and Juvenile Justice Planning Advisory Council

David Moskowitz – Criminal and Juvenile Justice Planning Advisory Council

Susan Nelson – Criminal and Juvenile Justice Planning Advisory Council

Catherine Reaman-Gerdes – Criminal and Juvenile Justice Planning Advisory Council

Jeffrey Hughes – Iowa Drug Policy Advisory Council

Elizabeth Robinson – Chairperson of the Board of Parole

Karen Muelhaupt – Board of Parole

Elizabeth Robinson – Board of Parole

AMENDMENTS FILED

S-5125	H.F.	2346	Education
S-5126	H.F.	722	Human Resources

JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 28, 2006

The Senate met in regular session at 8:34 a.m., President Lamberti presiding.

Prayer was offered by Bryan English, former youth pastor of the First Baptist Church in Spencer, Iowa. He was the guest of Senator Johnson.

The Journal of Monday, March 27, 2006, was approved.

SPECIAL GUESTS

Senator Black introduced to the Senate chamber Huei-wen Hsu, Education Director of the Taipei Economic and Cultural Office, Ministry of Education, Republic of China, Taiwan. She was accompanied by Cyndi Chen, Wendy Chen, Frank Affinato, and May May Ng.

The Senate rose and expressed its welcome.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Connolly asked and received unanimous consent to take up for consideration Senate Resolutions 139, 138, and 142.

Senate Resolution 139

On motion of Senator Shull, **Senate Resolution 139**, a resolution honoring the Norwalk High School Girls' Basketball Team, with report of committee recommending passage, was taken up for consideration.

Senator Shull moved the adoption of Senate Resolution 139, which motion prevailed by a voice vote.

Senate Resolution 138

On motion of Senator Hatch, **Senate Resolution 138**, a resolution honoring the Des Moines Roosevelt High School Girls' Basketball Team, with report of committee recommending passage, was taken up for consideration.

Senator Hatch moved the adoption of Senate Resolution 138, which motion prevailed by a voice vote.

Senate Resolution 142

On motion of Senator Zaun, **Senate Resolution 142**, a resolution congratulating the Des Moines Hoover High School Boys' Basketball Team on winning the class 4-A championship at the 2006 Iowa Boys' State Basketball Tournament, with report of committee recommending passage, was taken up for consideration.

Senator Zaun moved the adoption of Senate Resolution 142, which motion prevailed by a voice vote.

The Senate stood at ease at 9:08 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:08 a.m., President Lamberti presiding.

UNFINISHED BUSINESS

Senate File 2390

On motion of Senator Danielson, **Senate File 2390**, a bill for an act relating to the sales and use tax exemption for central office equipment and transmission equipment used in telecommunications operations, placed on the Unfinished Business Calendar on March 23, 2006, was taken up for consideration.

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. 2390), the vote was:

Yeas, 49:

Angelo	Gaskill	Larson	Seymour
Beall	Gronstal	Lundby	Shull
Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Tinsman
Boettger	Hatch	McKinley	Ward
Bolkcom	Horn	Miller	Warnstadt
Brunkhorst	Houser	Mulder	Wieck
Connolly	Iverson	Putney	Wood
Courtney	Johnson	Quirnbach	Zaun
Danielson	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	
Fraise	Lamberti	Seng	

Nays, 1:

Dearden

Absent, none.

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2593 and 2512.

House File 2593

On motion of Senator Ward, **House File 2593**, a bill for an act relating to activities of lobbyists and the ethical conduct of state officials and employees, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2593), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

House File 2512

On motion of Senator Danielson, **House File 2512**, a bill for an act relating to the jurisdiction of the ethics and campaign disclosure board and including effective date and retroactive applicability provisions and subjecting violators to remedies and penalties, with report of committee recommending passage, was taken up for consideration.

Senator Bolkcom asked and received unanimous consent that action on **House File 2512** be **deferred**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2390** and **House File 2593** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED

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 28, 2006, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2194, a bill for an act relating to county, city, and school board publication of allowed claims.

Senate File 2252, a bill for an act relating to adoption petitions and proceedings including the information required to be included in an adoption petition.

Senate File 2292, a bill for an act relating to farm tenancies.

Senate File 2338, a bill for an act modifying provisions relating to utilization of indirect cost reimbursements in appropriations to the office of grants enterprise management of the department of management, and making an appropriation.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:26 a.m. until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:10 p.m., President Lamberti 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 28, 2006, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2253, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier

omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions.

Senate File 2264, a bill for an act relating to the duties of county recorders and county auditors concerning instruments affecting real estate and certain other filings recorded by the county recorder.

Senate File 2320, a bill for an act relating to the development of an Iowa studies professional development plan and the establishment of an Iowa studies committee.

Senate File 2342, a bill for an act relating to the appointment of district associate judges and magistrates.

Senate File 2353, a bill for an act relating to debt management, mortgage bankers and brokers, delayed deposit services, regulated loans, and industrial loans, and providing for fees and penalties.

Senate File 2378, a bill for an act providing for the conversion of cooperative associations, and providing for an effective date.

ALSO: That the House has on March 28, 2006, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2654, a bill for an act relating to motor vehicles and the powers and duties of the county treasurer in relation to motor vehicles and property taxation and including effective and applicability date provisions.

Read first time and attached to **similar Senate File 2351**.

INTRODUCTION OF RESOLUTION

Senate Resolution 144, by Mulder, a resolution honoring Iowa basketball great Deb Remmerde.

Read first time and referred to **Rules and Administration**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 2:11 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 2:13 p.m., President Lamberti presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 144, a resolution honoring Iowa basketball great Deb Remmerde.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

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 144.

Senate Resolution 144

On motion of Senator Mulder, **Senate Resolution 144**, a resolution honoring Iowa basketball great Deb Remmerde, with report of committee recommending passage, was taken up for consideration.

Senator Mulder moved the adoption of Senate Resolution 144, which motion prevailed by a voice vote.

The Senate stood at ease at 2:24 p.m. until the fall of the gavel for the purpose of a Republican caucus.

The Senate resumed session at 3:15 p.m., President Lamberti presiding.

HOUSE MESSAGE RECEIVED

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 March 28, 2006, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2199, a bill for an act concerning the purchase of service under the Iowa department of public safety peace officers' retirement, accident, and disability system.

BUSINESS PENDING

House File 2512

The Senate resumed consideration of **House File 2512**, a bill for an act relating to the jurisdiction of the ethics and campaign disclosure board and including effective date and retroactive applicability provisions and subjecting violators to remedies and penalties, previously deferred.

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?" (H.F. 2512), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman

Dotzler
Dvorsky

Kibbie
Kreiman

Rielly
Schoenjahn

Nays, none.

Absent, none.

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

UNFINISHED BUSINESS (Deferred March 20, 2006)

House File 2712

The Senate resumed consideration of **House File 2712**, a bill for an act establishing a deferred retirement option plan for members of the statewide fire and police retirement system and including an implementation provision, deferred March 20, 2006.

Senator McKibben withdrew amendment S-5099, filed by him on March 20, 2006, to page 3 and to the title page of the bill.

Senator Brunkhorst asked and received unanimous consent that action on **House File 2712** be **deferred**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2395, 2509, and 2569.

House File 2395

On motion of Senator Mulder, **House File 2395**, a bill for an act directing the state board of regents to conduct a study of the admissions requirements common to the state universities, with report of committee recommending passage, was taken up for consideration.

Senator Mulder 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. 2395), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

House File 2509

On motion of Senator Quirmbach, **House File 2509**, a bill for an act relating to financial education for applicants for and participants in the family investment program, with report of committee recommending passage, 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?" (H.F. 2509), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck

Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

House File 2569

On motion of Senator Shull, **House File 2569**, a bill for an act relating to the operation of all-terrain vehicles on the highway for limited purposes, with report of committee recommending passage, was taken up for consideration.

Senator Shull 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. 2569), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 2395, 2509, 2512, and 2569** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2661 and 2240.

House File 2661

On motion of Senator Shull, **House File 2661**, a bill for an act relating to the linked investments for tomorrow Act, with report of committee recommending passage, was taken up for consideration.

Senator Shull 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. 2661), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

House File 2240

On motion of Senator Stewart, **House File 2240**, a bill for an act relating to county board of supervisor vacancies, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Stewart offered amendment S-5122, filed by the committee on Local Government on March 22, 2006, to page 1 of the bill, and moved its adoption.

Amendment S-5122 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 2240), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 105.

Senate Concurrent Resolution 105

On motion of Senator Iverson, **Senate Concurrent Resolution 105**, a concurrent resolution requesting the legislative council to establish an interim committee to study emergency services in the state, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved the adoption of Senate Concurrent Resolution 105, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2708 and 2282.

House File 2708

On motion of Senator Tinsman, **House File 2708**, a bill for an act concerning the veterans trust fund by providing for the minimum balance necessary in order to expend funds from the veterans trust fund, providing an individual income tax checkoff for the fund, and providing for an annual report concerning the fund, and including a retroactive applicability provision, with report of committee recommending passage, was taken up for consideration.

Senator Tinsman 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. 2708), the vote was:

Yeas, 47:

Beall	Gaskill	Lamberti	Seng
Behn	Gronstal	Larson	Seymour
Black	Hahn	Lundby	Shull
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hatch	McKibben	Tinsman
Connolly	Horn	Miller	Ward
Courtney	Houser	Mulder	Warnstadt
Danielson	Iverson	Putney	Wieck
Dearden	Johnson	Quirmbach	Wood
Dotzler	Kettering	Ragan	Zaun
Dvorsky	Kibbie	Rielly	Zieman
Fraise	Kreiman	Schoenjahn	

Nays, 3:

Angelo	Brunkhorst	McKinley
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Absent, none.

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

House File 2282

On motion of Senator Mulder, **House File 2282**, a bill for an act relating to the election of mayor and city council members in a city governed by the council-manager-at-large form of city government, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mulder offered amendment S-5121, filed by the committee on Local Government on March 22, 2006, to page 2 and to the title page of the bill.

Senator Beall offered amendment S-5134, filed by Senator Beall, et al., from the floor to page 1 of amendment S-5121, and moved its adoption.

Amendment S-5134 was adopted by a voice vote.

Senator Mulder moved the adoption of amendment S-5121, as amended, which motion prevailed by a voice vote.

Senator Mulder 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. 2282), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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 Concurrent Resolution 105** and **House Files 2240, 2282, 2661, and 2708** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2696, 2695, and 2611.

House File 2696

On motion of Senator Horn, **House File 2696**, a bill for an act relating to the disposal of a controlled substance, with report of committee recommending passage, was taken up for consideration.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gronstal, until he returns.

BUSINESS PENDING

House File 2696

The Senate resumed consideration of House File 2696.

Senator Horn 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. 2696), the vote was:

Yeas, 49:

Angelo	Fraise	Larson	Seymour
Beall	Gaskill	Lundby	Shull
Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Tinsman
Boettger	Hatch	McKinley	Ward
Bolkcom	Horn	Miller	Warnstadt
Brunkhorst	Houser	Mulder	Wieck
Connolly	Iverson	Putney	Wood
Courtney	Johnson	Quirnbach	Zaun
Danielson	Kettering	Ragan	Zieman
Dearden	Kibbie	Rielly	
Dotzler	Kreiman	Schoenjahn	
Dvorsky	Lamberti	Seng	

Nays, none.

Absent, 1:

Gronstal

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

House File 2695

On motion of Senator Hancock, **House File 2695**, a bill for an act relating to landlords and tenants including notice requirements to terminate a periodic tenancy and service of a petition for forcible entry and detainer by publication, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2695), the vote was:

Yeas, 48:

Angelo	Fraise	Lamberti	Schoenjahn
Beall	Gaskill	Larson	Seng
Behn	Hahn	Lundby	Seymour
Black	Hancock	McCoy	Shull
Boettger	Hatch	McKibben	Stewart
Bolkcom	Horn	McKinley	Tinsman
Brunkhorst	Houser	Miller	Ward
Connolly	Iverson	Mulder	Warnstadt
Danielson	Johnson	Putney	Wieck
Dearden	Kettering	Quirnbach	Wood
Dotzler	Kibbie	Ragan	Zaun
Dvorsky	Kreiman	Rielly	Zieman

Nays, none.

Absent, 2:

Courtney	Gronstal
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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 2611

On motion of Senator Johnson, **House File 2611**, a bill for an act authorizing the department of natural resources to issue a fishing permit to certain students, with report of committee recommending passage, was taken up for consideration.

Senator Johnson 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. 2611), the vote was:

Yeas, 48:

Angelo	Fraise	Lamberti	Schoenjahn
Beall	Gaskill	Larson	Seng
Behn	Hahn	Lundby	Seymour
Black	Hancock	McCoy	Shull
Boettger	Hatch	McKibben	Stewart
Bolkcom	Horn	McKinley	Tinsman
Brunkhorst	Houser	Miller	Ward
Connolly	Iverson	Mulder	Warnstadt
Danielson	Johnson	Putney	Wieck
Dearden	Kettering	Quirmbach	Wood
Dotzler	Kibbie	Ragan	Zaun
Dvorsky	Kreiman	Rielly	Zieman

Nays, none.

Absent, 2:

Courtney Gronstal

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

IMMEDIATELY MESSAGED

Senator Schoenjahn asked and received unanimous consent that **House Files 2611, 2695, and 2696** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 28, 2006, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2267, a bill for an act relating to safe motor vehicle operation, including penalties for certain motor vehicle violations causing death or serious injury and classroom instruction for driver education courses.

ALSO: That the House has on March 28, 2006, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 2183, a bill for an act allowing cities and counties to create enterprise zones near modes of transportation. (S-5135)

ADJOURNMENT

On motion of Senator Schoenjahn, the Senate adjourned at 4:26 p.m. until 8:30 a.m., Wednesday, March 29, 2006.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 28, 2006, 11:10 a.m.

Members Present: Angelo and Dvorsky, Co-chairs; Boettger, Bolkcom, Fraise, Gaskill, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt.

Members Absent: Black, Connolly, Dotzler, and Hatch (all excused).

Committee Business: Approved HF's 2527 (without recommendation), 2557 (without recommendation), and 2558 (without recommendation).

Adjourned: 11:15 a.m.

BUSINESS AND LABOR RELATIONS

Convened: March 28, 2006, 1:05 p.m.

Members Present: Dearden and Wieck, Co-chairs; Behn, Courtney, Dotzler, Horn, Seng, Seymour, and Shull.

Members Absent: McKibben (excused).

Committee Business: Approved Governor's appointments.

Adjourned: 1:20 p.m.

EDUCATION

Convened: March 28, 2006, 1:10 p.m.

Members Present: Connolly and McKinley, Co-chairs; Beall, Boettger, Brunkhorst, Kreiman, Mulder, Quirmbach, Schoenjahn, Ward, and Wood.

Members Absent: Angelo, Dvorsky, and Larson (all excused).

Committee Business: Approved Governor's appointment.

Adjourned: 1:15 p.m.

HUMAN RESOURCES

Convened: March 28, 2006, 1:35 p.m.

Members Present: Ragan and Seymour, Co-chairs; Behn, Boettger, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirmbach, Tinsman, and Wood.

Members Absent: Bolkcom (excused).

Committee Business: Approved Governor's appointments.

Adjourned: 1:45 p.m.

RULES AND ADMINISTRATION

Convened: March 28, 2006, 2:12 p.m.

Members Present: Gronstal and Iverson, Co-chairs; Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan.

Members Absent: None.

Committee Business: Approved SR 144.

Adjourned: 2:13 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 143, by Bolkcom, Johnson, Ragan, Seymour, Tinsman, and Hatch, a resolution requesting the legislative council to establish an interim committee to conduct a study of issues related to home visiting for families with a newborn child.

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

Senate Resolution 145, by Ward, a resolution honoring the Valley High School mock trial program and congratulating its mock trial team on winning the Iowa High School Mock Trial State Tournament.

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

Senate Resolution 146, by Johnson, a resolution honoring the city of Peterson, Iowa, on its sesquicentennial.

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

Senate Resolution 147, by Johnson, a resolution recognizing and honoring the work of Easter Seals and its efforts to help persons with disabilities.

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

Senate Resolution 148, by Quirmbach, Mulder, Johnson, Shull, Houser, Kibbie, Dvorsky, Gronstal, Courtney, Fraise, Schoenjahn, Wood, Bolkcom, Dearden, Rielly, Hancock, Seng, Horn, Warnstadt, Dotzler, Danielson, Ragan, Kreiman, Beall, Stewart, Connolly, McCoy, Black, Hatch, Brunkhorst, Hahn, Behn, Miller, Kettering, Seymour, Angelo, McKinley, Ward, Wieck, Tinsman, Gaskill, Lamberti, Putney, Iverson, Lundby, Boettger, Zieman, McKibben, Zaun, and Larson, a resolution to welcome the 2006 Special Olympics USA National Games to Iowa.

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

STUDY BILL RECEIVED

SSB 3263 **Ways and Means**

Relating to school funding by increasing the foundation property tax levy, increasing the regular program foundation base, providing on-time funding for school districts with increasing enrollment, replacing the local option sales and services tax for school infrastructure purposes with an increase in the state sales and use tax rates, making an appropriation, and including an effective date provision.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 143

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

SSB 3263

WAYS AND MEANS: Connolly and Zaun, Co-chairs; Danielson and McKibben

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: HOUSE FILE 2527, 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 cultural affairs, the department of education, and the state board of regents and including effective and retroactive applicability dates.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 19: Angelo, Dvorsky, Boettger, Bolkcom, Fraise, Gaskill, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt. Nays, 1: Horn. Absent, 4: Black, Connolly, Dotzler, and Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2557, a bill for an act relating to and making appropriations to the judicial branch.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 20: Angelo, Dvorsky, Boettger, Bolkcom, Fraise, Gaskill, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt. Nays, none. Absent, 4: Black, Connolly, Dotzler, and Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2558, a bill for an act relating to and making appropriations to the justice system and providing an effective date.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 20: Angelo, Dvorsky, Boettger, Bolkcom, Fraise, Gaskill, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt. Nays, none. Absent, 4: Black, Connolly, Dotzler, and Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

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

HUMAN RESOURCES

Jill Avery – Administrator of the Division of Persons with Disabilities

Kathryn L. Baumann-Reese – Administrator of the Division of Deaf Services

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

BUSINESS AND LABOR RELATIONS

Christopher Godfrey – Workers' Compensation Commissioner

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:

BUSINESS AND LABOR RELATIONS

Elizabeth Seiser – Employment Appeal Board

James Riordan – Chair of the Public Employment Relations Board

Jerome Amos, Jr. – Iowa Workforce Development Board

Kenneth Anderson – Iowa Workforce Development Board

Vicki Duchene – Iowa Workforce Development Board

David Owen – Iowa Workforce Development Board

Norma Schmoker – Iowa Workforce Development Board

EDUCATION

N. Brian Gentry – State Board of Education

HUMAN RESOURCES

Terri Craft – Board of Athletic Training Examiners

John Freeland – Board of Behavioral Science Examiners

Behnaz Soulati – Commission for the Blind

Camella Richards – Child Advocacy Board

Heather Stephenson – Child Advocacy Board

NancyLee Ziese – Child Advocacy Board

Thomas Letsche – Commission on Community Action Agencies

Brenda Wernimont – Commission on the Deaf

Rebecca Burgart – Iowa Empowerment Board

Christopher Carman – Iowa Empowerment Board

John Dotson – Iowa Empowerment Board

John Baker – Healthy and Well Kids in Iowa (HAWK-I) Board

Angelita Ramirez – Healthy and Well Kids in Iowa (HAWK-I) Board

Rita Arora – Commission on the Status of Iowans of Asian and Pacific Islander Heritage

Thomas Baccam – Commission on the Status of Iowans of Asian and Pacific Islander Heritage

Cyndi Chen – Commission on the Status of Iowans of Asian and Pacific Islander Heritage

Lin Ly – Commission on the Status of Iowans of Asian and Pacific Islander Heritage

Philippe Gallant – Board of Interpreters for the Hearing Impaired Examiners

Diana Kautzky – Board of Interpreters for the Hearing Impaired Examiners

Cynthia Smith-Byer – Board of Interpreters for the Hearing Impaired Examiners

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

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

Mara Swanson – Board of Physician Assistant Examiners

Christopher Atchison – Prevention of Disabilities Policy Council

Diane Schroeder – Prevention of Disabilities Policy Council

Andrea Coziahr – Commission on Tobacco Use Prevention and Control

Catherine Lillehoj – Commission on Tobacco Use Prevention and Control

Thomas Carnahan – Commission on the Status of Women

Carla Espinoza – Commission on the Status of Women

Sue Mullins – Commission on the Status of Women

Matthew Wissing – Commission on the Status of Women

AMENDMENTS FILED

S-5127	S.F.	2107	David Miller
S-5128	H.F.	2546	David Miller
S-5129	H.F.	2351	Jeff Angelo
S-5130	S.F.	2394	Michael Connolly
S-5131	S.F.	2361	Jerry Behn
			Steve Warnstadt
S-5132	H.F.	2508	William A. Dotzler, Jr.
S-5133	H.F.	2651	Keith A. Kreiman
S-5134	H.F.	2282	Daryl Beall
			Keith A. Kreiman
			Dave Mulder
			Mary Lundby
			Herman C. Quirmbach
			Tom Rielly
			Brian Schoenjahn
			Doug Shull
			Brad Zaun
S-5135	S.F.	2183	House

JOURNAL OF THE SENATE

EIGHTIETH CALENDAR DAY
FORTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 29, 2006

The Senate met in regular session at 8:38 a.m., President Lamberti presiding.

Prayer was offered by Reverend John Hembry, pastor of the United Methodist Church in Sigourney, Iowa. He was the guest of Senator Rielly.

The Journal of Tuesday, March 28, 2006, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 28, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2754, a bill for an act relating to renewable fuel and energy, providing incentives for infrastructure used to store and dispense renewable fuel, providing for income tax credits and excise taxes, providing for penalties, and providing effective and applicability dates, including retroactive applicability.

Read first time and attached to **similar Senate File 2383**.

House File 2759, a bill for an act providing for the appropriation of moneys to support renewable fuel infrastructure, and providing a contingent effective date.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration Senate Resolution 116.

Senate Resolution 116

On motion of Senator McCoy, **Senate Resolution 116**, a resolution congratulating the Homesteaders Life Company on its centennial year, with report of committee recommending passage, was taken up for consideration.

Senator McCoy moved the adoption of Senate Resolution 116, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator McKinley welcomed to the Senate chamber Queen Leah Nieboer and representatives from Pella's Seventy-first Annual Tulip Time Festival. Queen Nieboer invited the Senate to attend this year's festival on May 4, 5, and 6, 2006.

Queen Nieboer introduced the following members of her court: Alexandra Kanis, Leisel Schroder, Sierra Smith, and Laurel Van Dusseldorp. President Lamberti gave Queen Nieboer a kiss, and she, in turn, presented President Lamberti with a package of the famous Pella Dutch pasteries.

The Queen, her attendants, and their parents distributed pastries to the senators and staff.

The Senate stood at ease at 9:00 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:00 a.m., President Pro Tempore McKibben presiding.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolutions 129 and 127.

Senate Resolution 129

On motion of Senator Seymour, **Senate Resolution 129**, a resolution to recognize the month of May 2006 as Heart Health Month, with report of committee recommending passage, was taken up for consideration.

Senator Seymour moved the adoption of Senate Resolution 129, which motion prevailed by a voice vote.

Senate Resolution 127

On motion of Senator Ragan, **Senate Resolution 127**, a resolution to recognize the sesquicentennial of the city of Osage, Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Ragan moved the adoption of Senate Resolution 127, which motion prevailed by a voice vote.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Zieman, for the day, on request of Senator Hahn; and Senator Rielly, for the day, on request of Senator Gronstal.

UNFINISHED BUSINESS

Senate File 2389

On motion of Senator Danielson, **Senate File 2389**, a bill for an act concerning the offset of workers' compensation benefits under the peace officers' retirement, accident, and disability retirement system and including an effective date and retroactive applicability provision, placed on the Unfinished Business Calendar on March 23, 2006, with

report of committee recommending passage, was taken up for consideration.

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. 2389), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Schoenjahn
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Larson	Seymour
Boettger	Hahn	Lundby	Shull
Bolkcom	Hancock	McCoy	Stewart
Brunkhorst	Hatch	McKibben	Tinsman
Connolly	Horn	McKinley	Ward
Courtney	Houser	Miller	Warnstadt
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood
Dotzler	Kettering	Quirmbach	Zaun

Nays, none.

Absent, 2:

Rielly Zieman

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

CONSIDERATION OF BILLS

(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2588 and 2586.

House File 2588

On motion of Senator Seymour, **House File 2588**, a bill for an act relating to the criminal and abuse registry checks required of a person employed by a licensed health care facility, with report of committee recommending passage, was taken up for consideration.

Senator Seymour 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. 2588), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Schoenjahn
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Larson	Seymour
Boettger	Hahn	Lundby	Shull
Bolkcom	Hancock	McCoy	Stewart
Brunkhorst	Hatch	McKibben	Tinsman
Connolly	Horn	McKinley	Ward
Courtney	Houser	Miller	Warnstadt
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood
Dotzler	Kettering	Quirmbach	Zaun

Nays, none.

Absent, 2:

Rielly	Zieman
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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 2586

On motion of Senator Dotzler, **House File 2586**, a bill for an act relating to the collection of liquidated debts owed to and various authorizations issued by the labor commissioner, with report of committee recommending passage, 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?" (H.F. 2586), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Schoenjahn

Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Larson	Seymour
Boettger	Hahn	Lundby	Shull
Bolkcom	Hancock	McCoy	Stewart
Brunkhorst	Hatch	McKibben	Tinsman
Connolly	Horn	McKinley	Ward
Courtney	Houser	Miller	Warnstadt
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood
Dotzler	Kettering	Quirmbach	Zaun

Nays, none.

Absent, 2:

Rielly Zieman

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 2389** and **House Files 2586** and **2588** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2507, 2330, 2505, 2508, and 2244.

House File 2507

On motion of Senator Courtney, **House File 2507**, a bill for an act relating to priority of labor or wage claims over other debts when an employer's property is placed in receivership or otherwise seized by creditors, with report of committee recommending passage, was taken up for consideration.

Senator Courtney 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. 2507), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Schoenjahn
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Larson	Seymour
Boettger	Hahn	Lundby	Shull
Bolkcom	Hancock	McCoy	Stewart
Brunkhorst	Hatch	McKibben	Tinsman
Connolly	Horn	McKinley	Ward
Courtney	Houser	Miller	Warnstadt
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood
Dotzler	Kettering	Quirmbach	Zaun

Nays, none.

Absent, 2:

Rielly Zieman

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

House File 2330

On motion of Senator Tinsman, **House File 2330**, a bill for an act relating to the allowed growth factor adjustment funding for county mental health, mental retardation, and developmental disabilities services funds and including effective date and retroactive applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Tinsman 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. 2330), the vote was:

Yeas, 46:

Angelo	Dvorsky	Kreiman	Seng
Beall	Fraise	Lamberti	Seymour
Behn	Gaskill	Larson	Shull
Black	Gronstal	Lundby	Stewart

Boettger	Hahn	McCoy	Tinsman
Bolkcom	Hancock	McKinley	Ward
Brunkhorst	Hatch	Miller	Warnstadt
Connolly	Horn	Mulder	Wieck
Courtney	Houser	Putney	Wood
Danielson	Iverson	Quirmbach	Zaun
Dearden	Johnson	Ragan	
Dotzler	Kibbie	Schoenjahn	

Nays, 2:

Kettering McKibben

Absent, 2:

Rielly Zieman

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

House File 2505

On motion of Senator Horn, **House File 2505**, a bill for an act authorizing the labor commissioner to represent laborers or employees seeking wage claims in pending receivership or seizure actions and providing an applicability date, with report of committee recommending passage, was taken up for consideration.

Senator Horn 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. 2505), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Schoenjahn
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Larson	Seymour
Boettger	Hahn	Lundby	Shull
Bolkcom	Hancock	McCoy	Stewart
Brunkhorst	Hatch	McKibben	Tinsman
Connolly	Horn	McKinley	Ward
Courtney	Houser	Miller	Warnstadt
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood
Dotzler	Kettering	Quirmbach	Zaun

Nays, none.

Absent, 2:

Rielly

Zieman

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

House File 2508

On motion of Senator Behn, **House File 2508**, a bill for an act relating to direct deposit of wages and creating an exception to the payday information employers are required to provide each employee under the Iowa wage payment collection law and providing for retroactive applicability, with report of committee recommending passage, was taken up for consideration.

Senator Dotzler offered amendment S-5132, filed by him on March 28, 2006, to page 1 of the bill.

Senator Behn asked and received unanimous consent that action on amendment S-5132 and **House File 2508** be deferred.

House File 2244

On motion of Senator Dearden, **House File 2244**, a bill for an act relating to hunting and fishing licenses for certain veterans, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2244), the vote was:

Yeas, 48:

Angelo
Beall
Behn
Black
Boettger

Dvorsky
Fraise
Gaskill
Gronstal
Hahn

Kibbie
Kreiman
Lamberti
Larson
Lundby

Ragan
Schoenjahn
Seng
Seymour
Shull

Bolkcom	Hancock	McCoy	Stewart
Brunkhorst	Hatch	McKibben	Tinsman
Connolly	Horn	McKinley	Ward
Courtney	Houser	Miller	Warnstadt
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood
Dotzler	Kettering	Quirnbach	Zaun

Nays, none.

Absent, 2:

Rielly Zieman

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

BUSINESS PENDING

House File 2508

The Senate resumed consideration of **House File 2508**, a bill for an act relating to direct deposit of wages and creating an exception to the payday information employers are required to provide each employee under the Iowa wage payment collection law and providing for retroactive applicability, and amendment S-5132, previously deferred.

Senator Dotzler moved the adoption of amendment S-5132, which motion prevailed by a voice vote.

Senator Behn 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. 2508), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Schoenjahn
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Larson	Seymour
Boettger	Hahn	Lundby	Shull
Bolkcom	Hancock	McCoy	Stewart
Brunkhorst	Hatch	McKibben	Tinsman

Connolly	Horn	McKinley	Ward
Courtney	Houser	Miller	Warnstadt
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood
Dotzler	Kettering	Quirnbach	Zaun

Nays, none.

Absent, 2:

Rielly Zieman

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 2244, 2330, 2505, 2507, and 2508** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2171, 2564, 2493, and 537.

House File 2171

On motion of Senator Dearden, **House File 2171**, a bill for an act allowing fishing without a license for certain persons who fish in a supervised group, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2171), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Schoenjahn
Behn	Gaskill	Lamberti	Seng

Black	Gronstal	Larson	Seymour
Boettger	Hahn	Lundby	Shull
Bolkcom	Hancock	McCoy	Stewart
Brunkhorst	Hatch	McKibben	Tinsman
Connolly	Horn	McKinley	Ward
Courtney	Houser	Miller	Warnstadt
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood
Dotzler	Kettering	Quirnbach	Zaun

Nays, none.

Absent, 2:

Rielly Zieman

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

House File 2564

On motion of Senator Boettger, **House File 2564**, a bill for an act relating to notification of parents, guardians, or custodians of children receiving child care from an unregistered child care home when it is determined that child abuse involving the home has occurred, with report of committee recommending passage, was taken up for consideration.

Senator Boettger 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. 2564), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Schoenjahn
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Larson	Seymour
Boettger	Hahn	Lundby	Shull
Bolkcom	Hancock	McCoy	Stewart
Brunkhorst	Hatch	McKibben	Tinsman
Connolly	Horn	McKinley	Ward
Courtney	Houser	Miller	Warnstadt
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood
Dotzler	Kettering	Quirnbach	Zaun

Nays, none.

Absent, 2:

Rielly

Zieman

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Brunkhorst, until he returns, on request of Shull.

House File 2493

On motion of Senator Dotzler, **House File 2493**, a bill for an act providing for the establishment of a viral hepatitis program and study, with report of committee recommending passage, 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?" (H.F. 2493), the vote was:

Yeas, 47:

Angelo	Fraise	Kreiman	Schoenjahn
Beall	Gaskill	Lamberti	Seng
Behn	Gronstal	Larson	Seymour
Black	Hahn	Lundby	Shull
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hatch	McKibben	Tinsman
Connolly	Horn	McKinley	Ward
Courtney	Houser	Miller	Warnstadt
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood
Dotzler	Kettering	Quirmbach	Zaun
Dvorsky	Kibbie	Ragan	

Nays, none.

Absent, 3:

Brunkhorst

Rielly

Zieman

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

House File 537

On motion of Senator Kettering, **House File 537**, a bill for an act relating to the investment of public funds by the treasurer of state, state agencies, and political subdivisions including the investment of public funds not covered by federal deposit insurance in certificates of deposit, with report of committee recommending passage, 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?" (H.F. 537), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Schoenjahn
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Larson	Seymour
Boettger	Hahn	Lundby	Shull
Bolkcom	Hancock	McCoy	Stewart
Brunkhorst	Hatch	McKibben	Tinsman
Connolly	Horn	McKinley	Ward
Courtney	Houser	Miller	Warnstadt
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood
Dotzler	Kettering	Quirmbach	Zaun

Nays, none.

Absent, 2:

Rielly

Zieman

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 537, 2171, 2493, and 2564** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:20 a.m. until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:25 p.m., President Pro Tempore McKibben presiding.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 722, 2333, 2712, and 2337.

House File 722

On motion of Senator Hatch, **House File 722**, a bill for an act providing for the creation of an electronic drug database, establishing fees, providing penalties, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hatch offered amendment S-5126, filed by the committee on Human Resources on March 27, 2006, striking and replacing everything after the enacting clause and to the title page of the bill.

Senator Hatch offered amendment S-5139, filed by Senators Hatch and Seymour from the floor to page 1 of amendment S-5126, and moved its adoption.

Amendment S-5139 was adopted by a voice vote.

Senator Seymour offered amendment S-5137, filed by Senators Seymour and Hatch from the floor to page 2 of amendment S-5126, and moved its adoption.

Amendment S-5137 was adopted by a voice vote.

Senator Hatch moved the adoption of amendment S-5126, as amended, which motion prevailed by a voice vote.

Senator Hatch 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. 722), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Schoenjahn
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Larson	Seymour
Boettger	Hahn	Lundby	Shull
Bolkcom	Hancock	McCoy	Stewart
Brunkhorst	Hatch	McKibben	Tinsman
Connolly	Horn	McKinley	Ward
Courtney	Houser	Miller	Warnstadt
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood
Dotzler	Kettering	Quirmbach	Zaun

Nays, none.

Absent, 2:

Rielly Zieman

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

House File 2333

On motion of Senator Wood, **House File 2333**, a bill for an act prohibiting a person or club holding a liquor control license or retail wine or beer permit from distributing or possessing machines used to vaporize an alcoholic beverage for consumption and making penalties

applicable, with report of committee recommending passage, was taken up for consideration.

Senator Wood 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. 2333), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Schoenjahn
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Larson	Seymour
Boettger	Hahn	Lundby	Shull
Bolkcom	Hancock	McCoy	Stewart
Brunkhorst	Hatch	McKibben	Tinsman
Connolly	Horn	McKinley	Ward
Courtney	Houser	Miller	Warnstadt
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood
Dotzler	Kettering	Quirmbach	Zaun

Nays, none.

Absent, 2:

Rielly Zieman

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

UNFINISHED BUSINESS

(Deferred March 28, 2006)

House File 2712

The Senate resumed consideration of **House File 2712**, a bill for an act establishing a deferred retirement option plan for members of the statewide fire and police retirement system and including an implementation provision, deferred March 28, 2006.

Senator Brunkhorst offered amendment S-5140, filed by him from the floor to page 3 of the bill, and moved its adoption.

Amendment S-5140 lost by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 2712), the vote was:

Yeas, 43:

Beall	Fraise	Lamberti	Seng
Behn	Gaskill	Larson	Seymour
Black	Gronstal	Lundby	Shull
Boettger	Hahn	McCoy	Stewart
Bolkcom	Hancock	McKibben	Tinsman
Connolly	Hatch	Miller	Ward
Courtney	Horn	Mulder	Warnstadt
Danielson	Iverson	Putney	Wieck
Dearden	Johnson	Quirnbach	Wood
Dotzler	Kibbie	Ragan	Zaun
Dvorsky	Kreiman	Schoenjahn	

Nays, 5:

Angelo	Houser	McKinley
Brunkhorst	Kettering	

Absent, 2:

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

WITHDRAWN

President Kibbie asked and received unanimous consent that **Senate File 2265** be **withdrawn** from further consideration of the Senate.

House File 2337

On motion of Senator Kreiman, **House File 2337**, a bill for an act relating to the use of a peace officer of the department of public safety in an industrial dispute and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Kreiman 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. 2337), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Schoenjahn
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Larson	Seymour
Boettger	Hahn	Lundby	Shull
Bolkcom	Hancock	McCoy	Stewart
Brunkhorst	Hatch	McKibben	Tinsman
Connolly	Horn	McKinley	Ward
Courtney	Houser	Miller	Warnstadt
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood
Dotzler	Kettering	Quirmbach	Zaun

Nays, none.

Absent, 2:

Rielly Zieman

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 722, 2333, 2337, and 2712 be immediately messaged to the House.**

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 29, 2006, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2262, a bill for an act relating to the prepayment of agricultural loans secured by a real estate mortgage.

Senate File 2305, a bill for an act concerning wine, including the allowable alcohol content of wine and inspection of certain wine permittees.

ALSO: That the House has on March 29, 2006, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2331, a bill for an act to eliminate certain restrictions on the authority of a physician assistant to prescribe certain schedule II controlled substances.

Read first time and attached to **similar Senate File 2386**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:05 p.m. until 8:30 a.m., Thursday, March 30, 2006.

APPENDIX

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 29, 2006, when the vote was taken on House File 2493. Had I been present, I would have voted "Yea."

BOB BRUNKHORST

CERTIFICATES OF RECOGNITION

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

Elizabeth Boyer, Fort Madison—For celebrating your 85th birthday. Senator Fraise (3/29/06).

Carla Brasch, Waterloo—For celebrating your 90th birthday. Senator Dotzler (3/29/06).

Willard C. Dale, Waterloo—For celebrating your 90th birthday. Senator Dotzler (3/29/06).

Mr. and Mrs. Howard and Gladys Hansen, Exira—For celebrating your 65th wedding anniversary. Senator Boettger (3/29/06).

Ryan Huck, Marshalltown—For achieving the rank of Eagle Scout, Boy Scout Troop 324. Senator McKibben (3/29/06).

Arline Hunter, Lake View—For celebrating your 100th birthday. Senator Kettering (3/29/06).

Mr. and Mrs. Glen and Shirley Scott, Fontanelle—For celebrating your 50th wedding anniversary. Senator Boettger (3/29/06).

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: March 29, 2006, 2:45 p.m.

Members Present: Behn and Warnstadt, Co-chairs; Beall, Bolkcom, Courtney, Gronstal, Kettering, McKinley, Stewart, Wieck, and Zaun.

Members Absent: Angelo, Larson, McCoy, Rielly, and Ziemann (all excused).

Committee Business: Approved Governor's appointments.

Adjourned: 2:50 p.m.

LOCAL GOVERNMENT

Convened: March 29, 2006, 2:00 p.m.

Members Present: Quirmbach and Shull, Co-chairs; Houser, Kreiman, Mulder, Putney, Schoenjahn, Stewart, and Zaun.

Members Absent: Lundby, McCoy, and Rielly (all excused).

Committee Business: Approved Governor's appointments.

Adjourned: 2:15 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 29, 2006, 11:30 a.m.

Members Present: Black and Houser, Co-chairs; Bolkcom, Dearden, Gaskill, Hancock, Johnson, Miller, Schoenjahn, Seng, and Wood.

Members Absent: Kettering, Lundby, and Putney (all excused).

Committee Business: Approved Governor's appointment.

Adjourned: 11:35 a.m.

RULES AND ADMINISTRATION

Convened: March 29, 2006, 4:20 p.m.

Members Present: Gronstal and Iverson, Co-chairs; Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan.

Members Absent: None.

Committee Business: Approved SRs 140, 141, 145, and 147.

Adjourned: 4:25 p.m.

WAYS AND MEANS

Convened: March 29, 2006, 1:10 p.m.

Members Present: Bolkcom, Co-chair; Connolly, Danielson, Dotzler, Hahn, Larson, McCoy, McKibben, McKinley, Miller, Quirmbach, Seng, Stewart, Wieck, and Zaun.

Members Absent: Zieman, Co-chair (excused).

Committee Business: Passed SFs 2077, 2325 (as amended), and 2329. Approved SSBs 3245 and 3259 (as amended), and approved Governor's appointments.

Adjourned: 1:50 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 149, by Seng, Tinsman, and Wood, a resolution to honor the Scott County Medical Society on its sesquicentennial anniversary.

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

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 145

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 146

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 147

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 148

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 149

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 140, a resolution designating May 2006 as Huntington's Disease Awareness Month.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 141, a resolution honoring the City of Stacyville on its sesquicentennial year.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 145, a resolution honoring the Valley High School mock trial program and congratulating its mock trial team on winning the Iowa High School Mock Trial State Tournament.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 147, a resolution recognizing and honoring the work of Easter Seals and its efforts to help persons with disabilities.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 29, 2006, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 2273 – Relating to financial and regulatory matters by making and revising appropriations for the fiscal year beginning July 1, 2005, and providing an effective date.

Senate File 2316 – Relating to the procedures for filing administrative rules.

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

Michael Harvey – Credit Union Review Board
Roger Reiser – Credit Union Review Board
Kathleen Steffes – Credit Union Review Board

Betsy Brandsgard – Chairperson of the Iowa Telecommunications and Technology Commission

Betsy Brandsgard – Iowa Telecommunications and Technology Commission

LOCAL GOVERNMENT

James Halverson – City Development Board

Mark Monson – Iowa Lewis and Clark Bicentennial Commission
Wynema Morris – Iowa Lewis and Clark Bicentennial Commission
Michele Walker – Iowa Lewis and Clark Bicentennial Commission

William Gorman – Mental Health Risk Pool Board
Ralph Kremer – Mental Health Risk Pool Board
Andrew Nielsen – Mental Health Risk Pool Board
Linda Young-Streit – Mental Health Risk Pool Board

Richard J. Stradley – Chair of the Property Assessment Appeal Board

D. Kevin Burggraaf – Property Assessment Appeal Board
Jacqueline Rypma – Property Assessment Appeal Board
Richard Stradley – Property Assessment Appeal Board

NATURAL RESOURCES AND ENVIRONMENT

Greg Hayes – Renewable Fuels and Coproducts Advisory Committee

WAYS AND MEANS

Mark Schuling -- Director of the Department of Revenue

Michael Milligan -- State Board of Tax Review

AMENDMENTS FILED

S-5136	H.F.	2362	William A. Dotzler, Jr.
S-5137	H.F.	722	Jack Hatch
			James A. Seymour
S-5138	H.F.	2562	Keith A. Kreiman
			Nancy J. Boettger
			Brian Schoenjahn
S-5139	H.F.	772	James A. Seymour
			Jack Hatch
S-5140	H.F.	2712	Bob Brunkhorst
S-5141	H.F.	2525	Nancy J. Boettger

JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FORTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 30, 2006

The Senate met in regular session at 8:33 a.m., President Pro Tempore McKibben presiding.

Prayer was offered by David Splett, pastor of the St. Paul Lutheran Church in Eldora, Iowa. He was the guest of Senator McKibben.

The Journal of Wednesday, March 29, 2006, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 29, 2006, passed the following bills in which the concurrence of the House was asked:

Senate File 2207, a bill for an act relating to the publication of official notices in English language newspapers.

Senate File 2231, a bill for an act concerning accrued sick leave and the conversion of sick leave for state employees.

Senate File 2289, a bill for an act relating to identification of publicly owned motor vehicles used by persons who provide off-site or in-home medical or mental health services.

Senate File 2333, a bill for an act relating to the transfer of veterans commemorative property placed in a cemetery, recodifying a provision regarding veteran markers, and providing a penalty.

Senate File 2381, a bill for an act relating to combustion of solid waste with energy recovery.

ALSO: That the House has on March 29, 2006, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 2219, a bill for an act relating to human trafficking and related offenses, including the provision of law enforcement training and victim assistance programs, and providing penalties. (S-5142)

Senate File 2374, a bill for an act containing various provisions relating to business entities, including corporations, limited liability companies, and nonprofit corporations. (S-5143)

ALSO: That the House has on March 29, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2592, a bill for an act providing for various technical and substantive changes relating to health licensing and other public health matters.

Read first time and attached to **similar Senate File 2295**.

House File 2731, a bill for an act relating to a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas.

Read first time and referred to committee on **Ways and Means**.

House File 2742, a bill for an act relating to the probate and trust codes and providing applicability date provisions.

Read first time and attached to **similar Senate File 2300**.

House File 2755, a bill for an act relating to confinement feeding operations by providing for the receipt and processing of manure management plans and requiring the submission of updated manure management plans on a multiyear basis, providing for fees, and making penalties applicable.

Read first time and referred to committee on **Ways and Means**.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Connolly asked and received unanimous consent to take up for consideration Senate Resolutions 147, 140, 141, and 124.

Senate Resolution 147

On motion of Senator Johnson, **Senate Resolution 147**, a resolution recognizing and honoring the work of Easter Seals and its efforts to help persons with disabilities, with report of committee recommending passage, was taken up for consideration.

Senator Johnson moved the adoption of Senate Resolution 147, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Johnson introduced to the Senate chamber Ryan Odens, a farmer from Little Rock, Iowa, who is the Easter Seals National Adult Ambassador. He was accompanied by his mother, Jolene Odens. The Easter Seals of Iowa organization was represented by Donna Elbrecht, CEO, and Tracy Keniger, Angela Hilbert, Stacy Franzen, and Abby Hausmann.

Mr. Odens addressed the Senate with remarks about the ongoing support he has received from Easter Seals of Iowa. After being severely injured in an accident in 2000, Mr. Odens continues to recover with help from the Easter Seals' Rural Solutions program. He lives independently and operates his family farm.

The Senate rose and expressed its welcome.

Senator Johnson took the chair at 8:48 a.m.

Senate Resolution 140

On motion of Senator McKibben, **Senate Resolution 140**, a resolution designating May 2006 as Huntington's Disease Awareness Month, with report of committee recommending passage, was taken up for consideration.

Senator McKibben moved the adoption of Senate Resolution 140, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator McKibben introduced to the Senate chamber Billy Aaron Brown, Clarinda native and national spokesperson for the Huntington's Disease Society of America. Mr. Brown is an actor and is in Iowa helping raise funds for research on Huntington's Disease. Accompanying Mr. Brown was Ben Easter, a fellow actor and a native of West Des Moines.

Mr. Brown addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

President Pro Tempore McKibben took the chair at 8:56 a.m.

Senate Resolution 141

On motion of Senator Ragan, **Senate Resolution 141**, a resolution honoring the City of Stacyville on its sesquicentennial year, with report of committee recommending passage, was taken up for consideration.

Senator Ragan moved the adoption of Senate Resolution 141, which motion prevailed by a voice vote.

Senate Resolution 124

On motion of Senator Connolly, **Senate Resolution 124**, a resolution honoring Tom Griffiths for over three decades of service to Iowa's credit unions, with report of committee recommending passage, was taken up for consideration.

Senator Connolly moved the adoption of Senate Resolution 124, which motion prevailed by a voice vote.

RECESS

On motion of Senator Connolly, the Senate recessed at 9:02 a.m. until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:07 p.m., Senator Johnson presiding.

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Gronstal asked and received unanimous consent that the following bills be placed on the Unfinished Business Calendar:

H.F. 590	H.F. 2363	H.F. 2632
H.F. 720	H.F. 2398	H.F. 2633
H.F. 845	H.F. 2462	H.F. 2635
H.F. 2095	H.F. 2463	H.F. 2651
H.F. 2147	H.F. 2492	H.F. 2652
H.F. 2162	H.F. 2506	H.F. 2663
H.F. 2215	H.F. 2522	H.F. 2665
H.F. 2233	H.F. 2525	H.F. 2672
H.F. 2245	H.F. 2528	H.F. 2676
H.F. 2283	H.F. 2562	H.F. 2679
H.F. 2323	H.F. 2565	H.F. 2686
H.F. 2332	H.F. 2567	H.F. 2697
H.F. 2346	H.F. 2571	H.F. 2698
H.F. 2351	H.F. 2590	H.F. 2705
H.F. 2361	H.F. 2613	H.F. 2717
H.F. 2362	H.F. 2624	

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:10 p.m. until 1:00 p.m., Monday, April 3, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Mr. and Mrs. Vyrle and Naomi DeVoss, Atlantic—For celebrating your 65th wedding anniversary. Senator Boettger (3/30/06).

Mr. and Mrs. Virgil and Elaine Hildebrand, Hancock—For celebrating your 60th wedding anniversary. Senator Boettger (3/30/06).

Montell Marion, Des Moines—For winning the Class 4A State Wrestling Championship in the 130 lb. weight class. Senator Hatch (3/30/06).

James Nicholson, Des Moines—For winning the Class 4A State Wrestling Championship in the 119 lb. weight class. Senator Hatch (3/30/06).

REPORTS OF COMMITTEE MEETINGS

STATE GOVERNMENT

Convened: March 29, 2006, 2:00 p.m.

Members Present: Horn and McKibben, Co-chairs; Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Miller, Tinsman, Ward, Wieck, and Wood.

Members Absent: Kibbie and Zieman (both excused).

Committee Business: Approved Governor's appointments.

Adjourned: 2:35 p.m.

ECONOMIC GROWTH

Convened: March 30, 2006, 11:30 p.m.

Members Present: Brunkhorst and Hatch, Co-chairs; Beall, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Seymour, Shull, Stewart, and Zaun.

Members Absent: None.

Committee Business: Approved Governor's appointments.

Adjourned: 12:00 p.m.

INTRODUCTION OF BILLS

Senate File 2395, by committee on Ways and Means, a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating an upland game bird habitat development program.

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

Senate File 2396, by committee on Ways and Means, a bill for an act relating to the exemption of sales and use taxes on the purchase of coins, currency, or bullion.

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

Senate File 2397, by committee on Ways and Means, a bill for an act exempting sales made to facilities used in substance abuse treatment and prevention programs from sales and use taxes.

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

Senate File 2398, by committee on Ways and Means, a bill for an act providing a sales tax exemption for purchases of solar energy equipment.

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

Senate File 2399, by committee on Ways and Means, a bill for an act relating to renewable energy including the renewable energy tax credit and the wind energy production tax credit.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

WAYS AND MEANS

Bill Title: SENATE FILE 2395 (formerly SF 2329), a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating an upland game bird habitat development program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bolkcom, Connolly, Danielson, Dotzler, Hahn, McCoy, McKibben, McKinley, Miller, Quirnbach, Seng, Stewart, Wieck, and Zaun. Nays, none. Absent, 2: Larson and Ziemann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2396 (SSB 3245), a bill for an act relating to the exemption of sales and use taxes on the purchase of coins, currency, or bullion.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Bolkcom, Connolly, Danielson, Dotzler, Hahn, McCoy, McKibben, McKinley, Miller, Stewart, Wieck, and Zaun. Nays, 2: Quirnbach and Seng. Absent, 2: Larson and Ziemann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2397 (SSB 3259), a bill for an act exempting sales made to facilities used in substance abuse treatment and prevention programs from sales and use taxes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bolkcom, Connolly, Danielson, Dotzler, Hahn, McCoy, McKibben, McKinley, Miller, Quirnbach, Seng, Stewart, Wieck, and Zaun. Nays, none. Absent, 2: Larson and Ziemann.

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 2397, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2398 (formerly SF 2077), a bill for an act providing a sales tax exemption for purchases of solar energy equipment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Bolkcom, Connolly, Danielson, Dotzler, Hahn, McCoy, McKibben, McKinley, Miller, Quirmbach, Stewart, Wieck, and Zaun. Nays, none. Present, 1: Seng. Absent, 2: Larson and Ziemann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2399 (formerly SF 2325), a bill for an act relating to renewable energy including the renewable energy tax credit and the wind energy production tax credit.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolkcom, Connolly, Danielson, Dotzler, Hahn, Larson, McCoy, McKibben, McKinley, Miller, Quirmbach, Seng, Stewart, Wieck, and Zaun. Nays, none. Absent, 1: Ziemann.

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 2399, and they were attached to the committee report.

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

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

STATE GOVERNMENT

Steven K. Young – Director of the Department of Inspections and Appeals

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

ECONOMIC GROWTH

Mary Lawyer – Director of the Department of Economic Development

STATE GOVERNMENT

Abraham Funchess, Jr. – Administrator of the Division on the Status of African-Americans

Lynn M. Walding – Administrator of the Alcoholic Beverages Division

Armando Villareal – Administrator of the Division of Latino Affairs

Bill Schroeder – Administrator of Professional Licensing and Regulation

Jack P. Ketterer – Administrator of the State Racing and Gaming Commission

Patrick J. Palmersheim – Executive Director of the Commission of Veterans Affairs

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:

ECONOMIC GROWTH

Gordon Neumann – Iowa Capital Investment Board

Daniel Rogers – Iowa Capital Investment Board

Peggy Armstrong-Gustafson – Iowa Economic Development Board

Bonnie Barney – Iowa Economic Development Board

George (Curtis) Baugh – Iowa Economic Development Board

Linda Bloodsworth – Iowa Economic Development Board

Robert Bocken – Iowa Economic Development Board

Joni Carroll – Iowa Economic Development Board

Jerry Courtney – Iowa Economic Development Board

Arvind Dandekar – Iowa Economic Development Board

Nancy Dunkel – Iowa Economic Development Board

William Gerhard – Iowa Economic Development Board

Cynthia (Cindi) Keithley – Iowa Economic Development Board

Craig Lang – Iowa Economic Development Board

John Lisle – Iowa Economic Development Board

Marcia Rogers – Iowa Economic Development Board

Toby Shine – Iowa Economic Development Board

John Cullen – Small Business Advisory Council

James Davis – Small Business Advisory Council

Joan Severson – Small Business Advisory Council (appointment)

Joan Severson – Small Business Advisory Council (reappointment)

STATE GOVERNMENT

Nancy Bruner – Accountancy Examining Board
Richard Johnson – Accountancy Examining Board
Telford Lodden – Accountancy Examining Board

Michael Blackwell – Commission on the Status of African-Americans
John Campbell, Jr. – Commission on the Status of African-Americans
Charles Clayton – Commission on the Status of African-Americans (appointment)
Charles Clayton – Commission on the Status of African-Americans (reappointment)
Marlene Jessop – Commission on the Status of African-Americans
Redmond Jones, II – Commission on the Status of African-Americans
Krystal Madlock – Commission on the Status of African-Americans

Richard Hunsaker – Alcoholic Beverages Commission

Martha Green – Architectural Examining Board
Jeffrey Morgan – Architectural Examining Board

Kristina Lusk – Board of Barber Examiners
Barbara Martin – Board of Barber Examiners

James Kruzic – Boiler and Pressure Vessel Board
Joseph Rodenkirk – Boiler and Pressure Vessel Board
Lynne Rush – Boiler and Pressure Vessel Board

John Calisesi – Board of Chiropractic Examiners
Michael Powell – Board of Chiropractic Examiners
Diane Puthoff – Board of Chiropractic Examiners

Jerry Talbott – Board of Cosmetology Arts and Sciences Examiners

Willard Boyd – Board of Trustees of the Iowa Cultural Trust
Ellen deLathouder – Board of Trustees of the Iowa Cultural Trust
Kim Poam Logan – Board of Trustees of the Iowa Cultural Trust

Elizabeth Brennan – Board of Dental Examiners
Eileen Cacioppo – Board of Dental Examiners
Gary Roth – Board of Dental Examiners

Michael Killmer – Board of Dietetic Examiners
Rachel Pederson – Board of Dietetic Examiners

Rita Conner – Elevator Safety Board
Peter Fromm – Elevator Safety Board
Robert Olney – Elevator Safety Board

Julie Bell – Iowa Emergency Response Commission
David Coppess – Iowa Emergency Response Commission

Forrest Holly – Engineering and Land Surveying Examining Board
Christy VanBuskirk – Engineering and Land Surveying Examining Board

Leslie Whippen – Board for the Licensing and Regulation of Hearing Aid Dispensers

Jason Alread – Interior Design Examining Board
Kathleen Flack – Interior Design Examining Board
David Kenworthy – Interior Design Examining Board
Frederic Malven – Interior Design Examining Board
Michele Rosenboom – Interior Design Examining Board
Kathy Stavneak – Interior Design Examining Board
Jennifer Voorhees – Interior Design Examining Board

Dawn Ainger – IowaAccess Advisory Council
Barbara Corson – IowaAccess Advisory Council
Lawrence Lentz – IowaAccess Advisory Council
Teresa Selberg – IowaAccess Advisory Council
Miriam Ubben – IowaAccess Advisory Council

Tim Adams – Landscape Architectural Examining Board
David Biehl – Landscape Architectural Examining Board

Mary Junge – Iowa Lottery Authority Board of Directors
Michael Klappholz – Iowa Lottery Authority Board of Directors

Larry Dallenbach – Board of Massage Therapy Examiners

Carole Frier – Board of Medical Examiners
Siroos Shirazi – Board of Medical Examiners
Janece Valentine – Board of Medical Examiners

Paul Johnson – Board of Mortuary Science Examiners
Ruth Ohde – Board of Mortuary Science Examiners

M. Ann Aulwes-Allison – Board of Nursing Examiners

Susan Frey – State Board of Examiners for Nursing Home Administrators
Daniel Larmore – State Board of Examiners for Nursing Home Administrators
Mary Ann Nielsen – State Board of Examiners for Nursing Home Administrators
Michael Svejda – State Board of Examiners for Nursing Home Administrators
Audrae Zoeckler – State Board of Examiners for Nursing Home Administrators

Barbara Washburn – Board of Optometry Examiners
Robert Weiland – Board of Optometry Examiners

Terrance Lillis – Peace Officers' Retirement, Accident, and Disability System Trustee

Susan Frey – Board of Pharmacy Examiners
Leman Olson – Board of Pharmacy Examiners

Helen McNurlen – Board of Physical and Occupational Therapy Examiners

Ethel Campbell – Board of Podiatry Examiners

Kelly Kadel – Board of Podiatry Examiners

Gerald Jorgensen – Board of Psychology Examiners

Philip Lonning – Board of Psychology Examiners

John Tedesco – Board of Psychology Examiners

Diane Hamilton – State Racing and Gaming Commission

Toni Urban – State Racing and Gaming Commission

Debra Floyd – Real Estate Appraiser Examining Board

John Larson – Real Estate Appraiser Examining Board

Judith Zwanziger – Real Estate Appraiser Examining Board

Daniel Berry – Real Estate Commission

Laurie Dawley – Real Estate Commission

James Hughes – Real Estate Commission

Arlene Lee – State Board for Respiratory Care

Robert Zeman – State Board for Respiratory Care

David Stout – Board of Social Work Examiners

Mary Tasler – Board of Social Work Examiners

Rebecca Vilda – Board of Speech Pathology and Audiology Examiners

Douglas Walter – Board of Speech Pathology and Audiology Examiners

Kent Webb – Board of Speech Pathology and Audiology Examiners

Suellen Overton – Commission of Veterans Affairs

Laurel Phipps – Commission of Veterans Affairs

David Rehbein – Commission of Veterans Affairs

Anne Duffy – Iowa Board of Veterinary Medicine

Leslie Hemmingson – Iowa Board of Veterinary Medicine

Andrew Anderson – Vision Iowa Board

Regenia Bailey – Vision Iowa Board

Lynn Kueck – Vision Iowa Board

Carolyn Rants – Vision Iowa Board

Cathy Reece – Vision Iowa Board

AMENDMENTS FILED

S-5142	S.F.	2219	House
S-5143	S.F.	2374	House

JOURNAL OF THE SENATE

EIGHTY-FIFTH CALENDAR DAY
FORTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 3, 2006

The Senate met in regular session at 1:07 p.m., President Kibbie presiding.

Prayer was offered by Pastor Jerry Rigdon of the Asbury United Methodist Church in Burlington, Iowa. He was the guest of Senator Courtney.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jon Kempf.

The Journal of Thursday, March 30, 2006, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 30, 2006, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2087, a bill for an act relating to an increase in per diem paid to trustees of sanitary districts.

Senate File 2275, a bill for an act relating to debt cancellation coverage offered by banks and credit unions.

Senate File 2299, a bill for an act relating to credit unions and other financial organizations by providing for public funds requirements, membership qualifications, and preservation of records.

Senate File 2304, a bill for an act relating to indigent defense claims and the reimbursement of costs in juvenile cases paid by a county.

Senate File 2327, a bill for an act relating to access to confidential information used to secure an arrest warrant.

Senate File 2344, a bill for an act requiring development of a uniform application form for small employer group health insurance coverage.

Senate File 2358, a bill for an act relating to the administrative duties of the state board of regents.

ALSO: That the House has on March 30, 2006, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 2290, a bill for an act relating to the payment of costs of reasonable attorney fees and other expenses related to certain paternity and adoption proceedings. (S-5144)

Senate File 2341, a bill for an act relating to county processing of orders for observation, evaluation, and treatment of public patients at the state psychiatric hospital at the state university of Iowa. (S-5145)

ALSO: That the House has on April 3, 2006, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 107, a concurrent resolution relating to the board of correction's evaluation of the Iowa state penitentiary in Fort Madison.

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

ALSO: That the House has on March 30, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2740, a bill for an act relating to the judicial branch and court administration and procedure and providing a penalty.

Read first time and attached to **similar Senate File 2286**.

House File 2764, a bill for an act authorizing a school district to share its portion of incremental property taxes with a contiguous school district.

Read first time and referred to committee on **Ways and Means**.

SPECIAL GUESTS

Senator Mulder introduced to the Senate chamber the Orange City Tulip Time Queen Cassie Huizenga and her court: Autumn Wielenga, Janna Bloemendaal, Emily Elsberry, and Sarah Muilenburg.

The Queen and her four attendants entertained the Senate with a song and a skit inviting visitors to Orange City for Tulip Time.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Iverson, the Senate recessed at 1:29 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 1:31 p.m., President Kibbie presiding.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:32 p.m. until 8:30 a.m., Tuesday, April 4, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Ryan Bankson, Dubuque—For achieving the rank of Eagle Scout, Boy Scout Troop 7. Senator Hancock. (4/3/06).

Benjamin J. Boxleiter, Dubuque—For achieving the rank of Eagle Scout, Boy Scout Troop 7. Senator Hancock. (4/3/06).

Mr. and Mrs. LaVerne and Phyllis Childers, Roland—For celebrating your 50th wedding anniversary. Senator Iverson (4/3/06).

Trish Higgins, Council Bluffs—For receiving the American Red Cross Instant Hero Award. Senator Gronstal (4/3/06).

Jacob J. Lentz, Aurora—For achieving the rank of Eagle Scout. Senator Schoenjahn (4/3/06).

Daniel D. McElroy, Winthrop—For achieving the rank of Eagle Scout. Senator Schoenjahn (4/3/06).

Eric McKain, Beverly Hills, California—For being a member of The Lion King company and as an honorary Iowan. Senator Beall (4/3/06).

Ed Nemecek, Council Bluffs—For receiving the American Red Cross Instant Hero Award. Senator Gronstal (4/3/06).

Mr. and Mrs. Delbert and Darlene Quam, Story City—For celebrating your 50th wedding anniversary. Senator Iverson (4/3/06).

Adam J. Riniker, Winthrop—For achieving the rank of Eagle Scout. Senator Schoenjahn (4/3/06).

Alex J. Riniker, Winthrop—For achieving the rank of Eagle Scout. Senator Schoenjahn (4/3/06).

Christopher L. Schultz, Dubuque—For achieving the rank of Eagle Scout, Boy Scout Troop 7. Senator Hancock. (4/3/06).

Debra Schwiesow, Council Bluffs—For receiving the American Red Cross Lifetime Hero Award. Senator Gronstal (4/3/06).

Julie Theulen, Council Bluffs—For receiving the American Red Cross Instant Hero Award. Senator Gronstal (4/3/06).

Daniel J. Wieland, Winthrop—For achieving the rank of Eagle Scout. Senator Schoenjahn (4/3/06).

Mr. and Mrs. Willard and Shirley Wierson, Roland—For celebrating your 50th wedding anniversary. Senator Iverson (4/3/06).

Wendy Zaloudek, Council Bluffs—For receiving the American Red Cross Instant Hero Award. Senator Gronstal (4/3/06).

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: April 3, 2006, 1:25 p.m.

Members Present: Iverson, Co-chair; Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, and Ragan.

Members Absent: Gronstal, Co-chair; and Lamberti (both excused).

Committee Business: Approved SRs 146, 148, and 149.

Adjourned: 1:30 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 150, by Beall, Warnstadt, Connolly, Ragan, Hatch, Danielson, Dotzler, Dvorsky, Horn, Wood, Seng, Kreiman, Dearden, Rielly, Hancock, Schoenjahn, Fraise, Courtney, Quirmbach, Kibbie, Bolkcom, Stewart, Johnson, Mulder, Behn, Zaun, Ward, and Putney, a resolution requesting that the United States Postal Service issue a commemorative stamp honoring Iowa composer Karl L. King.

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

Senate Resolution 151, by Ragan and Seymour, a resolution designating April 2006 as Kidney Cancer Awareness Month.

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

Senate Resolution 152, by Danielson, Dotzler, Brunkhorst, and Kibbie, a resolution honoring Robert Koob, President of the University of Northern Iowa.

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

STUDY BILLS RECEIVED

SSB 3264 Ways and Means

Relating to the provision of individual income tax relief, providing a standing contingent appropriation, and including retroactive applicability date provisions.

SSB 3265 Ways and Means

Updating the state's sales and use tax law pursuant to the streamlined sales and use tax agreement and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 150

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 151

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate Resolution 152

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

House Concurrent Resolution 107

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

SSB 3264

WAYS AND MEANS: Miller and Quirmbach, Co-chairs; Connolly and McKibben

SSB 3265

WAYS AND MEANS: Dotzler and Zieman, Co-chairs; Danielson and Hahn

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 146, a resolution honoring the city of Peterson, Iowa, on its sesquicentennial.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, and Ragan. Nays, none. Absent, 2: Gronstal and Lamberti.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 148, a resolution to welcome the 2006 Special Olympics USA National Games to Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, and Ragan. Nays, none. Absent, 2: Gronstal and Lamberti.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 149, a resolution to honor the Scott County Medical Society on its sesquicentennial anniversary.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, and Ragan. Nays, none. Absent, 2: Gronstal and Lamberti.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5144	S.F.	2290	House
S-5145	S.F.	2341	House
S-5146	S.F.	2396	Herman C. Quirmbach
S-5147	S.F.	2396	Herman C. Quirmbach
S-5148	S.F.	2396	Herman C. Quirmbach
S-5149	S.F.	2396	Herman C. Quirmbach
S-5150	S.F.	2396	Herman C. Quirmbach
S-5151	S.F.	2396	Herman C. Quirmbach
S-5152	S.F.	2396	Herman C. Quirmbach

S-5153

S.F. 2396

Herman C. Quirmbach

S-5154

H.F. 2362

William A. Dotzler, Jr.

James F. Hahn

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 4, 2006

The Senate met in regular session at 8:36 a.m., President Kibbie presiding.

Prayer was offered by Joel Love, pastor of the Union Congregational United Church of Christ in Reinbeck, Iowa. He was the guest of Senator Putney.

The Journal of Monday, April 3, 2006, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 2006, **adopted** the following resolution in which the concurrence of the House was asked:

Senate Joint Resolution 2001, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation.

ALSO: That the House has on April 3, 2006, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2249, a bill for an act relating to the rights and responsibilities of a person providing family foster care.

Senate File 2343, a bill for an act revising the membership requirements for the child advocacy board.

Senate File 2363, a bill for an act relating to water quality standards.

ALSO: That the House has on April 3, 2006, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 2076, a bill for an act relating to confinement feeding operations by providing for manure management plans. (S-5158)

ALSO: That the House has on April 3, 2006, **amended the Senate amendment, concurred in the Senate amendment as amended, and passed** the following bill in which the concurrence of the Senate is asked:

House File 540, a bill for an act relating to reports of traffic accidents involving certified law enforcement officers. (S-5159)

ALSO: That the House has on April 3, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2746, a bill for an act relating to state employee vehicle usage.

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

House File 2748, a bill for an act providing for the retention of fees by licensing boards, and the bureau of radiological health, under the purview of the Iowa department of public health, providing for the nontransferability of specified fees, and providing effective dates.

Read first time and referred to committee on **Ways and Means**.

House File 2772, a bill for an act creating a brain injury services program and providing for allocation of a previously enacted appropriation.

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

House File 2773, a bill for an act relating to real estate education programs and the real estate education fund, establishing an effective date, and making an appropriation.

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

House File 2774, a bill for an act relating to trust and agency funds by allowing city contributions for pension and related employee benefits pursuant to contracted public safety services.

Read first time and referred to committee on **Ways and Means**.

House File 2775, a bill for an act relating to the judicial branch including the assessment of court fees and costs.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Resolution 148.

Senate Resolution 148

On motion of Senator Quirmbach, **Senate Resolution 148**, a resolution to welcome the 2006 Special Olympics USA National Games to Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Quirmbach moved the adoption of Senate Resolution 148, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Quirmbach introduced to the Senate chamber Rich Fellingham, director of Special Olympics Iowa. Mr. Fellingham addressed the Senate with brief remarks about the upcoming national Special Olympics games to be held in July in Ames. Also present was Kyler Prunty, a Special Olympics athlete from Marshalltown who spoke about his recent trip to Washington, D.C., on behalf of Special Olympics. Kyler was accompanied by his mother Vickie Wieck.

The Senate rose and expressed its welcome.

SPECIAL GUEST

Senator Mulder welcomed to the Senate chamber the Honorable Ken Veenstra, former member of the Iowa Senate.

The Senate rose and expressed its welcome.

The Senate stood at ease at 8:55 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:18 a.m., President Kibbie presiding.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 2394.

Senate File 2394

On motion of Senator Connolly, **Senate File 2394**, a bill for an act relating to manufactured or mobile home regulation, and including fee, penalty, and effective date provisions, was taken up for consideration.

Senator Connolly offered amendment S-5130, filed by him on March 28, 2006, to page 4 of the bill, and moved its adoption.

Amendment S-5130 was adopted by a voice vote.

Senator Connolly offered amendment S-5157, filed by him from the floor to pages 8 and 11 of the bill, and moved its adoption.

Amendment S-5157 was adopted by a voice vote.

Senator Hatch asked and received unanimous consent that action on **Senate File 2394** be deferred.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 2392.

Senate File 2392

On motion of Senator Lundby, **Senate File 2392**, a bill for an act relating to the filing of reports with the ethics and campaign disclosure board, was taken up for consideration.

Senator Lundby 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. 2392), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 2391.

Senate File 2391

On motion of Senator Danielson, **Senate File 2391**, a bill for an act relating to the assessment for property taxation purposes of machinery, equipment, and fixtures used at concrete mixing facilities and hot mix asphalt facilities and including effective date and retroactive applicability date provisions, was taken up for consideration.

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. 2391), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

BUSINESS PENDING**Senate File 2394**

The Senate resumed consideration of **Senate File 2394**, a bill for an act relating to manufactured or mobile home regulation, and including fee, penalty, and effective date provisions, previously deferred.

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

On the question "Shall the bill pass?" (S.F. 2394), the vote was:

Yeas, 49:

Angelo	Fraise	Larson	Seymour
Beall	Gaskill	Lundby	Shull
Behn	Gronstal	McCoy	Stewart
Black	Hahn	McKibben	Tinsman
Boettger	Hancock	McKinley	Ward
Bolkcom	Horn	Miller	Warnstadt
Brunkhorst	Houser	Mulder	Wieck
Connolly	Iverson	Putney	Wood
Courtney	Johnson	Quirmbach	Zaun
Danielson	Kettering	Ragan	Zieman
Dearden	Kibbie	Rielly	
Dotzler	Kreiman	Schoenjahn	
Dvorsky	Lamberti	Seng	

Nays, 1:

Hatch

Absent, none.

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

UNFINISHED BUSINESS

Senate File 2386

On motion of Senator Seymour, **Senate File 2386**, a bill for an act to eliminate certain restrictions on the authority of a physician assistant to prescribe certain schedule II controlled substances, placed on the Unfinished Business Calendar on March 23, 2006, was taken up for consideration.

Senator Seymour offered amendment S-5092, filed by Senators Seymour and Ragan on March 20, 2006, to page 1 of the bill, and moved its adoption.

Amendment S-5092 was adopted by a voice vote.

Senator Seymour asked and received unanimous consent that **House File 2331** be substituted for **Senate File 2386**.

House File 2331

On motion of Senator Seymour, **House File 2331**, a bill for an act to eliminate certain restrictions on the authority of a physician assistant to prescribe certain schedule II controlled substances, was taken up for consideration.

Senator Seymour 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. 2331), the vote was:

Yeas, 43:

Angelo	Fraise	Kreiman	Schoenjahn
Beall	Gaskill	Larson	Seng
Behn	Gronstal	Lundby	Seymour
Boettger	Hahn	McCoy	Shull
Bolkcom	Hatch	McKibben	Stewart
Connolly	Horn	McKinley	Tinsman
Courtney	Houser	Miller	Ward
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood
Dotzler	Kettering	Ragan	Zieman
Dvorsky	Kibbie	Rielly	

Nays, 7:

Black	Hancock	Quirmbach	Zaun
Brunkhorst	Lamberti	Warnstadt	

Absent, none.

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

WITHDRAWN

Senator Seymour asked and received unanimous consent that **Senate File 2386** be withdrawn from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 2391, 2392, and 2394** and **House File 2331** be immediately messaged to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

UNFINISHED BUSINESS

House File 845

On motion of Senator Iverson, **House File 845**, a bill for an act relating to appointments by members of the general assembly to statutory boards, commissions, councils, and committees, abolishing certain related entities, and including effective date and applicability provisions, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Iverson offered amendment S-5019, filed by the committee on Rules and Administration on March 1, 2006, to pages 1, 3, 5-8, 11, and 13-16 of the bill, and moved its adoption.

Amendment S-5019 was adopted by a voice vote.

Senator Iverson 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. 845), the vote was:

Yeas, 49:

Angelo	Fraise	Larson	Seymour
Beall	Gaskill	Lundby	Shull
Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Tinsman
Boettger	Hatch	McKinley	Ward
Bolkcom	Horn	Miller	Warnstadt

Brunkhorst	Houser	Mulder	Wieck
Connolly	Iverson	Putney	Wood
Courtney	Johnson	Quirmbach	Zaun
Danielson	Kettering	Ragan	Zieman
Dearden	Kibbie	Rielly	
Dotzler	Kreiman	Schoenjahn	
Dvorsky	Lamberti	Seng	

Nays, none.

Absent, 1:

Gronstal

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

UNFINISHED BUSINESS

House File 2697

On motion of Senator Hancock, **House File 2697**, a bill for an act relating to the confinement of a prisoner in a municipal holding facility or county jail, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2697), the vote was:

Yeas, 48:

Angelo	Fraise	Lamberti	Schoenjahn
Beall	Gaskill	Larson	Seng
Behn	Hahn	Lundby	Seymour
Black	Hancock	McCoy	Shull
Boettger	Hatch	McKibben	Stewart
Bolkcom	Horn	McKinley	Tinsman
Brunkhorst	Houser	Miller	Ward
Connolly	Iverson	Mulder	Warnstadt
Courtney	Johnson	Putney	Wieck
Danielson	Kettering	Quirmbach	Wood
Dotzler	Kibbie	Ragan	Zaun
Dvorsky	Kreiman	Rielly	Zieman

Nays, 1:

Dearden

Absent, 1:

Gronstal

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 845 and 2697** be **immediately messaged** to the House.

RECESS

On motion of Senator Iverson, the Senate recessed at 11:01 a.m. until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:13 p.m., President Pro Tempore Dvorsky presiding.

UNFINISHED BUSINESS

House File 2245

On motion of President Kibbie, **House File 2245**, a bill for an act concerning the Iowa public employees' retirement system and the statewide fire and police retirement system, and providing an effective and retroactive applicability date, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Kibbie offered amendment S-5076, filed by him on March 15, 2006, to page 5 of the bill, and moved its adoption.

Amendment S-5076 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 2245), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

UNFINISHED BUSINESS

House File 2679

On motion of Senator Gaskill, **House File 2679**, a bill for an act relating to agricultural drainage wells by providing for the implementation of water quality practices as an alternative to constructing alternative drainage systems, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Gaskill 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. 2679), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

President Kibbie took the chair at 1:30 p.m.

UNFINISHED BUSINESS

House File 2672

On motion of Senator Johnson, **House File 2672**, a bill for an act relating to payment of attorney fees in termination of parental rights proceedings, providing an effective date, and providing for retroactive applicability, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Johnson 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. 2672), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

UNFINISHED BUSINESS

House File 2665

On motion of Senator Hancock, **House File 2665**, a bill for an act concerning the line of duty death benefit payable to public safety providers, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2665), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart

Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Zieman asked and received unanimous consent that **House Files 2245, 2665, 2672, and 2679** be **immediately messaged** to the House.

UNFINISHED BUSINESS

House File 2635

On motion of Senator Gaskill, **House File 2635**, a bill for an act relating to drainage and levee districts by providing for the publication of notice and the letting of bids, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Gaskill 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. 2635), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman

Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

UNFINISHED BUSINESS

House File 2632

On motion of Senator Zaun, **House File 2632**, a bill for an act relating to real estate, including real estate broker and salesperson licensing and real estate disclosures, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Zaun 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. 2632), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

UNFINISHED BUSINESS

House File 2624

On motion of Senator Boettger, **House File 2624**, a bill for an act extending the statute of limitations for the filing of an indictment or information in a felony or aggravated or serious misdemeanor proceeding involving DNA profiling, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Boettger 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. 2624), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

UNFINISHED BUSINESS

House File 2613

On motion of Senator Brunkhorst, **House File 2613**, a bill for an act concerning programs and reports related to economic development, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Brunkhorst 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. 2613), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Zieman asked and received unanimous consent that **House Files 2613, 2624, 2632, and 2635** be **immediately messaged** to the House.

UNFINISHED BUSINESS

House File 2652

On motion of Senator Tinsman, **House File 2652**, a bill for an act relating to civil and criminal procedure including the issuance of and violations of certain civil protective orders and criminal no-contact orders, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Tinsman 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. 2652), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

UNFINISHED BUSINESS

House File 2525

On motion of Senator Putney, **House File 2525**, a bill for an act relating to policies and duties of the state department of

transportation, including placement of official signs on primary highways, inspection of bridges, administrative duties, motor vehicle registration and titling, driver licensing, licensing and regulation of vehicle-related businesses, vehicle braking requirements, vehicle length restrictions, proof of financial responsibility requirements, and persons with disabilities parking permits, and including effective dates, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Boettger withdrew amendment S-5141, filed by her on March 29, 2006, to page 2 of the bill.

Senator Dearden offered amendment S-5109, filed by him on March 21, 2006, to page 25 and to the title page of the bill.

Senator Putney raised the point of order that amendment S-5109 was not germane to the bill.

The Chair ruled the point not well-taken and amendment S-5109 in order.

Senator Putney asked and received unanimous consent that action on amendment S-5109 and **House File 2525** be **deferred**.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House File 2652** 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 4, 2006, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2390, a bill for an act relating to the sales and use tax exemption for central office equipment and transmission equipment used in telecommunications operations.

ALSO: That the House has on April 4, 2006, **concurred in the Senate amendment and passed** the following bills in which the concurrence of the House was asked:

House File 729, a bill for an act relating to the Iowa public employees' retirement system and the judicial retirement system.

House File 2240, a bill for an act relating to county board of supervisor vacancies.

House File 2365, a bill for an act relating to committing disorderly conduct near a funeral, memorial service, funeral procession, or burial, providing penalties, and providing an effective date.

ALSO: That the House has on April 4, 2006, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 2318, a bill for an act relating to an exception from emergency medical care requirements for persons providing care within the scope of their certification. (S-5164)

ALSO: That the House has on April 4, 2006, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Joint Resolution 2006, a joint resolution nullifying administrative rules relating to the mandatory reporting of certain acts or omissions by persons licensed by the Iowa board of dental examiners and providing an effective date.

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

ALSO: That the House has on April 4, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2768, a bill for an act authorizing the state medical examiner to collect and retain fees for medical examiner facility expenses and services related to tissue recovery and making an appropriation.

Read first time and referred to committee on **Ways and Means**.

House File 2777, a bill for an act relating to certification to the county auditor of the amount of loans, advances, indebtedness, or bonds issued or incurred for urban renewal purposes.

Read first time and referred to committee on **Ways and Means**.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 2:22 p.m. until 8:30 a.m., Wednesday, April 5, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Jeff Charles Jennison, Jr., Burlington—For achieving the rank of Eagle Scout. Senator Courtney (4/4/06).

Mary Leaman, Waterloo—For celebrating your 90th birthday. Senator Dotzler (4/4/06).

Elmer Leistikow, Waterloo—For celebrating your 90th birthday. Senator Dotzler (4/4/06).

Mr. and Mrs. Leo and Gretchen Maertens, Council Bluffs—For celebrating your 60th wedding anniversary. Senator Gronstal (4/4/06).

Mr. and Mrs. Ralph and Arlene Morse, Council Bluffs—For celebrating your 60th wedding anniversary. Senator Gronstal (4/4/06).

Haley Perry, Farley—For receiving the 2006 First Flight Award. Senator Hancock (4/4/06).

Mr. and Mrs. Franklin and Velma Rayhill, Council Bluffs—For celebrating your 50th wedding anniversary. Senator Gronstal (4/4/06).

Ryan Lee Sheehan, Sioux City—For achieving the rank of Eagle Scout, Boy Scout Troop 208. Senator Warnstadt (4/4/06).

Mr. and Mrs. J.V. (Swede) and Nellie Swanson, Council Bluffs—For celebrating your 60th wedding anniversary. Senator Gronstal (4/4/06).

Kevin Lee Swanson, Sioux City—For achieving the rank of Eagle Scout, Boy Scout Troop 208. Senator Warnstadt (4/4/06).

Harriet Vande Hoef, Sibley—For celebrating your 80th birthday. Senator Johnson (4/4/06).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 4, 2006, 11:10 a.m.

Members Present: Angelo and Dvorsky, Co-chairs; Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt.

Members Absent: Miller (excused).

Committee Business: Passed HF 2734 (without recommendation) and approved LSB 5197.

Recessed: 11:15 a.m.

Reconvened: 11:30 a.m.

Adjourned: 11:40 a.m.

RULES AND ADMINISTRATION

Convened: April 4, 2006, 2:20 p.m.

Members Present: Gronstal and Iverson, Co-chairs; Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan.

Members Absent: None.

Committee Business: Approved SRs 143, 151, and 152. Approved Governor's appointments.

Adjourned: 2:25 p.m.

PRESENTATION OF VISITORS

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

A group of students from Humboldt and a group of students from West Bend. Senator Kibbie.

INTRODUCTION OF BILL

Senate File 2400, by committee on Appropriations, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, environment first

fund, tobacco settlement trust fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the endowment for Iowa's health account, and related matters.

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

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 2006

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

House File 2748

WAYS AND MEANS: Dotzler and Hahn, Co-chairs; Bolkcom and Miller

House File 2759

APPROPRIATIONS: Fraise and Johnson, Co-chairs; Dvorsky and Gaskill

House File 2764

WAYS AND MEANS: Connolly and McKinley, Co-chairs; Dotzler and Zaun

House File 2774

WAYS AND MEANS: Quirmbach and Wieck, Co-chairs; Danielson and Hahn

LSB 5197sa

APPROPRIATIONS: Kettering and Warnstadt, Co-chairs; Angelo and Dvorsky

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: SENATE FILE 2400 (LSB 5197), a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, environment first fund, tobacco settlement trust fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the endowment for Iowa's health account, and related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 22: Angelo, Dvorsky, Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt. Nays, none. Present, 1: Putney. Absent, 1: Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2734, a bill for an act relating to and making appropriations to the department of human services, the department of elder affairs, the Iowa department of public health, the department of veterans affairs and the Iowa veterans home, and the department of inspections and appeals, providing for fee increases, and including other related provisions and appropriations, and providing effective dates.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 23: Angelo, Dvorsky, Black, Boettger, Bolcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt. Nays, none. Absent, 1: Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 143, a resolution requesting the legislative council to establish an interim committee to conduct a study of issues related to home visiting for families with a newborn child.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 151, a resolution designating April 2006 as Kidney Cancer Awareness Month.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 152, a resolution honoring Robert Koob, President of the University of Northern Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 4th day of April, 2006:

Senate Files 2194, 2207, 2231, 2267, and 2289.

MICHAEL E. MARSHALL
Secretary of the Senate

APPOINTMENTS

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNOR

TERM

IOWA GREAT PLACES ADVISORY BOARD (Sec. 303.3c(2a))

Robin Anderson, Mason City	05/01/2005 – 04/30/2007
David Bernstein, Sioux City	05/01/2005 – 04/30/2008
Claire Celsi, Des Moines	05/01/2006 – 04/30/2009
Samantha Erickson, Pleasant Hill	05/01/2005 – 04/30/2007
Mark Ginsberg, Iowa City	05/01/2005 – 04/30/2007
Thomas Hanafan, Council Bluffs	05/01/2005 – 04/30/2008
Quentin Hart, Waterloo	05/01/2006 – 04/30/2009
Theresa Lynch, Marion	05/01/2005 – 04/30/2007
William Menner, Grinnell	05/01/2006 – 04/30/2009
Gil Spence, Dubuque	05/01/2005 – 04/30/2008
Amanda Styron, Iowa City	05/01/2005 – 04/30/2008
Rita Vargas, Davenport	05/01/2006 – 04/30/2009

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees were placed on the En Bloc Calendar by the committee on Rules and Administration with recommendation for confirmation:

Robin Anderson – Iowa Great Places Advisory Board
 David Bernstein – Iowa Great Places Advisory Board
 Claire Celsi – Iowa Great Places Advisory Board
 Samantha Erickson – Iowa Great Places Advisory Board
 Mark Ginsberg – Iowa Great Places Advisory Board
 Thomas Hanafan – Iowa Great Places Advisory Board
 Quentin Hart – Iowa Great Places Advisory Board
 Theresa Lynch – Iowa Great Places Advisory Board
 William Menner – Iowa Great Places Advisory Board
 Gil Spence – Iowa Great Places Advisory Board
 Amanda Styron – Iowa Great Places Advisory Board
 Rita Vargas – Iowa Great Places Advisory Board

AMENDMENTS FILED

S-5155	S.F.	2300	Gene Fraise
S-5156	H.F.	2742	Gene Fraise
S-5157	S.F.	2394	Michael Connolly
S-5158	S.F.	2076	House
S-5159	H.F.	540	House
S-5160	H.F.	2592	Nancy J. Boettger
S-5161	S.F.	2295	Nancy J. Boettger
S-5162	S.F.	2183	James A. Seymour
S-5163	S.F.	2351	Doug Shull
S-5164	S.F.	2318	House
S-5165	S.F.	2395	William A. Dotzler, Jr.
S-5166	H.F.	2351	Bob Brunkhorst
			Keith A. Kreiman
			David Miller
			Roger Stewart
			Herman C. Quirmbach

JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 5, 2006

The Senate met in regular session at 8:34 a.m., President Kibbie presiding.

Prayer was offered by Father Chris Fontanni of St. Francis of Assisi Catholic Church in West Des Moines, Iowa. He was the guest of Senator Zaun.

The Journal of Tuesday, April 4, 2006, was approved.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Resolution 145.

Senate Resolution 145

On motion of Senator Ward, **Senate Resolution 145**, a resolution honoring the Valley High School mock trial program and congratulating its mock trial team on winning the Iowa High School Mock Trial State Tournament, with report of committee recommending passage, was taken up for consideration.

Senator Ward moved the adoption of Senate Resolution 145, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Ward introduced to the Senate chamber the West Des Moines Valley High School Mock Trial Team, winners of the Mock

Trial State Tournament, and Maureen Tobin, one of the team coaches.

The Senate rose and expressed its welcome.

INTRODUCTION OF RESOLUTION

Senate Resolution 153, by Danielson, Dotzler, Brunkhorst, and Kibbie, a resolution honoring Robert Koob, President of the University of Northern Iowa.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 8:56 a.m. until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:40 p.m., Senator Warnstadt 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 5, 2006, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2362, a bill for an act relating to involuntary hospitalization proceedings for chronic substance abusers and persons with mental illness.

ALSO: That the House has on April 4, 2006, **amended the Senate amendment, concurred in the Senate amendment as amended, and passed** the following bill in which the concurrence of the Senate is asked:

House File 2282, a bill for an act relating to the election of mayor and city council members in a city governed by the council-manager-at-large form of city government. (S-5167)

ALSO: That the House has on April 4, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2782, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, environment first fund, tobacco settlement trust fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, the technology reinvestment fund, the endowment for Iowa's health account, and related matters and providing an immediate effective date.

Read first time and attached to **similar Senate File 2400**.

House File 2789, a bill for an act relating to assessing court costs, providing for indigent defense, and making appropriations to the judicial branch and department of inspections and appeals.

Read first time and referred to committee on **Ways and Means**.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 153, a resolution honoring Robert Koob, President of the University of Northern Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Resolution 153.

Senate Resolution 153

On motion of Senator Danielson, **Senate Resolution 153**, a resolution honoring Robert Koob, President of the University of

Northern Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Danielson moved the adoption of Senate Resolution 153, which motion prevailed by a voice vote.

SPECIAL GUEST

Senator Danielson introduced President Koob who addressed the Senate with brief remarks about higher education in Iowa.

The Senate rose and expressed its appreciation of his service.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

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

Nancy Bruner – Accountancy Examining Board
Richard Johnson – Accountancy Examining Board
Telford Lodden – Accountancy Examining Board

Michael Blackwell – Commission on the Status of African-Americans
John Campbell, Jr. – Commission on the Status of African-Americans
Charles Clayton – Commission on the Status of African-Americans
(appointment)

Charles Clayton – Commission on the Status of African-Americans
(reappointment)

Marlene Jessop – Commission on the Status of African-Americans
Redmond Jones II – Commission on the Status of African-Americans
Krystal Madlock – Commission on the Status of African-Americans

Frank Carroll – Agricultural Development Authority
Timothy Galm – Agricultural Development Authority
Fred Lundt – Agricultural Development Authority

Richard Hunsaker – Alcoholic Beverages Commission

Martha Green – Architectural Examining Board
Jeffrey Morgan – Architectural Examining Board

Terri Craft – Board of Athletic Training Examiners
Daniel McGuire – Board of Athletic Training Examiners

Barbara Martin – Board of Barber Examiners

John Freeland – Board of Behavioral Science Examiners
Barbara O'Rourke – Board of Behavioral Science Examiners
Timothy Ruppert – Board of Behavioral Science Examiners

Behnaz Soulati – Commission for the Blind

Philippe Gallant – Board of Interpreters for the Hearing Impaired Examiners

Diana Kautzky – Board of Interpreters for the Hearing Impaired Examiners

Cynthia Smith-Byer – Board of Interpreters for the Hearing Impaired Examiners

Lynne Rush – Boiler and Pressure Vessel Board

Gordon Neumann – Iowa Capital Investment Board
Daniel Rogers – Iowa Capital Investment Board

Brian Michaelson – Child Advocacy Board
Camella Richards – Child Advocacy Board
Heather Stephenson – Child Advocacy Board
Nancylee Ziese – Child advocacy Board

John Calisesi – Board of Chiropractic Examiners
Michael Powell – Board of Chiropractic Examiners
Diane Puthoff – Board of Chiropractic Examiners

Carol Besch – Commission on Community Action Agencies
Thomas Letsche – Commission on Community Action Agencies
Marc Lindeen – Commission on Community Action Agencies

Sheryl Griffith – Board of Corrections

Jerry Talbott – Board of Cosmetology Arts and Sciences Examiners

Michael Harvey – Credit Union Review Board
Roger Reiser – Credit Union Review Board
Kathleen Steffes – Credit Union Review Board

Elaine Armstrong – Criminal and Juvenile Justice Planning Advisory Council

Thomas Ferguson – Criminal and Juvenile Justice Planning Advisory Council

Paul Fitzgerald – Criminal and Juvenile Justice Planning Advisory Council

Daniel Hoeger – Criminal and Juvenile Justice Planning Advisory Council

David Moskowitz – Criminal and Juvenile Justice Planning Advisory Council

Susan Nelson – Criminal and Juvenile Justice Planning Advisory Council

Catherine Reaman-Gerdes – Criminal and Juvenile Justice Planning Advisory Council

Willard Boyd – Board of Trustees of the Iowa Cultural Trust
Ellen deLathouder – Board of Trustees of the Iowa Cultural Trust
Kim Poam Logan – Board of Trustees of the Iowa Cultural Trust

August Cordero – Commission on the Deaf

Elizabeth Brennan – Board of Dental Examiners
Eileen Cacioppo – Board of Dental Examiners
Gary Roth – Board of Dental Examiners

Michael Killmer – Board of Dietetic Examiners
Rachel Pederson – Board of Dietetic Examiners

Stewart Barnes – Iowa Drug Policy Advisory Council
Jeffrey Hughes – Iowa Drug Policy Advisory Council
Brian Vos – Iowa Drug Policy Advisory Council

Peggy Armstrong-Gustafson – Iowa Economic Development Board
Bonnie Barney – Iowa Economic Development Board
George (Curtis) Baugh – Iowa Economic Development Board
Linda Bloodsworth – Iowa Economic Development Board
Robert Bocken – Iowa Economic Development Board

Joni Carroll – Iowa Economic Development Board
Jerry Courtney – Iowa Economic Development Board
Arvind Dandekar – Iowa Economic Development Board
Nancy Dunkel – Iowa Economic Development Board
William Gerhard – Iowa Economic Development Board
Cynthia (Cindi) Keithley – Iowa Economic Development Board
Craig Lang – Iowa Economic Development Board
John Lisle – Iowa Economic Development Board
Marcia Rogers – Iowa Economic Development Board
Toby Shine – Iowa Economic Development Board

Anne Dout – State Board of Education
Charles Edwards Jr., State Board of Education
N. Brian Gentry – State Board of Education

Tammy Duehr – Board of Educational Examiners

Robert Olney – Elevator Safety Board

Julie Bell – Iowa Emergency Response Commission
David Coppess – Iowa Emergency Response Commission

Elizabeth Seiser – Employment Appeal Board

Michael Bergan – Iowa Empowerment Board
Rebecca Burgart – Iowa Empowerment Board
Mary Cameron – Iowa Empowerment Board
Christopher Carman – Iowa Empowerment Board
Judy McCoy Davis – Iowa Empowerment Board
John Dotson – Iowa Empowerment Board
Arnold Honkamp – Iowa Empowerment Board
Douglas Peters – Iowa Empowerment Board
Floyd Winter – Iowa Empowerment Board

Forrest Holly – Engineering and Land Surveying Examining Board

Christy VanBuskirk – Engineering and Land Surveying Examining Board

John Baker – Healthy and Well Kids in Iowa (HAWK-I) Board
Angelita Ramirez – Healthy and Well Kids in Iowa (HAWK-I) Board

Dennis Houlihan – Iowa Higher Education Authority Loan Council

Rita Arora – Commission on the Status of Iowans of Asian and Pacific Islander Heritage

Thomas Baccam – Commission on the Status of Iowans of Asian and Pacific Islander Heritage

Cyndi Chen – Commission on the Status of Iowans of Asian and Pacific Islander Heritage

Lin Ly – Commission on the Status of Iowans of Asian and Pacific Islander Heritage

Jason Alread – Interior Design Examining Board

Kathleen Flack – Interior Design Examining Board

David Kenworthy – Interior Design Examining Board

Frederic Malven – Interior Design Examining Board

Michele Rosenboom – Interior Design Examining Board

Kathy Stavneak – Interior Design Examining Board

Jennifer Voorhees – Interior Design Examining Board

Claire Celsi – Iowa Great Places Advisory Board

Theresa Lynch – Iowa Great Places Advisory Board

Dawn Ainger – IowAccess Advisory Council

Barbara Corson – IowAccess Advisory Council

Lawrence Lentz – IowAccess Advisory Council

Teresa Selberg – IowAccess Advisory Council

Tim Adams – Landscape Architectural Examining Board

David Biehl – Landscape Architectural Examining Board

Thomas Gustafson – Iowa Law Enforcement Academy Council

Brian Guy – Iowa Law Enforcement Academy Council

Mark Monson – Iowa Lewis and Clark Bicentennial Commission

Wynema Morris – Iowa Lewis and Clark Bicentennial Commission

Michele Walker – Iowa Lewis and Clark Bicentennial Commission

Mary Junge – Lottery Board

Michael Klappholz – Lottery Board

Larry Dallenbach – Board of Examiners for Massage Therapy

Carole Frier – Board of Medical Examiners
Siroos Shirazi – Board of Medical Examiners
Janece Valentine – Board of Medical Examiners

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

William Gorman – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission

Jane Halliburton – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission

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

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

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

Susan Koch-Seechase – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission

William Gorman – Mental Health Risk Pool Board
Ralph Kremer – Mental Health Risk Pool Board
Andrew Nielsen – Mental Health Risk Pool Board
Linda Young-Streit – Mental Health Risk Pool Board

Paul Johnson – Board of Mortuary Science Examiners
Ruth Ohde – Board of Mortuary Science Examiners

M. Ann Aulwes-Allison – Board of Nursing Examiners

Susan Frey – State Board of Examiners for Nursing Home Administrators

Daniel Larmore – State Board of Examiners for Nursing Home Administrators

Mary Ann Nielsen – State Board of Examiners for Nursing Home Administrators

Michael Svejda – State Board of Examiners for Nursing Home Administrators

Audrae Zoeckler – State Board of Examiners for Nursing Home Administrators

Barbara Washburn – Board of Optometry Examiners

Robert Weiland – Board of Optometry Examiners

Karen Muelhaupt – Board of Parole

Terrance Lillis – Peace Officer's Retirement, Accident, and Disability System Trustee

Susan Frey – Board of Pharmacy Examiners

Leman Olson – Board of Pharmacy Examiners

Helen McNurlen – Board of Physical and Occupational Therapy Examiners

John Olson – Board of Physician Assistant Examiners

Mara Swanson – Board of Physician Assistant Examiners

Patricia Weishaar – Board of Physician Assistant Examiners

Ethel Campbell – Board of Podiatry Examiners

Kelly Kadel – Board of Podiatry Examiners

Christopher Atchison – Prevention of Disabilities Policy Council

Laurie Fein – Prevention of Disabilities Policy Council

Diane Schroeder – Prevention of Disabilities Policy Council

Frank Strong – Prevention of Disabilities Policy Council

Richard Stradley – Chair of the Property Assessment Appeal Board

D. Kevin Burggraaf – Property Assessment Appeal Board

Jacqueline Rypma – Property Assessment Appeal Board

Richard Stradley – Property Assessment Appeal Board

Gerald Jorgensen – Board of Psychology Examiners

Philip Lonning – Board of Psychology Examiners

John Tedesco – Board of Psychology Examiners

James Riordan – Public Employment Relations Board

Diane Hamilton – State Racing and Gaming Commission

Toni Urban – State Racing and Gaming Commission

Harold (Harry) Bormann – Iowa Railway Finance Authority
Wanda Carlson – Iowa Railway Finance Authority

Debra Floyd – Real Estate Appraiser Examining Board
John Larson – Real Estate Appraiser Examining Board
Judith Zwanziger – Real Estate Appraiser Examining Board

Daniel Berry – Real Estate Commission
Laurie Dawley – Real Estate Commission
James Hughes – Real Estate Commission

Karen Andersen-Schank – Renewable Fuels and Coproducts Advisory Committee

William Furlong – Renewable Fuels and Coproducts Advisory Committee

John Ryan – Renewable Fuels and Coproducts Advisory Committee

Arlene Lee – State Board for Respiratory Care
Robert Zeman – State Board for Respiratory Care

Jane Babcock – School Budget Review Committee
Don Hansen – School Budget Review Committee

John Cullen – Small Business Advisory Council
James Davis – Small Business Advisory Council
Joan Severson – Small Business Advisory Council (appointment)
Joan Severson – Small Business Advisory Council (reappointment)

David Stout – Board of Social Work Examiners
Mary Tasler – Board of Social Work Examiners

Rebecca Vilda – Board of Speech Pathology and Audiology Examiners
Douglas Walter – Board of Speech Pathology and Audiology Examiners
Kent Webb – Board of Speech Pathology and Audiology Examiners

Michael Milligan – State Board of Tax Review

Randall Ramundt – Technology Governance Board

Betsy Brandsgard – Chairperson of the Iowa Telecommunications and Technology Commission

Betsy Brandsgard – Iowa Telecommunications and Technology Commission

Andrea Coziahr – Commission on Tobacco Use Prevention and Control

Catherine Lillehoj – Commission on Tobacco Use Prevention and Control

Bobby Russell – Commission on Tobacco Use Prevention and Control

Barry Cleaveland – State Transportation Commission

Donald Wiley – State Transportation Commission

Suellen Overton – Commission of Veterans Affairs

Laurel Phipps – Commission of Veterans Affairs

David Rehbein – Commission of Veterans Affairs

Anne Duffy – Iowa Board of Veterinary Medicine

Leslie Hemmingson – Iowa Board of Veterinary Medicine

Andrew Anderson – Vision Iowa Board

Regenia Bailey – Vision Iowa Board

Lynn Kueck – Vision Iowa Board

Carolyn Rants – Vision Iowa Board

Cathy Reece – Vision Iowa Board

Thomas Carnahan – Commission on the Status of Women

Carla Espinoza – Commission on the Status of Women

Sue Mullins – Commission on the Status of Women

Jill Olsen – Commission on the Status of Women

Matthew Wissing – Commission on the Status of Women

Jerome Amos, Jr. – Iowa Workforce Development Board

Kenneth Anderson – Iowa Workforce Development Board

David Owen – Iowa Workforce Development Board

Norma Schmoker – Iowa Workforce Development Board

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

Yeas, 50:

Angelo
Beall
Behn
Black

Fraise
Gaskill
Gronstal
Hahn

Lamberti
Larson
Lundby
McCoy

Seng
Seymour
Shull
Stewart

Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

HOUSE AMENDMENT CONSIDERED

Senate File 2219

Senator Tinsman called up for consideration **Senate File 2219**, a bill for an act relating to human trafficking and related offenses, including the provision of law enforcement training and victim assistance programs, and providing penalties, amended by the House in House amendment S-5142, filed March 30, 2006.

Senator Tinsman 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 Tinsman 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. 2219), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull

Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

UNFINISHED BUSINESS

House File 2590

On motion of Senator Wood, **House File 2590**, a bill for an act providing for the confidentiality of information concerning security procedures or emergency preparedness information developed and maintained by a government body, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Wood 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. 2590), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun

Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

UNFINISHED BUSINESS

House File 2571

On motion of Senator Schoenjahn, **House File 2571**, a bill for an act relating to the confidentiality and release of an intelligence assessment or intelligence data, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Schoenjahn 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. 2571), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 2219** and **House Files 2571** and **2590** be **immediately messaged** to the House.

Senator Beall took the chair at 2:25 p.m.

UNFINISHED BUSINESS

House File 2565

On motion of Senator Wood, **House File 2565**, a bill for an act requiring the department of human services to implement an electronic payment system for the state child care assistance program, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Wood 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. 2565), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

UNFINISHED BUSINESS

House File 2522

On motion of Senator Kreiman, **House File 2522**, a bill for an act relating to the assessment of a fee when filing a praecipe, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2522), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

UNFINISHED BUSINESS

House File 2506

On motion of Senator McKinley, **House File 2506**, a bill for an act relating to the issuance of identity theft passports by the attorney general, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator McKinley 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. 2506), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 2506, 2522, and 2565** be **immediately messaged** to the House.

Senator Stewart took the chair at 2:44 p.m.

UNFINISHED BUSINESS

House File 2492

On motion of Senator Tinsman, **House File 2492**, a bill for an act relating to the costs of services provided to persons with mental retardation whose service costs are a state responsibility, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Tinsman 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. 2492), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

UNFINISHED BUSINESS

House File 2463

On motion of Senator Kreiman, **House File 2463**, a bill for an act relating to adoption and termination of jurisdiction of a court involving prior child support and custody proceedings, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Kreiman 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. 2463), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

Senator McCoy took the chair at 2:54 p.m.

UNFINISHED BUSINESS

House File 2462

On motion of Senator Boettger, **House File 2462**, a bill for an act relating to the number of eligible electors' signatures necessary in a school district to propose at a regular election the question of providing free textbooks for the use of the school district's pupils, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Boettger 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. 2462), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Larson	Shull
Behn	Gronstal	Lundby	Stewart
Black	Hahn	McCoy	Tinsman
Boettger	Hancock	McKibben	Ward
Bolkcom	Hatch	McKinley	Warnstadt
Brunkhorst	Horn	Mulder	Wieck
Connolly	Houser	Putney	Wood
Courtney	Iverson	Quirmbach	Zaun
Danielson	Johnson	Ragan	Zieman
Dearden	Kettering	Rielly	
Dotzler	Kibbie	Schoenjahn	
Dvorsky	Kreiman	Seng	

Nays, 1:

Miller

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 Iverson asked and received unanimous consent that **House Files 2462, 2463, and 2492** be **immediately messaged** to the House.

UNFINISHED BUSINESS

House File 2398

On motion of Senator Boettger, **House File 2398**, a bill for an act relating to criminal penalties for a driver convicted of failure to stop and render aid at the scene of a motor vehicle accident, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Boettger 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. 2398), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

Senator Mulder took the chair at 2:09 p.m.

UNFINISHED BUSINESS

House File 2363

On motion of Senator Danielson, **House File 2363**, a bill for an act relating to the process utilized in assessing residents of health care facilities for veterans program benefits, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

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?" (H.F. 2363), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

SPECIAL GUEST

Senator Iverson introduced to the Senate chamber the Honorable H. Kay Hedge, former member of the Senate.

The Senate rose and expressed its welcome.

UNFINISHED BUSINESS

House File 2233

On motion of Senator Schoenjahn, **House File 2233**, a bill for an act relating to the time limit on executions of judgments and orders for wage garnishments, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Schoenjahn 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. 2233), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 2233, 2363, and 2398** be **immediately messaged** to the House.

UNFINISHED BUSINESS

House File 2562

On motion of Senator Boettger, **House File 2562**, a bill for an act to make electronic mail and telephone billing records of law enforcement agencies confidential if that information is part of an investigation, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Kreiman offered amendment S-5138, filed by Senator Kreiman, et. al., on March 29, 2006, to page 1 of the bill.

Senator Boettger offered amendment S-5171, filed by her from the floor to page 1 of amendment S-5138, and moved its adoption.

Amendment S-5171 was adopted by a voice vote.

Senator Kreiman moved the adoption of amendment S-5138, as amended, which motion prevailed by a voice vote.

Senator Boettger 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. 2562), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House File 2562** be **immediately messaged** to the House.

President Kibbie took the chair at 3:27 p.m.

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 135, 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, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 136, a resolution supporting a free trade agreement between the Republic of China on Taiwan and the United States.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 137, 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, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Resolutions 135, 136, and 137.

Senate Resolution 135

On motion of Senator Boettger, **Senate Resolution 135**, 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, with report of committee recommending passage, was taken up for consideration.

Senator Boettger moved the adoption of Senate Resolution 135, which motion prevailed by a voice vote.

Senate Resolution 136

On motion of Senator Iverson, **Senate Resolution 136**, a resolution supporting a free trade agreement between the Republic of China on Taiwan and the United States, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved the adoption of Senate Resolution 136, which motion prevailed by a voice vote.

Senate Resolution 137

On motion of Senator Beall, **Senate Resolution 137**, 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, with report of committee recommending passage, was taken up for consideration.

Senator Beall moved the adoption of Senate Resolution 137, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 3:30 p.m. until 8:30 a.m., Thursday, April 6, 2006.

APPENDIX

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 HUMAN SERVICES

Report on recommendations related to provision of case management services for frail elders, pursuant to 2005 Acts, House File 841. Report received on April 5, 2006.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: April 5, 2006, 9:00 a.m.

Members Present: Gronstal and Iverson, Co-chairs; Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan.

Members Absent: None.

Committee Business: Approved SRs 135, 136, 137, and 153.

Adjourned: 9:05 a.m.

PRESENTATION OF VISITORS

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

High school government students from Green Mountain-Garwin High School, accompanied by Mr. Reed and Mrs. Bacon. Senator Putney.

INTRODUCTION OF RESOLUTION

Senate Resolution 154, by Iverson and Gronstal, a resolution urging the Iowa department of education to integrate the principles of basic personal finance into the public school curricula in Iowa.

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

STUDY BILL RECEIVED

SSB 3266 Ways and Means

Authorizing multiclassification of property for purposes of property assessment and taxation.

SUBCOMMITTEE ASSIGNMENTS

House File 2746

GOVERNMENT OVERSIGHT: Connolly and Wieck, Co-chairs

House File 2755

WAYS AND MEANS: Bolkom and Zieman, Co-chairs; Dotzler and Hahn

House File 2768

WAYS AND MEANS: Danielson and Hahn, Co-chairs; McKinley and Stewart

House File 2772

APPROPRIATIONS: Lamberti and Ragan, Co-chairs; Hatch and Tinsman

House File 2773

APPROPRIATIONS: Boettger and Horn, Co-chairs; Angelo and Dvorsky

House File 2775

APPROPRIATIONS: Fraise and Miller, Co-chairs; Angelo and Dvorsky

House File 2777

WAYS AND MEANS: Miller and Quirmbach, Co-chairs; Dotzler and McKibben

SSB 3266

WAYS AND MEANS: Quirmbach and Zieman, Co-chairs; Bolckcom and Miller

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2253, the following corrections were made:

1. Page 19, line 17: too much space between “D.” and “Perkins”.
2. Page 35, line 12: to read as follows: — delete period at end.

MICHAEL E. MARSHALL
Secretary of the Senate

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 5th day of April, 2006:

Senate Files 2199, 2252, 2253, 2264, and 2305.

MICHAEL E. MARSHALL
Secretary of the Senate

REFERRAL TO INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the following names be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

James Halverson – City Development Board

Elizabeth Robinson – Chairperson of the Board of Parole

Elizabeth Robinson – Board of Parole

Kevin Techau – Commissioner of the Department of Public Safety

Mark Schuling – Director of the Department of Revenue

Nancy Richardson – Director of the Iowa Department of Transportation

STEWART E. IVERSON, JR.

AMENDMENTS FILED

S-5167	H.F.	2282	House
S-5168	H.F.	2351	Jeff Angelo
S-5169	H.F.	2663	David Johnson
			Dennis H. Black
			Mary Lundby
S-5170	S.F.	2183	Keith A. Kreiman
			Hubert Houser
			Paul McKinley
			James A. Seymour
S-5171	H.F.	2562	Nancy J. Boettger

JOURNAL OF THE SENATE

EIGHTY-EIGHTH CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 6, 2006

The Senate met in regular session at 8:33 a.m., President Kibbie presiding.

Prayer was offered by Dr. James Wallace of Central Presbyterian Church in Des Moines, Iowa. He was the guest of Senator Ward.

The Journal of Wednesday, April 5, 2006, was approved.

The Senate stood at ease at 9:45 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:56 a.m., President Kibbie presiding.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 10:57 a.m. until 1:00 p.m., Monday, April 10, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Forrest Bishop, Decorah—For achieving the rank of Eagle Scout, Boy Scout Troop 66. Senator Zieman (4/6/06).

Patrick Callahan, Colfax—For achieving the rank of Eagle Scout, Boy Scout Troop 345. Senator Black (4/6/06).

Community Day Care and Preschool Center of Fort Dodge—For celebrating your 35th anniversary. Senator Beall (4/6/06).

Travis Jensen, Colfax—For achieving the rank of Eagle Scout, Boy Scout Troop 345. Senator Black (4/6/06).

Taylor Johnson, Colfax—For achieving the rank of Eagle Scout, Boy Scout Troop 345. Senator Black (4/6/06).

Kahoku International Relations Association, Kahoku-cho, Yamagata Prefecture, Japan—For celebrating your 10th anniversary of building global friendship. International Relations Committee (4/6/06).

Matthew Overlin, Colfax—For achieving the rank of Eagle Scout, Boy Scout Troop 345. Senator Black (4/6/06).

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:

IOWA WORKFORCE DEVELOPMENT

Annual status report on the unemployment compensation trust fund, pursuant to Iowa Code section 96.35. Report received on April 6, 2006.

STUDY BILL RECEIVED

SSB 3267 Appropriations

Relating to county issuance of driver's licenses and nonoperator identification cards by providing for authorization of additional

counties and reimbursement of certain associated facility costs, and increasing the fees retained by county treasurers.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 154

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

House File 2789

WAYS AND MEANS: Danielson and McKibben, Co-chairs; Dotzler and Miller

SSB 3267

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs; Kettering and Warnstadt

AMENDMENT FILED

S-5172	H.F.	2743	Dave Mulder
			Robert E. Dvorsky

JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 10, 2006

The Senate met in regular session at 1:20 p.m., President Lamberti presiding.

Prayer was offered by Reverend Susan Guy of Walnut Hills United Methodist Church in Urbandale, Iowa. She was the guest of Senator Zaun.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Larry Yeager.

The Journal of Thursday, April 6, 2006, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 6, 2006, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2368, a bill for an act concerning alcoholic beverage control relating to manufacturers providing free cleaning services to retailers.

Senate File 2391, a bill for an act relating to the assessment for property taxation purposes of machinery, equipment, and fixtures used at concrete mixing facilities and hot mix asphalt facilities and including effective date and retroactive applicability date provisions.

Senate File 2394, a bill for an act relating to manufactured or mobile home regulation, and including fee, penalty, and effective date provisions.

ALSO: That the House has on April 6, 2006, **concurred in the Senate amendment and passed** the following bills in which the concurrence of the House was asked:

House File 722, a bill for an act providing for the establishment of an information program for drug prescribing and dispensing, providing penalties, and providing an effective date.

House File 2245, a bill for an act concerning the Iowa public employees' retirement system and the statewide fire and police retirement system, and providing an effective and retroactive applicability date.

ALSO: That the House has on April 6, 2006, **refused to concur in the Senate amendment** to the following bill in which the concurrence of the House was asked:

House File 2612, a bill for an act providing criminal penalties for the failure of a vessel operator to offer assistance and information at the scene of a collision, accident, or casualty.

ALSO: That the House has on April 6, 2006, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 2251, a bill for an act directing the department of education and the Iowa department of public health to convene a healthy children task force and providing an effective date. (S-5175)

Senate File 2322, a bill for an act relating to the investigation and control of communicable and infectious diseases and notification procedures concerning diseases, health conditions, unusual clusters, or suspicious events which may be the cause of a public health disaster. (S-5174)

ALSO: That the House has on April 6, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2751, a bill for an act relating to eligibility for the military service property tax credit and exemption and including effective and applicability date provisions.

Read first time and referred to committee on **Ways and Means**.

House File 2786, a bill for an act relating to civil actions and the foreclosure of real estate mortgages, and providing fees and applicability provisions.

Read first time and referred to committee on **Ways and Means**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:26 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 1:31 p.m., President Lamberti presiding.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolutions 125 and 149.

Senate Resolution 125

On motion of Senator Zaun, **Senate Resolution 125**, a resolution to congratulate the Urbandale Senior League All-Star Team for winning the 2005 Senior League Baseball World Series Championship, with report of committee recommending passage, was taken up for consideration.

Senator Zaun moved the adoption of Senate Resolution 125, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Zaun introduced to the Senate chamber the Urbandale Senior League All-Star Team and the team coaches and manager.

The Senate rose and expressed its welcome.

Senate Resolution 149

On motion of Senator Tinsman, **Senate Resolution 149**, a resolution to honor the Scott County Medical Society on its sesquicentennial anniversary, with report of committee recommending passage, was taken up for consideration.

Senator Tinsman moved the adoption of Senate Resolution 149, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Tinsman introduced representatives of the Scott County Medical Society who were present in the Senate chamber.

The Senate rose and expressed its welcome.

The Senate stood at ease at 1:42 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:38 p.m., President Lamberti presiding.

UNFINISHED BUSINESS

Senate File 2351

On motion of Senator Shull, **Senate File 2351**, a bill for an act relating to the powers and duties of the county treasurer and including effective and applicability date provisions, placed on the Unfinished Business Calendar on March 23, 2006, was taken up for consideration.

Senator Shull offered amendment S-5163, filed by him on April 4, 2006, to pages 2-8, 12, and 21-25 and to the title page of the bill, and moved its adoption.

Amendment S-5163 was adopted by a voice vote.

Senator Shull asked and received unanimous consent that **House File 2654** be substituted for **Senate File 2351**.

House File 2654

On motion of Senator Shull, **House File 2654**, a bill for an act relating to the powers and duties of the county treasurer and including effective and applicability date provisions, was taken up for consideration.

Senator Shull 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. 2654), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 Shull asked and received unanimous consent that **Senate File 2351** be **withdrawn** from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 2341

Senator Boettger called up for consideration **Senate File 2341**, a bill for an act relating to county processing of orders for observation, evaluation, and treatment of public patients at the state psychiatric hospital at the state university of Iowa, amended by the House in House amendment S-5145, filed April 3, 2006.

Senator Boettger 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 Boettger 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. 2341), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

UNFINISHED BUSINESS

Senate File 2321

On motion of Senator Lundby, **Senate File 2321**, a bill for an act relating to the confidentiality of certain information relating to homeless individuals and individuals receiving housing assistance, placed on the Unfinished Business Calendar on March 23, 2006, was taken up for consideration.

Senator Lundby 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. 2321), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

UNFINISHED BUSINESS

Senate File 2300

On motion of Senator Miller, **Senate File 2300**, a bill for an act relating to the probate and trust codes, placed on the Unfinished

Business Calendar on March 23, 2006, was taken up for consideration.

Senator Fraise withdrew amendment S-5049, filed by him on March 13, 2006, to pages 1 and 2 of the bill.

Senator Fraise offered amendment S-5155, filed by him on April 4, 2006, to pages 3, 4, 7, 8, and 11 and to the title page of the bill, and moved its adoption.

Amendment S-5155 was adopted by a voice vote.

With the adoption of amendment S-5155, the Chair ruled amendment S-5036, filed by Senator Fraise on March 8, 2006, to pages 4, 7, 8, and 11 and to the title page of the bill, out of order.

Senator Miller asked and received unanimous consent that **House File 2742** be substituted for **Senate File 2300**.

President Pro Tempore McKibben took the chair at 4:10 p.m.

House File 2742

On motion of Senator Miller, **House File 2742**, a bill for an act relating to the probate and trust codes, was taken up for consideration.

Senator Fraise offered amendment S-5156, filed by him on April 4, 2006, to pages 1-3 of the bill, and moved its adoption.

Amendment S-5156 was adopted by a voice vote.

Senator Miller 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. 2742), the vote was:

Yeas, 50:

Angelo
Beall
Behn

Fraise
Gaskill
Gronstal

Lamberti
Larson
Lundby

Seng
Seymour
Shull

Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 Miller asked and received unanimous consent that **Senate File 2300** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS

House File 590

On motion of Senator Dearden, **House File 590**, a bill for an act providing for special senior crossbow deer hunting licenses, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 590), the vote was:

Yeas, 47:

Angelo	Dvorsky	Lamberti	Schoenjahn
Beall	Fraise	Larson	Seng
Behn	Gaskill	Lundby	Shull
Black	Gronstal	McCoy	Stewart
Boettger	Hahn	McKibben	Tinsman
Bolkcom	Hancock	McKinley	Ward

Brunkhorst	Hatch	Miller	Warnstadt
Connolly	Horn	Mulder	Wieck
Courtney	Houser	Putney	Wood
Danielson	Iverson	Quirnbach	Zaun
Dearden	Kibbie	Ragan	Zieman
Dotzler	Kreiman	Rielly	

Nays, 3:

Johnson	Kettering	Seymour
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Absent, none.

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

HOUSE AMENDMENT CONSIDERED

Senate File 2374

Senator Schoenjahn called up for consideration **Senate File 2374**, a bill for an act containing various provisions relating to business entities, including corporations, limited liability companies, and nonprofit corporations, amended by the House in House amendment S-5143, filed March 30, 2006.

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

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

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

On the question "Shall the bill pass?" (S.F. 2374), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman

Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

UNFINISHED BUSINESS

Senate File 2361

On motion of Senator Behn, **Senate File 2361**, a bill for an act relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date, placed on the Unfinished Business Calendar on March 23, 2006, with report of committee without recommendation, was taken up for consideration.

Senator Behn offered amendment S-5131, filed by Senators Behn and Warnstadt on March 28, 2006, to pages 1-7 and 9-12 of the bill.

Senator Lundby asked and received unanimous consent that action on amendment S-5131 and **Senate File 2361** be **deferred**.

UNFINISHED BUSINESS

House File 2705

On motion of Senator Wieck, **House File 2705**, a bill for an act providing for changes relating to specified aspects of the operation of the department of administrative services, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee without recommendation, was taken up for consideration.

Senator Wieck 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. 2705), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

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:

Kristina Lusk – Board of Barber Examiners

James Kruzic – Boiler and Pressure Vessel Board

Joseph Rodenkirk – Boiler and Pressure Vessel Board

Peter Fromm – Elevator Safety Board

Leslie Whippen – Board of Examiners for the Licensing and Regulation of Hearing Aid Dispensers

David Bernstein – Iowa Great Places Advisory Board
 Mark Ginsberg – Iowa Great Places Advisory Board
 William Menner – Iowa Great Places Advisory Board

Miriam Ubben – Iowa Access Advisory Council

Greg Hayes – Renewable Fuels and Coproducts Advisory Committee

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

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

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2321, 2341, and 2374 and House Files 590, 2654, 2705, and 2742 be immediately messaged to the House.**

UNFINISHED BUSINESS

House File 2651

On motion of Senator Hancock, **House File 2651**, a bill for an act relating to a restitution order in a juvenile delinquency proceeding, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kreiman offered amendment S-5124, filed by the committee on Judiciary on March 23, 2006, to page 1 of the bill.

Senator Kreiman offered amendment S-5133, filed by him on March 28, 2006, to pages 2 and 3 and to the title provisions of amendment S-5124, and moved its adoption.

Amendment S-5133 was adopted by a voice vote.

Senator Kreiman moved the adoption of amendment S-5124, as amended, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 2651), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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 (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2356.

Senate File 2356

On motion of Senator Kreiman, **Senate File 2356**, a bill for an act relating to medical malpractice actions for personal injury or death, was taken up for consideration.

Senator Kreiman offered amendment S-5176, filed by him from the floor, striking and replacing everything after the enacting clause and to the title page of the bill, and moved its adoption.

Amendment S-5176 was adopted by a voice vote.

Senator Kreiman asked and received unanimous consent that **House File 2716** be substituted for **Senate File 2356**.

House File 2716

On motion of Senator Kreiman, **House File 2716**, a bill for an act relating to medical malpractice actions for personal injury or death, was taken up for consideration.

Senator Brunkhorst asked and received unanimous consent that action on **House File 2716** be deferred.

UNFINISHED BUSINESS

(Deferred April 4, 2006)

House File 2525

The Senate resumed consideration of **House File 2525**, a bill for an act relating to policies and duties of the state department of transportation, including placement of official signs on primary highways, inspection of bridges, administrative duties, motor vehicle registration and titling, driver licensing, licensing and regulation of vehicle-related businesses, vehicle braking requirements, vehicle length restrictions, proof of financial responsibility requirements, and persons with disabilities parking permits, and including effective dates, and amendment S-5109, deferred April 4, 2006.

Senator Dearden moved the adoption of amendment S-5109.

A record roll call was requested.

On the question "Shall amendment S-5109 be adopted?" (H.F. 2525), the vote was:

Yeas, 25:

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

Nays, 25:

Angelo	Iverson	McKinley	Ward
Behn	Johnson	Miller	Wieck
Boettger	Kettering	Mulder	Zaun
Brunkhorst	Lamberti	Putney	Zieman
Gaskill	Larson	Seymour	
Hahn	Lundby	Shull	
Houser	McKibben	Tinsman	

Absent, none.

Amendment S-5109 lost.

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

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

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

HOUSE AMENDMENT CONSIDERED

Senate File 2318

Senator Stewart called up for consideration **Senate File 2318**, a bill for an act relating to an exception from emergency medical care requirements for persons providing care within the scope of their certification, amended by the House in House amendment S-5164, filed April 4, 2006.

Senator Stewart 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 Stewart 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. 2318), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

UNFINISHED BUSINESS

House File 2567

On motion of Senator Kreiman, **House File 2567**, a bill for an act creating a multidimensional treatment level foster care program, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kreiman offered amendment S-5120, filed by the committee on Human Resources on March 22, 2006, to page 3 of the bill, and moved its adoption.

Amendment S-5120 was adopted by a voice vote.

Senator Kreiman 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. 2567), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2318** and **House Files 2525, 2567, and 2651** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 2076

Senator Mulder called up for consideration **Senate File 2076**, a bill for an act relating to confinement feeding operations by providing for manure management plans, amended by the House in House amendment S-5158, filed April 4, 2006.

Senator Mulder 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 Mulder 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. 2076), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2076** be **immediately messaged** to the House.

UNFINISHED BUSINESS

House File 2147

On motion of Senator Schoenjahn, **House File 2147**, a bill for an act relating to the temporary appointment of a conservator for a dependent adult in an emergency situation, placed on the Unfinished

Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Schoenjahn 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. 2147), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2147** be **immediately messaged** to the House.

UNFINISHED BUSINESS

Senate File 2383

On motion of Senator Johnson, **Senate File 2383**, a bill for an act providing for state petroleum replacement, by providing for renewable fuel including ethanol blended fuel and biodiesel blended fuel, providing incentives for infrastructure used to store and dispense renewable fuel, income tax credits, and an appropriation,

providing penalties, making penalties applicable, and providing an applicability date, placed on the Unfinished Business Calendar on March 23, 2006, was taken up for consideration.

(Senate File 2383 was deferred.)

The Senate stood at ease at 6:11 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 8:22 p.m., Senator Angelo 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 10, 2006, **amended the Senate amendment, concurred in the Senate amendment as amended, and passed** the following bill in which the concurrence of the Senate is asked:

House File 2508, a bill for an act relating to direct deposit of wages and creating an exception to the payday information employers are required to provide each employee under the Iowa wage payment collection law and providing for retroactive applicability. (S-5181)

ALSO: That the House has on April 10, 2006, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 112, a concurrent resolution designating May 2006 as Motorcycle Safety Awareness Month.

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

ALSO: That the House has on April 10, 2006, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2788, a bill for an act relating to the renewable energy tax credit program including providing for the extension of certain eligibility deadlines and operational requirements for eligible facilities.

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:25 p.m. until 8:30 a.m., Tuesday, April 11.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Mr. Gal Wagler, Burlington—For celebrating your 90th birthday. Senator Courtney (4/10/06).

REPORTS OF COMMITTEE MEETINGS

GOVERNMENT OVERSIGHT

Convened: April 4, 2006, 12:00 p.m.

Members Present: Courtney and Lundby, Co-chairs; Connolly and Wieck.

Members Absent: None.

Committee Business: Presentations by State Auditor David Vaudt and Iowa Workforce Development.

Recessed: April 4, 2006, 12:55 p.m.

Reconvened: April 5, 2006, 12:00 p.m.

Recessed: April 5, 2006, 1:05 p.m.

Reconvened: April 6, 2006, 12:00 p.m.

Adjourned: April 6, 2006, 2:00 p.m.

RULES AND ADMINISTRATION

Convened: April 10, 2006, 1:27 p.m.

Members Present: Gronstal and Iverson, Co-chairs; Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan.

Members Absent: None.

Committee Business: Passed SF 2401 and approved SRs 150, 154, and 155.

Adjourned: 1:30 p.m.

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:

IOWA TAXPAYERS ASSOCIATION

State of Iowa Industrial Processing Exemption Study Committee 2005 Annual Report. Report received on April 6, 2006.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 155, by Ragan, a resolution honoring Greg Brunner and Jeff Horner, two of the most celebrated basketball players in Iowa's history.

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

Senate Resolution 156, by Brunkhorst, a resolution honoring the Wartburg College wrestling team.

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

Senate Resolution 157, by Lamberti, a resolution recognizing the Make-A-Wish Foundation of Iowa.

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

INTRODUCTION OF BILL

Senate File 2401, by Gronstal and Iverson, a bill for an act relating to training services for certain job retention projects.

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

STUDY BILL RECEIVED**SSB 3268 Appropriations**

Relating to local governments by creating a local government innovation commission and fund, creating a center for governing excellence, allowing a vote of the people on dissolution of township governments in certain counties, allowing city contributions for pension and related employee benefits pursuant to contracted public safety services, and including an effective date.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 155**

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

Senate File 2401

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

SSB 3268

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs; Shull and Stewart

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

Bill Title: SENATE RESOLUTION 150, a resolution requesting that the United States Postal Service issue a commemorative stamp honoring Iowa composer Karl L. King.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 154, a resolution urging the Iowa department of education to integrate the principles of basic personal finance into the public school curricula in Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 155, a resolution honoring Greg Brunner and Jeff Horner, two of the most celebrated basketball players in Iowa's history.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2401, a bill for an act relating to training services for certain job retention projects.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2353, the following corrections were made:

1. Page 24, line 22: do not strike space between "PAYMENT" and "==".
2. Page 32, line 20: ~~3.~~ 5. a.

MICHAEL E. MARSHALL
Secretary of the Senate

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 10th day of April, 2006:

Senate Files 2087, 2275, 2299, 2304, 2338, and 2353.

MICHAEL E. MARSHALL
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 6, 2006, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 2194 – Relating to county, city, and school board publication of allowed claims.

Senate File 2207 – Relating to the publication of official notices in English language newspapers.

Senate File 2231 – Concerning accrued sick leave and the conversion of sick leave for state employees.

Senate File 2267 – Relating to safe motor vehicle operation, including penalties for certain motor vehicle violations causing death or serious injury and classroom instruction for driver education courses.

Senate File 2289 – Relating to identification of publicly owned motor vehicles used by persons who provide off-site or in-home medical or mental health services.

ALSO:

A communication was received announcing that on April 7, 2006, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 2199 – Concerning the purchase of service under the Iowa Department of Public Safety Peace Officers' Retirement, Accident, and Disability System.

Senate File 2252 – Relating to adoption petitions and proceedings including the information required to be included in an adoption petition.

Senate File 2253 – Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions.

Senate File 2264 – Relating to the duties of county recorders and county auditors concerning instruments affecting real estate and certain other filings recorded by the county recorder.

Senate File 2305 – Concerning wine, including the allowable alcohol content of wine and inspection of certain wine permittees.

AMENDMENTS FILED

S-5173	H.F.	2558	Jeff Danielson
S-5174	S.F.	2322	House
S-5175	S.F.	2251	House
S-5176	S.F.	2356	Keith A. Kreiman
S-5177	S.F.	2400	Roger Stewart
S-5178	S.F.	2399	Joe Bolkcom
S-5179	S.F.	2396	Herman C. Quirmbach
S-5180	S.F.	2383	David Johnson Tom Rielly
S-5181	H.F.	2508	House
S-5182	H.F.	2754	Tom Rielly David Johnson
S-5183	H.F.	2754	Tom Rielly David Johnson
S-5184	S.F.	2286	Pat Ward
S-5185	H.F.	2740	Pat Ward

JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 11, 2006

The Senate met in regular session at 8:34 a.m., President Pro Tempore McKibben presiding.

Prayer was offered by Larry McGuire, pastor of the Community of Christ Church in Cedar Rapids, Iowa. He was the guest of Senator Horn.

The Journal of Monday, April 10, 2006, was approved.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Connolly asked and received unanimous consent to take up for consideration Senate Resolutions 130 and 150.

Senate Resolution 130

On motion of Senator Quirmbach, **Senate Resolution 130**, a resolution honoring The Madrid Homes on its centennial year, with report of committee recommending passage, was taken up for consideration.

Senator Quirmbach moved the adoption of Senate Resolution 130, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Quirmbach introduced Keith Kudej, president and CEO of The Madrid Homes, and Lou Galetich, chairman of the Centennial Committee for The Madrid Homes.

The Senate rose and expressed its welcome.

Senate Resolution 150

On motion of Senator Beall, **Senate Resolution 150**, a resolution requesting that the United States Postal Service issue a commemorative stamp honoring Iowa composer Karl L. King, with report of committee recommending passage, was taken up for consideration.

Senator Beall moved the adoption of Senate Resolution 150, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Beall introduced to the Senate chamber members of the Karl L. King Municipal Band and Duane "Ole" Oleson, general manager and 51-year announcer for the band.

The Senate rose and expressed its welcome.

The Senate stood at ease at 8:52 a.m. until the fall of the gavel.

The Senate resumed session at 9:13 a.m., President Lamberti presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:15 a.m. until the fall of the gavel.

RECONVENED

The Senate reconvened at 11:08 a.m., President Lamberti presiding.

UNFINISHED BUSINESS
(Deferred April 10, 2006)**Senate File 2383**

The Senate resumed consideration of **Senate File 2383**, a bill for an act providing for state petroleum replacement, by providing for renewable fuel including ethanol blended fuel and biodiesel blended fuel, providing incentives for infrastructure used to store and dispense renewable fuel, income tax credits, and an appropriation, providing penalties, making penalties applicable, and providing an applicability date, deferred April 10, 2006.

Senator Johnson offered amendment S-5180, filed by Senators Johnson and Rielly on April 10, 2006, striking and replacing everything after the enacting clause and to the title page of the bill, and moved its adoption.

Amendment S-5180 was adopted by a voice vote.

Senator Johnson asked and received unanimous consent that **House File 2754** be substituted for **Senate File 2383**.

House File 2754

On motion of Senator Johnson, **House File 2754**, a bill for an act providing for state petroleum replacement, by providing for renewable fuel including ethanol blended fuel and biodiesel blended fuel, providing incentives for infrastructure used to store and dispense renewable fuel, income tax credits, and an appropriation, providing penalties, making penalties applicable, and providing an applicability date, was taken up for consideration.

Senator Rielly offered amendment S-5182, filed by Senators Rielly and Johnson on April 10, 2006, to pages 1, 3-7, 11-25, 28-32, 34, 37-41, 48, 50, and 52 of the bill.

Senator Rielly offered amendment S-5188, filed by Senators Rielly and Johnson from the floor to pages 3 and 5-7 of amendment S-5182, and moved its adoption.

Amendment S-5188 was adopted by a voice vote.

Senator Zieman offered amendment S-5186, filed by Senator Zieman, et al., from the floor to pages 9-12 of amendment S-5182, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5186 (to amendment S-5182) be adopted?" (H.F. 2754), the vote was:

Yeas, 16:

Angelo	Hahn	McKinley	Tinsman
Behn	Iverson	Miller	Ward
Brunkhorst	Kettering	Putney	Wieck
Gaskill	Lamberti	Seymour	Zieman

Nays, 34:

Beall	Dvorsky	Kreiman	Schoenjahn
Black	Fraise	Larson	Seng
Boettger	Gronstal	Lundby	Shull
Bolkcom	Hancock	McCoy	Stewart
Connolly	Hatch	McKibben	Warnstadt
Courtney	Horn	Mulder	Wood
Danielson	Houser	Quirmbach	Zaun
Dearden	Johnson	Ragan	
Dotzler	Kibbie	Rielly	

Absent, none.

Amendment S-5186 lost.

Senator Johnson offered amendment S-5183, filed by Senators Johnson and Rielly on April 10, 2006, to pages 10, 11, and 15 and to the title provisions of amendment S-5182, and moved its adoption.

Amendment S-5183 was adopted by a voice vote.

Senator Rielly moved the adoption of amendment S-5182, as amended, which motion prevailed by a voice vote.

Senator Johnson 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. 2754), the vote was:

Yeas, 49:

Angelo	Gaskill	Larson	Seymour
Beall	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	
Fraise	Lamberti	Seng	

Nays, 1:

Behn

Absent, none.

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

WITHDRAWN

Senator Johnson asked and received unanimous consent that **Senate Files 2380, 2383, and 2385** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2754** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 12:15 p.m. until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., President Lamberti presiding.

BILL REASSIGNED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **House File 2789** be reassigned from the committee on Ways and Means to the committee on **Appropriations**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 2:31 p.m. until 8:30 a.m., Wednesday, April 12, 2006.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Lamberti announced the assignment of the following bills to committee:

H.C.R. 112	Rules and Administration
H.F. 2788	Ways and Means

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: April 11, 2006, 9:50 a.m.

Members Present: Bolkcom and Ziemann, Co-chairs; Connolly, Danielson, Dotzler, Hahn, Larson, McCoy, McKibben, McKinley, Quirnbach, Seng, Stewart, Wieck, and Zaun.

Members Absent: Miller (excused).

Committee Business: Passed SFs 2256 and 2269 and HF 2461, 2748, 2768, and 2777.

Adjourned: 10:25 a.m.

PRESENTATION OF VISITORS

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

Ruthven-Ayrshire high school students. Senator Kibbie.

INTRODUCTION OF BILL

Senate File 2402, by committee on Ways and Means, a bill for an act relating to state tax benefits for use of soy-based transformer fluid by electric utilities and including applicability date provisions.

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

SUBCOMMITTEE ASSIGNMENTS

House File 2319

APPROPRIATIONS: Ragan and Tinsman, Co-chairs; Angelo and Dvorsky

House File 2751

WAYS AND MEANS: McKibben and Stewart, Co-chairs; Larson and Seng

House File 2786

WAYS AND MEANS: Dotzler and Miller, Co-chairs; McCoy and McKibben

House File 2788

WAYS AND MEANS: Bolkcom and Zieman, Co-chairs; Connolly and Miller

FINAL COMMITTEE REPORTS OF BILL ACTION

WAYS AND MEANS

Bill Title: *SENATE FILE 2402 (formerly SF 2256), a bill for an act relating to state tax benefits for use of soy-based transformer fluid by electric utilities and including applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bolkcom, Zieman, Connolly, Danielson, Dotzler, Hahn, Larson, McKibben, McKinley, Quirmbach, Seng, Stewart, Wieck, and Zaun. Nays, none. Absent, 2: McCoy and Miller.

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 2402, and they were attached to the committee report.

ALSO:

Bill Title: HOUSE FILE 2461, a bill for an act updating the Code references to the Internal Revenue Code and including retroactive applicability and effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Bolkcom, Zieman, Connolly, Danielson, Dotzler, Hahn, McKibben, McKinley, Quirmbach, Seng, Stewart, Wieck, and Zaun. Nays, none. Absent, 3: Larson, McCoy, and Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2748, a bill for an act providing for the retention of fees by licensing boards, and the bureau of radiological health, under the purview of the Iowa department of public health, providing for the nontransferability of specified fees, and providing effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Bolkom, Zieman, Connolly, Danielson, Dotzler, Hahn, Larson, McCoy, McKibben, McKinley, Quirnbach, Seng, Stewart, Wieck, and Zaun. Nays, none. Absent, 1: Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2768, a bill for an act authorizing the state medical examiner to collect and retain fees for medical examiner facility expenses and services related to tissue recovery and making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Bolkom, Zieman, Connolly, Danielson, Dotzler, Hahn, McCoy, McKibben, McKinley, Quirnbach, Seng, Stewart, Wieck, and Zaun. Nays, none. Absent, 2: Larson and Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2777, a bill for an act relating to certification to the county auditor of the amount of loans, advances, indebtedness, or bonds issued or incurred for urban renewal purposes.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Bolkom, Zieman, Connolly, Danielson, Dotzler, Hahn, McKibben, McKinley, Quirnbach, Seng, Stewart, Wieck, and Zaun. Nays, none. Absent, 3: Larson, McCoy, and Miller.

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 11th day of April, 2006:

Senate Files 2320, 2327, 2343, 2344, and 2358.

MICHAEL E. MARSHALL
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 11, 2006, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 2087 – Relating to an increase in per diem paid to trustees of sanitary districts.

Senate File 2275 – Relating to debt cancellation coverage offered by banks and credit unions.

Senate File 2299 – Relating to credit unions and other financial organizations by providing for public funds requirements, membership qualifications, and preservation of records.

Senate File 2304 – Relating to indigent defense claims and the reimbursement of costs in juvenile cases paid by a county.

Senate File 2338 – Modifying provisions relating to utilization of indirect cost reimbursements in appropriations to the office of grants enterprise management of the department of management, and making an appropriation.

Senate File 2353 – Relating to debt management, mortgage bankers and brokers, delayed deposit services, regulated loans, and industrial loans, and providing for fees and penalties.

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on April 11, 2006:

I submitted the name of Amanda Styron to serve on the Iowa Great Places Advisory Board on April 3, 2006. I am withdrawing her name from further consideration by the Senate.

Sincerely,
THOMAS J. VILSACK
Governor

APPOINTMENT

The following appointee was submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNOR

TERM

IOWA GREAT PLACES ADVISORY BOARD (Sec. 303.3c(2a))

Sara Greenwood, Ames

05/01/2006 – 04/30/2008

AMENDMENTS FILED

S-5186	H.F.	2754	Mark Zieman Steve Kettering E. Thurman Gaskill Jerry Behn
S-5187	S.F.	2361	Jeff Danielson
S-5188	H.F.	2754	Tom Rielly David Johnson
S-5189	H.F.	2351	Bob Brunkhorst Keith A. Kreiman
S-5190	H.F.	2521	Daryl Beall