

State of Iowa

**JOURNAL
OF THE SENATE**

**EIGHTY-SECOND
GENERAL ASSEMBLY**

2007 REGULAR SESSION

Volume I

**JOHN P. KIBBIE, President of the Senate
MICHAEL E. MARSHALL, Secretary of the Senate**

Published by the
STATE OF IOWA
Des Moines

TABLE OF CONTENTS

VOLUME I

OFFICERS OF THE SENATE	v
ELECTED STATE OFFICIALS, SUPREME COURT JUSTICES, AND COURT OF APPEALS JUDGES	ix
MEMBERS OF THE SENATE	x
SENATE DAILY JOURNALS	
January 8 – April 12	1

VOLUME II

SENATE DAILY JOURNALS (continued)	
April 16 – April 29	1214
SENATE REPORTS RECEIVED AFTER ADJOURNMENT	1572
AMENDMENTS FILED	1587
CONFERENCE COMMITTEE REPORTS	2281
RESOLUTIONS ADOPTED	2289
MEMORIALS	2421
JOURNAL INDEX	2429

EIGHTY-SECOND GENERAL ASSEMBLY
2007 Regular Session

OFFICERS OF THE SENATE

JOHN P. “JACK” KIBBIE, <i>President of the Senate</i>	Emmetsburg
JEFF DANIELSON, <i>President Pro Tempore</i>	Cedar Falls
MICHAEL E. GRONSTAL, <i>Majority Leader</i>	Council Bluffs
JOE BOLKCOM, <i>Assistant Majority Leader</i>	Iowa City
MICHAEL CONNOLLY, <i>Assistant Majority Leader</i>	Dubuque
THOMAS G. COURTNEY, <i>Majority Whip</i>	Burlington
WILLIAM A. DOTZLER, JR., <i>Assistant Majority Leader</i>	Waterloo
JACK HATCH, <i>Assistant Majority Leader</i>	Des Moines
AMANDA RAGAN, <i>Assistant Majority Leader</i>	Mason City
MARY A. LUNDBY, <i>Minority Leader</i>	Marion
JEFF ANGELO, <i>Assistant Minority Leader</i>	Creston
DAVID JOHNSON, <i>Assistant Minority Leader</i>	Ocheyedan
LARRY McKIBBEN, <i>Assistant Minority Leader</i>	Marshalltown
JOHN PUTNEY, <i>Minority Whip</i>	Gladbrook
RON WIECK, <i>Assistant Minority Leader</i>	Sioux City
MICHAEL E. MARSHALL, <i>Secretary of the Senate</i>	West Des Moines
TOM ASHWORTH, <i>Minority Caucus Research Analyst</i>	West Des Moines
ERIC BAKKER, <i>Senior Administrative Asst. to Majority Leader</i>	Des Moines
KRIS BELL, <i>Majority Caucus Research Analyst</i>	West Des Moines
K’ANN BRANDT, <i>Confidential Secretary to Secretary of the Senate</i>	Ankeny
LOIS J. BROWNELL, <i>Senior Finance Officer</i>	Ankeny
JERRY CARLSON, <i>Doorkeeper</i>	Des Moines

OFFICERS OF THE SENATE

LEILA CARLSON, <i>Postmistress</i>	Des Moines
SARAH CLARK, <i>Journal Editor</i>	Grimes
CYNTHIA A. CLINGAN, <i>Senior Asst. Secretary of the Senate</i>	West Des Moines
STEPHEN CONWAY, <i>Senior Administrative Asst. to President</i>	West Des Moines
JEAN COOPER, <i>Legislative Secretary</i>	West Des Moines
PETER COWNIE, <i>Minority Caucus Research Analyst</i>	Des Moines
ANGELA COX, <i>Assistant Journal Editor</i>	Des Moines
KATHLEEN CUROE, <i>Indexer/Records and Supply</i>	Des Moines
JUDY DIERENFELD, <i>Confidential Secretary to Minority Leader</i>	Clive
JAMES DOUGLAS, <i>Doorkeeper</i>	Huxley
PAMELA DUGDALE, <i>Minority Caucus Sr. Research Analyst</i>	West Des Moines
CATHERINE ENGEL, <i>Majority Caucus Research Analyst</i>	West Des Moines
JIM FRIEDRICH, <i>Minority Caucus Research Analyst</i>	Ankeny
BRIDGET GODES, <i>Majority Caucus Research Analyst</i>	Des Moines
JANET HAWKINS, <i>Senior Journal Editor</i>	Bondurant
SUE ELLEN HUDSON, <i>Switchboard Operator</i>	Carlisle
CAROLANN JENSEN, <i>Minority Caucus Senior Research Analyst</i>	Osceola
DEBBIE KATTENHORN, <i>Administrative Asst. to Majority Leader</i>	Norwalk
THERESA L. KEHOE, <i>Majority Caucus Senior Research Analyst</i>	Des Moines
KAY KIBBIE, <i>Confidential Secretary to President</i>	Emmetsburg
SARAH KOBLISKA, <i>Minority Caucus Research Analyst</i>	Pleasantville
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

MAUREEN LEE, <i>Administrative Secretary to Secretary of the Senate</i>	Des Moines
ANGIE LEWIS, <i>Minority Caucus Research Analyst</i>	West Des Moines
FRANK LOEFFEL, <i>Doorkeeper</i>	Des Moines
RUSTY MARTIN, <i>Majority Caucus Communications Director</i>	Perry
PETER MATTHES, <i>Minority Caucus Staff Director</i>	Ankeny
JACE MIKELS, <i>Majority Caucus Research Analyst</i>	Des Moines
SUE MONAHAN, <i>Majority Caucus Research Analyst</i>	Des Moines
JAY MOSHER, <i>Bill Clerk</i>	Milo
KATIE NOSEKABEL, <i>Majority Caucus Research Analyst</i>	Huxley
KATHY OLAH, <i>Senior Indexer</i>	West Des Moines
BRENT OLESON, <i>Senior Administrative Asst. to Minority Leader</i>	Burlington
RON PARKER, <i>Majority Caucus Senior Staff Director</i>	Des Moines
MELISSA PETERSON, <i>Confidential Secretary to Majority Leader</i>	Des Moines
BETTY SHEA, <i>Assistant to Legal Counsel</i>	Altoona
TOM SHELDAHL, <i>Assistant Sergeant-at-Arms</i>	West Des Moines
ERICA SHORKEY, <i>Majority Caucus Deputy Communications Director</i>	Des Moines
JULIE T. SIMON, <i>Majority Caucus Research Analyst</i>	Des Moines
KIMBERLY STEENHOEK, <i>Minority Caucus Communications Director</i>	Des Moines
KERMIT A. TANNATT, <i>Doorkeeper</i>	Pleasant Hill
RUSS TRIMBLE, <i>Minority Caucus Research Analyst</i>	West Des Moines
BOB WHITE, <i>Doorkeeper</i>	West Des Moines
KERRY WRIGHT, <i>Majority Caucus Research Analyst</i>	Waukee

JOINT EMPLOYEES OF THE SENATE AND HOUSE

MARK L. WILLEMSEN, *Facilities Manager* Johnston

MARK S. LUNDBERG, *Conservation/Restoration Specialist*..... Des Moines

SHAWNA S. FERGUSON, *Security Officer*..... Norwalk

BOB CORNWELL, *Security Officer*..... Des Moines

MARSHALL T. IRWIN, *Security Officer*..... Des Moines

CARL E. LAMI, *Security Officer*..... Grimes

MAHLON Y. LAMP, *Security Officer* Atlantic

ROY E. PARADISE, *Security Officer*..... Des Moines

ROBERT J. PORTER, *Security Officer* Osceola

JUDITH A. SALIER, *Security Officer* Monroe

CURTIS SCOTT, *Security Officer*..... Waukee

GORDON SKEFFINGTON, *Security Officer*..... Waukee

LEO R. SKEFFINGTON, *Security Officer* Adel

KENT STEVENS, *Security Officer* Granger

ELECTED STATE OFFICIALS

Official Address: Des Moines, Iowa

CHET CULVER, <i>Governor</i>	West Des Moines
PATTY JUDGE, <i>Lieutenant Governor</i>	Albia
MICHAEL A. MAURO, <i>Secretary of State</i>	Des Moines
DAVID A. VAUDT, <i>Auditor of State</i>	West Des Moines
MICHAEL L. FITZGERALD, <i>Treasurer of State</i>	Urbandale
BILL NORTHEY, <i>Secretary of Agriculture</i>	Spirit Lake
TOM MILLER, <i>Attorney General</i>	Des Moines

JUSTICES OF THE IOWA SUPREME COURT

MARSHA K. TERNUS, <i>Chief Justice</i>	Grimes
BRENT APPEL, <i>Justice</i>	Ackworth
MARK S. CADY, <i>Justice</i>	Fort Dodge
DARYL L. HECT, <i>Justice</i>	Sioux City
JERRY L. LARSON, <i>Justice</i>	Harlan
MICHAEL J. STREIT, <i>Justice</i>	Johnston
DAVID WIGGINS, <i>Justice</i>	West Des Moines

JUDGES OF THE IOWA COURT OF APPEALS

ROSEMARY SHAW SACKETT, <i>Chief Judge</i>	Okoboji
DAVID BAKER, <i>Judge</i>	Cedar Rapids
LARRY J. EISENHAUER, <i>Judge</i>	Ankeny
TERRY L. HUITINK, <i>Judge</i>	Ireton
ROBERT E. MAHAN, <i>Judge</i>	Ames
JOHN C. MILLER, <i>Judge</i>	Burlington
ANURADHA VAITHESWARAN, <i>Judge</i>	Des Moines
GAYLE NELSON VOGEL, <i>Judge</i>	Spirit Lake
VAN D. ZIMMER, <i>Judge</i>	Vinton

MEMBERS OF THE SENATE

EIGHTY-SECOND GENERAL ASSEMBLY 2007 Regular Session

(Underlined county indicates the county of residence.)

JEFF ANGELO

Address Creston
Age 42
Occupation Media Consultant
Political Party Republican
Previous Legislative Service Senate: 1997–2006
Senatorial District 48–Adams, Clarke, Decatur, Montgomery,
Ringgold, Taylor, Union

STACI APPEL

Address Ackworth
Age 40
Occupation Legislator
Political Party Democratic
Previous Legislative Service None
Senatorial District 37–Dallas, Madison, Warren

DARYL BEALL

Address Fort Dodge
Age 60
Occupation Journalist
Political Party Democratic
Previous Legislative Service Senate: 2003–2006
Senatorial District 25–Calhoun, Greene, Webster

JERRY BEHN

Address Boone
Age 52
Occupation Farmer/Agribusiness
Political Party Republican
Previous Legislative Service Senate: 1997–2006
Senatorial District 24–Boone, Dallas

DENNIS H. BLACK

Address Grinnell
Age 67
Occupation Retired–Conservationist
Political Party Democratic
Previous Legislative Service House: 1983–1994; Senate: 1995–2006
Senatorial District 21–Jasper, Polk

NANCY J. BOETTGER

Address Harlan
 Age 63
 Occupation Farmer/Former Educator
 Political Party Republican
 Previous Legislative Service Senate: 1995–2006
 Senatorial District 29–Adair, Audubon, Cass, Guthrie,
 Pottawattamie, Shelby

JOE BOLKCOM

Address Iowa City
 Age 50
 Political Party Democratic
 Previous Legislative Service Senate: 1999–2006
 Senatorial District 39–Johnson

MICHAEL CONNOLLY

Address Dubuque
 Age 61
 Occupation Legislator
 Political Party Democratic
 Previous Legislative Service House: 1979–1989; Senate: 1990*–2006
 Senatorial District 14–Dubuque
 *Elected in special election held on September 26, 1989.

THOMAS G. COURTNEY

Address Burlington
 Age 59
 Occupation Retired
 Political Party Democratic
 Previous Legislative Service Senate: 2003–2006
 Senatorial District 44–Des Moines, Louisa, Muscatine

JEFF DANIELSON

Address Cedar Falls
 Age 36
 Occupation Professional Firefighter
 Political Party Democratic
 Previous Legislative Service Senate: 2005–2006
 Senatorial District 10–Black Hawk

DICK L. DEARDEN

Address Des Moines
 Age 68
 Occupation Retired, Job Developer—5th Judicial District
 Political Party Democratic
 Previous Legislative Service Senate: 1995–2006
 Senatorial District 34—Polk

WILLIAM A. DOTZLER, JR.

Address Waterloo
 Age 57
 Occupation Retired—John Deere
 Political Party Democratic
 Previous Legislative Service House: 1997–2002; Senate: 2003–2006
 Senatorial District 11—Black Hawk

ROBERT E. DVORSKY

Address Coralville
 Age 58
 Occupation Job Developer, 6th Jud. District—Dept. of Correctional Services
 Political Party Democratic
 Previous Legislative Service House: 1987–1993; Senate: 1994*–2006
 Senatorial District 15—Johnson, Linn
 *Elected in special election held on February 22, 1994.

GENE FRAISE

Address Fort Madison
 Age 74
 Occupation Farmer
 Political Party Democratic
 Previous Legislative Service Senate: 1986*–2006
 Senatorial District 46—Henry, Lee
 *Elected in special election held on January 7, 1986.

E. THURMAN GASKILL

Address Corwith
 Age 71
 Occupation Farmer
 Political Party Republican
 Previous Legislative Service Senate: 1998*–2006
 Senatorial District 6—Cerro Gordo, Franklin, Hancock, Winnebago, Worth
 *Elected in special election held on February 3, 1998.

MICHAEL E. GRONSTAL

Address Council Bluffs
 Age 56
 Political Party Democratic
 Previous Legislative Service House: 1983–1984; Senate: 1985–2006
 Senatorial District 50–Pottawattamie

JAMES F. HAHN

Address Muscatine
 Age 71
 Occupation Property Management
 Political Party Republican
 Previous Legislative Service House: 1991–2004; Senate: 2005–2006
 Senatorial District 40–Cedar, Johnson, Muscatine

TOM HANCOCK

Address Epworth
 Age 58
 Occupation Retired–United States Postal Service
 Political Party Democratic
 Previous Legislative Service Senate: 2005–2006
 Senatorial District 16–Delaware, Dubuque, Jones

DAVID HARTSUCH

Address Bettendorf
 Age 45
 Occupation Physician
 Political Party Republican
 Previous Legislative Service None
 Senatorial District 41–Scott

JACK HATCH

Address Des Moines
 Age 56
 Occupation Real Estate Developer
 Political Party Democratic
 Previous Legislative Service House: 1985–1992, 2001–2002; Senate: 2003–2006
 Senatorial District 33–Polk

WILLIAM M. HECKROTH

Address Waverly
 Age 57
 Occupation Financial Advisor
 Political Party Democratic
 Previous Legislative Service None
 Senatorial District 9—Black Hawk, Bremer, Butler, Fayette

ROBERT M. HOGG

Address Cedar Rapids
 Age 39
 Occupation Attorney
 Political Party Democratic
 Previous Legislative Service House: 2003–2006
 Senatorial District 19—Linn

WALLY E. HORN

Address Cedar Rapids
 Age 73
 Occupation Legislator
 Political Party Democratic
 Previous Legislative Service House: 1973–1982; Senate: 1983–2006
 Senatorial District 17—Linn

HUBERT HOUSER

Address Carson
 Age 64
 Occupation Farmer
 Political Party Republican
 Previous Legislative Service House: 1993–2001; Senate: 2002*–2006
 Senatorial District 49—Fremont, Mills, Page, Pottawattamie

*Elected in special election held on June 12, 2001.

DAVID JOHNSON

Address Ocheyedan
 Age 55
 Occupation Dairy Farming
 Political Party Republican
 Previous Legislative Service House: 1999–2002; Senate: 2003–2006
 Senatorial District 3—Clay, Dickinson, O'Brien, Osceola, Sioux

STEVE KETTERING

Address Lake View
 Age 62
 Occupation Community Banker
 Political Party Republican
 Previous Legislative Service House: 1999–2002; Senate: 2003–2006
 Senatorial District 26—Buena Vista, Carroll, Crawford, Sac

JOHN P. “JACK” KIBBIE

Address Emmetsburg
 Age 77
 Occupation Farmer
 Political Party Democratic
 Previous Legislative Service House: 1961–1964; Senate: 1965–1968, 1989–2006
 Senatorial District 4—Emmet, Humboldt, Kossuth,
Palo Alto, Pocahontas, Webster

KEITH A. KREIMAN

Address Bloomfield
 Age 51
 Occupation Attorney
 Political Party Democratic
 Previous Legislative Service House: 1993–2002; Senate: 2003–2006
 Senatorial District 47—Appanoose, Davis, Wapello, Wayne

MARY A. LUNDBY

Address Marion
 Age 58
 Occupation Legislator
 Political Party Republican
 Previous Legislative Service House: 1987–1994; Senate: 1995–2006
 Senatorial District 18—Linn

MATT McCOY

Address Des Moines
 Age 40
 Occupation V.P. Comm. Dev.—Downtown Community Alliance
 Political Party Democratic
 Previous Legislative Service House: 1993–1996; Senate: 1997–2006
 Senatorial District 31—Polk

LARRY McKIBBEN

Address Marshalltown
 Age 60
 Occupation Lawyer
 Political Party Republican
 Previous Legislative Service Senate: 1997–2006
 Senatorial District 22–Hardin, Marshall

PAUL McKINLEY

Address Chariton
 Age 59
 Occupation Businessman
 Political Party Republican
 Previous Legislative Service Senate: 2001–2006
 Senatorial District 36–Jasper, Lucas, Mahaska, Marion, Monroe

DAVE MULDER

Address Sioux Center
 Age 67
 Occupation Retired College Professor
 Political Party Republican
 Previous Legislative Service Senate: 2005–2006
 Senatorial District 2–Lyon, Plymouth, Sioux

LARRY L. NOBLE

Address Ankeny
 Age 56
 Occupation Retired State Trooper
 Political Party Republican
 Previous Legislative Service None
 Senatorial District 35–Polk

RICH OLIVE

Address Story City
 Age 57
 Occupation Insurance Agent/Real Estate Broker
 Political Party Democratic
 Previous Legislative Service None
 Senatorial District 5–Hamilton, Story, Webster, Wright

BRIAN SCHOENJAHN

Address Arlington
 Age 57
 Occupation Legislator/Custom Wood Business
 Political Party Democratic
 Previous Legislative Service Senate: 2005–2006
 Senatorial District 12–Black Hawk, Buchanan, Clayton, Delaware, Fayette

JOE M. SENG

Address Davenport
 Age 59
 Occupation Veterinarian
 Political Party Democratic
 Previous Legislative Service House: 2001–2002; Senate: 2003–2006
 Senatorial District 43–Scott

JAMES A. SEYMOUR

Address Woodbine
 Age 67
 Occupation Hospital Administrator/CEO
 Political Party Republican
 Previous Legislative Service Senate: 2003–2006
 Senatorial District 28–Crawford, Harrison, Ida, Monona,
 Pottawattamie, Woodbury

ROGER STEWART

Address Preston
 Age 75
 Occupation Banker/Farmer
 Political Party Democratic
 Previous Legislative Service Senate: 2003–2006
 Senatorial District 13–Clinton, Dubuque, Jackson

PAT WARD

Address West Des Moines
 Age 49
 Occupation Former Public and Government Relations Executive
 Political Party Republican
 Previous Legislative Service Senate: 2004*–2006
 Senatorial District 30–Polk

*Elected in special election held on February 3, 2004.

STEVE WARNSTADT

Address Sioux City
 Age 38
 Occupation Legislator/National Guard
 Political Party Democratic
 Previous Legislative Service House: 1995–2002; Senate: 2003–2006
 Senatorial District 1–Woodbury

RON WIECK

Address Sioux City
 Age 62
 Occupation Insurance Agent
 Political Party Republican
 Previous Legislative Service Senate: 2003–2006
 Senatorial District 27–Cherokee, Plymouth, Woodbury

FRANK B. WOOD

Address Eldridge
 Age 55
 Occupation High School Associate Principal
 Political Party Democratic
 Previous Legislative Service Senate: 2005–2006
 Senatorial District 42–Clinton, Scott

BRAD ZAUN

Address Urbandale
 Age 44
 Occupation V.P. of R & R Realty Marketing Group
 Political Party Republican
 Previous Legislative Service Senate: 2005–2006
 Senatorial District 32–Polk

MARK ZIEMAN

Address Postville
 Age 61
 Occupation Farmer/Trucking Co. Owner
 Political Party Republican
 Previous Legislative Service Senate: 2001–2006
 Senatorial District 8–Allamakee, Chickasaw, Howard, Winneshiek

JOURNAL OF THE SENATE

FIRST CALENDAR DAY
FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 8, 2007

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the 2007 Regular Session of the Eighty-second General Assembly convened at 10:07 a.m., and the Senate was called to order by President Kibbie.

Prayer was offered by Reverend Steve Ellerbusch, pastor of the Bethany Lutheran Church in Emmetsburg, Iowa. He was the guest of Senator Kibbie.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by President Kibbie.

OPENING REMARKS BY THE PRESIDENT OF THE SENATE

President Kibbie addressed the Senate with the following remarks:

I would like to welcome back all returning members and staff to the 2007 session of the 82nd General Assembly and extend a special welcome to the seven new members who today take their place as senators in this special institution. You have been invested as lawmakers and will have an important role in shaping Iowa's future.

The November election also saw the voters, for the first time in 42 years, provide Democratic leadership in the Governor's Office, the House of Representatives, and the Senate. I am confident we are ready to lead this state in a responsible, commonsense manner that will justify the voters' confidence in us.

I want to thank my Democratic colleagues for placing their trust in me as President of the Senate. I pledge to be fair to all members during our debates and assure that my office is open to both Democrats and Republicans for any issues that may arise.

We face many challenges as we begin this new General Assembly. While Democrats are the majority, it is my hope that much of what we do can be in a bipartisan manner. The minority has an important role to play, and I know our

Republican colleagues have good ideas on legislation that comes before us, and I am confident that committee chairs will seek the full participation of all the members.

In my remarks last year, I said: “Another part of our economic development efforts should be to reward those Iowans who work hard and play by the rules. 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 their communities, and help their neighbors.”

Often during that session, Senator Courtney urged us to remember these workers and support them by raising the minimum wage. We didn’t listen last year, but early this session we will raise the minimum wage.

We have major challenges in education at all levels. While it is welcome news that our teacher compensation went from 42nd to 40th, that’s not good enough. We can do better.

It was just reported that tuition at Iowa’s public universities will rise again this year. We all ought to be concerned that ever-increasing tuition puts great stress on middle-income families and that we cannot price their children out of a college education. More than ever, we need the best-trained students to fill the 200,000 jobs that need to be filled in the next five to ten years—jobs which require specialized skills.

Our progress as a state and our economic success depend on a strong educational system top to bottom. Our K–12 system, community colleges, regents institutions, and private colleges are partners in providing the education Iowans need to move our state forward and keep young Iowans at home.

Over the last eight years, the legislature and Governor Vilsack have adopted initiatives for cleaner air and water, Vision Iowa, the Iowa Values Fund, and the Cultural and Tourism programs. These initiatives have proven their value, and while we may want to provide some enhancements, I see no need to reinvent these important efforts that make Iowa better place in which to live and work.

We will spend considerable time looking at our property tax system. Most agree it is in need of repair. We need to be creative and innovative and look at ways to address current inequities, especially the way we tax commercial property.

Our health care system is an important component of economic security for our families. Many states have taken bold steps to address how best to provide affordable coverage for those who have health insurance and introduce new initiatives to provide coverage for the uninsured. I am confident we can work together this year and next to reduce the number of Iowans without health insurance.

As a farmer all of my life, I would be remiss if I did not mention the continued importance of agriculture in Iowa’s future. For many years, feed grains and livestock defined agriculture. With the broadened definition of agriculture, exciting opportunities exist for those in rural Iowa. Agriculture policy should continue to be one of the cornerstones of any discussion about a growing economy.

With the diversity in our agricultural economy, there are many opportunities to expand the agricultural community. We should support additional incentives for beginning farmers with ownership, opportunity, prosperity, environmental stewardship, and robust competition as our goals. Each new owner-operator of a farm provides rural Iowa with a new family, a growing community, and a vibrant economic presence.

I want to take a moment to talk about what I consider a key issue in Iowa’s economic future, and that is alternative and renewable fuels. I still believe that every gallon of gasoline in Iowa should contain ethanol. It is good for our economy. It is good for our farmers. It helps us become more energy independent. According to the Legislative Services Agency as of January 2006, the percentage of all gasoline used on

our highways that contained ethanol was at 76 percent. If every gallon of gasoline contained ethanol, it could mean more profit in the pockets of Iowa farmers.

In November, I attended a gathering at Iowa State University which was titled, "A Call to Action Summit: Ensuring Iowa's Leadership in the Bioeconomy." It was an outstanding event about the future and about the unlimited potential of our state's role in economic and food security issues. The handout we received is a great summary of where we are and where we need to go. If you haven't seen it, stop in my office and we will get you a copy.

The message from this conference is clear. We need a comprehensive, statewide energy policy to oversee the development and direction of our bioeconomy.

Our transportation infrastructure to support this economy requires planning for roads, rails, pipelines, and other infrastructure.

Our educational system, from K-12 to all of higher education, must partner with the state in developing the plans for our students for the challenges of the new jobs the bioeconomy will create. Finally, to ensure the long-term viability of the new bioeconomy, our agricultural policies must be consistent with sustainable land use.

The last important issue I want to mention is that in recognition of the needs of our veterans and their families, we have put in place a standing Veterans Affairs committee so that issues related to support of our veterans will receive prompt hearing and action.

It is clear that we have a lot of work to do. None of these issues I've mentioned need to be, or should, be partisan. We can and will work together to give our best effort for those who sent us here.

Thank you very much.

REMARKS BY THE MINORITY LEADER

Senator Lundby addressed the Senate as follows:

Thank you Mr. President.

Mr. President, Senators, families, and our esteemed guests, welcome to the Senate and the beginning of the 82nd General Assembly. To the newly elected Senators, I offer my sincere hope for a good and productive session; and to those returning to the place we know, and on occasion enjoy, I wish you all a good and productive session as well.

Over the last couple of weeks, I have taken the opportunity to read past speeches given by the "man with unseen power, the most powerful Iowa politician," Senator Mike Gronstal, the new Senate majority leader. Senator Gronstal offered many words of wisdom in those speeches, and I have a few quotes that I thought truly set the right tone going into the 82nd General Assembly.

Quoted from Senator Mike Gronstal's opening remarks to the 77th General Assembly: "In my campaign last fall, while knocking on thousands of doors, I never heard a citizen suggest that we needed Republican solutions . . . and I also never heard one say we needed Democratic solutions. They expect us to listen to each other and recognize that neither party has all the answers, and together we can find common-sense solutions to the challenges that confront us."

How true, Senator Gronstal.

And this quote from the opening of the 78th General Assembly: "After a contentious campaign, it is hard, at times, to forget that elections are about defining differences between ourselves and our opponents, but governing is about finding common ground to deal with the issues that face our state."

Once again, Senator Gronstal, you speak the truth.

And this one from the 80th General Assembly: "History tells us that we are at our best in the Iowa Legislature when we sit down, resolve our differences, and move ahead with confidence and boldness. When we are together and bold, the people of Iowa—whether Republican or Democrat—are the winners."

I want Senator Gronstal to know, from day one, we agree.

Of course, bipartisanship serves the best interest of all Iowans. And with ten years of comments indicating your continuing support for Democrats and Republicans working together, I am looking forward to a session where we produce good, balanced bipartisan policy.

And make no mistake; Republicans intend to bring our constituents' voices to the table. We will work with Democrats when legislation represents the best interest of all Iowans:

When Senate Democrats propose legislation that takes a pragmatic approach to the environment, understanding the need for balance between agriculture, small business, and quality of life, Senate Republicans will work with you.

When Senate Democrats propose legislation that returns our budget surpluses to the taxpayers, not squandered on unnecessary expansion of state government, Senate Republicans will work with you.

When Senate Democrats propose legislation that supports a commonsense approach to public safety, which will maintain our ranking as the second safest state in the country, Senate Republicans will work with you.

When Senate Democrats propose legislation that boldly addresses our crisis in property tax policy through full-scale reform and not simple shifts in the property tax burden that represents a stop-gap approach, Senate Republicans will work with you.

When Senate Democrats propose legislation to increase teacher salaries and to treat teachers as professionals and not a mere bargaining unit, Senate Republicans will work with you.

When Senate Democrats propose legislation that helps all Iowans access affordable health care and assists small businesses by providing private sector solutions to health care, Senate Republicans will work with you.

Senate Republicans whole-heartedly agree with Majority Leader Gronstal's long-term goal of creating a bipartisan environment in the Iowa Senate. I look forward to the long days in this session where Democratic and Republican bills and amendments will find equal time on the floor, where the debate on the Senate floor will be engaging and bipartisan and where good policy is made that reflects the best, bipartisan interests of all Iowans.

It is possible to find the middle ground and build a long list of accomplishments during this first session of the 82nd General Assembly. It simply requires that we listen to each other with optimism, hope, and enough curiosity to find our common interests. I wish you all good health and a happy and productive legislative session. Let's get to work!

REMARKS BY THE MAJORITY LEADER

Senator Gronstal addressed the Senate as follows:

Mr. President, colleagues, and staff. Welcome to the Eighty-second General Assembly in the Iowa Senate.

Two years ago, the people of Iowa changed how we do things in the Iowa Senate. They did so by electing a tied Senate for the first time in 72 years, something which forced both parties to work together.

That meant that here in the Senate we had to listen. We had to listen to each other and find common ground, and we had to listen to Iowans. We had to focus on the issues that really matter to working families.

The results were impressive. We passed America's toughest anti-meth bill and dramatically reduced the number of meth labs in our state. We toughened penalties and supervision of sex offenders. We approved several measures to support veterans and active-duty Iowans. Our bipartisan water quality initiative is helping clean up Iowa's polluted waterways. We instituted strong government accountability measures in the wake of the CEITC outrage. We passed the nation's strongest effort to promote alternative fuels, provided access to expanded health care for Iowans, cut taxes for seniors and retirees, and took steps forward on teacher pay and student achievement.

I think people liked how we did business during the last two years. And I think their approval was reflected in last November's election. That election was a mandate. It was a mandate for the Senate to keep listening and to keep working to bring people together, both here in the Senate and in Iowa's communities.

I'm optimistic that we will work together to pass major legislation that strong majorities of Iowans want.

For example, we know protecting Iowa's status as the state with great educational opportunities is key to our future growth and prosperity. The single most important factor in a student's success is the quality of the classroom teacher. We have great teachers, but we pay them as if they were ineffective teachers. That's why other states see Iowa schools as a great place to recruit the teachers needed to improve the schools in their states.

This is the year to keep the promises repeatedly made by both Republican and Democratic legislators to Iowa's students, parents, and teachers. This session, I expect to vote for the Senate or House file that will finally keep our promises by bringing the average pay of Iowa teachers up from 40th in the nation to 25th in the nation.

Soon it will be 10 years since Iowa's lowest-paid workers have had a raise. Ten years. What difference will raising the minimum wage make? To most Iowans, the answer is "not much." But to the 100,000 to 125,000 Iowans who earn the minimum wage—70 percent of whom are family breadwinners—raising the minimum wage will make a big difference.

A strong majority of Iowans know this. I think if both chambers had voted on the minimum wage last year, an increase would have passed. It is a shame we didn't have the chance to stand together on this issue last year, and a shame that Iowa's lowest-paid workers had to wait yet another year for raise. This year, we will vote on a bill to increase the minimum wage, and Iowa will be a better place because of it.

Too many Iowans live without health insurance. This makes life more difficult for them and makes health care more expensive for everyone. Through programs like HAWK-I, we've brought tens of thousands of previously uninsured children into the health care system. Now it is time to bring their working parents into the system as well. The moral argument is straightforward, and when the federal government is ready to pay two-thirds to three-fourths of the cost, the financial argument in favor of expanding health care is also strong.

Last session's successful alternative energy industry initiatives should be the model for a continued bipartisan focus on growing Iowa's economy. For example, we should review every economic proposal to ensure that it aids both rural and urban communities. We need to continue a comprehensive approach that addresses the needs of workers seeking skills to move ahead. We have seriously underfunded Iowa's

community colleges, making it much more difficult for them to offer training programs which fit the needs of their local industries.

I'm excited about the next two years. I'm ready to build on the last two years of bipartisan cooperation. We've seen what works and so have the voters.

Let's pay attention to the mandate the voters have given us. Let's keep listening, keep looking for common ground, and keep focused on the concerns and dreams of Iowa families.

Thank you, Mr. President.

APPOINTMENT OF TEMPORARY SECRETARY OF THE SENATE

Senator Gronstal moved that Michael E. Marshall be appointed as temporary Secretary of the Senate.

The motion prevailed by a voice vote, and Mr. Marshall appeared before the rostrum and was duly sworn to the oath of office.

ADOPTION OF TEMPORARY RULES AND TEMPORARY COMPENSATION

Senator Gronstal moved that the rules of the Senate adopted by the Eightieth General Assembly and provisions for compensation adopted by the Eighty-first General Assembly be adopted as the temporary rules and temporary compensation provisions for the 2007 Session of the Eighty-second General Assembly.

The motion prevailed by a voice vote.

COMMITTEE ON CREDENTIALS

Senator Gronstal moved that a committee of five be appointed as a committee on credentials.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Connolly, Chair; Courtney, Fraise, Angelo, and McKibben.

The Senate stood at ease at 10:35 a.m. until the fall of the gavel.

The Senate resumed session at 10:38 a.m., President Kibbie presiding.

SPECIAL GUEST

Senator Gronstal welcomed to the Senate chamber the Honorable Leonard Boswell, member of the United States House of Representatives. He is the former President of the Iowa Senate.

The Senate rose and expressed its welcome.

REPORT OF THE COMMITTEE ON CREDENTIALS

MR. PRESIDENT: We, your committee on credentials, respectfully report that we find the persons named in the attached copy of the certification of the Secretary of State duly elected to and entitled to seats in the Senate for the Eighty-second General Assembly.

MICHAEL CONNOLLY, Co-chair
THOMAS G. COURTNEY
GENE FRAISE
JEFF ANGELO
LARRY McKIBBEN

STATE OF IOWA

Office of the
Secretary Of State
CERTIFICATION

To the Honorable, The Secretary of the Senate:

I, MICHAEL A. MAURO, Secretary of State of the State of Iowa, custodian of the files and records pertaining to elections in the state, do hereby certify that the State Canvassing Board has declared that at the General Election held on November 7, 2006, each of the following named persons was duly elected to the office of State Senator for the term of four years beginning on the second day of January, 2007:

DISTRICTS

FirstSteve Warnstadt
Third David Johnson
Fifth Rich Olive
Seventh Amanda Ragan
Ninth William M. Heckroth
Eleventh William A. Dotzler, Jr.
Thirteenth Roger Stewart
Fifteenth Robert E. Dvorsky
Seventeenth Wally E. Horn
Nineteenth Robert M. Hogg
Twenty-first Dennis H. Black

Twenty-third	Herman C. Quirnbach
Twenty-fifth	Daryl Beall
Twenty-seventh	Ron Wieck
Twenty-ninth	Nancy J. Boettger
Thirty-first	Matt McCoy
Thirty-third	Jack Hatch
Thirty-fifth	Larry L. Noble
Thirty-seventh	Staci Appel
Thirty-ninth	Joe Bolkcom
Forty-first	David Hartsuch
Forty-third	Joe M. Seng
Forty-fifth	Becky Schmitz
Forty-seventh	Keith A. Kreiman
Forty-ninth	Hubert Houser

I FURTHER CERTIFY that the State Canvassing Board has declared that at the General Election held on November 2, 2004, each of the following named persons was duly elected to the office of State Senator for the term of four years beginning on the second day of January, 2005:

DISTRICTS

Second	Dave Mulder
Fourth	John P. Kibbie
Sixth	E. Thurman Gaskill
Eighth	Mark Ziemann
Tenth	Jeff Danielson
Twelfth	Brian Schoenjahn
Fourteenth	Michael Connolly
Sixteenth	Tom Hancock
Eighteenth	Mary A. Lundby
Twentieth	John Putney
Twenty-second	Larry McKibben
Twenty-fourth	Jerry Behn
Twenty-sixth	Steve Kettering
Twenty-eighth	James A. Seymour
Thirtieth	Pat Ward
Thirty-second	Brad Zaun
Thirty-fourth	Dick L. Dearden
Thirty-sixth	Paul McKinley
Thirty-eighth	Tom Rielly
Fortieth	James F. Hahn
Forty-second	Frank B. Wood
Forty-fourth	Thomas G. Courtney

Forty-sixth..... Gene Fraise
 Forty-eighth Jeff Angelo
 Fiftieth..... Michael E. Gronstal

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Statehouse in Des Moines this second day of January, 2007.

(SEAL)

MICHAEL A. MAURO
 Secretary of State

I hereby acknowledge receipt of the original copy of this document on this eighth day of January, 2007.

MICHAEL E. MARSHALL
 Secretary of the Senate

On motion of Senator Connolly, the report was adopted by a voice vote, and the duly elected senators appeared before the bar of the Senate, were duly sworn, and subscribed their names to the oath of office.

SPECIAL GUESTS

Senator Gronstal welcomed to the Senate Chamber Attorney General Tom Miller, former Lieutenant Governor Jo Ann Zimmerman, former Senator Norm Rogers, former Senator Rod Halvorson, and former Iowa Teacher of the Year, Jackie Warnstadt.

The Senate rose and expressed its welcome.

ELECTION OF PRESIDENT

Senator Gronstal placed in nomination the name of Senator John P. Kibbie of Palo Alto County as a candidate for the office of President of the Senate for the Eighty-second General Assembly.

There being no further nominations, the Chair put the question to the Senate, and Senator Kibbie was unanimously elected by a voice vote.

Senator Kibbie was administered the oath of office by Chief Justice Marsha K. Ternus of the Iowa Supreme Court.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Gronstal placed in nomination the name of Senator Jeff Danielson of Black Hawk County as a candidate for the office of President Pro Tempore for the Senate for the Eighty-second General Assembly.

There being no further nominations, the Chair put the question to the Senate, and Senator Danielson was unanimously elected by a voice vote.

The Chair announced that Senator Danielson had been elected President Pro Tempore of the Eighty-second General Assembly.

Senator Danielson appeared, took the oath of office, and was congratulated and presented to the Senate by President Kibbie.

Senator Danielson addressed the Senate with brief remarks and thanked the Senate for the honor of serving as President Pro Tempore.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Gronstal moved that a committee of five 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 Ragan, Chair; Black, Dotzler, Gaskill, and Noble.

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.

COMMITTEE TO NOTIFY THE HOUSE

Senator Gronstal moved that a committee of five 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 Dvorsky, Chair; Hatch, Warnstadt, Houser, and Seymour.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:58 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 11:07 a.m., President Kibbie presiding.

APPOINTMENT OF PERMANENT OFFICERS AND EMPLOYEES

Senator Gronstal 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 individuals as permanent officers and employees of the Senate for the 2007 Session of the Eighty-second General Assembly:

Secretary of the SenateMichael E. Marshall

Administrative

Confidential Secretary to the Secretary II K'Ann Brandt
Administrative Secretary to the SecretaryMaureen Lee
Sr. Finance Officer III Linda Laurenzo
Sr. Finance Officer ILois Brownell

Indexing

Sr. Indexer..... Kathy Olah
Indexer II/Records and Supply Kathleen Curoe

Journal

Sr. Journal Editor Janet Hawkins
Editor I Sarah Clark
Assistant EditorAngela Cox

Legal Counsel

Assistant Secretary of the Senate..... Cynthia A. Clingan
 Assistant to the Legal Counsel Betty Shea

President of the Senate's Office

Sr. Administrative Assistant to Leader Steve Conway
 Confidential Secretary to Leader..... Kay Kibbie
 Secretary Jean Cooper

Democratic Caucus

Sr. Administrative Assistant to Leader Eric Bakker
 Administrative Assistant to Leader II Debbie Kattenhorn
 Confidential Secretary to Leader..... Melissa Peterson
 Sr. Caucus Staff Director Ron Parker
 Sr. Legislative Research Analyst..... Richard Oshlo
 Sr. Legislative Research Analyst..... Theresa Kehoe
 Sr. Legislative Research Analyst..... Rusty Martin
 Legislative Research Analyst III Bridget Godes
 Legislative Research Analyst II..... Julie Simon
 Legislative Research Analyst II..... Kerry Wright
 Legislative Research Analyst I Sue Monahan
 Legislative Research Analyst I Catherine Engel
 Legislative Research Analyst..... Jace Mikels
 Legislative Research Analyst..... Erica Shorkey
 Research Assistant Katie Nosekabel

Republican Caucus

Sr. Administrative Assistant to Leader Brent Oleson
 Confidential Secretary to Leader..... Judy Dierenfeld
 Caucus Staff Director Peter Matthes
 Sr. Legislative Research Analyst..... Carolann Jensen
 Sr. Legislative Research Analyst..... Pamela Dugdale
 Sr. Legislative Research Analyst..... Jim Friedrich
 Legislative Research Analyst II..... Thomas Ashworth
 Legislative Research Analyst III Kimberly Steenhoek
 Legislative Research Analyst III Russ Trimble
 Legislative Research Analyst..... Angie Lewis
 Legislative Research Analyst..... Peter Cownie
 Research Assistant Sarah Kobliska

Sergeant-at-Arms

Sergeant-at-Arms II Bill Krieg
 Assistant Sergeant-at-Arms..... Tom Sheldahl
 Doorkeeper Jerry Carlson
 Doorkeeper Jim Douglas
 Doorkeeper Robert Langbehn
 Doorkeeper Frank Loeffel

Doorkeeper Kermit Tannatt
 Doorkeeper Bob White

Services

Bill Clerk Jay Mosher
 Switchboard Operator Jo Ann Larson
 Switchboard Operator Sue Hudson
 Postmistress Leila Carlson

MICHAEL GRONSTAL, Chair

Senator Gronstal moved the adoption of the 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 bar of the Senate and were duly sworn.

APPOINTMENT OF SENATE SECRETARIES

Senator Gronstal 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 report the employment of the following individuals as secretaries to senators for the 2007 Session of the Eighty-second General Assembly:

ARNDT, Elizabeth NOBLE, Larry
 ASPENGREN, Mary Lou McKINLEY, Paul
 BEENKEN, Elyse DANIELSON, Jeff
 BEENKEN, Lucas HATCH, Jack
 BOETTGER, David BOETTGER, Nancy J.
 BURNETT, Anne Marie BLACK, Dennis H.
 CAPPARELL, Richard HANCOCK, Tom
 CLARK, Amy APPEL, Staci
 CONNOLLY, Martha CONNOLLY, Michael
 COOPER, Jean KIBBIE, John P. (Jack)
 COWDEN, Susan HAHN, James F.
 DAVIS, Vicki ZIEMAN, Mark
 DELUHERY, Mardi WOOD, Frank B.
 DEUBLEIN, Laureen ZAUN, Brad
 DIERENFELD, Judy LUNDBY, Mary A.
 ELMITT, Alyce KETTERING, Steve
 FRAISE, Faye FRAISE, Gene
 GASKILL, Gerry GASKILL, E. Thurman
 GIBSON, Audrey KREIMAN, Keith A.

GIUDICESSI, Sonni.....	McCOY, Matt
GROVER, Jodi.....	SCHOENJAHN, Brian
HOUSER, Paula.....	HOUSER, Hubert
HUHN, Marce.....	BEHN, Jerry
HUMPHREY, Ben.....	SENG, Joe M.
JONES, Colleen.....	HECKROTH, Bill
JONES, Jessica.....	DOTZLER, William A., Jr.
KREIMAN, Erin.....	COURTNEY, Thomas G.
KREIMAN, Krista.....	SCHMITZ, Becky
LARSON, John.....	DVORSKY, Robert E.
LONG, Jennifer.....	ANGELO, Jeff
MACK, Tom.....	McKIBBEN, Larry
McPARTLAND, Patrick.....	HOGG, Rob
MORGAN, Katie.....	RIELLY, Tom
MULDER, Dot.....	MULDER, Dave
NEBEL, Kathleen.....	BOLKCOM, Joe
NITZSCHKE, Christian.....	HARTSUCH, David
PERSON, Steve.....	RAGAN, Amanda
PETERSON, Phyllis.....	HORN, Wally E.
PUTNEY, Emily.....	PUTNEY, John
RANDLEMAN, LuAnn.....	WARNSTADT, Steve
SCHWARZ, Janet.....	SEYMOUR, James A.
STEWART, Jennie.....	STEWART, Roger
TINNIRELLO, Deborah.....	OLIVE, Rich
ULLEM, Martha.....	WARD, Pat
VON BANK, Linda.....	BEALL, Daryl
WENGERT, Joanne.....	DEARDEN, Dick L.
WIECK, Carol.....	WIECK, Ron
WILKE, Franny.....	QUIRMBACH, Herman C.
YOUNG, April.....	JOHNSON, David

MICHAEL GRONSTAL, Chair

Senator Gronstal moved the adoption of the report and the appointment of the Senate secretaries.

The motion prevailed by a voice vote, and the foregoing Senate secretaries appeared before the bar of the Senate and were duly sworn.

REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

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

The report was accepted, and the committee was discharged.

REPORT OF THE COMMITTEE TO NOTIFY THE HOUSE

Senator Dvorsky 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 was discharged.

APPOINTMENT OF PAGES

Senator Gronstal 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 2007 Session of the Eighty-second General Assembly:

Shauna Agan, Des Moines
Caitlin Copper-Leehey, Iowa City
Natalie Gilkison, Davenport
Anna Grimley, Springville
Josh Johnson, Story City
Shannon Kreiman, Bloomfield
Meredith Lamberti, Ankeny
Sara Lewis, Oskaloosa
Stefan McCleary, Newton
Caitlin Oponski, Indianola
Erin Pettit, Afton
Dorriann Prather, Des Moines
Robb Riggle, La Porte City
Susan Scieszinski, Albia
Felica Shunk, Bloomfield
Russell Whitney, Bondurant

MICHAEL GRONSTAL, Chair

Senator Gronstal 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 bar of the Senate and were duly sworn to their oaths of office.

COMMITTEE ON MILEAGE

Senator Gronstal moved that a committee of four be appointed as the committee on mileage.

The motion prevailed by a voice vote, and the Chair appointed as such committee Senators Stewart, Chair; Horn, Lundby, and Wieck.

COMMITTEE ON CHAPLAINS

Senator Gronstal moved that Senator Kibbie be appointed as a committee of one to work with a Representative of the House in securing chaplains for the Senate during the Eighty-second General Assembly, which motion prevailed by a voice vote.

TELLERS OF JOINT CONVENTION

Senator Gronstal moved that three members of the Senate be appointed to serve as tellers to assist in the canvassing of the vote for Governor and Lieutenant Governor at a joint convention to be held for such purpose.

The motion prevailed by a voice vote, and the Chair appointed as such committee Senators Bolkom, Quirmbach, and Mulder.

SELECTION OF SEATS

The Chair announced the next order of business would be the selection of seats.

Senator Gronstal moved that the holdover and re-elected senators who participated in seat selection in 2006 be granted the privilege of selecting new seats in order of seniority from unassigned seats; that the re-elected senators first elected during the 2006 session be granted the privilege of selecting their seats from the unassigned seats according to their seniority; that former members of the House of Representatives be granted the privilege of selecting their seats from the unassigned seats according to seniority; and that first, the Majority Floor Leader and the Minority Floor Leader be permitted to select their seats.

The motion prevailed by a voice vote.

The Secretary of the Senate called the roll, and seat selections were made as follows:

<u>NAME</u>	<u>SEAT NO.</u>
Angelo of Union.....	48
Appel of Warren.....	25
Beall of Webster.....	15
Behn of Boone.....	40
Black of Jasper.....	45
Boettger of Shelby.....	38
Bolkcom of Johnson.....	31
Connolly of Dubuque.....	49
Courtney of Des Moines.....	7
Danielson of Black Hawk.....	1
Dearden of Polk.....	21
Dotzler of Black Hawk.....	5
Dvorsky of Johnson.....	47
Fraise of Lee.....	39
Gaskill of Hancock.....	36
Gronstal of Pottawattamie.....	41
Hahn of Muscatine.....	32
Hancock of Dubuque.....	20
Hartsuch of Scott.....	28
Hatch of Polk.....	27
Heckroth of Bremer.....	18
Hogg of Linn.....	11
Horn of Linn.....	43
Houser of Pottawattamie.....	42
Johnson of Osceola.....	14
Kettering of Sac.....	8
Kibbie of Palo Alto.....	37
Kreiman of Davis.....	35
Lundby of Linn.....	50
McCoy of Polk.....	29
McKibben of Marshall.....	44
McKinley of Lucas.....	10
Mulder of Sioux.....	4
Noble of Polk.....	26
Olive of Story.....	24
Putney of Tama.....	34
Quirnbach of Story.....	3
Ragan of Cerro Gordo.....	33
Rielly of Mahaska.....	23
Schmitz of Jefferson.....	17
Schoenjahn of Fayette.....	2
Seng of Scott.....	19
Seymour of Harrison.....	22
Stewart of Jackson.....	13

Ward of Polk.....	30
Warnstadt of Woodbury	9
Wieck of Woodbury	46
Wood of Scott.....	16
Zaun of Polk	12
Zieman of Allamakee.....	6

INTRODUCTION OF BILLS

Senate File 1, by Dearden, Appel, Beall, Black, Bolkcom, Connolly, Courtney, Danielson, Dotzler, Dvorsky, Fraise, Gronstal, Hancock, Hatch, Heckroth, Hogg, Horn, Kibbie, Kreiman, McCoy, Olive, Quirmbach, Ragan, Rielly, Schmitz, Schoenjahn, Seng, Stewart, Warnstadt, and Wood, a bill for an act relating to the state minimum hourly wage rate, indexing the rate for inflation, and providing an effective date.

Read first time and referred to committee on **Labor and Business Relations**.

Senate File 2, by Kettering, a bill for an act to allow a physician assistant to examine a resident in a nursing facility.

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

Senate File 3, by Kettering, a bill for an act concerning the limitation of actions for prosecution of violations under certain statutes administered by the natural resource commission.

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

Senate File 4, 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 and referred to committee on **Ways and Means**.

Senate File 5, by Kettering, a bill for an act increasing the speed limit on primary highways.

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

Senate File 6, by Kettering, a bill for an act relating to the child and dependent care and early childhood development tax credits and including a retroactive applicability date provision.

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

Senate File 7, by Hancock, a bill for an act allowing cash prizes at annual game nights conducted by qualified organizations representing volunteer emergency services providers.

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

Senate File 8, by Hancock, a bill for an act relating to the payment of restitution by a person convicted of a criminal offense.

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

Senate File 9, by Hancock, a bill for an act relating to advisory boards for emergency services agreements.

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

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:51 a.m. until 1:45 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:50 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 January 8, 2007, **adopted** the following resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 1, a concurrent resolution resolving that a joint convention of the two houses of the 2007 session of the Eighty-second General Assembly be held on Monday, January 8, 2007, at 2:00 p.m., for canvass of the votes and for a joint convention to be held on January 9, 2007, at 10:00 a.m. for Governor Thomas J. Vilsack to deliver his condition of the state message, was taken up for consideration.

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

House Concurrent Resolution 2, a concurrent resolution resolving that a joint convention of the two houses of the 2007 session of the Eighty-second General Assembly be held on Wednesday, January 10, 2007, at 10:00 a.m., for Chief Justice Ternus to present her message of the condition of the judicial branch.

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

House Concurrent Resolution 3, a concurrent resolution relating to the appointment of a joint inaugural committee.

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

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Concurrent Resolutions 1, 2, and 3.

House Concurrent Resolution 1

On motion of Senator Gronstal, **House Concurrent Resolution 1**, a concurrent resolution resolving that a joint convention of the two houses of the 2007 session of the Eighty-second General Assembly be held on Monday, January 8, 2007, at 2:00 p.m., for canvass of the votes and for a joint convention to be held on January 9, 2007, at 10:00 a.m. for Governor Thomas J. Vilsack to deliver his condition of the state message, was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 1, which motion prevailed by a voice vote.

House Concurrent Resolution 2

On motion of Senator Gronstal, **House Concurrent Resolution 2**, a concurrent resolution resolving that a joint convention of the two houses

of the 2007 session of the Eighty-second General Assembly be held on Wednesday, January 10, 2007, at 10:00 a.m., for Chief Justice Ternus to present her message of the condition of the judicial branch, was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 2, which motion prevailed by a voice vote.

House Concurrent Resolution 3

On motion of Senator Gronstal, **House Concurrent Resolution 3**, a concurrent resolution relating to the appointment of a joint inaugural committee, was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 3, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Concurrent Resolutions 1, 2, and 3** be **immediately messaged** to the House.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that pursuant to law the House was ready to receive the Senate in joint session for the purpose of canvassing the vote for the Governor and Lieutenant Governor.

President Kibbie moved that the Senate proceed to the House chamber in accordance with House Concurrent Resolution 1, duly adopted.

The motion prevailed by a voice vote and the Senate proceeded to the House under the direction of the Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION

In accordance with law and concurrent resolution duly adopted, the joint convention was called to order at 2:18 p.m., President Kibbie 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 Kibbie declared a quorum present and the joint convention duly organized.

CANVASS OF VOTES

President Kibbie announced that the time had arrived for the canvass of votes for the offices of Governor and Lieutenant Governor at the General Election held on November 7, 2006, and announced as teller on the part of the Senate, Senator Bolkom of Johnson, and assistant tellers Senators Quirnbach of Story and Mulder of Sioux, and as teller on the part of the House, Representative Shomshor of Pottawattamie, and assistant tellers Representatives Abdul-Samad of Polk and Watts of Dallas.

President Kibbie further announced that, in accordance with statute, the six tellers just named would constitute the judges of said canvass.

The joint convention stood at ease at 2:20 p.m., until the fall of the gavel.

The returns were opened in the presence of the joint convention and the tellers then proceeded to canvass the vote for Governor and Lieutenant Governor of the State of Iowa, cast at the General Election held on November 7, 2006.

The joint convention resumed session at 2:44 p.m.

Representative McCarthy moved that the joint convention recess until the fall of the gavel at 10:00 a.m. Tuesday, January 9, 2007.

The motion prevailed by a voice vote and the joint convention was recessed.

The Senate returned to the Senate chamber and resumed regular session, President Kibbie presiding.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 2:55 p.m. until 8:45 a.m., Tuesday, January 9, 2007.

APPENDIX

STANDING COMMITTEES APPOINTED

The Majority and Minority Leaders announced the following appointments to the standing committees of the Senate for the Eighty-second General Assembly:

*Vice Chair
**Ranking Member

AGRICULTURE—15 Members

Fraise, Chair	Black	Hancock	Olive
Rielly*	Boettger	Houser	Putney
Johnson**	Courtney	Kibbie	Seng
Appel	Gaskill	Mulder	

APPROPRIATIONS—25 Members

Dvorsky, Chair	Connolly	Hancock	Ragan
McCoy*	Danielson	Hatch	Seng
Angelo**	Dotzler	Hogg	Seymour
Behn	Fraise	Johnson	Ward
Black	Gaskill	Kettering	Warnstadt
Boettger	Hahn	Putney	Wood
Bolkcom			

COMMERCE—15 Members

Warnstadt, Chair	Bolkcom	McKibben	Schoenjahn
Heckroth*	Courtney	Olive	Stewart
Wieck**	Kettering	Putney	Ward
Angelo	McCoy	Rielly	

ECONOMIC GROWTH—13 Members

Stewart, Chair	Danielson	Hatch	Schmitz
Olive*	Dotzler	Mulder	Seymour
Houser**	Hahn	Rielly	Zaun
Beall			

EDUCATION—15 Members

Schoenjahn, Chair	Beall	Johnson	Wood
Appel*	Boettger	Kreiman	Zaun
Mulder**	Connolly	Quirnbach	Zieman
Angelo	Heckroth	Schmitz	

ETHICS—6 Members

Kibbie, Chair	Behn**	Putney	Wieck
Connolly*	Dearden		

GOVERNMENT OVERSIGHT—5 Members

Courtney, Chair	Wieck**	Lundby	Schmitz
Connolly*			

HUMAN RESOURCES—13 Members

Ragan, Chair	Boettger	Hatch	Mulder
Schmitz*	Bolkcom	Johnson	Quirnbach
Seymour**	Dotzler	Kreiman	Wood
Behn			

JUDICIARY—15 Members

Kreiman, Chair	Dvorsky	Horn	Ward
Hogg*	Fraise	Noble	Warnstadt
McKibben**	Hancock	Quirnbach	Zieman
Behn	Hartsuch	Schoenjahn	

LABOR AND BUSINESS RELATIONS—11 Members

Dearden, Chair	Dotzler	Hatch	Seng
Courtney *	Dvorsky	Horn	Wieck
Ward**	Hahn	McKinley	

LOCAL GOVERNMENT—13 Members

Quirnbach, Chair	Hartsuch	Kreiman	Rielly
Beall*	Heckroth	McKinley	Schoenjahn
Zaun**	Houser	Olive	Stewart
Angelo			

NATURAL RESOURCES AND ENVIRONMENT—15 Members

Black, Chair	Bolkcom	Kettering	Schoenjahn
Hancock*	Dearden	Lundby	Seng
Gaskill**	Hogg	Noble	Wood
Behn	Johnson	Ragan	

RULES AND ADMINISTRATION—11 Members

Gronstal, Chair	Angelo	Dearden	Ragan
Kibbie*	Courtney	Dvorsky	Wieck
Lundby**	Danielson	Mulder	

STATE GOVERNMENT—15 Members

Connolly, Chair	Behn	Hahn	McKibben
Horn*	Black	Hatch	Schmitz
Zieman**	Danielson	Kettering	Wood
Appel	Gaskill	Kibbie	

TRANSPORTATION—13 Members

Rielly, Chair	Dearden	Houser	Warnstadt
Danielson*	Hancock	McCoy	Zaun
Noble**	Heckroth	Putney	Zieman
Beall			

VETERANS AFFAIRS—11 Members

Beall, Chair	Black	Horn	McKinley
Warnstadt*	Danielson	Kibbie	Ragan
Seymour**	Hartsuch	McKibben	

WAYS AND MEANS—17 Members

Bolkcom, Chair	Connolly	Noble	Seng
McCoy*	Dotzler	Putney	Stewart
McKibben**	Hogg	Quirnbach	Ward
Angelo	Lundby	Schmitz	Wieck
Appel			

SENATE APPROPRIATIONS SUBCOMMITTEESADMINISTRATION AND REGULATION

Danielson, Chair	Hahn**	Stewart
Appel*	Hartsuch	

AGRICULTURE AND NATURAL RESOURCES

Seng, Chair	Gaskill**	Houser
Schoenjahn*	Black	

ECONOMIC DEVELOPMENT

Dotzler, Chair	Kettering**	Ward
Heckroth*	Olive	

EDUCATION

Wood, Chair	Boettger **	Zieman
Horn*	Quirnbach	

HEALTH AND HUMAN SERVICES

Hatch, Chair	Johnson **	Seymour
Kreiman*	Ragan	

JUSTICE SYSTEM

Hancock, Chair	McKinley**	Noble
Fraise*	Hogg	

TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

McCoy, Chair	Putney**	McKibben
Warnstadt*	Beall	

SENATORS AND THEIR RESPECTIVE COMMITTEES

ANGELO, Jeff	Appropriations, Ranking Member Commerce Education Local Government Rules and Administration Ways and Means
APPEL, Staci	Agriculture Education, Vice Chair State Government Ways and Means Administration and Regulation Appropriations Subcommittee, Vice Chair
BEALL, Daryl	Economic Growth Education Local Government, Vice Chair Transportation Veterans Affairs, Chair Transportation, Infrastructure, and Capitals Appropriations Subcommittee
BEHN, Jerry	Appropriations Ethics, Ranking Member Human Resources Judiciary Natural Resources and Environment State Government

BLACK, Dennis H.	Agriculture Appropriations Natural Resources and Environment, Chair State Government Veterans Affairs Agriculture and Natural Resources Appropriations Subcommittee
BOETTGER, Nancy J.	Agriculture Appropriations Education Human Resources Education Appropriations Subcommittee, Ranking Member
BOLKCOM, Joe	Appropriations Commerce Human Resources Natural Resources and Environment Ways and Means, Chair
CONNOLLY, Michael	Appropriations Education Ethics, Vice Chair Government Oversight, Vice Chair State Government, Chair Ways and Means
COURTNEY, Thomas G.	Agriculture Commerce Government Oversight, Chair Labor and Business Relations, Vice Chair Rules and Administration
DANIELSON, Jeff	Appropriations Economic Growth Rules and Administration State Government Transportation, Vice Chair Veterans Affairs Administration and Regulation Appropriations Subcommittee, Chair
DEARDEN, Dick L.	Ethics Labor and Business Relations, Chair Natural Resources and Environment Rules and Administration Transportation

DOTZLER, William A., Jr.	Appropriations Economic Growth Human Resources Labor and Business Relations Ways and Means Economic Development Appropriations Subcommittee, Chair
DVORSKY, Robert E.	Appropriations, Chair Judiciary Labor and Business Relations Rules and Administration
FRAISE, Gene	Agriculture, Chair Appropriations Judiciary Justice System Appropriations Subcommittee, Vice Chair
GASKILL, E. Thurman	Agriculture Appropriations Natural Resources and Environment, Ranking Member State Government Agriculture and Natural Resources Appropriations Subcommittee, Ranking Member
GRONSTAL, Michael E.	Rules and Administration, Chair
HAHN, James F.	Appropriations Economic Growth Labor and Business Relations State Government Administration and Regulation Appropriations Subcommittee, Ranking Member
HANCOCK, Tom	Agriculture Appropriations Judiciary Natural Resources and Environment, Vice Chair Transportation Justice System Appropriations Subcommittee, Chair
HARTSUCH, David	Judiciary Local Government Veterans Affairs Administration and Regulation Appropriations Subcommittee

HATCH, Jack	Appropriations Economic Growth Human Resources Labor and Business Relations State Government Health and Human Services Appropriations Subcommittee, Chair
HECKROTH, Bill	Commerce, Vice Chair Education Local Government Transportation Economic Development Appropriations Subcommittee, Vice Chair
HOGG, Robert M.	Appropriations Judiciary, Vice Chair Natural Resources and Environment Ways and Means Justice System Appropriations Subcommittee
HORN, Wally E.	Judiciary Labor and Business Relations State Government, Vice Chair Veterans Affairs Education Appropriations Subcommittee, Vice Chair
HOUSER, Hubert	Agriculture Economic Growth, Ranking Member Local Government Transportation Agriculture and Natural Resources Appropriations Subcommittee
JOHNSON, David	Agriculture, Ranking Member Appropriations Education Human Resources Natural Resources and Environment Health and Human Services Appropriations Subcommittee, Ranking Member
KETTERING, Steve	Appropriations Commerce Natural Resources and Environment State Government Economic Development Appropriations Subcommittee, Ranking Member

KIBBIE, John P. (Jack)	Agriculture Ethics, Chair Rules and Administration, Vice Chair State Government Veterans Affairs
KREIMAN, Keith A.	Education Human Resources Judiciary, Chair Local Government Health and Human Services Appropriations Subcommittee, Vice Chair
LUNDBY, Mary A.	Government Oversight Natural Resources and Environment Rules and Administration, Ranking Member Ways and Means
McCOY, Matt	Appropriations, Vice Chair Commerce Transportation Ways and Means, Vice Chair Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Chair
McKIBBEN, Larry	Commerce Judiciary, Ranking Member State Government Veterans Affairs Ways and Means, Ranking Member Transportation, Infrastructure, and Capitals Appropriations Subcommittee
McKINLEY, Paul	Labor and Business Relations Local Government Veterans Affairs Justice System Appropriations Subcommittee, Ranking Member
MULDER, Dave	Agriculture Economic Growth Education, Ranking Member Human Resources Rules and Administration
NOBLE, Larry L.	Judiciary Natural Resources and Environment Transportation, Ranking Member Ways and Means Justice System Appropriations Subcommittee

OLIVE, Rich	Agriculture Commerce Economic Growth, Vice Chair Local Government Economic Development Appropriations Subcommittee
PUTNEY, John	Agriculture Appropriations Commerce Ethics Transportation Ways and Means Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Ranking Member
QUIRMBACH, Herman C.	Education Human Resources Judiciary Local Government, Chair Ways and Means Education Appropriations Subcommittee
RAGAN, Amanda	Appropriations Human Resources, Chair Natural Resources and Environment Rules and Administration Veterans Affairs Health and Human Services Appropriations Subcommittee
RIELLY, Tom	Agriculture, Vice Chair Commerce Economic Growth Local Government Transportation, Chair
SCHMITZ, Becky	Economic Growth Education Government Oversight Human Resources, Vice Chair State Government Ways and Means
SCHOENJAHN, Brian	Commerce Education, Chair Judiciary Local Government Natural Resources and Environment Agriculture and Natural Resources Appropriations Subcommittee, Vice Chair

SENG, Joe M.	Agriculture Appropriations Labor and Business Relations Natural Resources and Environment Ways and Means Agriculture and Natural Resources Appropriations Subcommittee, Chair
SEYMOUR, James A.	Appropriations Economic Growth Human Resources, Ranking Member Veterans Affairs, Ranking Member Health and Human Services Appropriations Subcommittee
STEWART, Roger	Commerce Economic Growth, Chair Local Government Ways and Means Administration and Regulation Appropriations Subcommittee
WARD, Pat	Appropriations Commerce Judiciary Labor and Business Relations, Ranking Member Ways and Means Economic Development Appropriations Subcommittee
WARNSTADT, Steve	Appropriations Commerce, Chair Judiciary Transportation Veterans Affairs, Vice Chair Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Vice Chair
WIECK, Ron	Commerce, Ranking Member Ethics Government Oversight, Ranking Member Labor and Business Relations Rules and Administration Ways and Means

WOOD, Frank B.	Appropriations Education Human Resources Natural Resources and Environment State Government Education Appropriations Subcommittee, Chair
ZAUN, Brad	Economic Growth Education Local Government, Ranking Member Transportation
ZIEMAN, Mark	Education Judiciary State Government, Ranking Member Transportation Education Appropriations Subcommittee

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 2006 interim:

DEPARTMENT OF ADMINISTRATIVE SERVICES

Internal Service Funds Report, pursuant to Iowa Code section 8A.123(5). Report received on September 28, 2006.

Salary report information. Report received on November 2, 2006.

ALCOHOLIC BEVERAGES DIVISION

Annual Report for FY 2005, pursuant to Iowa Code section 123. Report received on August 15, 2006.

IOWA'S CENTER FOR AGRICULTURAL SAFETY AND HEALTH

Annual report. Report received on January 2, 2007.

CITIZENS' AIDE/OMBUDSMAN

2005 Annual Report, pursuant to Iowa Code chapter 2C. Report received on June 29, 2006.

Investigation into Randolph Public Library's Closed Session Violation report, pursuant to Iowa Code section 2C.17. Report received on December 11, 2006.

Investigation of Maquoketa's Pit Bull Ban Ordinance and Enforcement report, pursuant to Iowa Code section 2C.17. Report received on December 21, 2006.

COUNTY REAL ESTATE ELECTRONIC GOVERNMENT ADVISORY COMMITTEE

Second supplemental report, pursuant to 2006 Iowa Acts, House File 2794. Report received on November 1, 2006.

IOWA COLLEGE STUDENT AID COMMISSION

Iowa Teacher Shortage Forgivable Loan Program Annual Report for Fiscal Year 2006, pursuant to Iowa Code section 261.111. Report received on December 29, 2006.

IOWA COMMUNICATIONS NETWORK

2006 Annual Report. Report received on December 4, 2006.

IOWA DIVISION OF CRIMINAL AND JUVENILE JUSTICE PLANNING

2006 Juvenile Justice and Delinquency Prevention Act formula grant application and plan. Report received on June 13, 2006.

OFFICE OF DRUG CONTROL POLICY

2007 Iowa Drug Control Strategy annual report, pursuant to Iowa Code section 80E.1. Report received on November 1, 2006.

2007 Iowa Drug Control Strategy. Report received on December 15, 2006.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Semiannual report on the progress in Value-Added Agricultural Products and Processes Financial Assistance Program, pursuant to Iowa Code section 15E.111(8). Report received on August 8, 2006.

Annual report on the status of the Targeted Jobs Withholding Tax Credit pilot program, pursuant to 2006 Iowa Acts, House File 2731. Report received on July 24, 2006.

Report on the Iowa Commission on Volunteer Service, pursuant to Iowa Code section 15H.2(2)(h). Report received on November 8, 2006.

2006 NJIP Foreign Land Ownership Report, pursuant to Iowa Code section 15.331B. Report received on December 18, 2006.

DEPARTMENT OF EDUCATION

Report on the inclusion of elements relating to personal finance as a part of the essential knowledge and skills in the required public school curricula, pursuant to 2006 Iowa Acts, Senate Resolution 154. Report received on January 2, 2007.

DEPARTMENT OF HUMAN SERVICES

Child Welfare and Juvenile Justice Emergency Services Plan, pursuant to 2006 Iowa Acts, House File 2734. Report received on December 15, 2006.

Independent Living Services Annual Report, pursuant to Iowa Code section 234.35(4). Report received on December 21, 2006.

Federal Family Opportunity Act report. Report received on December 27, 2006.

Report on the Medicaid pharmacy issues. Report received on December 27, 2006.

Interim Progress Report regarding assessing the physical and dental health of adults and children with mental retardation or developmental disabilities in the Medicaid system, pursuant to 2005 Iowa Acts, House File 841. Report received on January 2, 2007.

DEPARTMENT OF JUSTICE

Fiscal year 2006 report, pursuant to 2006 Iowa Acts, House File 2558. Report received on November 15, 2006.

2006 Prosecutor Intern Program Annual Report, pursuant to Iowa Code section 13.2(12). Report received on December 11, 2006.

MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA

Annual Report, pursuant to Iowa Code section 411.5. Report received on November 16, 2006.

DEPARTMENT OF NATURAL RESOURCES

2005 Public Drinking Water Program Annual Compliance Report. Report received on July 11, 2006.

Oil Overcharge Restitution Programs Annual Report. Report received on October 12, 2006.

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Comprehensive Annual Financial Report for fiscal year 2006. Report received on December 29, 2006.

PUBLIC EMPLOYMENT RELATIONS BOARD

Annual Report for fiscal year 2006, pursuant to Iowa Code section 7E.3(4). Report received on December 15, 2006.

DEPARTMENT OF PUBLIC HEALTH

2006 Anatomical Gifts report, pursuant to Iowa Code 142C.17. Report received on December 20, 2006.

Direct Care Worker Task Force report, pursuant to 2005 Iowa Acts, chapter 88. Report received on December 20, 2006.

BOARD OF REGENTS

Annual report of the College Bound and IMAGES Programs, pursuant to Iowa Code section 262.93. Report received on December 18, 2006.

Report from Iowa State University on the sale of the ISU Ankeny experimental farm and the use of proceeds from the sale, pursuant to Iowa Code section 266.39F. Report received on January 2, 2007.

DEPARTMENT OF REVENUE

Tax Credit Tracking and Analysis System progress report, pursuant to 2006 Iowa Acts, House File 2521. Report received on December 22, 2006.

IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

Review of Maintenance Contract Report, pursuant to Iowa Code section 8D.3(3)(g). Report received on November 17, 2006.

DEPARTMENT OF TRANSPORTATION

Annual report, pursuant to Iowa Code section 7A.9. Report received on November 21, 2006.

Fiscal year 2006 Biodiesel Fuel Revolving Fund Expenditures Report. Report received on December 11, 2006.

Report on the progress of the building project for the Motor Vehicle Division, pursuant to 2005 Iowa Acts, House File 466. Report received on December 29, 2006.

Report on the Road Use Tax Fund. Report received on December 29, 2006.

AGENCY ICN REPORTS

Iowa Communications Network (ICN) usage reports for FY 2006, pursuant to Iowa Code section 8D.10, were received from the following agencies:

IOWA CIVIL RIGHTS COMMISSION – Report received on August 7, 2006.

DEPARTMENT OF EDUCATION – Report received on December 28, 2006.

DEPARTMENT OF HUMAN RIGHTS – Report received on October 4, 2006.

DEPARTMENT OF HUMAN SERVICES – Report received on October 5, 2006.

DEPARTMENT OF JUSTICE – Report received on December 27, 2006.

IOWA LAW ENFORCEMENT ACADEMY – Report received on December 18, 2006.

IOWA LOTTERY – Report received on December 27, 2006.

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM – Report received on December 12, 2006.

IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION – Report received on October 31, 2006.

IOWA VETERANS HOME – Report received on December 6, 2006.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 3, your committee on Rules and Administration submits the following names of officers and employees of the Senate for the Eighty-second General Assembly, 2007 Session, and their respective classifications, grades, and steps:

		<u>CLASS</u>	<u>GRADE</u>	<u>STEP</u>
Secretary of the Senate	Mike Marshall	P-FT	44	7
Sr. Assistant Secretary of the Senate	Cynthia A. Clingan	P-FT	41	7
Sr. Administrative Assistant to Leader	Eric Bakker	P-FT	38	6
Administrative Assistant to Leader II	Debbie Kattenhorn	P-FT	32	3
Conf. Secretary to Leader	Melissa Peterson	S-O	27	1
Sr. Administrative Assistant to President	Steve Conway	P-FT	38	7
Conf. Secretary to Leader	Kay Kibbie	P-PT	27	4
Secretary	Jean Cooper	S-O	18	3
Sr. Administrative Assistant to Leader	Brent Oleson	P-FT	38	6
Conf. Secretary to Leader	Judy Dierenfeld	P-PT	27	4
Sr. Caucus Staff Director	Ron Parker	P-FT	41	7
Sr. Legislative Research Analyst	Theresa Kehoe	P-FT	38	7
Sr. Legislative Research Analyst	Richard Oshlo	P-FT	38	6
Sr. Legislative Research Analyst	Rusty Martin	P-FT	38	1
Legislative Research Analyst III	Bridget Godes	P-FT	35	1
Legislative Research Analyst II	Julie Simon	P-FT	32	6
Legislative Research Analyst II	Kerry Wright	P-FT	32	4
Legislative Research Analyst I	Sue Monahan	P-FT	29	2

Legislative Research Analyst I	Catherine Engel	P-FT	29	1
Legislative Research Analyst	Jace Mikels	P-FT	27	4
Legislative Research Analyst	Erica Shorkey	P-FT	27	4
Research Assistant	Katie Nosekabel	S-O	24	1
Caucus Staff Director	Peter Matthes	P-FT	38	3
Sr. Legislative Research Analyst	Carolann Jensen	P-FT	38	7
Sr. Legislative Research Analyst	Pamela Dugdale	P-FT	38	7
Sr. Legislative Research Analyst	Jim Friedrich	P-FT	38	1
Legislative Research Analyst III	Kimberly Steenhoek	P-FT	35	1
Legislative Research Analyst III	Russ Trimble	P-FT	35	3
Legislative Research Analyst II	Thomas Ashworth	P-FT	32	2
Legislative Research Analyst	Angie Lewis	P-FT	27	3
Legislative Research Analyst	Peter Cownie	P-FT	27	2
Research Assistant	Sarah Kobliska	S-O	24	4
Confidential Secretary to Secretary II	K'Ann Brandt	P-FT	32	5
Administrative Secretary to Secretary	Maureen Lee	S-O	21	1
Sr. Journal Editor	Janet Hawkins	P-FT	30	1
Journal Editor I	Sarah Clark	P-FT	22	1
Asst. Journal Editor	Angie Cox	P-FT	19	3
Sr. Finance Officer III	Linda Laurenzo	P-FT	38	6
Sr. Finance Officer I	Lois Brownell	P-FT	31	5
Assistant to Legal Counsel	Betty Shea	S-O	19	1
Sr. Indexer	Kathy Olah	P-FT	28	7
Indexer II/Rec. & Supply	Kathleen Curoe	P-FT	25	7
Switchboard Operator	JoAnn Larson	S-O	14	3
Switchboard Operator	Sue Hudson	S-O	14	2
Bill Clerk	Jay Mosher	S-O	14	5
Postmistress	Leila Carlson	S-O	12	1
Sergeant-at-Arms II	Bill Krieg	S-O	20	5
Asst. Sergeant-at-Arms	Tom Sheldahl	S-O	14	4
Doorkeeper	Gerald Carlson	S-O	11	3
Doorkeeper	James Douglas	S-O	11	2
Doorkeeper	Robert Langbehn	S-O	11	5
Doorkeeper	Frank Loeffel	S-O	11	3
Doorkeeper	Kermit Tannatt	S-O	11	4
Doorkeeper	Bob White	S-O	11	3
Legislative Secretary	Elizabeth Arndt	S-O	16	1
Legislative Secretary	Mary Lou Aspengren	S-O	16	5
Legislative Secretary	David Boettger	S-O	16	3

Legislative Secretary	Amy Clark	S-O	17	1
Legislative Secretary	Susan Cowden	S-O	16	4
Legislative Secretary	Vicki Davis	S-O	16	6
Legislative Secretary	Laureen Deublein	S-O	16	1
Legislative Secretary	Alyce Elmitt	S-O	16	7+2
Legislative Secretary	Gerry Gaskill	S-O	17	3
Legislative Secretary	Paula Houser	S-O	16	4
Legislative Secretary	Marce Huhn	S-O	16	4
Legislative Secretary	Colleen Jones	S-O	17	1
Legislative Secretary	Krista Kreiman	S-O	16	1
Legislative Secretary	Jennifer Long	S-O	18	3
Legislative Secretary	Tom Mack	S-O	18	1
Legislative Secretary	Patrick McPartland	S-O	16	1
Legislative Secretary	Dot Mulder	S-O	16	2
Legislative Secretary	Christopher Nitzschke	S-O	15	1
Legislative Secretary	Phyllis Peterson	S-O	17	2
Legislative Secretary	Emily Putney	S-O	18	2
Legislative Secretary	Janet Schwarz	S-O	17	3
Legislative Secretary	Deborah Tinnirello	S-O	16	1
Legislative Secretary	Martha Ullem	S-O	16	4
Legislative Secretary	Carol Wieck	S-O	18	2
Legislative Secretary	April Young	S-O	18	1
Legislative Committee Secretary	Elyse Beenken	S-O	18	1
Legislative Committee Secretary	Anne Marie Burnett	S-O	17	4
Legislative Committee Secretary	Richard Capparell	S-O	18	1
Legislative Committee Secretary	Martha Connolly	S-O	18	2
Legislative Committee Secretary	Erin Kreiman	S-O	18	2
Legislative Committee Secretary	Mardi Deluhery	S-O	17	2
Legislative Committee Secretary	Faye Fraise	S-O	18	7
Legislative Committee Secretary	Audrey Gibson	S-O	18	7+2
Legislative Committee Secretary	Sonni Giudicessi	S-O	18	1
Legislative Committee Secretary	Jodi Grover	S-O	18	1
Legislative Committee Secretary	Ben Humphrey	S-O	17	2
Legislative Committee Secretary	Jessica Jones	S-O	18	1
Legislative Committee Secretary	John Larson	S-O	17	3
Legislative Committee Secretary	Katie Morgan	S-O	18	1
Legislative Committee Secretary	Kathleen Nebel	S-O	18	1

Legislative Committee Secretary	Steve Person	S-O	18	1
Legislative Committee Secretary	LuAnn Randleman	S-O	18	6
Legislative Committee Secretary	Jennie Stewart	S-O	17	2
Legislative Committee Secretary	Linda Von Bank	S-O	18	1
Legislative Committee Secretary	Joanne Wengert	S-O	17	7
Legislative Committee Secretary	Frances Wilke	S-O	17	1
Legislative Committee Secretary	Lucas Beenken	S-O	18	1
Page	Shauna Agan	S-O	9	1
Page	Caitlin Copper-Leehey	S-O	9	1
Page	Natalie Gilkison	S-O	9	1
Page	Anna Grimley	S-O	9	1
Page	Josh Johnson	S-O	9	1
Page	Shanon Kreiman	S-O	9	1
Page	Meredith Lamberti	S-O	9	1
Page	Sara Lewis	S-O	9	1
Page	Stefan McCleary	S-O	9	1
Page	Caitlin Oponski	S-O	9	1
Page	Erin Pettit	S-O	9	1
Page	Dorriann Prather	S-O	9	1
Page	Robb Riggle	S-O	9	1
Page	Susan Scieszinski	S-O	9	1
Page	Felica Shunk	S-O	9	1
Page	Russell Whitney	S-O	9	1

MICHAEL E. GRONSTAL, 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. Assist. to Leader	Eric Bakker	Step 5 to Step 6 Effective 6/06
Admin. Asst. to Ldr. I to Admin. Asst. to Ldr. II	Debbie Kattenhorn	Grade 29, Step 4 to Grade 32, Step 3 Effective 6/06
Sr. Caucus Staff Director	Ron Parker	Step 5 to Step 7 Effective 9/06
Sr. Research Analyst	Richard Oshlo	Step 4 to Step 6 Effective 8/06
Research Analyst II	Julie Simon	Step 4 to Step 6 Effective 1/07

Research Analyst II	Kerry Wright	Step 3 to Step 4 Effective 7/06
Research Analyst III to Sr. Research Analyst	Rusty Martin	Grade 35, Step 2 to Grade 38, Step 1 Effective 6/06
Research Analyst II to Research Analyst III	Bridget Godes	Grade 32, Step 1 to Grade 35, Step 1 Effective 7/06
Research Analyst	Jace Mikels	Step 3 to Step 4 Effective 7/06
Research Analyst to Research Analyst I	Sue Monahan	Grade 27, Step 2 to Grade 29, Step 2 Effective 7/06
Conf. Sec. to Ldr.	Kay Kibbie	Step 2 to Step 4 Effective 6/06
Conf. Sec. to Ldr.	Erica Shorkey	Step 2 to Step 4 Effective 6/06
Sr. Admin. Asst. to Leader	Brent Oleson	Step 5 to Step 6 Effective 11/06
Research Analyst III to Sr. Research Analyst	Jim Friedrich	Grade 35, Step 2 to Grade 38, Step 1 Effective 6/06
Research Analyst I to Research Analyst II	Tom Ashworth	Grade 29, Step 3 to Grade 32, Step 2 Effective 6/06
Research Analyst	Angie Lewis	Step 1 to Step 3 Effective 6/06
Research Analyst III	Russ Trimble	Step 1 to Step 3 Effective 6/06
Research Analyst II to Research Analyst III	Kimberly Steenhoek	Grade 32, Step 2 to Grade 35, Step 1 Effective 6/06
Research Analyst I to Caucus Staff Director	Peter Matthes	Grade 29, Step 2 to Grade 38, Step 1 Effective 5/06
Caucus Staff Director	Peter Matthes	Step 1 to Step 3 Effective 6/06
Conf. Sec. to Ldr.	Alyce Elmitt	Step 2 to Step 4 Effective 6/06
Conf. Sec. to Ldr.	Judy Dierenfeld	Step 2 to Step 4 Effective 6/06
Secretary of the Senate	Michael Marshall	Step 6 to Step 7 Effective 6/06
Sr. Finance Officer III	Linda Laurenzo	Step 4 to Step 6 Effective 7/06
Sr. Finance Officer I	Lois Brownell	Step 4 to Step 5 Effective 7/06
Conf. Sec. to Sec. II	K'Ann Brandt	Step 4 to Step 5 Effective 7/06
Journal Editor II to Sr. Journal Editor	Janet Hawkins	Grade 25, Step 4 to Grade 30, Step 1 Effective 6/06

Asst. Journal Editor to Journal Editor I	Sarah Clark	Grade 19, Step 2 to Grade 22, Step 1 Effective 6/06
Asst. Journal Editor	Angela Cox	Step 2 to Step 3 Effective 6/06
Sr. Indexer	Kathy Olah	Step 5 to Step 7 Effective 6/06

MICHAEL E. GRONSTAL, Chair

REPORT OF THE COMMITTEE ON MILEAGE

MR. PRESIDENT: Pursuant to Section 2.10, Code 2007, the following has been determined to be the mileage to which Senators are entitled for the Eighty-second General Assembly:

<u>NAME</u>	<u>ROUND TRIP MILES</u>
ANGELO, Jeff.....	144
APPEL, Staci.....	48
BEALL, Daryl.....	188
BEHN, Jerry.....	94
BLACK, Dennis H.....	104
BOETTGER, Nancy J.....	222
BOLKCOM, Joe.....	234
CONNOLLY, Michael E.....	400
COURTNEY, Thomas G.....	390
DANIELSON, Jeff.....	250
DEARDEN, Dick L.....	0
DOTZLER, William A., Jr.....	226
DVORSKY, Robert E.....	224
FRAISE, Gene.....	369
GASKILL, E. Thurman.....	250
GRONSTAL, Michael E.....	270
HAHN, James F.....	300
HANCOCK, Tom.....	376
HARTSUCH, David.....	337
HATCH, Jack.....	0
HECKROTH, Bill.....	276
HOGG, Rob.....	260
HORN, Wally E.....	250
HOUSER, Hubert.....	250
JOHNSON, David.....	458
KETTERING, Steve.....	240
KIBBIE, John P.....	330
KREIMAN, Keith A.....	204
LUNDBY, Mary.....	272
McCOY, Matt.....	0
McKIBBEN, Larry.....	110
McKINLEY, Paul M.....	124

MULDER, Dave490
NOBLE, Larry0
OLIVE, Rich96
PUTNEY, John150
QUIRMBACH, Herman C.75
RAGAN, Amanda.....240
RIELLY, Tom.....130
SCHMITZ, Becky.....226
SCHOENJAHN, Brian360
SENG, Joe M.....334
SEYMOUR, James A.....254
STEWART, Roger384
WARD, Pat0
WARNSTADT, Steve400
WIECK, Ron.....396
WOOD, Frank B.372
ZAUN, Brad0
ZIEMAN, Mark410

ROGER STEWART, Chair
WALLY E. HORN
MARY A. LUNDBY
RON WIECK

SUBCOMMITTEE ASSIGNMENT

Senate File 1

LABOR AND BUSINESS RELATIONS: Courtney, Chair; Dearden, Dvorsky, Ward, and Wieck

JOURNAL OF THE SENATE

SECOND CALENDAR DAY
SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 9, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

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

The Journal of Monday, January 8, 2007, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 8:47 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:32 a.m., President Kibbie presiding.

SPECIAL GUESTS

Senator Black welcomed to the Senate chamber former Lieutenant Governor Robert J. Anderson. He is a former President of the Iowa Senate.

The Senate rose and expressed its welcome.

Senator Beall introduced to the Senate chamber Director General Mukhtur Sirajo and Dr. Saida Yakuba, who were visiting from Nigeria. They were accompanied by Del Christensen, director of Iowa Resource for International Service.

The Senate rose and expressed its welcome.

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 1, 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 10:02 a.m., President Kibbie 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 Kibbie declared a quorum present and the joint convention duly organized.

Senator Gronstal moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify Governor-elect Chester J. Culver and Lieutenant Governor-elect Patty Judge that the joint convention was ready to receive them.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Beall, Seng, and Putney on the part of the Senate, and Representatives Ford, Hunter, and Upmeyer on the part of the House.

Senator Gronstal moved that a committee of six, three 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 Rielly, Wood, and Ward on the part of the

Senate, and Representatives Oldson, Palmer, and Gipp on the part of the House.

Secretary of State Michael Mauro, Treasurer of State Michael Fitzgerald, Secretary of Agriculture Bill Northey, Auditor of State David A. Vaudt, and Attorney General Tom Miller were escorted into the House chamber.

Chief Justice Ternus and the Justices of the Supreme Court and Chief Judge Sackett and the Judges of the Court of Appeals were escorted into the House chamber.

The committee waited upon Governor-elect Chester J. Culver and Lieutenant Governor-elect Patty Judge and escorted them into the House chamber.

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

Mrs. Christie Vilsack, the Governor's wife; Jess Vilsack, the Governor's son; and Jess's fiancée, Kate Divine, were escorted into the House chamber.

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

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

Thank you.

Mr. President, thank you very much, and Mr. Speaker, thanks to you as well. And I want to thank all the members of the General Assembly for the opportunity to visit with you as governor for the last time to speak about the condition of our great state.

For the past eight years, I've considered this a special moment, a moment of honor and privilege, to be able to speak directly to the people of our great state about the challenges, the choices, and chances we collectively face.

Today I feel particularly honored by the fact that the Governor-elect, Chester J. Culver, and the Lieutenant Governor-elect, Patty Judge, have found time in their busy schedule to join us. Thank you for being here today. I believe I speak for all of us here when I say that we are looking forward to your special day on Friday when you will be sworn in as our next governor and lieutenant governor.

Speaking of lieutenant governors, no governor in the country has ever had a stronger or better relationship than the one that I have had with Lieutenant Governor Sally Pederson. Lieutenant Governor Pederson has added her voice to those who have little voice, and she has stirred us to action. Mental health parity, a redesign of the

mental health system, affordable housing for people with disabilities, a tour of the state to promote art and the important role it plays in all of our lives, greater diversity in boards and commission and staff appointments, and comparable worth that for the first time for women working in state government occurred with her leadership, and reflect and represent her conscience and her commitment. I want to take this opportunity to thank my partner for eight great years, and I'd ask you to join me in doing so as well.

I might get in a little trouble at home if I didn't also say a few words about Iowa's first volunteer and our First Lady, Christie Vilsack. From the day I took the oath of office, no Iowan has worked longer or harder to make Iowa a great place to live, work, and raise families. I've watched Christie, I've watched her as kindergarteners clutched the book that she gave them, their first book, clutching it as if it was the most precious thing on earth. And indeed, a love of books and reading is precious. Christie, through her foundation, blessed over 200,000 of our children with that special moment. I've watched as she left Terrace Hill very early in the morning and didn't come back until very late at night so she could visit every possible library. She has visited over 500 libraries, the souls of our communities she calls them. And she also encouraged all of us to provide for the first time direct financial assistance to our libraries through the Enrich Iowa program. I watched as she invited certified teacher librarians back into our Code and into our schools, and thousands of Iowans to Terrace Hill for the Spring Fling, her monthly teas, and receptions—Iowans who never thought they would have the opportunity to see the inside of the governor's mansion, much less the private quarters. I've watched her raise the profile of all of our First Ladies and the contribution that they have made to our collective history with the First Ladies' exhibit in Terrace Hill. Yes, I've watched and I've wondered at her energy, her passion, and her commitment. Honey, I want you to know I love you and I care deeply for you and I am so appreciative of the eight years that you have given to me, to the people of Iowa, and especially to our children. I'm certainly glad to have my son and his fiancée Kate with us today, as well.

Before I acknowledge the other dignitaries who are with us, I would like to say a word about state workers and the staff, the loyal staff, who have served us and my administration for the last eight years. We have weathered war, an attack on our country, and some of the toughest fiscal conditions any state government has ever seen. Through it all, these individuals who work for us have also suffered personal tragedies and celebrated personal triumphs. Despite all of that, they gave us countless hours of their effort and energy and passion to make this state a better place to live, work, and raise families.

The same can be said for those who are our directors and those who serve on boards and commissions throughout this great state. I want you all to know that I owe them a debt of gratitude that I will never ever be able to repay. We are a great state because we have people willing to make sacrifices for us.

I'd like to acknowledge the dignitaries who are with us and I'd like to begin with this historic moment to acknowledge Iowa's first woman chief justice of the Supreme Court, Chief Justice Marsha Ternus, and members of the Iowa Supreme Court. I'd also like to welcome members of our Court of Appeals. It's an awkward moment for judges in this circumstance because they're not supposed to acknowledge any applause. It's part of our judiciary, and we're proud of it. Let me say, Madam Chief Justice, that I am excited about the opportunity that I'll witness tomorrow, a historic opportunity, as you give your inaugural Condition of the Judiciary speech. As a proud member of the Iowa Bar Association, let me also say that we as Iowans are fortunate to have competent and independent judges throughout this great state.

Let me take this opportunity to acknowledge these distinguished public servants and all of our judges for their public service, and most specifically, for the work that they do that guarantees to us justice and equality under the law every day in our state.

As Iowans, we are equally blessed by the dedication and commitment shown to us by our statewide elected officials. I've traveled to all corners of the country, and I can tell you that no state has ever been better served by an attorney general than we have been served by Tom Miller throughout his distinguished career. And the same can be said for our state treasurer. No state has been better served than by our state treasurer than Mike Fitzgerald. I want to thank these two gentlemen for their service, and I want to tell you that they are acknowledged by their colleagues as being the best in the business and we are fortunate to have them.

They are also joined by our auditor, David Vaudt. Let me tell you that the auditor has continued the strong and proud tradition of the auditor's office, as Richard Johnson did, as the independent watchdog over the activities of state government and local government for the people of our state. Mr. Auditor, I appreciate your hard work, I appreciate what you have done for us to make sure that we are doing the right thing for the people every day.

Now that trio is joined by two newcomers, two newly elected, statewide-elected officials: our Secretary of Agriculture, Bill Northey, and our Secretary of State, Michael Mauro. These gentlemen have only been on the job for a week, but I suspect they already know that they have fairly large shoes to fill. But both of them bring compassion and passion, commitment, and energy to the job. And I'm sure that they're going to succeed for themselves, but more important, they're going to succeed for all of us. Welcome.

I started my service 14 years ago by walking into this Capitol and taking the oath of office as a state senator, so I fully appreciate how busy members of the General Assembly are when a General Assembly first begins. I do appreciate the opportunity that you have given me today to spend a few minutes of your time as you begin your work and as I finish mine.

I know because I've worked with most of you that all of the members of this General Assembly are dedicated and caring Iowans. I know that you hold in your heart what is best for the state of Iowa and that you're committed to making sure that you do good work. Let me take this opportunity on behalf of all of the people of Iowa to thank you for your service, for your dedication, and your commitment.

Now during the course of my time here, I've had the opportunity to deal primarily with the leadership. Let me say a few words about leadership on both sides of the aisle. On the Republican side, I've had the opportunity to work with Speakers Corbett, Siegrist, and Rants; Leaders Iverson, Lundby, and Gipp; and Presidents Lamberti and Kramer. I want to thank each of them for their understanding, for their willingness to work through good-faith disagreements to a point where we could reach consensus and conclusion for the people of Iowa. We are well served by a strong two-party system, and their party has been well led throughout the eight years I have been governor.

I've also been fortunate to work with leaders on my side, Leaders Schrader and Meyers and now speaker Pat Murphy. On the Senate side, President Jack Kibbie and Senate Majority Leader Mike Gronstal. This is going to be tough because these are my friends. No governor has ever had a closer friendship, a closer relationship, and better advisors than I have had from these leaders. My party is fortunate, and the caucuses are fortunate to have this leadership.

I will miss working with them and miss working with you, but I know that both caucuses are well led and that both caucuses are geared toward a session that will be historic, that will move this state forward, and so I wish you all the very best of luck in your dealings with one another.

During the recent holiday, I took my family on a tour of this great Capitol. I figured it was the fitting thing to do, to appreciate the magnitude of this beautiful building as I was prepared to leave it. The highlight of the tour was a trip to the top of our Capitol, to the very top of the dome. I had never been there before. I climbed all 298 steps from this floor to the top, and I can tell you that every step was worth it for the view.

At first my view focused on the gold detail of our beautiful Capitol. As I walked outside and looked at the walkway that surrounds our dome, I began to reflect on the work that had been done in the last eight years, and the people who made it happen. I realized at that point, that more than the landscape of our great state had changed. We as a people had changed. We are more hopeful and optimistic as our state leads an energy revolution, not just for Iowa but for the entire nation. We take pride in knowing that we are the best at producing ethanol, soy-diesel, and renewable fuel, and that the rest of the nation is looking to us for leadership.

We are more tolerant and welcoming, as witnessed by the fact that we created New Iowan Centers, and we expanded their number to welcome people from all over the world to our great state, to make them feel part of our community.

And we are more cognizant of our environment, as we begin the process of reversing decades of decline of our water resources. All of that and much more bodes very well for the future, but only if we accept the challenge and the opportunity that change presents.

From the top of the Capitol looking east, I looked at the Grimes office building and that's where our department of education works. Just beyond that is an elementary school, the Capitol View school. It's part of the Des Moines school district. It is an elementary school that the governor's office has a special relationship with. It represents the growing diversity of our state.

It is there that I met a very precocious fourth grader by the name of Chrystal Martin. Over the last seven years we in this great Capitol have worked hard to create over 200 million dollars of assistance to reduce class sizes in the elementary grades. Iowans, all of us, were concerned and worried about an erosion of the reading skills of our young children by virtue of the fact that we had seen eight consecutive years of declining test scores.

Chrystal was part of a generation of learners that we were concerned about, who were not faring as well as we had hoped until we collectively decided to take action and change things for the better. Well, when Chrystal saw me, she walked up and she said, "Are you the governor?" And I said, "Yes, I am." She stood up straight and tall, and she said, "Well, I'm Chrystal Martin and they told me that I couldn't read at grade level, but I just got my test scores back and I'm reading at grade level."

Well, ladies and gentlemen, I looked into the eyes of that child and I saw more than I needed to see about the importance of class size reduction and focusing on reading skills, more than the six consecutive years of improved test scores we've seen recently. I saw power in the eyes of that child, the power to read, the power to learn, and most important of all, the power to achieve dreams.

We need to continue our class-size reduction efforts and build on that, and build we did when we began the process of Strong Start, our early childhood initiative. It focused on children zero to six years of age. We wanted them to have their parents be their first and best teacher, we wanted to improve quality childcare, and we wanted to expand access to preschool.

Every child in our state deserves a better future, but our work to ensure that better future is not finished. Indeed, while thousands of children have been helped by Strong Start, thousands more remain in need of help and that is the challenge that the change we started presents.

Do we continue to work for those who have no powerful lobby but represent 100 percent of our future? That is the opportunity that change presents. We'll be able to expand Strong Start to a point where every child has access to preschool. Let universal preschool in this state be the change that allows and enables every child in our state a chance, the opportunity to start school ready to learn, able to learn, and excited about learning. Let us be the first state in the union to make that unqualified guarantee to every single child in our state.

Great learning requires great teaching, and teachers deserve our respect and they deserve to be well paid. No athlete, no CEO, no governor on their best day performs as much magic as a classroom teacher performs every day. Yet teaching salaries lag behind the salaries of those who entertain us, those who operate our companies, and those who govern us. I applaud the Governor-elect and legislative leaders for their intention to expand and accelerate the work we started to improve teaching salaries by raising them to the national average. But this General Assembly could use this opportunity to look for more innovative ways to reward stellar performance in our schools by creating a new and improved compensation system. The current compensation system was modeled after activities 90 years ago, and during that period of time little has changed. I believe the legacy of this General Assembly and our new leaders will not be a preservation of the old, but an acceptance and embracement of the new. I believe you can blaze a new trail, waiting for no state, no city, no school district. Let Iowa be the leader that delivers a new and improved compensation system. Let Iowa be the leader that says to every single teacher, you are respected and you will be compensated accordingly. Let Iowa do that for our teachers, and most important of all, for our children.

One final word about education. I know that it's appropriate and necessary for us to continue to talk about the rising cost of college and university tuitions and our plans to help reduce the heavy load that our youngsters are currently having to carry, but I hope that we extend that conversation a bit to recognize that there are some who do not go to college, not because they can't afford it but because they've not graduated from high school. Our state is one of the best states in terms of high school graduation rates and we can take pride in that, but the dropout rate among minority students, while it has improved, still lags behind. We need help. We need help for those students who need extra help. Additional investments in the Iowa Jobs for America's Graduate program that we started several years ago, a high school dropout prevention program, will guarantee continued success. Nine out of ten Iowa seniors graduate from high school, but only seven out of ten minority students. It's not enough in our state for every white child to graduate from high school, to have a shot at college and a better future. It's necessary and important for us to continue to work until every child regardless of color graduates from high school and has a shot at college and a brighter and better future. That is a challenge that change presents to us, and for our future and our children's future; we must meet and accept that challenge. For if we do not, all of us will share in the consequences of failure.

As I looked to the north from the top of the Capitol, I looked at the Mercy Hospital clinic and I thought of my good friend Doctor Steve Gleason. Doctor Gleason worked at Mercy and he also worked at this Capitol. He was a passionate advocate for healthcare reform. It was his belief that every Iowan and every American deserved access to quality health care, and that that access should never be denied or delayed. If he were with us today, I think he would be happy with the fact that Iowa is only one of two states that reduced the number of uninsured last year, and we ranked second in the nation in overall healthcare coverage. Almost 92 percent of our citizens are covered.

But I don't think Steve would be satisfied with that. I think he would remind us that every Iowan deserves coverage, every Iowan deserves to get the care they need

when they need it. And so my challenge to you and the challenge that change presents is simply this: Let Iowa be the first, let this General Assembly and this new administration be the first, not just to promise universal access to health care, but to deliver on that promise to every single child, every single adult, and every single citizen of this state. We can do this.

And for those who may be doubtful, for those who may wonder whether we can afford it, let me simply say I believe we cannot afford not to. This is something that we can do in this state. You have worked hard, you have gotten us to this point, let's finish the job in health care.

Now, as important as that job is you should not be satisfied with just simply providing universal coverage. As tough and as challenging and as daunting as that task may be, we started down another path in health care, an important path, a path of actually reducing the cost of health care to Iowa citizens. We established the Senior Living Trust to reduce the need for nursing home care and allow people to remain in their homes with greater dignity for longer periods of time. We extended healthcare insurance coverage to a series of mental illnesses so that folks wouldn't have to get so sick that they finally got attention. We also created the Iowa Cares program in an effort to say to those who are uninsured at Broadlawns and at the University of Iowa Hospitals and Clinics, you don't have to go to an expensive and necessary emergency room visit, you can go to a less expensive doctor's office visit. We began this important work and understand how significant it is. We have begun the transformation of our healthcare system from one that simply prevents diseases and treats diseases to one that not only prevents, but also cures the incurable.

You have three important missions in this General Assembly, it seems to me, that you ought to give very serious consideration to as you continue this transformation. First, we must begin the process of accelerating our efforts to reduce childhood obesity. Our children need to be active, our children need to eat nutritious snacks, our children need to be healthy—we owe it to them. Second, it's important that we continue to expand dramatically our efforts to reduce teenage smoking and other drug use. And third, and this is important if we're interested in curing incurable diseases, we must lift the ban on nuclear cell transplants now.

As I moved to the view of the Capitol that looks west, I recognized and appreciated that our work here had changed the landscape of the city of Des Moines through the Vision Iowa program and the Values Fund. It occurred to me that through those programs, and the Community and Attraction Tourism program, we've not just changed the landscape of one community, we've changed the landscape of hundreds of communities in 90 counties in over 500 projects, and that number continues to grow.

Over ten billion dollars of capital investment has been committed and will create or retain well over 30,000 jobs, and that number will also increase over time. These projects and these programs have allowed us to have one of the fastest-growing economies in the country, have enabled us to record a record number of employed Iowans, have improved family incomes above the national median for the first time in some time, have helped to reverse the brain drain, and perhaps as important as anything, have established Iowa as the undisputed leader in renewable energy production.

But the time is past due to extend economic progress for those who work at minimum wage jobs. Let's bring the progress that we've experienced as a state to everyone. Let's raise the minimum wage, and let's do it this year.

As I thought about our work on the economy through these programs, I thought of Terri Goodman from Dubuque, Iowa. For me she represents the spirit of this new Iowa. She lives in Dubuque and she was one of the primary movers of the Dubuque Vision Iowa project, the America River Museum. It's a museum that led to a

contribution and participation by folks from all over the country in investing tens of millions of dollars along the riverfront in Dubuque. It helped to transform that community. It also celebrates the ecology and the important role that the Mississippi River plays. After the museum opened, I just assumed that that was all there was. But Terri, representing this new spirit, had more ideas, more opportunities to expand, more opportunities to take a further step.

And that's precisely what we need to continue to do here in this Capitol. We cannot be satisfied with where we have been, we must be satisfied that we need to get to a different place. That's why I hope that this General Assembly will continue to fund and expand Great Places. It's the next generation of Vision Iowa, and I hope that there's a more focused Values Fund effort as the Governor-elect has suggested to make sure that our state is indeed the energy-secure state that it needs to be and can be.

Let us be as the Governor-elect has suggested, the first state in the country to sever our relationship with foreign oil and foreign oil supplies, so that we can provide a growing economy for our state. You know, Governor-elect, I realize the more times I refer to you, the more times they stand up.

You know, Terri Goodman's vision extended beyond bricks and mortar. She understood the economic power of our water resources, and we should as well. We now know more about our water after monitoring it for eight years, and we know the need for improving it. We have a plan for those improvements, and last year we made a one-year down-payment to advance that plan. But now I ask the General Assembly to display the courage of your convictions by an aggressive multiyear effort. It's time for us to make a clear statement about our concern for the environment. It's time for us to have a multiyear Vision Iowa-like program to clean up our water, to take full advantage of the potential of our water resources.

In doing so, Iowa cannot only be an energy leader, we can and we must and we should be an environmental leader as well. Now, I know that there may be some who ask whether or not such an aggressive ambitious agenda would be accomplished. I don't believe there is any question it can be. A growing economy that improved revenues last year and this year makes this agenda possible and more. Our reserve accounts are full, and we're well on our way to repaying the entire debt we owe to the Senior Living Trust. It's a payoff for all the hard work and sacrifices that previous General Assemblies made.

Finally I looked to the south of this great Capitol, and I saw the memorial to the fallen. I reflected on the current war and calls I've made to family members. I made one just last week. You know, war and death and destruction caused from it do not distinguish by color or culture. Just simply read the names on the memorial. They come from all walks of life, all parts of our world. We owe those who serve us a great debt. We've attempted to repay it in small ways: first-time home buyers assistance program for our National Guard men and women, money for injured soldiers and their families, Bobby and Michelle's bill, a veterans trust fund so we continue to make sure that veterans understand that they have earned rights and privileges, full college tuition assistance, and a national cemetery, an appropriate final resting place for those who have sacrificed so much.

But it is not enough, it is not enough. We can and we must do more. We can honor their sacrifice by promoting tolerance, understanding and compassion for those who may be different than us. The current strife in Iraq stems from a failure to accept diversity of blood and belief. Sunnis, Shiites, and Kurds do not get along. Their children die, our children die. If we really want to honor those who have given so much for us, we should not depend on the Iraqis to accept that responsibility. That is our responsibility.

So let us pledge here and now as Americans, not as Republicans or Democrats, but as Americans, let us dedicate ourselves to making diversity, in whatever form it may come, a reason to love and not to hate, a reason to accept and not reject, a reason to celebrate and not to fight. We can start by making our schools safe for all of our children by passing the antibullying bill. Do it for them, do it for us, and do it now.

This war has cost us a lot. It has hollowed out our military. It has, in my view, weakened our National Guard, and it puts our nation at risk. This war has compromised our national government's ability to meet the needs here at home—better schools, accessible and affordable health care, and modern infrastructure.

Now the President and the Congress are poised to make a big mistake even bigger by escalating America's involvement by adding more troops and investing more resources, by failing to recognize that the responsibility for success lies not with us but with the Iraqis and their government. Understand that escalation will come at the expense of families and communities here in Iowa and across the nation. We will once again send National Guard troops from this state to Iraq for another long-term deployment. Escalation will further erode our nation's ability to adequately fund needs here at home.

As governor and as the commander-in-chief, I have an obligation to speak out and to urge the President and Congress not to put more Iowans and Americans in harm's way in Iraq. But I have another obligation—one that extends beyond my role as governor and commander-in-chief. It is as an Iowan and as an American. And I use that obligation to ask you, the members of the General Assembly, to speak out as well. I ask you to use your collective voice to pass a resolution urging our President and our Congress not to make this tragic mistake for those who will unnecessarily die.

This may not be part of the agenda, this may not be part of what you plan to do, but I ask you today and throughout this General Assembly to look down deep inside your heart and ask yourself if you're doing all you can do to make sure we do not make a big mistake even bigger.

Let me end my time with you today where I began, with a thank you. I owe a thank you to the people of Iowa for granting me the privilege that few have ever had, the opportunity to serve them as governor. While challenges clearly remain, we have built a state better prepared for what lies ahead.

I have given it my all and I have done my best, but as I leave I'm confident. I'm confident that Iowa's best is yet to come starting right here and starting right now. God bless you all.

ADOPTION OF EXTRAORDINARY RESOLUTION

Senator Gronstal asked and received unanimous consent for the immediate consideration of the following Extraordinary Resolution and moved its adoption.

EIGHTY-SECOND GENERAL ASSEMBLY

EXTRAORDINARY RESOLUTION

By: Senate members Angelo, Appel, Beall, Behn, Black, Boettger, Bolkom, Connolly, Courtney, Danielson, Dearden, Dotzler, Dvorsky, Fraise, Gaskill, Gronstal, Hahn, Hancock, Hartsuch, Hatch, Heckroth, Hogg, Horn, Houser, Johnson, Kettering, Kibbie, Kreiman, Lundby, McCoy, McKibben, McKinley, Mulder, Noble, Olive, Putney, Quirnbach, Ragan, Rielly, Schmitz, Schoenjahn, Seng, Seymour, Stewart, Ward, Warnstadt, Wieck, Wood, Zaun, Ziemann; and

House members Abdul-Samad, Alons, Anderson, Arnold, Bailey, Baudler, Bell, Berry, Boal, Bukta, Chambers, Clute, Cohoon, Dandekar, Davitt, De Boef, Deyoe, Dolecheck, Drake, Foege, Ford, Forristall, Frevert, Gaskill, Gayman, Gipp, Granzow, Grassley, Greiner, Heaton, Heddens, Hoffman, Horbach, Hunter, Huseman, Huser, Jacobs, Jacoby, Jochum, Kaufmann, Kelley, Kressig, Kuhn, Lensing, Lukan, Lykam, Mascher, May, McCarthy, Mertz, Miller, H., Miller, L., Murphy, Oldson, Olson, D., Olson, R., Olson, S., Olson, T., Palmer, Paulsen, Petersen, Pettengill, Quirk, Raecker, Rants, Rasmussen, Rayhons, Reasoner, Reichert, Roberts, Sands, Schickel, Schueller, Shomshor, Smith, Soderberg, Staed, Struyk, Swaim, Taylor, D., Taylor, T., Thomas, Tjepkes, Tomenga, Tymeson, Upmeyer, Van Engelenhoven, Van Fossen, Watts, Wendt, Wenthe, Wessel-Kroeschell, Whitaker, Whitehead, Wiencek, Winckler, Windschitl, Wise, Worthan, and Zirkelbach.

An Extraordinary Resolution honoring Governor Thomas J. Vilsack for his eight years as Governor of the State of Iowa.

Whereas, Thomas J. Vilsack today addressed the Eighty-second General Assembly of the State of Iowa and in so doing, delivered, in addition to his Inaugural Address in 1998, his eighth and last Condition of the State message to the Iowa General Assembly as Governor of the State of Iowa; and

Whereas, This Joint Convention of 50 Senators and 100 Representatives therefore is honored to represent the hundreds of women and men who served in the four General Assemblies during Governor Vilsack's eight-year tenure as Governor; and

Whereas, Beginning today the state's historians and others will record and evaluate the ways in which Governor Vilsack's dedicated public service as the 39th Governor of the State of Iowa has enriched the history of Iowa state government, and the ways in which his service has touched the lives of all Iowans; *Now Therefore*,

Be It Resolved By The Eighty-second General Assembly In Joint Convention, That the Joint Convention remark for posterity upon Governor Thomas J. Vilsack's relationship, as head of the executive branch of state government, to the legislative branch of state government, to wit:

Thomas J. Vilsack's two-term tenure as Governor has been marked by a constructive separation of powers during which the Governor's policy objectives have been effectively communicated to the General Assembly, and

the General Assembly has freely exercised its constitutionally mandated independence in making public policy through its lawmaking function. The results of this relationship will be recalled by others in more detail than can be expressed in this Resolution, but for members of the General Assembly whose service parallels Governor Vilsack's service, the following general contributions will serve as reminders of the many significant policy changes fashioned during Governor Vilsack's tenure in office from 1999 until today:

1. **ECONOMIC DEVELOPMENT.** Creation of the Iowa Values Fund to grow the Iowa economy by creating jobs and securing capital investments; the Vision Iowa and Community Attraction and Tourism Programs to improve communities through investments in education, cultural, and recreational attractions; and the Great Places Program to identify unique places to live, work, and play.

2. **EDUCATION.** Establishment of lifelong opportunities for learning, emphasizing early childhood programming, higher standards of student achievement, class size reduction, and access to Iowa's libraries to enrich its citizenry.

3. **HUMAN SERVICES.** Initiatives to increase health care coverage to uninsured children and to provide continuing access to high-quality health care through the federal-state Medicaid program, related indigent care programs, and mental health insurance coverages.

4. **RENEWABLE ENERGY.** Creation of incentives to facilitate the development of the renewable energy industry, including ethanol and biodiesel fuel and wind energy production.

5. **ENVIRONMENT.** Water quality initiatives to prioritize water quality improvements for rivers and lakes and to monitor quality through volunteers; and the expansion of outdoor recreation opportunities through the creation of a destination state park.

6. **CRIMINAL JUSTICE.** Strengthening of the criminal justice system through restrictions placed on pseudoephedrine sales and enhanced penalties.

7. **GOVERNMENT EFFICIENCY AND ACCESSIBILITY.** Creation of entrepreneurial charter state agencies and the Department of Administrative Services; and providing state government accountability and access to government institutions through electronic portals.

Be It Further Resolved by the Eighty-second General Assembly In Joint Convention, That Governor Vilsack be recognized for the national leadership he assumed as Governor of the State of Iowa, including as a Chair of the Midwestern Governors' Conference, the National Governors' Association, the Democratic Governors' Association, and the Democratic Leadership Council; and

Be It Further Resolved by the Eighty-second General Assembly In Joint Convention, That we hereby admonish writers, historians, and journalists, young and old, to compose their portrayals and analyses of the Thomas J. Vilsack years with wisdom, thoroughness, and compassion; and

Be It Further Resolved by the Eighty-second General Assembly In Joint Convention, That the Joint Convention honor Governor Thomas J. Vilsack for his devoted service to the State of Iowa and the citizens of this State; and

Be It Further Resolved by the Eighty-second General Assembly In Joint Convention,
That a copy of this Resolution be forwarded to Governor Thomas J. Vilsack, and to First Lady Christie Vilsack, where it is hoped it will be received as a symbol of appreciation, good wishes, and affection extended by the Eighty-second General Assembly and the people of Iowa to the Governor, First Lady, and their family.

President Kibbie presented Governor Thomas J. Vilsack an enrolled copy of the resolution.

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

Representative McCarthy 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 Gronstal, the Senate adjourned at 10:54 a.m. until 8:45 a.m., Wednesday, January 10, 2007.

APPENDIX

ASSIGNMENT OF SEATS IN THE PRESS GALLERY

Seat No.

- 51. The Des Moines Register: Jonathan Roos, Perry Beaman, Tony Leys, Kathie Obradovich, Jason Clayworth, Lisa Rossi, Jennifer Jacobs, Bill Petroski, Lynn Campbell
- 52. The Associated Press: Mike Glover, David Pitt, Amy Lorentzen, Henry C. Jackson, Charlie Neibergall
- 53. Single Day Visitor Press Seat
- 54. Radio Iowa News Network: O. Kay Henderson
- 55. Staff
- 56. Dubuque Telegraph Herald: Mary Rae Bragg
- 57. WOI-AM: Joyce Russell
- 58. The Cedar Rapids Gazette: Rod Boshart, James Lynch, Amber Bryant-Tapper
- 59. Single Day Visitor Press Seat.
- 60. Lee Enterprises DM Bureau: Todd Dorman, Charlotte Eby
- 61. Lee Enterprises Sioux City: Dan Gearino
- 62. Iowa Legislative News Service: Thomas Hunt, Jack Hunt, John Kurr
- 63. KUNI Radio: Jeneane Beck, Greg Shanley
- 64. KCCI-TV: Eric Hanson, Michelle Parker, Geoff Greenwood, Emily Givens, Bob Kaple

General Assignment

Fox News Channel/Chicago Bureau: Steve Brown, Yolanda Maggi, Robert Lee, Tom Jachman, Chris Becker, Jeff Goldblatt, Cherie Gazeck, Svein Schwab, Glenn Wargo, Tom Ewing, Dustin Grudish

IFPC Radio Network: Chad Thompson, Mike Hartwig

IowaNews.Net: Gary Barrett

Iowa State Daily: Kevin W. Stillman, Stan Brewer, Dan Moylan, John Auise

KIMT-TV: Adam Sodersten, Danielle Williams, Shawn Harmsen, Justin Foss, Elisa Mangesho

KWWL Television: Adam Sodersten, Trent Reicks, Bob Waters, Jason Mortvedt, Randy Schumacher, Megan Reuther, Scott Westerberg, Danielle Wagner, Jessica McAninch, Will Brown

Marion Times: Dave Tapp, Sarah Morey

WHO-TV: Dave Price

WOI-TV: Jay Villwock, Don Schmith

Iowa City Press-Citizen: Brian Morelli, Matt Holst

Cityview Newspaper: Sean Miller, Andrew Brink

The Record-Herald and Indianola Tribune: Sara Sleyster, Michael Rolands, photographer.

KTIV-TV: Matt Breen, Tia Heidebrecht, photographer

KCAU-TV: Elizabeth Herrgott, Joe Willis

Iowa.Politics.com: Chris Dorsey

KTVO-TV: Anthony Miller, Jill Kasparie, Debra Savage, Jude Wilbers, Andrew Grove

KMEG TV: Jean Andersen, Clint Jiras

REPORTS OF COMMITTEE MEETINGS

LABOR AND BUSINESS RELATIONS

Convened: Monday, January 8, 2007, 3:10 p.m.

Members Present: Dearden, Chair; Courtney, Vice Chair; Ward, Ranking Member; Dotzler, Dvorsky, Hahn, Hatch, Horn, McKinley, Seng, and Wieck.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 3:30 p.m.

COMMERCE

Convened: January 9, 2007, 3:05 p.m.

Members Present: Warnstadt, Chair; Heckroth, Vice Chair; Wieck, Ranking Member; Angelo, Bolckom, Courtney, Kettering, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward.

Members Absent: McCoy (excused).

Committee Business: Organizational meeting.

Adjourned: 3:20 p.m.

ECONOMIC GROWTH

Convened: Tuesday, January 9, 2007, 1:10 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Houser, Ranking Member; Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, and Zaun.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 1:40 p.m.

TRANSPORTATION

Convened: Tuesday, January 9, 2007, 2:00 p.m.

Members Present: Rielly, Chair; Danielson, Vice Chair; Noble, Ranking Member; Beall, Dearden, Hancock, Heckroth, Houser, Putney, Warnstadt, Zaun, and Ziemann.

Members Absent: McCoy (excused).

Committee Business: Organizational meeting.

Adjourned: 2:25 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 1, by Ragan, a concurrent resolution calling upon Iowans to observe Iowa Family Development and Self-Sufficiency Week.

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

Senate Resolution 1, by committee on Rules and Administration, a resolution relating to permanent rules of the senate for the eighty-second general assembly.

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

INTRODUCTION OF BILLS

Senate File 10, by Kibbie, a bill for an act providing authority to a county board of supervisors to establish a separation distance requirement between an animal feeding operation maintaining swine

and a structure which is part of a swine farrowing and gestating operation, and providing an effective date.

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

Senate File 11, by Kettering, a bill for an act relating to the funding for snowmobile programs by making an appropriation to restore transferred funding from snowmobile fees.

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

Senate File 12, by Zieman, a bill for an act providing volunteer fire fighters and emergency medical services personnel with an individual income tax credit and providing effective and retroactive applicability dates.

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

Senate File 13, by Warnstadt and Wieck, a bill for an act allowing certain cities to appoint additional civil service commissioners.

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

STUDY BILLS RECEIVED

SSB 1001 Agriculture

Providing for the regulation of packers and the purchase of swine from producers, and providing for penalties.

SSB 1002 Commerce

Extending the future repeal of a provision requiring the issuance of certificates for furnishing local telecommunications services, and providing an effective date.

SSB 1003 Commerce

Relating to the maximum finance charge allowed for consumer loans secured by a certificate of title to a motor vehicle and making penalties applicable.

SSB 1004 Judiciary

Allowing a competent adult to execute a written instrument directing the final disposition of that person's remains.

SSB 1005 Judiciary

Relating to crime victim compensation.

SSB 1006 Judiciary

Relating to the disposition of unclaimed property concerning minerals.

SSB 1007 Judiciary

Relating to a criminal defendant filing an application for postconviction relief.

SUBCOMMITTEE ASSIGNMENTS**SSB 1001**

AGRICULTURE: Kibbie, Chair; Fraise, Gaskill, Mulder, and Olive

SSB 1002

COMMERCE: Bolkcom, Chair; Heckroth and Kettering

SSB 1003

COMMERCE: McCoy, Chair; McKibben and Rielly

SSB 1004

JUDICIARY: Hogg, Chair; Behn and Hancock

SSB 1005

JUDICIARY: Schoenjahn, Chair; Fraise and Hartsuch

SSB 1006

JUDICIARY: Hancock, Chair; Quirnbach and Ward

SSB 1007

JUDICIARY: Kreiman, Chair; Noble and Warnstadt

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

Bill Title: SENATE RESOLUTION 1, a resolution relating to permanent rules of the senate for the eighty-second general assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

THIRD CALENDAR DAY
THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 10, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by Reverend Matt Miller, pastor of the United Methodist Church in Grundy Center, Iowa. He was the guest of Senator Putney.

The Journal of Tuesday, January 9, 2007, was approved.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 1.

Senate Resolution 1

On motion of Senator Gronstal, **Senate Resolution 1**, a resolution relating to permanent rules of the senate for the eighty-second general assembly, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Resolution 1, which motion prevailed by a voice vote.

RECESS

On motion of Senator Gronstal, the Senate recessed at 8:50 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:32 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 2, 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 2, duly adopted, the joint convention was called to order at 9:50 a.m., President Kibbie 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 Kibbie declared a quorum present and the joint convention duly organized.

Senator Gronstal moved that a committee of six, three 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 Kreiman, Heckroth, and Hahn on the part of the Senate, and Representatives Quirk, Gayman, and Horbach on the part of the House.

Senator Gronstal moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify the Honorable Marsha K. Ternus, Chief Justice of the Iowa Supreme Court, that the joint convention was ready to receive her.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Hogg, Schmitz, and McKibben on the part of the Senate, and Representatives R. Olson, T. Olson, and Anderson on the part of the House.

Secretary of State Michael Mauro, Treasurer of State Michael L. Fitzgerald, Secretary of Agriculture Bill Northey, 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.

Denny Drake, husband of Chief Justice Ternus; her son, Rob Drake; and her daughter, Brooklyn Drake, 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 Marsha K. Ternus and escorted her to the Speaker's station.

President Kibbie then presented Chief Justice Marsha K. Ternus, who delivered the following Condition of the Judiciary Message:

Mr. President, Mr. Speaker, Governor Vilsack and Lieutenant Governor Pederson, members of the General Assembly, state officials, judges, and friends:

The ceremonial events of this week carry great meaning, not just for those of us who work in state government, but for all Iowans. They serve to remind us of the significance of our endeavor to do what is best and right for Iowa, which is, after all, the reason we are all here. Regardless of our different roles, tenure, political affiliation—or lack of political affiliation—we all made a conscious decision to hold public office, first and foremost, because we care deeply about serving the people of our great state.

This common goal—to do what is best and right for Iowans—is a strong unifying force that serves as the foundation of our working relationships. Naturally, we can share a goal and disagree on how to reach it. But so long as our common goal is our first consideration, we can achieve a great deal to move Iowa forward. I and the other members of the judicial branch look forward to working with you in this spirit.

Now, I turn to the reason we are gathered here this morning: the State of the Judiciary. I regard this address as one of the chief justice's most important duties. This occasion is the best opportunity for the judicial branch to share with you and the people of Iowa our assessment of the state's court system and to let you know what improvements and issues are on the horizon.

Today, I'm pleased to report that our assessment is positive. The judicial branch is ably performing its constitutional and statutory duties. This good report is due primarily to the efforts of the nearly 2000 dedicated individuals who are the judicial branch of government. Public service inspires and drives their efforts every day. Working together as a team, our judges and professional staff skillfully fulfill our vital

mission, which is administering justice according to law, equally to all people. I am immensely proud of them.

Our capacity to resolve thousands upon thousands of cases efficiently and effectively is also a result of your support. You have a solid history of providing the resources, statutory procedures, and fair compensation required to operate a high caliber court system. We are grateful and trust that you will give the work of the courts similar consideration again this year.

While this good news certainly makes this message easier to deliver—and probably easier for you to receive—there is more to tell you because there is always room for improvement. So today, I intend to discuss some of our efforts to improve the delivery of court services to Iowans. Some improvements are simple changes that are easy to implement; others are multifaceted and ambitious efforts that will take years to complete. But all are important steps that will serve the best interests of the public.

E-FILING AND PAPERLESS COURTS

Nothing has transformed our service to the public more than information technology and the Internet. In the past few years, we've harnessed the power of technology so Iowans can pay fines, check child support payment records, watch supreme court oral arguments, check criminal backgrounds, read appellate court opinions, track down judgments and liens, and determine court schedules online, 24/7.

Now we're poised to begin our most ambitious undertaking ever—the transformation from a paper-based to a completely paperless court system. We plan to begin by testing electronic filing and paperless procedures in two pilot counties later this year. Once the pilot project testing is completed, we will implement electronic filing in the appellate courts. After that is done, we will gradually add the remaining trial courts. If all goes as planned, we will have E-filing available statewide in five years.

Switching to a completely electronic system will require special court rules. For the past year, a very capable committee has worked diligently on the procedural rules we will need to implement and manage a paperless system, rules that will be released for public comment tomorrow. I want to take this opportunity to publicly acknowledge the thoughtful and thorough work of this committee, chaired by Judge Robert Hutchison of Des Moines and attorney David Beckman of Burlington.

Our transformation into a paperless court will dramatically modernize court operations and revolutionize public access to the courts. Just imagine the benefits. Iowans will be able to search and view entire court files online, around-the-clock, from the convenience of their home, office, or local library. E-filing means no more last minute dashes or long drives to the courthouse to file papers. Judges, court staff, lawyers, litigants, and others will have immediate and simultaneous access to court files. The pressure on clerks' staff to hunt down files and make copies will vanish. Local governments will be relieved of the cost of leasing more space in which to warehouse paper files.

INFORMATION SECURITY AND PRIVACY CONCERNS

While a paperless operation will produce substantial benefits to court staff, court users, and the public, it will also produce heightened concerns about information security and personal privacy. Court records routinely contain personal identification information and other material of a personal or sensitive nature. Although most of this information is presently available to the public, it is, for all practical purposes, unseen. The task of finding and accessing a paper record in one file among thousands of files located in one of our one hundred courthouses impedes widespread dissemination and misuse of these records. But after the judicial branch shifts to electronic filing and

record management, court records will be readily available for unconstrained, global public consumption. Individuals involved in court proceedings will be more vulnerable to identity theft and prying eyes. Such universal and easy access is a concern not only for the courts and other government offices that use or are contemplating the use of online access to records, but also for the citizens of Iowa who value their security and privacy.

I want to emphasize that the courts protect and will continue to protect information that is confidential by law; but current laws do not bestow confidential status on most of our records, which include, among other items, birth dates, addresses, children's names, and financial account information. There is a valid reason to restrict public access to personal identification information, financial account information, and other information that could be used by identity thieves, as well as certain information that could expose people, such as minor children and victims, to other types of harm. Protecting this information will require a combination of court rules and legislative action, as well as diligence on the part of attorneys and litigants.

The first safeguard is simple. Lawyers and litigants should simply omit personal information from papers and exhibits when such information is not required by law or is not germane to a legal issue in a case. To instill this safeguard into our procedures, the supreme court recently adopted new rules to discourage people from filing information the court does not need.

But how do we protect personal information that is material to a proceeding or required by law? In this situation, we propose additional court rules that will apply to information provided to the court in electronic format. First, we propose that certain information, such as birth dates, children's names, financial account numbers, and social security numbers, be submitted on a separate, protected information form that will be kept confidential. Second, when it is necessary to refer to or use protected information in a court document, a party would provide only a portion of the information. For example, if a minor child's name is necessary, parties would use only the child's initials. Or if a financial account number is pertinent, the party would use only the last four digits. We need and recommend your approval of a statutory amendment that will give the judicial branch the authority to protect personal information in this manner.

Now, what about other privacy concerns that will naturally arise with online access to court records? Court records contain all sorts of personal and sensitive information, such as tax returns, employment history, medical records, financial assets, and even the details of family disputes. Should information of this nature that courts receive and maintain in electronic format be available to the public to the same extent as it is currently available in our paper-based system? All Iowans value openness in government, but perhaps the balance between access to public information that explains government action and the protection of personal information citizens consider private should be re-examined. This issue requires a policy decision of tremendous importance to the citizens of this state. It is a policy decision properly to be made by you—the legislature. We hope you will give this issue your full attention this legislative session.

IMPROVING JURY SERVICE

Now I turn to another example of our plans to improve service to the public—a plan that focuses on the people who serve the state by answering the call to jury duty. Each year thousands of Iowans from many walks of life take time away from their families and jobs to fulfill this important civic function. They are essential to our justice system, and they are truly unsung heroes.

We recognize that their time is valuable, and so over the years we have adopted a number of measures to make jury service more convenient and less time-consuming. Later this year, we will begin another juror-friendly service—E-juror, a web-based program that will enable people summoned for jury service to respond to and complete the summons online. This feature will also allow jurors to contact court staff directly by email when they have questions about their service. E-juror will join our growing list of online services that connect the courts with the people.

While time-saving measures and convenient services make it easier for Iowans to fulfill their civic duty, these steps are only part of what we can and should do for citizens who take time from their normal responsibilities to perform this important function. As you know, we pay jurors a small amount for each day of service, a mere \$10 per day. There is one exception. With the aid of the statutory authority you gave us in 2005, we recently established by court rule a pay differential for jurors who serve on long trials. Rather than the basic \$10 per day, jurors receive \$50 per day after the seventh day of service. It is now time to take the next logical step and increase the basic fee.

For several reasons, we recommend that you increase the basic fee for jury duty from \$10 per day to \$30 per day. According to information from the National Center for State Courts, Iowa's \$10 fee is near the bottom of the range of fees paid by state courts. Iowa's fee has remained unchanged for thirty-three years. A \$10 fee in 1974, when the current fee was set, adjusted for inflation, would be worth more than \$40 today. While our recommendation of \$30 per day is admittedly less than the lost wages and child-care costs incurred by many jurors, we believe it is a reasonable sum. It will at least lessen the financial burden borne by Iowans performing this valuable public service. We estimate that the total cost of this increase will be around \$2 million a year. But the Jury and Witness Revolving Account should be able to absorb the additional expense for the next few years. Please recognize the personal sacrifice, financial and otherwise, made by jurors every day by paying them a more reasonable sum for their service to the public.

ASSISTING SELF-REPRESENTED LITIGANTS

Now I want to talk a bit about the efforts of the judicial branch to address the needs of self-represented litigants, a growing category of court customers. Whether people represent themselves as a matter of choice or out of necessity, they have a right to access court services without an attorney. But in all honesty, the vast majority of litigants who represent themselves are ill equipped to effectively serve as their own legal counsel. Typically, they are unfamiliar with the law and unfamiliar with court procedures. Their lack of knowledge and skill affects more than the outcome of their cases—it places additional burdens on an already overtaxed court system because litigants who represent themselves frequently expect judges and court employees to help them with their lawsuits, diverting valuable resources from other cases and public services. Rather than ignore this difficult issue, we are taking concrete steps to accommodate the needs of these litigants.

Forms and Instructions

Our hard-working and talented Pro Se Forms Advisory Committee, chaired by Judge Patrick Grady from Cedar Rapids and Iowa City attorney Dan Bray, is putting the finishing touches on our first two sets of easy-to-use-forms and instructions for litigants who represent themselves. One set is designed for divorcing couples without children, which is usually the simplest type of dissolution. Another set is designed to help parents who seek modification of child support orders—a process that I know is of great concern to many of your constituents. Once the forms and instructions are

finished, the court will make them available on our website. We do not plan to stop with the introduction of these forms, however. Over time, we intend to adopt more forms and instructions to assist self-represented litigants with other court procedures. These efforts are important because they will enhance court access for Iowans who cannot afford an attorney.

Unbundled Legal Services

Do-it-yourself forms and instructions are immensely helpful to Iowans who choose to represent themselves in court, but forms can never be a substitute for professional legal advice. Realistically, however, many people cannot afford the expense of hiring an attorney to represent them in court. To assist in meeting the legal needs of Iowans, we have now proposed amendments to our rules of civil procedure and the rules governing attorneys' ethical obligations to encourage limited-scope legal assistance, a practice referred to as unbundled legal services. These changes will make it easier for a lawyer to perform a particular task, such as drafting a petition or attending one hearing on behalf of a client, without requiring the lawyer to handle every aspect of a case from beginning to end. The end result is more affordable legal representation for the citizens of Iowa, which we hope will encourage more people to obtain legal assistance.

CHILDREN AND THE COURTS

I next turn to the most important matter I want to discuss with you: our efforts to improve the lives of children who come to court because they need treatment or protection—Iowa's most vulnerable citizens. Within this context, I will address two topics: our efforts to improve the lives of foster children who are waiting for permanent homes and our deep concern about the well-being of children who are waiting for treatment of mental health problems. Make no mistake: Whatever we can do to help these children will benefit not only these innocent kids, but also the public in general because we can reduce the odds that neglected children will become delinquent juveniles and adult criminals.

Children Waiting for Treatment

I begin with children waiting for treatment. In 2005, you narrowed the statutory definition of "child in need of assistance." This small, well-intentioned amendment has resulted in a serious unexpected problem.

The previous definition of "child in need of assistance" allowed a juvenile judge to order treatment for a child who suffers from a serious mental illness or disorder, or emotional damage, and whose parent, guardian, or custodian is unwilling *or unable* to provide treatment. The 2005 amendment struck the two words "or unable." The purpose of the amendment was to enable parents who do not have the financial means to obtain mental health treatment for their children to obtain it at state expense without being compelled to relinquish custody of their child. The avoidance of unnecessarily placing children in state custody is a laudable goal, and I commend you for it. However, a cap on the number of people who can be served under the new procedure means many children are not receiving the treatment they need.

I understand that more than 300 children are waiting for such treatment. Our juvenile judges tell me that too often children wait too long. Their parents are at wit's end. And while they wait, the children's problems worsen. Many of these children get into trouble and end up in court for delinquency. We witness this problem every day in the courts of this state.

The director of the Department of Human Services and I have discussed this problem. The department is also concerned that more children need help and recommends additional funds to raise the cap so another 100 children can be treated.

This recommendation is certainly a step in the right direction, and we support it. But what about the other 200 or so children who need help now? Placing an artificial cap on the number of children who can be treated may serve a budgetary goal, but it does not meet the needs of our most vulnerable children. Without treatment now they will not have the tools to grow into responsible citizens. It is your choice to make. We urge you to provide funds for the treatment of children suffering from a mental disorder or illness at a level that can realistically meet the need for such treatment.

Children Waiting for a Permanent Family

Our concerns about the welfare of children do not stop here. We are enormously concerned about the lives and the futures of children in foster care. As you know, a foster child is a child who has been removed from his or her home and is living in the care of the state—either in a foster home, a group residence, or an institution.

In Iowa, just over 5000 children, about the number of children enrolled in the Marshalltown School District, live in foster care. While most of us think of foster children as those who have been abused, most foster children are in the system because of neglect. Their average age is eleven years, they spend about eighteen months in foster care, and they live in two or three placements. It is well documented that the profound uncertainty caused by the frequent and generally unexpected relocation of a foster child from one unfamiliar home to another disrupts their emotional development in ways that plague them well into adulthood.

Foster care is intended to be a temporary haven for children, not a permanent home. But tragically, many foster children never find a permanent home. Instead, they “age out” when they become eighteen years old or graduate from high school. According to Casey Family Programs, young adults who emerge from foster care have higher rates of unemployment, poverty, mental health problems, unplanned pregnancies, homelessness, public assistance, and incarceration. As you can see, the impact of foster care drift extends beyond the children—our society pays a high price.

This brings me to a point that should be obvious: Society as a whole benefits when we expeditiously find foster children safe, permanent homes with good families because, when we do, it is more likely that these children will become not only well-adjusted, responsible adults—they will become good parents to our future children.

I’m confident that all of us in government who share responsibility for the child welfare system recognize the importance of finding these children safe and permanent homes without undue delay. But as we all know, every aspect of our child welfare system is overburdened and undervalued. Iowans like to say that we put our children first; it’s now time to show that we mean it.

Children’s Justice Initiative

Recently, the Iowa Supreme Court and the Judicial Council embarked on a mission to make court oversight of child welfare cases a top priority. Let me emphasize that this program will not end once we have achieved a specific set of results nor will it end on a particular date. This initiative represents a permanent, ongoing, fundamental cultural change that will reflect our conviction that the interests of children must come first in our justice system.

As a springboard for this change, we have begun an effort that has been christened: “The Children’s Justice Initiative.” We are fortunate to begin this initiative with a solid foundation already in place and a detailed blueprint in our hands.

The foundation for our efforts is our own highly regarded Court Improvement Project. For the past decade, our Court Improvement Project committees and staff, working with our dedicated juvenile judges, have developed many improvements that enhance the timeliness and quality of child welfare proceedings. The talented staff and

organization of the Court Improvement Project is well-suited to support our new initiative.

The blueprint for our Children's Justice Initiative is the landmark report of the 2004 PEW Commission on Children in Foster Care. The PEW Commission is a national, nonpartisan entity dedicated to accomplishing sweeping broad-based reforms of our nation's child welfare system. Among other things, the commission calls for:

- Collaborative efforts between courts, child welfare agencies, and others,
- A dedicated corps of specially trained judges committed to children and families,
- The adoption of best practices in dependency courts to ensure courts make well-informed decisions that place children in permanent homes as soon as possible,
- Steps to attract and retain a pool of highly qualified attorneys to represent parents and children,
- Multidisciplinary, cross-system training for all participants, and
- More resources for the child welfare system.

The PEW Commission's report will inspire, guide, and inform our efforts. Therefore, we want to share this report with you. We will provide a summary of the PEW Commission report to you later today. I hope you will find the time to read it, as it is vitally important for everyone holding state office to understand the needs of our most vulnerable citizens and what we all can do to address those needs.

Our first step to improve outcomes for children in foster care is focused on our own procedures and practices in dependency court. I will describe two specific actions we have already undertaken.

Assessments

With the assistance of our Court Improvement Project staff, we are assessing the effectiveness and timeliness of court practices in dependency cases in seventeen counties within a year. The assessment involves file reviews, on-site visits of juvenile court hearings, interviews of participants, and surveys. Our auditors compile all of the information into a report, which they share with a community team that develops plans for improvements. Sometimes only a small change in local culture or routine can have an enormous and positive effect on the well-being of foster children.

One Judge/One Child

Our most significant improvement involves directing more judicial resources to the juvenile court to implement a practice we refer to as the one judge/one child model. The one judge/one child concept is simple: one judge presides over every juvenile court proceeding involving a particular child. This practice allows the judge assigned to a child's case to become thoroughly familiar with that family's unique set of problems. As a result, hearings are less likely to be postponed and court decisions are better informed and more consistent. Another important benefit of this practice is that the child sees at least one familiar face—the face of the judge—the entire time the child is in foster care. For older children who come to court proceedings, their judge may be the only constant figure in their life.

You may be asking yourselves why such an obvious and seemingly simple practice was not followed until now. It's a matter of resources, case scheduling practices, and priorities. While some courts have used the one judge/one child model for a number of years, now, under the leadership of our chief judges, we are committing the necessary resources so children throughout the state receive the same level of judicial service, attention, and skill. I am proud to announce that we have a cadre of exceptional judges who have volunteered to take on this difficult assignment. Their commitment to the

well-being of our state's most vulnerable children is admirable. In addition, each judicial district is modifying its scheduling practices and assignments to devote more attention to dependency cases. These changes have not been easy, and I want to take this opportunity to thank the judges and court administrators who have worked so hard to implement the best practice of having one judge preside over all proceedings involving one child. The lives of children in foster care will be better for these efforts.

I forewarn you, however, that our significant realignment of judicial resources may create delays in other cases, particularly civil cases, and thus raise concerns of some of our constituents. But we believe the benefits derived from this realignment far outweigh any disadvantages. Certainly the need to find a permanent, safe home for these innocent and vulnerable children must be our priority.

Collaboration

While the first phase of the children's justice initiative focuses on court procedures, over time we will expand the scope of our reform efforts in keeping with the recommendations of the PEW Commission. Collaboration among courts and public agencies on both state and local levels is essential to accomplish the far-reaching reforms we envision. To jump start our collaboration with others, the judicial branch is sponsoring a statewide summit in March. This summit will bring together representatives of all branches of state government, including state and local public officials, attorneys, social workers, and other stakeholders, to foster communication and spark wide-scale improvements in the management of child-in-need-of-assistance cases. We invite you to attend. Your participation, even if it is just for a short time, will send a strong message that we are united in our commitment to improve the outcomes for foster children.

Legislative Action to Help Children

I know you are concerned about the lives and futures of children in foster care. Your actions last year to provide financial assistance to children after they age out of the foster care system illustrates your commitment. The assistance you provided will have a beneficial and lasting effect on the lives of these children. Now I have several recommendations for more improvements that require your action.

First, we request that you provide additional resources to the juvenile courts, including two new district associate judges, associated support staff, and more juvenile court officers and technicians. These resources will increase our capacity to effectively address the rising need for more juvenile court services and more juvenile judges.

We also whole-heartedly support the expansion of Iowa's Court Appointed Special Advocate program, or CASA. CASA recruits, trains, and assigns volunteers who serve as guardians ad litem in child welfare cases. CASA volunteers, who are themselves extraordinary public servants, provide the court with in-depth information about a child. They serve as an extra set of eyes and ears for the judge. The Iowa Child Advocacy Board seeks funds this year to take the CASA program statewide. We think the expansion of the CASA program would be a wise investment that will pay dividends in the form of better outcomes for kids, and we encourage you to support the Board's request.

Finally, we urge you to raise the hourly rate for court-appointed attorneys who handle juvenile cases. Competitive pay is absolutely essential for the state to recruit and maintain a sufficient number of well-qualified attorneys to represent children and parents involved in juvenile court. The state pays attorneys who represent drunk drivers more than we pay attorneys who represent our most vulnerable children. What does that say about our priorities? Do we really believe that the legal representation of

children is less important? We urge you to raise the compensation for lawyers who represent children in juvenile court.

The judicial branch can accomplish a great deal to improve the lives and prospects of foster children. But we can accomplish a great deal more with your backing—for it is up to you to marshal the resources and tools we need to ensure the well-being of these kids. I ask you to take this responsibility to heart when you set your priorities. When we invest in their future, we invest in the future of Iowa.

Now, with the future of Iowa firmly in mind, I come to the conclusion of my remarks.

There are many considerations that draw us to public service. For me, and probably, for many of you, the greatest consideration is the opportunity, indeed the privilege, to shape the future for the common good. Speaking on behalf of the Judicial Branch of Iowa, we intend to make the most of this privilege.

And so, today, I have given you a report that is focused on our mission, focused on the public, and focused on the future. The state of the judiciary is good, and we are fully resolved to make it better. All of the efforts and plans I have mentioned—E-filing and online access to court records, E-juror, raising the jury fee, forms for self-represented litigants, unbundled legal services, and the Children’s Justice Initiative—will move Iowa forward.

But before I close, I appeal to you one more time to do everything in your power to increase the chances that foster children find a permanent and loving family. I hope I have convinced you this objective is of vital importance. If I have not, let me explain it on a more personal level. I am confident every parent in this room, including my husband and me, would agree that the most important task they have ever undertaken is raising their children. We know children are shaped and influenced for the rest of their lives by the successes and failures we have as parents.

Our responsibility as a society is no less important. We have an obligation to parent foster children—to focus our full attention and support in an effort to successfully find them a permanent home where they will be loved, nurtured, protected, and raised to be responsible and productive adults. The novelist Graham Greene wrote: “There is always one moment in childhood when the door opens and lets the future in.” Together, we can open the doors to a bright future for Iowa’s foster children. Let’s start now.

Thank you.

Chief Justice Marsha K. Ternus 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 McCarthy 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 Gronstal, the Senate adjourned at 10:45 a.m. until 8:45 a.m., Thursday, January 11, 2007.

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:

IOWA HIGHER EDUCATION LOAN AUTHORITY

2006 Annual Report. Report received on January 10, 2007.

AGENCY ICN REPORT

Iowa Communications Network (ICN) usage report for FY 2006, pursuant to Iowa Code section 8D.10, was received from the following agency:

DEPARTMENT OF ECONOMIC DEVELOPMENT – Report received on January 10, 2007.

CERTIFICATE OF RECOGNITION

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

Thomas Reese, Gladbrook—For achieving the rank of Eagle Scout, Boy Scout Troop 327. Senator Putney. (1/10/07).

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: Monday, January 8, 2007, 10:00 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Discussed SCRs 2 and 3.

Recessed: 10:15 a.m.

Reconvened: Tuesday, January 9, 2007, 9:00 a.m.

Adjourned: 9:15 a.m.

JUDICIARY

Convened: Tuesday, January 9, 2007, 4:05 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; McKibben, Ranking Member; Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Ziemann.

Members Absent: None.

Committee Business: Subcommittee assignment.

Adjourned: 4:25 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, January 9, 2007, 1:05 p.m.

Members Present: Black, Chair; Hancock, Vice Chair; Gaskill, Ranking Member; Behn, Bolkom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood.

Members Absent: None.

Committee Business: Organizational meeting.

Recessed: 1:40 p.m.

Reconvened: 1:50 p.m.

Adjourned: 2:00 p.m.

AGRICULTURE

Convened: Wednesday, January 10, 2007, 1:00 p.m.

Members Present: Fraise, Chair; Rielly, Vice Chair; Johnson, Ranking Member; Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Mulder, Olive, Putney, and Seng.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 2:15 p.m.

APPROPRIATIONS

Convened: Wednesday, January 10, 2007, 2:00 p.m.

Members Present: Dvorsky, Chair; McCoy, Vice Chair; Angelo, Ranking Member; Behn, Black, Boettger, Bolkom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood.

Members Absent: None.

Committee Business: Presentation by Holly Lyons, LSA Fiscal Division Director.

Adjourned: 3:05 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, January 10, 2007, 3:10 p.m.

Members Present: Dearden, Chair; Ward, Ranking Member; Dvorsky, Hahn, Hatch, Horn, McKinley, Seng, and Wieck.

Members Absent: Courtney, Vice Chair; and Dotzler (both excused).

Committee Business: Subcommittee assignments.

Adjourned: 3:15 p.m.

RULES AND ADMINISTRATION

Convened: Wednesday, January 10, 2007, 9:00 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SCRs 1, 2, and 3.

Adjourned: 9:15 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 2, by committee on Rules and Administration, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-second general assembly.

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

Senate Concurrent Resolution 3, by committee on Rules and Administration, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the eighty-second General Assembly.

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

INTRODUCTION OF BILLS

Senate File 14, by Schoenjahn, a bill for an act relating to stray livestock, by providing for civil penalties imposed by ordinance adopted by local authorities, and providing an effective date.

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

Senate File 15, by Johnson, a bill for an act modifying the closing hours of the polls at all elections.

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

Senate File 16, by McKinley, a bill for an act requiring the board of directors of a school district to make completion of a college entrance examination a condition of graduation and making an appropriation.

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

Senate File 17, by McKinley, a bill for an act relating to the minimum hours of instructional school time in a school day that a school district, charter school, and accredited nonpublic school must provide for grades one through twelve and including an effective date and applicability provision.

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

Senate File 18, 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 **Natural Resources and Environment**.

Senate File 19, by Johnson, 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 referred to committee on **Agriculture**.

Senate File 20, by Kreiman, a bill for an act relating to condemnation of property by consent of the property owner.

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

STUDY BILLS RECEIVED

SSB 1008 State Government

Relating to the military code by amending the powers of the adjutant general and by allowing the armory board to enter into design-build contracts for the construction of certain national guard facilities.

SSB 1009 State Government

Relating to the campaign finance by revising the requirements for filing reports and for the use of certain resources for political purposes.

SSB 1010 State Government

Relating to campaign contributions, the filing of disclosure reports, the posting of statements and reports on the internet, the posting of signs on private property, and the escheat of funds from an unknown or unidentifiable source.

SSB 1011 State Government

Creating a disaster aid individual assistance grant fund.

SSB 1012 Labor and Business Relations

Relating to the labor commissioner's regulation of fire fighter clothing and personal protection equipment.

SSB 1013 Labor and Business Relations

Modifying the fee structure relating to amusement ride safety inspections conducted by the division of labor services of the department of workforce development, and providing an effective date.

SSB 1014 Labor and Business Relations

Relating to wage payment collection of direct deposit wages as administered by the division of labor services of the department of workforce development.

SSB 1015 Labor and Business Relations

Relating to elevator conveyance safety standards enforced by the division of labor services of the department of workforce development.

SSB 1016 Economic Growth

Relating to the designation of Iowa great places and financial and technical assistance to projects in Iowa great places.

SSB 1017 Economic Growth

Relating to the use of moneys in the Iowa cultural trust grant account by the board of trustees of the Iowa cultural trust.

SUBCOMMITTEE ASSIGNMENTS**Senate File 7**

STATE GOVERNMENT: Danielson, Chair; Gaskill and Kibbie

Senate File 8

JUDICIARY: Hancock, Chair; Kreiman and Zieman

Senate File 11

APPROPRIATIONS: Dvorsky, Chair; Angelo

SSB 1008

STATE GOVERNMENT: Danielson, Chair; Kettering and Kibbie

SSB 1009

STATE GOVERNMENT: Wood, Chair; Appel and Zieman

SSB 1010

STATE GOVERNMENT: Kibbie, Chair; Connolly and Zieman

SSB 1011

STATE GOVERNMENT: Danielson, Chair; Behn and Schmitz

SSB 1012

LABOR AND BUSINESS RELATIONS: Horn, Chair; Dearden and Hahn

SSB 1013

LABOR AND BUSINESS RELATIONS: Seng, Chair; Horn and Wieck

SSB 1014

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Dvorsky and Ward

SSB 1015

LABOR AND BUSINESS RELATIONS: Horn, Chair; Dvorsky and McKinley

SSB 1016

ECONOMIC GROWTH: Rielly, Chair; Mulder and Schmitz

SSB 1017

ECONOMIC GROWTH: Danielson, Chair; Beall and Seymour

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE CONCURRENT RESOLUTION 1, a concurrent resolution calling upon Iowans to observe Iowa Family Development and Self-sufficiency Week.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE CONCURRENT RESOLUTION 2, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-second general assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE CONCURRENT RESOLUTION 3, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the eighty-second General Assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 11, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by Reverends Reginald and Karen Miller. Reginald is the pastor of Our Savior United Methodist Church in Manson, Iowa. They were the first clergy couple ordained in the United Methodist Church in Iowa. They are the guests of Senator Beall.

The Journal of Wednesday, January 10, 2007, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:00 a.m. until 8:30 a.m., Friday, January 12, 2007.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

VETERANS AFFAIRS

Convened: Wednesday, January 10, 2007, 4:05 p.m.

Members Present: Beall, Chair; Warnstadt, Vice Chair; Seymour, Ranking Member; Black, Danielson, Hartsuch, Horn, Kibbie, McKibben, McKinley, and Ragan.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 4:35 p.m.

HUMAN RESOURCES

Convened: Thursday, January 11, 2007, 11:05 a.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Dotzler, Johnson, Kreiman, Mulder, Quirmbach, and Wood.

Members Absent: Hatch (excused).

Committee Business: Organizational meeting.

Adjourned: 11:50 a.m.

LOCAL GOVERNMENT

Convened: Thursday, January 11, 2007, 10:50 a.m.

Members Present: Quirmbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Angelo, Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, and Stewart.

Members Absent: Schoenjahn (excused).

Committee Business: Organizational meeting.

Adjourned: 11:30 a.m.

STATE GOVERNMENT

Convened: Thursday, January 11, 2007, 10:45 a.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Zieman, Ranking Member; Appel, Behn, Black, Danielson, Gaskill, Hahn, Kettering, Kibbie, McKibben, and Schmitz.

Members Absent: Hatch and Wood (both excused).

Committee Business: Organizational meeting.

Adjourned: 11:15 a.m.

WAYS AND MEANS

Convened: Thursday, January 11, 2007, 1:00 p.m.

Members Present: Bolkcom, Chair; McKibben, Ranking Member; Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, Ward, and Wieck.

Members Absent: McCoy, Vice Chair; and Angelo (both excused).

Committee Business: Organizational meeting.

Adjourned: 1:25 p.m.

INTRODUCTION OF BILLS

Senate File 21, by Fraise and Courtney, a bill for an act relating to the designation of pilot project cities for a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas and including effective and retroactive applicability date provisions.

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

Senate File 22, by Putney, a bill for an act relating to commissions that oversee memorial buildings and monuments.

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

Senate File 23, by Johnson, a bill for an act relating to the funding of a unified law enforcement district by a cost-sharing agreement.

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

STUDY BILLS RECEIVED

SSB 1018 State Government

Concerning earning restrictions, establishing a bona fide retirement for department of education employees under the Iowa public employees' retirement system, and providing retroactive applicability, an effective date, and an implementation provision.

SSB 1019 State Government

Granting the civil rights commission additional subpoena power to investigate unfair or discriminatory practices.

SSB 1020 Education

Relating to the compulsory education attendance age and providing an effective date.

SSB 1021 Education

Relating to the duties and operations of the state board of education, the department of education, and local school boards.

SSB 1022 Education

Relating to an on-site fiscal review to be conducted under phase II of the accreditation process upon recommendation by the school budget review committee.

SSB 1023 Education

Allowing school districts to count foreign exchange pupils in certified enrollment counts for budget and funding purposes.

SSB 1024 Education

Relating to public funding for area education agencies.

SSB 1025 Labor and Business Relations

Regulating professional unarmed combat fighting, prohibiting amateur unarmed combat fighting, and providing for fees and penalties.

SUBCOMMITTEE ASSIGNMENTS**Senate File 5**

TRANSPORTATION: Dearden, Chair; Danielson and Ziemann

Senate File 10

AGRICULTURE: Seng, Chair; Houser and Kibbie

Senate File 16

EDUCATION: Wood, Chair; Appel and Zaun

Senate File 17

EDUCATION: Wood, Chair; Schmitz and Ziemann

SSB 1018

STATE GOVERNMENT: Kibbie, Chair; Connolly and Ziemann

SSB 1019

STATE GOVERNMENT: Appel, Chair; Hatch and McKibben

SSB 1020

EDUCATION: Kreiman, Chair; Heckroth and Johnson

SSB 1021

EDUCATION: Schoenjahn, Chair; Appel and Boettger

SSB 1022

EDUCATION: Connolly, Chair; Angelo and Wood

SSB 1023

EDUCATION: Beall, Chair; Heckroth and Mulder

SSB 1024

EDUCATION: Wood, Chair; Mulder and Schmitz

SSB 1025

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Dearden and Ward

JOURNAL OF THE SENATE

FIFTH CALENDAR DAY
FIFTH SESSION DAY

Wells Fargo Arena
Des Moines, Iowa, Friday, January 12, 2007

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

Prayer was offered by President Kibbie.

The Journal of Thursday, January 11, 2007, was approved.

COMMITTEE FROM THE HOUSE

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

In accordance with House Concurrent Resolution 3, duly adopted, the Senate proceeded to the joint convention with the House in Room 5 of Hy-Vee Hall.

JOINT CONVENTION

The joint convention was called to order in Hy-Vee Hall, adjacent to the Wells Fargo Arena, in downtown Des Moines at 8:40 a.m., President Kibbie presiding.

Senator Gronstal moved that the roll call be dispensed with and that the President 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.

REPORT OF CANVASS OF VOTE

The report of the canvass of the vote was read by Mark Brandsgard, the Secretary of the Joint Convention, as follows:

MR. PRESIDENT AND GENTLEMEN AND LADIES OF THE JOINT CONVENTION:

Your tellers, appointed by the President of the Senate and the Speaker of the House of Representatives to canvass the vote cast for candidates for Governor and Lieutenant Governor at the election held November 7, 2006, beg leave to make the following report of the total vote cast for Governor:

Chester J. Culver.....	569,021
Jim Nussle	467,425
Wendy S. Barth	7,850
Kevin Litten.....	5,735
Mary J. Martin	1,974
Scattering.....	1,250

And the total vote cast for Lieutenant Governor at the election, held November 7, 2006:

Patty Judge.....	569,021
Bob Vander Plaats.....	467,425
Richard L. Johnson	7,850
Mark Nelson	5,735
Kevin A. Dwire	1,974
Scattering.....	1,250

All of which is most respectfully submitted.

JOE BOLKCOM Teller of the Senate	PAUL SHOMSHOR Teller of the House
HERMAN C. QUIRMBACH Assistant Teller	AKO ABDUL-SAMAD Assistant Teller
DAVE MULDER Assistant Teller	RALPH WATTS Assistant Teller
MARK W. BRANDSGARD Chief Clerk of the House and Secretary of the Joint Convention	

Senator Bolkcom moved the adoption of the report.

The motion prevailed by a voice vote and the report was adopted.

President Kibbie announced that the Honorable Chester J. Culver, having received the highest number of votes cast for Governor at the last general election, had been duly elected to the office of Governor of the State of Iowa for the ensuing term, or until a successor is duly elected and qualified; and the Honorable Patty Judge, having

received the highest number of votes cast for Lieutenant Governor at the last general election, had been duly elected to the office of Lieutenant Governor of the State of Iowa for the ensuing term, or until a successor is duly elected and qualified.

The following certificates were signed in the presence of the joint convention:

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY

GREETING:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Eighty-second General Assembly of the State of Iowa, of all the votes cast at the general election held November 7, 2006, for the office of Governor of the State of Iowa, it appeared that Chester J. Culver received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of four years and until a successor is duly elected and qualified.

Signed in the presence of the Joint Convention this twelfth day of January, A.D., 2007.

PATRICK MURPHY
Speaker of the House

JOE BOLKCOM
Teller of the Senate

PAUL SHOMSHOR
Teller of the House

MARK W. BRANDSGARD

Chief Clerk of the House and Secretary of the Joint Convention

JOHN P. "JACK" KIBBIE
Presiding Officer of the
Joint Convention

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY

GREETING:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Eighty-second General Assembly of the State of Iowa, of all the votes cast at the general election held November 7, 2006, for the office of Lieutenant Governor of the State of Iowa, it appeared that Patty Judge received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of four years and until a successor is duly elected and qualified.

Signed in the presence of the Joint Convention this twelfth day of January, A.D., 2007.

PATRICK J. MURPHY
Speaker of the House
JOE BOLKCOM

Teller of the Senate

PAUL SHOMSHOR
Teller of the House

MARK W. BRANDSGARD

Chief Clerk of the House and Secretary of the Joint Convention

JOHN P. "JACK" KIBBIE
Presiding Officer of the
Joint Convention

President Kibbie then directed that the abstract of votes and certificates of election be filed with the Secretary of State.

Senator Gronstal moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify Governor-elect Culver and Lieutenant Governor-elect Judge of the official result of the canvass of votes.

The motion prevailed by a voice vote and President Kibbie announced the appointment of Senators Hancock of Dubuque, McCoy of Polk, and Johnson of Osceola, on the part of the Senate, and Representatives Shomshor of Pottawattamie, Abdul-Samad of Polk, and Tomenga of Polk, on the part of the House.

The joint convention stood at ease at 8:45 a.m. until the fall of the gavel.

The joint convention resumed session at 9:50 a.m., President Pro Tempore Danielson presiding.

REPORT OF COMMITTEE

Senator Gronstal moved the adoption of the report by the joint committee appointed to notify Chester J. Culver and Patty Judge of their election to the office of Governor and Lieutenant Governor.

MR. PRESIDENT: As a committee appointed at the Joint Convention to notify the Honorable Chester J. Culver and the Honorable Patty Judge of their election to the office of Governor and Lieutenant Governor, respectively, we beg leave to report that we have performed the duty assigned to us and that they stand ready to assume the duties of the offices to which they were elected.

Respectfully submitted,

TOM HANCOCK
MATT McCOY
DAVID JOHNSON

PAUL SHOMSHOR
AKO ABDUL-SAMAD
WALT TOMENGA

The motion prevailed by a voice vote and the committee was discharged.

The joint convention stood at ease and proceeded to the floor of the auditorium of the Wells Fargo Arena for the inauguration of Governor-elect Chester J. Culver and Lieutenant Governor-elect Patty Judge. During the procession, musical selections were performed by the Hoover High School Choir, the Iowa National Guard Band, and Des Moines native, Megan Bobo.

The joint convention resumed session at 9:45 a.m., President Kibbie presiding.

The Legislative Inaugural Committee, consisting of Senators Dearden of Polk, Olive of Story, Appel of Warren, Putney of Tama, Ward of Polk, and Johnson of Osceola, on the part of the Senate, and Representatives D. Olson of Boone, Frevert of Palo Alto, Wessel-Kroeschell of Story, Alons of Sioux, Jacobs of Polk, and Raecker of Polk, on the part of the House, retired to escort Governor-elect Chester J. Culver and Lieutenant Governor-elect Patty Judge to the joint convention.

Auditor of State David A. Vaudt, Attorney General Tom Miller, Secretary of State Michael Mauro, Secretary of Agriculture Bill Northey, Treasurer of State Michael L. Fitzgerald, Justices of the Supreme Court and Judges of the Court of Appeals, and former-Governors Robert D. Ray and Terry E. Branstad were seated prior to the joint convention.

Governor Thomas J. Vilsack, his wife Christie, Lieutenant Governor Sally Pederson, and her husband Jim Autry were seated prior to the joint convention.

Chief Justice Marsha K. Ternus was escorted to her seat.

Lieutenant Governor-elect Patty Judge and her husband, former Senator John Judge, were escorted to their seats.

Governor-elect Chester J. Culver, his wife Mari, and their children, John and Clare, were escorted to their seats.

The colors were advanced by the Iowa National Guard.

The Pledge of Allegiance was led by Sergeant Jeff Downing, U.S.M.C., and Kimberly Downing.

The National Anthem was sung by 2006 Miss Iowa Emily Nicholas and the former Miss Iowa, Carolyn Nicholas Haugland.

The invocation was delivered by Father James Polich of St. Augustin's Catholic Church in Des Moines.

An original inaugural poem was read by the following students from Waverly: Victoria Asplund; Marjorie Birgen; Ruth and Rachel Black; Casey Dirksen-Fahrer; Rachel and Robby Lynch; Andy Newell; Emilie and Julianna Norby; Matthew Schulz; Ella Robby; Peter, Katie, and Emily Vering.

Chief Justice Marsha K. Ternus administered the oath of office to Lieutenant Governor-elect Patty Judge, who was assisted by her husband, John Judge.

President Kibbie presented Lieutenant Governor Patty Judge, who gave the following remarks:

Thank you all—Governors Vilsack, Branstad, and Ray; Lieutenant Governors Pederson, Corning, Zimmerman, and Anderson; Chief Justice Ternus, members of the court, distinguished elected officials, my family, friends, and fellow Iowans across the state. It is an honor to be here with you this morning and to be sworn in as Iowa's Lieutenant Governor.

First of all, I want to extend a special thank you to my friend and partner, Chet Culver. Governor-elect, thank you for believing in me and for putting this Culver-Judge team together. It is going to be a real pleasure to serve with you.

I also want to thank Governor Vilsack and Lieutenant Governor Pederson for their hard work for our state for the past eight years, and for the friendship and support they have shown us during this time of transition.

I am an Iowan—born here, went to school here, married a guy from my hometown, raised three sons here, and they are now raising their own families here in Iowa. I have worked on an Iowa farm, practiced nursing, owned a small town main street business, and served as a community volunteer and as an elected representative for my friends and neighbors that share the southern Iowa community I call home.

As the Secretary of Agriculture for the past eight years, I have also traveled thousands of miles in Iowa and visited communities in every part of the state. And I have met the most incredible people! Iowans who share the pride I feel in our state and who demonstrate that pride every day in their families, on their farms, and in their communities.

As Iowans, we share common ideals no matter where in the state we live. We believe in taking care of our families and in educating our children. We believe hard work leads to success—and we aren't afraid to roll up our sleeves. We believe in working together and in helping our neighbors.

And most of all, today, just as it has since the settlers crossed the Mississippi, our “One Iowa” believes that the future is unlimited.

I first ran for political office at a time when our state was reeling from a farm crisis that left families losing their farms and main street businesses closing their doors. In truth, I made that run for the state senate because I was really mad—and I decided one day that I should go to Des Moines and let those people know what I thought! But even in those dark days, Iowans saw the future’s light on the horizon!

And today, I can tell you without reservation—there has never been a time in the history of this state that has been so exciting, when the future has shined so brightly.

Chet Culver and I come to our respective offices at a time when the bio based industry is just beginning. Who would have dreamed even a few years ago that we could power our cars and trucks from corn and soybeans, generate our electricity from the wind, and create new, healthier foods and more environmentally friendly materials all from crops raised here in Iowa. And for this Iowa farmer—that is exciting!

The entire country is buzzing over the opportunities renewable energy offers in breaking the stranglehold of foreign oil. Iowa is the leader today because of a lot of hard-working people across this state who believed you could run an engine on corn or soybeans when others said, “It can’t be done.” Well, we proved we could do it! To all of those who rolled up their sleeves and made renewable energy a reality, I say thank you. But the question we all must ask ourselves now is “What are we going to do next?”

We developed ethanol and soydiesel first, but that is just the very beginning. The world is not standing still, and we must work hard and make smart choices to continue the progress in the bio industry and the emerging bio economy.

Already we have the emergence of biomass opportunities, one of the first bio refineries in the country is being built in Emmetsburg, and every time I drive throughout our beautiful state, I see more and more wind turbines lining the sky. As your Lieutenant Governor, I intend, and look forward, to continue advocating for clean, environmentally friendly fuels and new innovative materials from the products we produce best in this state—those that grow from our rich soil.

We are so blessed; nowhere else on earth is there such abundance—our soil and water makes us the bread basket, and now also the fueling center, not just of our country but of the entire world. With this abundance comes responsibility—and we must work to protect the soil and to improve and protect our water supplies, leaving this place even better than we found it for our children and our grandchildren.

We face many problems in Iowa as we work to accomplish that goal. Sharp divisions have been drawn that have pitted neighbor against neighbor. An “either/or” solution will not do—we must work through those divisions and bring Iowans together. It is time to engage in long-range plans that will allow us both to enjoy a healthy economy and to improve our environment. We will do this together—as “one Iowa.”

And as we transform not just Iowa’s economy, but the economy of the entire nation from a petrocarbon base to one that is based on renewable crops, we can not afford to forget that Iowans first of all must be safe—safe in our homes, schools, and places of work.

The events of September 11, 2001, in New York City and Washington, D.C., changed forever the way we think about our security and the way we respond to threats, whether caused by humans or by nature.

For the past five years, I have been closely involved in emergency planning for the state, and on a national level, for the security of our food supplies. Governor Culver has asked me to continue that work and take an active role in homeland security and emergency management. Working in partnership with the capable staff and the Iowa National Guard, we will make certain we are ready to respond to any emergency or

threat to the citizens of Iowa. Ensuring safe, healthy, and productive lives for all Iowans is a very lofty goal, but this administration will be about big dreams and big ideas for “One Iowa.”

Iowans made a choice; they chose to make Chet Culver your Governor and me your Lieutenant Governor. I chose to be standing here today rather than being at home on the farm because I absolutely believe that together with you, Chet Culver and I can accomplish great things for the state we love. We know it won't be easy. There will be those who will tell us, “It can't be done,” or “We have never done it that way before.” So let me say very clearly, Chet Culver and I are people who do not believe in the concept of the impossible.

What we do believe is that when good people decide to join together for a common cause the future is unlimited!

Life is full of challenges. I am aware that the challenge I am about to take on is one of the largest I will ever face. Being entrusted with a position that affects the lives of nearly three million people is something that must be taken very seriously.

At times in my life when faced with difficult challenges, I have remembered and thought about the words of a favorite Bible verse. I want to leave you with those words today because I believe the passage clearly sums up the challenges and the opportunities we will see in the next four years. It is from Second Corinthians, chapter 9, verse 8: “It is God's power to provide you richly with every good gift: thus you will have ample means in yourselves to meet each and every situation, with enough to spare for every good cause.”

Thank you.

The Des Moines Gay Men's Chorus performed “The Quest Unending.”

Chief Justice Marsha K. Ternus administered the oath of office to Governor-elect Chester J. Culver, assisted by his wife, Mari Culver.

President Kibbie presented Governor Chester J. Culver who delivered the following inaugural address:

Thank you!

Today is the greatest honor of my life. I want to thank Iowans for their confidence, support, and prayers. I also thank God for the many blessings in my life.

Chief Justice Ternus and members of the Court, Speaker Murphy and President Kibbie, Majority Leaders Gronstal and McCarthy, Minority Leaders Lundby and Rants, members of the General Assembly, distinguished guests including Governors Ray and Branstad, Senators Harkin and Dodd, and to everyone who is here today, I am honored by your presence.

Lieutenant Governor Judge, thank you! Thank you for being my running mate and my partner in this administration. I am very fortunate to have you by my side. The people of Iowa will be well-served by your experience, passion, character, and common sense.

To my fellow statewide elected officials, agency directors, and the thousands of dedicated state employees. Thank you.

Governor Vilsack and Christie, may God bless you and your family in the days ahead! I wish you all the best. Christie, you have been a great First Lady and your commitment to literacy will not be forgotten. Governor, thanks to you, the foundation

has been laid, and we have made real progress because of your outstanding leadership. On behalf of the people of Iowa, I want to take this opportunity to thank you for your eight years of hard work and dedicated service.

Also, thank you Lieutenant Governor Pederson and Jim Autry. You and your family brought grace and class to your important position.

To my family and friends who are here, many thanks for your loyalty and friendship.

To my parents, thank you for the guidance you give. I am a very fortunate and grateful son. I love you both very much. Dad, I especially want to thank you for the example you set for me. I would also like to show my appreciation for my stepmother, who has been a great influence on me.

And most important, thank you Mari, and my children, John and Clare. Thanks for your unconditional love and support. Words can not express my love for you. This will be an exciting new journey for us.

Finally, I want to thank the brave men and women of Iowa who are serving our nation in uniform. You make us all proud!

I love Iowa. This "land between two rivers" is blessed with people of strong character—a history that is rich, and as the Native Americans who came before us said, "a beautiful land."

My fondest childhood memories are docked along the banks of the Mississippi River near McGregor. As a kid, I remember going out in my fishing boat, "Chet's Charter," and enjoying the magnificent surroundings. Some of my ancestors settled north of there in 1863, and our family lived there for many years. We had a house on the bluff overlooking the river. When you look down the valley of the mighty Mississippi, you get a real sense of the awesome landscape and vast history of our state.

The constant movement of the river also reminds us that things are changing all the time. It rises and falls, freezes and thaws, yet emerges strong and powerful, generation after generation! Right now, Iowa is experiencing much the same change and with it comes the opportunity for a new era of greatness.

As some of you may have heard, once or twice, I was once a high school government and history teacher! But I am also a student of history. In my classroom, I would remind my students of the ebbs and flows in our history. As Iowans, I think we could do much worse than to learn from the lessons provided by those who have come before us.

Our state has always been a state of explorers and pioneers. Chief Black Hawk and the Native Americans taught us how to live off the land. Marquette and Joliet were the first Europeans to navigate the Mississippi River in 1673. Following the Louisiana Purchase, Lewis and Clark made their famous expedition up the Missouri River along our state's western border. These explorers were fearless! They faced many obstacles, but showed great courage in their pursuit.

Today, we should challenge ourselves to emulate their commitment to pushing the limits of discovery. These visionaries were undaunted by the practical challenges of the day. They were guided by their faith, their hopes, and their dreams—even when no one gave them a map!

One of my heroes, President John F. Kennedy, also believed in the importance of exploration and in the relentless pursuit of a new frontier. He challenged us to win the race to space, saying, "We choose to go to the moon and do the other things, not because they are easy, but because they are hard, because that goal will serve to organize and measure the best of our energies and skills; because that challenge is one that we are willing to accept, one we are unwilling to postpone, and one which we intend to win."

Well, my fellow Iowans, this is our time! It's our time to accept the challenge, to explore and discover Iowa's unlimited potential. It's our time to win the race to become the energy capital of the world.

Let us invoke the lessons previous generations of explorers and leaders have taught us. Let us all come together as one and lead our own "21st Century Iowa Expedition." There is an energy frontier open before us, and we must explore it immediately! America and the world are counting on us. Simply put, we can't afford to duck this responsibility!

It's time for Iowa to become the Silicon Valley of the Midwest. It's time to create the jobs of the future that will keep your children and my children here at home, where they belong. It's time to make the entire state of Iowa a laboratory so we remain on the cutting edge of all forms of renewable energy.

We will protect our precious environment: the land, lakes, rivers, and streams we all love. However, with the right balance, we can harvest rewards beyond even our wildest imagination. Our value-added opportunities allow us to take from the earth more than once because we are blessed with the best soil and the most productive farmers in the world.

In addition, we have a tradition of great scientists like Henry Wallace and Norman Borlaug, and a world-class education system that "nurtures" our homegrown talent. We have already led the nation with ethanol and biodiesel. Now we must maintain that leadership. With the eyes of the world upon us, we must prepare for the next generation energy economy.

We will create an Iowa Power Fund to invest in and attract cutting-edge research and development. This will ensure we can lead the way not only in alternative fuels but also in biomass, geothermal, wind, and solar energy.

It's time for Iowa to become the first state in the nation to declare energy independence! We are already on our way! Whether it's the production of soy lubricant in Waverly, the development of a biorefinery in Emmetsburg, the manufacturing of corn-based plastics in Clinton, the wind storage project in Dallas County, or the new biomass option of burning oat hulls in place of coal in Cedar Falls—Iowa is on the frontier! Our dreams of an amazing future, one of energy independence, prosperity and a quality of life second-to-none, are within our reach. I know we can turn our dreams into reality!

There is another important lesson we must take from those daring souls who have come before us. They understood the importance of working together to get the job done! So, to the 150 dedicated Iowans who will serve in the 82nd General Assembly, I say this: May our inevitable disagreements reflect deep conviction but not contempt, honest difference but not divisiveness. Let us work together in a sincere and inclusive way, to create "One Iowa." After all, we serve the same Iowans, they are counting on us, and this state's future belongs to all of us.

And I want every Iowan to know, we need you! It doesn't matter whether you are a Republican, Democrat, or Independent, whether you live in rural Iowa or urban Iowa, whether you are a native Iowan or a new arrival, young or old. What does matter is that we lock arms for the common good and tap our gold mine of potential. Together, we will continue to move this great state forward!

However, to achieve this, we who serve must remember to respect the will of Iowans. They have spoken, and they expect results.

Iowans expect us to achieve our amazing potential in renewable energy.

They expect us to renew our commitment to educational excellence—by expanding early childhood education, getting teacher pay to the national average, and making college more affordable.

They expect us to find a way to ensure that every child has health care, to save lives by increasing the tobacco tax, and to give hope to the sick by lifting the ban on stem cell research.

They expect us to pay tribute to our seniors and veterans by showing them the dignity and respect they have earned.

Iowans expect us to find a way to honor and reward hard work by raising the minimum wage.

They expect us to find ways to support and encourage entrepreneurs and small business owners, the dreamers who create jobs across our state.

Iowans also deserve a government that reflects their values! They are right to expect us to be smart with a buck, and to balance our checkbook the same way they do. And they are right to demand ethical, accountable, and open government.

Iowans expect us to encourage, not shy away from, the diversity that has made us a better state. Governor Ray taught us that. We should never tolerate hate, especially in the form of bullying and threats in the work place or in our schools.

Finally, I believe we have an obligation to make the most of this important moment in Iowa history—to explore and harness every bit of potential we have.

But a governor can't do it alone. That's why today, I am asking for your help. Everyone has a role to play in our "21st Century Expedition."

On Monday, we will honor a great American, Dr. Martin Luther King, who led Americans into action when he said, "Everybody can be great because anybody can serve. You don't have to have a college degree to serve. You don't have to make your subject and verb agree to serve. You only need a heart full of grace and a soul generated by love." Well, Dr. King was right! Every single one of us can play an important role in this new expedition.

I care deeply about the challenges we face, but I have an even greater faith in Iowa's promise.

Let us work together to build "One Iowa," and in doing so, we will achieve the greatness we all know is possible. So, as we go from here, let us always remember: This is our time! Much is expected of us, and our future is unlimited!

"I'll Make Me a World" was sung by Effie Burt of Waterloo.

The benediction was offered by Reverend Keith Ratliff of the Maple Street Baptist Church in Des Moines.

Speaker Pro Tempore McCarthy moved that the joint convention be dissolved, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:58 a.m. until 10:00 a.m., Tuesday, January 16, 2007.

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 16, 2007

The Senate met in regular session at 10:00 a.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 Russell Whitney.

The Journal of Friday, January 12, 2007, was approved.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 1.

Senate Concurrent Resolution 1

On motion of Senator Ragan, **Senate Concurrent Resolution 1**, a concurrent resolution calling upon Iowans to observe Iowa Family Development and Self-sufficiency Week, was taken up for consideration.

Senator Ragan moved the adoption of Senate Concurrent Resolution 1, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Concurrent Resolution 1** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:15 a.m. until 5:15 p.m.

AFTERNOON SESSION

The Senate reconvened at 5:15 p.m., President Kibbie 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 16, 2007, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 4, a concurrent resolution calling upon Iowans to observe Iowa Family Development and Self-sufficiency Week.

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

RECESS

On motion of Senator Gronstal, the Senate recessed at 5:16 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 5:18 p.m., President Kibbie presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gaskill until he returns, on request of Senator Putney.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: HOUSE CONCURRENT RESOLUTION 4, a concurrent resolution calling upon Iowans to observe Iowa Family Development and Self-sufficiency Week.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Concurrent Resolution 4 and Senate Concurrent Resolutions 2 and 3.

House Concurrent Resolution 4

On motion of Senator Ragan, **House Concurrent Resolution 4**, a concurrent resolution calling upon Iowans to observe Iowa Family Development and Self-sufficiency Week, with report of committee recommending passage, was taken up for consideration.

Senator Ragan moved the adoption of House Concurrent Resolution 4, which motion prevailed by a voice vote.

Senate Concurrent Resolution 2

On motion of Senator Gronstal, **Senate Concurrent Resolution 2**, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-second general assembly, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Concurrent Resolution 2, which motion prevailed by a voice vote.

Senate Concurrent Resolution 3

On motion of Senator Gronstal, **Senate Concurrent Resolution 3**, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-second General Assembly, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Concurrent Resolution 3, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Concurrent Resolutions 2 and 3** and **House Concurrent Resolution 4** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:29 p.m. until 8:45 a.m., Wednesday, January 17, 2007.

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:

IOWA COLLEGE STUDENT AID COMMISSION

Iowa Teacher Shortage Forgivable Loan Program annual report for fiscal year 2006, pursuant to Iowa Code section 261.111. Report received on January 9, 2007.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Report on expenditures made under the components of the Grow Iowa Values Fund, pursuant to Iowa Code section 15.104(9). Report received on January 11, 2007.

Report on minority-owned and women-owned businesses and analysis of the application process used by businesses when applying for assistance, pursuant to Iowa Code sections 15.104(10) and (11). Report received on January 12, 2007.

Report on the provision of ongoing efforts to coordinate regulatory assistance for the state of Iowa, pursuant to Iowa Code section 15E.19. Report received on January 16, 2007.

DEPARTMENT OF EDUCATION

Student Achievement and Teacher Quality Program annual report, pursuant to Iowa Code section 284.12(1). Report received on January 9, 2007.

DEPARTMENT OF PUBLIC DEFENSE

Iowa Homeland Security and Emergency Management Division's enhanced 911 status report, pursuant to Iowa Code section 34A.7A(3)(a). Report received on January 16, 2007.

DEPARTMENT OF PUBLIC HEALTH

Report regarding final recommendations of the Healthy Children Task Force, pursuant to 2006 Iowa Acts, Senate File 2251. Report received on January 16, 2007.

BOARD OF REGENTS

Annual report regarding the Beginning Farmer Center at Iowa State University, pursuant to Iowa Code section 266.39E. Report received on January 12, 2007.

TECHNOLOGY GOVERNANCE BOARD

Fiscal year 2006 annual report, pursuant to Iowa Code section 8A.204(3)(a). Report received on January 16, 2007.

DEPARTMENT OF TRANSPORTATION

Summary of contracts letting from July 1, 2005, through June 30, 2006, pursuant to Iowa Code section 307.12(14). Report received on January 9, 2007.

Report on the number of flexible fuel vehicles registered in Iowa as of November 2006, pursuant to 2006 Iowa Acts, House File 2754. Report received on January 10, 2007.

Report on E85 retail station locations in Iowa, pursuant to 2006 Iowa Acts, House File 2754, section 33. Report received on January 8, 2007.

AGENCY ICN REPORTS

Iowa Communications Network (ICN) usage reports for FY 2006, pursuant to Iowa Code section 8D.10, were received from the following agencies:

OFFICE OF DRUG CONTROL POLICY – Report received on January 10, 2007.

DEPARTMENT OF MANAGEMENT – Report received on January 16, 2007.

IOWA BOARD OF PAROLE – Report received on January 10, 2007.

IOWA WORKFORCE DEVELOPMENT – Report received on January 16, 2007.

CERTIFICATES OF RECOGNITION

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

Derek Kohn, Sioux City—For achieving the highest score on the test “Know Your Constitution.” Senator Warnstadt (1/16/07).

Okoboji-Spirit Lake Debate Team—For winning the Sweepstakes Championship Trophy at the Iowa High School Speech Association State Debate Tournament. Senator Johnson (1/16/07).

Shelden Stenum, Sioux City—For achieving the rank of Eagle Scout. Senator Warnstadt (1/16/07).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, January 10, 2007, 3:00 p.m.

Members Present: Appel, Vice Chair; Mulder, Ranking Member; Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirmbach, Schmitz, Wood, Zaun, and Ziemann.

Members Absent: Schoenjahn, Chair.

Committee Business: Organizational meeting.

Adjourned: 3:30 p.m.

VETERANS AFFAIRS

Convened: Wednesday, January 10, 2007, 4:05 p.m.

Members Present: Beall, Chair; Warnstadt, Vice Chair; Seymour, Ranking Member; Black, Danielson, Hartsuch, Horn, Kibbie, McKibben, McKinley, and Ragan.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 4:35 p.m.

JUDICIARY

Convened: Tuesday, January 16, 2007, 1:30 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; McKibben, Ranking Member; Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Ziemann.

Members Absent: None.

Committee Business: Passed SF 8. Subcommittee assignments.

Adjourned: 1:45 p.m.

LOCAL GOVERNMENT

Convened: Tuesday, January 16, 2007, 2:30 p.m.

Members Present: Quirmbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Angelo, Heckroth, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart.

Members Absent: Hartsuch and Houser (both excused).

Committee Business: Discussion of upcoming bills.

Adjourned: 2:45 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, January 16, 2007, 5:15 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved HCR 4.

Adjourned: 5:20 p.m.

STATE GOVERNMENT

Convened: Tuesday, January 16, 2007, 2:35 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Zieman, Ranking Member; Appel, Behn, Black, Danielson, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood.

Members Absent: Gaskill (excused).

Committee Business: Presentation by Secretary of State Michael Mauro.

Adjourned: 3:05 p.m.

INTRODUCTION OF BILL

Senate File 24, by Zieman, a bill for an act establishing a standing appropriation to support fairs and including effective date and applicability provisions.

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

STUDY BILLS RECEIVED

SSB 1026 State Government

Concerning the line of duty death benefit payable to public safety providers and making an appropriation.

SSB 1027 State Government

Concerning the responsibility for providing medical care to members of the statewide fire and police retirement system for injuries incurred in the performance of their duties.

SSB 1028 State Government

Relating to the regulation of ethical conduct by governmental entities.

SSB 1029 State Government

Relating to the racing and gaming commission by modifying provisions regulating horses involved in horse racing and providing an effective date.

SSB 1030 State Government

Providing for the registration of associate real estate appraisers, prohibiting improper influence over an appraiser's evaluation opinion, and imposing a penalty.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2**

HUMAN RESOURCES: Hatch, Chair; Quirmbach and Seymour

Senate File 9

LOCAL GOVERNMENT: Rielly, Chair; Angelo and Schoenjahn

Senate File 13

LOCAL GOVERNMENT: Beall, Chair; Heckroth and McKinley

Senate File 14

JUDICIARY: Schoenjahn, Chair; Behn and Kreiman

Senate File 15

STATE GOVERNMENT: Kibbie, Chair; Kettering and Schmitz

Senate File 19

AGRICULTURE: Courtney, Chair; Appel and Johnson

Senate File 20

JUDICIARY: Kreiman, Chair; Hogg and Zieman

Senate File 22

LOCAL GOVERNMENT: Beall, Chair; Hartsuch and Olive

Senate File 23

LOCAL GOVERNMENT: Stewart, Chair; Houser and Rielly

SSB 1026

STATE GOVERNMENT: Connolly, Chair; Danielson, Kibbie, McKibben, and Zieman

SSB 1027

STATE GOVERNMENT: Kibbie, Chair; Connolly, Danielson, McKibben, and Zieman

SSB 1028

STATE GOVERNMENT: Kibbie, Chair; Connolly and Zieman

SSB 1029

STATE GOVERNMENT: Black, Chair; Behn and Hatch

SSB 1030

STATE GOVERNMENT: Wood, Chair; Gaskill and Hatch

JOURNAL OF THE SENATE

TENTH CALENDAR DAY
SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 17, 2007

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

Prayer was offered by Craig Nelson, chaplain at the Iowa Veterans Home in Marshalltown, Iowa. He was the guest of Senator McKibben.

The Journal of Tuesday, January 16, 2007, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:07 a.m. until 8:45 a.m., Thursday, January 18, 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:

BOARD OF REGENTS

Progress report from the University of Iowa on the Consider Iowa Pilot Program, pursuant to 2006 Iowa Acts, House File 2527. Report received on January 17, 2007.

DEPARTMENT OF VETERANS AFFAIRS

Annual financial report of the Veterans Trust Fund. Report received on January, 17, 2007.

CERTIFICATES OF RECOGNITION

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

Margaret Anders, Waterloo—For celebrating her 90th birthday. Senator Dotzler (1/17/07).

Emma Blondin, Waterloo—For celebrating her 90th birthday. Senator Dotzler (1/17/07).

Bradley Thomas Murphy, Spencer—For achieving the rank of Eagle Scout, Boy Scout Troop 123. Senator Johnson (1/17/07).

Pat and Jerry Nagel, Waterloo—For celebrating their 50th wedding anniversary. Senator Dotzler (1/17/07).

Norma Renner, Waterloo—For celebrating her 90th birthday. Senator Dotzler (1/17/07).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Tuesday, January 16, 2007, 3:30 p.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Mulder, Ranking Member; Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirnbach, Schmitz, Wood, Zaun, and Zieman.

Members Absent: None.

Committee Business: Presentation by Department of Education.

Adjourned: 4:35 p.m.

AGRICULTURE

Convened: Wednesday, January 17, 2007, 1:05 p.m.

Members Present: Fraise, Chair; Rielly, Vice Chair; Johnson, Ranking Member; Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Mulder, Olive, Putney, and Seng.

Members Absent: None.

Committee Business: Presentation by Secretary of Agriculture Bill Northey. Subcommittee assignments.

Adjourned: 1:45 p.m.

GOVERNMENT OVERSIGHT

Convened: Wednesday, January 17, 2007, 9:45 a.m.

Members Present: Courtney, Chair; Connolly, Vice Chair; Wieck, Ranking Member; and Schmitz.

Members Absent: Lundby (excused).

Committee Business: Organizational meeting.

Adjourned: 10:30 a.m.

HUMAN RESOURCES

Convened: Wednesday, January 17, 2007, 2:05 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Hatch, Johnson, Kreiman, Mulder, Quirmbach, and Wood.

Members Absent: Dotzler (excused).

Committee Business: Subcommittee assignments.

Adjourned: 2:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Wednesday, January 17, 2007, 9:45 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; Hartsuch and Stewart.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Wednesday, January 17, 2007, 9:55 a.m.

Members Present: Seng, Chair; Schoenjahn, Vice Chair; Gaskill, Ranking Member; Black and Houser.

Members Absent: None.

Committee Business: Discussion of future guest speakers.

Adjourned: 10:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Wednesday, January 17, 2007, 9:40 a.m.

Members Present: Dotzler, Chair; Heckroth, Vice Chair; Kettering, Ranking Member; Olive, and Ward.

Members Absent: None.

Committee Business: Presentation by Ron Robinson of the LSA.

Adjourned: 10:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, January 17, 2007, 9:50 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; Quirnbach and Ziemann.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, January 17, 2007, 9:50 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Presentation on health care.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Wednesday, January 17, 2007, 9:50 a.m.

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

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Wednesday, January 17, 2007, 10:00 a.m.

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

Members Absent: None.

Committee Business: Presentation by LSA.

Adjourned: 10:35 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 2, by Warnstadt and Wieck, a resolution commemorating the sesquicentennial anniversary of the founding of the city of Sioux City.

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

INTRODUCTION OF BILLS

Senate File 25, by committee on Judiciary, a bill for an act relating to the payment of victim restitution by a person convicted of a criminal offense.

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

Senate File 26, by Angelo, a bill for an act providing a sales tax exemption for operation of nonprofit private performing arts centers, providing a sales tax refund for construction of such centers, and including a retroactive applicability date.

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

Senate File 27, by Hatch, Kreiman, Ragan, McCoy, Olive, Appel, Stewart, Schmitz, and Beall, a bill for an act creating a program to provide financial assistance for postsecondary education for young adults who were involved with the state's foster care program.

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

Senate File 28, by Lundby, a bill for an act concerning specifications for agreements entered into for joint exercise of governmental powers and including an effective date and applicability date provision.

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

STUDY BILLS RECEIVED

SSB 1031 Judiciary

Funding courthouse security programs through the enhanced court collections fund and the county general fund.

SSB 1032 Human Resources

Relating to the classification and regulation of controlled substances and making penalties applicable.

SSB 1033 Human Resources

Relating to the personal needs allowance retained by medical assistance recipients in certain facilities, providing an effective date, and providing for retroactive applicability.

SSB 1034 Human Resources

Relating to the practice of pharmacy and the registration of pharmacy technicians.

SSB 1035 Human Resources

Relating to the administrative modification of a child support order.

SSB 1036 Human Resources

Requiring children to have a dental screening as a condition of enrollment in elementary or high school and providing an effective date.

SSB 1037 Human Resources

Relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license.

SSB 1038 Human Resources

Relating to child in need of assistance proceedings and appeals in juvenile court.

SSB 1039 Human Resources

Renaming health-related examining boards as licensing boards and providing for the nonreversion of fees collected by the boards.

SSB 1040 State Government

Relating to the characteristics of a victim of a hate crime and making penalties applicable.

SSB 1041 State Government

Concerning charter agencies by eliminating the repeal of the provision, providing for the designation of charter agencies, providing for lease approvals and asset sales, and providing an effective date.

SSB 1042 State Government

Relating to a meeting of a governmental body concerning an individual whose appointment, hiring, performance, or discharge is being considered and a public records request concerning an applicant, candidate, or nominee being considered for employment with or appointment by a government body.

SSB 1043 State Government

Repealing the Iowa English language reaffirmation Act and rules of construction for English language laws.

SSB 1044 State Government

Exempting the instructional support property tax levy of a school district from being collected as part of the incremental taxes paid to a municipality for an urban renewal area and providing for the Act's applicability.

SSB 1045 State Government

Concerning health and dental coverage for certain peace officers of the department of public safety.

SSB 1046 State Government

Prohibiting discrimination based upon a person's sexual orientation or gender identity under the Iowa civil rights Act.

SSB 1047 State Government

Relating to the regulation of pharmacy benefit management companies and making appropriations.

SSB 1048 Education

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.

SSB 1049 Human Resources

Relating to cigarette fire safety standards, and providing penalties.

SUBCOMMITTEE ASSIGNMENTS**Senate File 3**

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Kettering and Schoenjahn

Senate File 4

WAYS AND MEANS: Connolly, Chair; Dotzler and Noble

Senate File 6

WAYS AND MEANS: Quirmbach, Chair; Dotzler and Lundby

Senate File 12

WAYS AND MEANS: Stewart, Chair; Angelo and Dotzler

Senate File 18

NATURAL RESOURCES AND ENVIRONMENT: Ragan, Chair; Hancock and Johnson

Senate File 21

WAYS AND MEANS: Dotzler, Chair; Putney and Schmitz

Senate File 26

WAYS AND MEANS: Quirnbach, Chair; Angelo and Connolly

SSB 1031

JUDICIARY: Hancock, Chair; Horn and Noble

SSB 1032

HUMAN RESOURCES: Schmitz, Chair; Hatch and Seymour

SSB 1033

HUMAN RESOURCES: Wood, Chair; Bolkcom and Johnson

SSB 1034

HUMAN RESOURCES: Schmitz, Chair; Behn and Hatch

SSB 1035

HUMAN RESOURCES: Kreiman, Chair; Schmitz and Seymour

SSB 1036

HUMAN RESOURCES: Bolkcom, Chair; Boettger and Hatch

SSB 1037

HUMAN RESOURCES: Schmitz, Chair; Hatch and Johnson

SSB 1038

HUMAN RESOURCES: Kreiman, Chair; Quirnbach and Seymour

SSB 1039

HUMAN RESOURCES: Wood, Chair; Dotzler and Seymour

SSB 1040

STATE GOVERNMENT: Hatch, Chair; Appel and Behn

SSB 1041

STATE GOVERNMENT: Connolly, Chair; Hahn and Kibbie

SSB 1042

STATE GOVERNMENT: Danielson, Chair; Connolly and McKibben

SSB 1043

STATE GOVERNMENT: Danielson, Chair; Behn and Connolly

SSB 1044

STATE GOVERNMENT: Connolly, Chair; Kettering and Schmitz

SSB 1045

STATE GOVERNMENT: Horn, Chair; Danielson and Hahn

SSB 1046

STATE GOVERNMENT: Hatch, Chair; Behn and Connolly

SSB 1047

STATE GOVERNMENT: Danielson, Chair; Connolly and Zieman

SSB 1048

EDUCATION: Connolly, Chair; Appel and Mulder

SSB 1049

HUMAN RESOURCES: Dotzler, Chair; Seymour and Wood

FINAL COMMITTEE REPORT OF BILL ACTION

JUDICIARY

Bill Title: *SENATE FILE 25 (formerly SF 8), a bill for an act relating to the payment of victim restitution by a person convicted of a criminal offense.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, 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 Judiciary Committee on Senate File 25, and they were attached to the committee report.

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 18, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by Reverend Kendall Meyer, pastor of the Gloria Dei Lutheran Church in Urbandale, Iowa. He was the guest of Senator Zaun.

The Journal of Wednesday, January 17, 2007, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 8:48 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 8:51 a.m., President Kibbie presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 2, a resolution commemorating the sesquicentennial anniversary of the founding of the city of Sioux City.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. 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 2.

Senate Resolution 2

On motion of Senator Warnstadt, **Senate Resolution 2**, a resolution commemorating the sesquicentennial anniversary of the founding of the city of Sioux City, was taken up for consideration.

Senator Warnstadt moved the adoption of Senate Resolution 2, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:53 a.m. until 1:00 p.m., Monday, January 22, 2007.

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 ELDER AFFAIRS

Annual report of the State Long-Term Care Ombudsman. Report received on January 18, 2007.

CERTIFICATES OF RECOGNITION

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

Mr. and Mrs. Everett Colton, Sr.—For celebrating their 70th wedding anniversary. Senator Gronstal (1/18/07).

John Drayton Ingraham—For celebrating his 90th birthday. Senator Gronstal (1/18/07).

North Liberty Community Library, North Liberty—For celebrating its 20th anniversary. Senator Dvorsky (1/18/07).

John Ortega, Bettendorf—Upon his retirement. Senator Hartsuch (1/18/07).

Sue Shaughnessy—For celebrating her 85th birthday. Senator Gronstal (1/18/07).

Don Williams—For celebrating his 80th birthday. Senator Gronstal (1/18/07).

REPORTS OF COMMITTEE MEETINGS

WAYS AND MEANS

Convened: Thursday, January 11, 2007, 1:00 p.m.

Members Present: Bolkcom, Chair; McKibben, Ranking Member; Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, Ward, and Wieck.

Members Absent: McCoy, Vice Chair; and Angelo (both excused).

Committee Business: Organizational meeting.

Adjourned: 1:25 p.m.

VETERANS AFFAIRS

Convened: Wednesday, January 17, 2007, 4:05 p.m.

Members Present: Beall, Chair; Warnstadt, Vice Chair; Seymour, Ranking Member; Black, Danielson, Hartsuch, Horn, Kibbie, McKibben, McKinley, and Ragan.

Members Absent: None.

Committee Business: Presentations by Iowa Veterans Home, Iowa Veterans Council, Iowa American Legion, and Iowa Veterans Commission.

Adjourned: 5:05 p.m.

WAYS AND MEANS

Convened: Wednesday, January 17, 2007, 2:00 p.m.

Members Present: Bolkcom, Chair; McKibben, Ranking Member; Angelo, Appel, Connolly, Hogg, Putney, Quirnbach, Schmitz, Seng, and Stewart.

Members Absent: McCoy, Vice Chair; Dotzler, Lundby, Noble, Ward, and Wieck (all excused).

Committee Business: Discussion of future guest speakers.

Adjourned: 2:25 p.m.

COMMERCE

Convened: Thursday, January 18, 2007, 1:05 p.m.

Members Present: Warnstadt, Chair; Heckroth, Vice Chair; Wieck, Ranking Member; Bolkcom, Kettering, McKibben, Olive, Putney, Rielly, Schoenjahn, and Stewart.

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

Committee Business: Approved SSB 1002.

Adjourned: 1:10 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, January 18, 2007, 2:05 p.m.

Members Present: Black, Chair; Hancock, Vice Chair; Gaskill, Ranking Member; Behn, Bolkcom, Hogg, Johnson, Kettering, Ragan, Schoenjahn, Seng, and Wood.

Members Absent: Dearden, Lundby, and Noble.

Committee Business: Passed SFs 3 and 18. Presentation by Rich Leopold, director of the Department of Natural Resources.

Adjourned: 3:10 p.m.

RULES AND ADMINISTRATION

Convened: Thursday, January 18, 2007, 8:48 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SR 2.

Adjourned: 8:51 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Thursday, January 18, 2007, 9:40 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; Hartsuch and Stewart.

Members Absent: None.

Committee Business: Presentations by the Department of Human Rights.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, January 18, 2007, 9:30 a.m.

Members Present: Seng, Chair; Schoenjahn, Vice Chair; Gaskill, Ranking Member; Black and Houser.

Members Absent: None.

Committee Business: Presentation on sustainable natural resource funding.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Thursday, January 18, 2007, 9:45 a.m.

Members Present: Dotzler, Chair; Heckroth, Vice Chair; Kettering, Ranking Member; Olive and Ward.

Members Absent: None.

Committee Business: Presentation by LSA fiscal services division.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Thursday, January 18, 2007, 9:40 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; Quirmbach and Ziemann.

Members Absent: None.

Committee Business: LSA fiscal staff budget review.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, January 18, 2007, 9:45 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Health care presentation and review of Affordable Health Care for Families and Small Business Act.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Thursday, January 18, 2007, 9:55 a.m.

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

Members Absent: None.

Committee Business: Presentation on judicial branch appropriation and allocation.

Adjourned: 10:55 a.m.

INTRODUCTION OF BILLS

Senate File 29, by Hatch, Dotzler, McCoy, and Beall, a bill for an act relating to economic development activities, making appropriations, providing tax exemptions and credits, and providing applicability dates.

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

Senate File 30, by Bolkom, a bill for an act requiring a political committee expressly advocating the passage or defeat of a ballot issue to file four disclosure reports in an election year.

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

Senate File 31, by Warnstadt, a bill for an act making a supplemental appropriation for the home ownership assistance program for Iowa residents who are eligible members of the armed forces of the United States and providing an effective date.

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

Senate File 32, by committee on Commerce, a bill for an act extending the future repeal of a provision requiring the issuance of certificates for furnishing local telecommunications services, and providing an effective date.

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

STUDY BILLS RECEIVED

SSB 1050 Judiciary

Relating to the issuance of temporary orders modifying an order of child support or custody.

SSB 1051 Judiciary

Adding hallucinogenic substances to the list of schedule I controlled substances, and providing penalties.

SSB 1052 Judiciary

Relating to the department of corrections by increasing penalties for engaging in sex acts with offenders under the supervision of the department of corrections or a judicial district department of correctional services, and eliminating certain reporting requirements.

SSB 1053 Ethics

Relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Eighty-second General Assembly.

SSB 1054 Ethics

Relating to the Senate Rules Governing Lobbyists and their interactions with the Senate and members of the Senate during the Eighty-second General Assembly.

SSB 1055 Ways and Means

Relating to an increase in the taxes on cigarettes and tobacco products and providing an effective date.

SSB 1056 Ways and Means

Increasing the dependent tax credit under the individual income tax and including a retroactive applicability date provision.

SSB 1057 Ways and Means

Relating to the state earned income tax credit by increasing the amount and making the tax credit refundable and including effective and retroactive applicability date provisions.

SSB 1058 Ways and Means

Relating to pilot project cities eligible for the target jobs withholding tax credit to be used for funding improvements in certain urban renewal areas and including effective and retroactive applicability date provisions.

SSB 1059 Ways and Means

Updating the Code references to the Internal Revenue Code and including effective date and retroactive applicability provisions.

SSB 1060 Ways and Means

Relating to changes in the utility replacement tax law by redefining a new electric power generating plant, extending the life of the utility replacement tax task force, and requiring notification by the taxpayer to the department of revenue and local taxing district upon transfer of utility property.

SSB 1061 Labor and Business Relations

Relating to confidential information regarding unemployment insurance benefits and providing penalties.

SSB 1062 Labor and Business Relations

Relating to workers' compensation including insurance policy coverages and payments, debt collection practices, compensation for temporary disability, calculation of pieceworkers' compensation, liability for successive injuries, and liability for contractors' employees.

SSB 1063 Labor and Business Relations

Giving immunity to the labor commissioner and employees of the division of labor services of the department of workforce development from compulsory process in civil proceedings for the purposes of giving testimony or depositions concerning their official duties.

SSB 1064 Labor and Business Relations

Relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development.

SSB 1065 Commerce

Relating to the authority of creditors and credit unions in consumer credit or credit union transactions.

SSB 1066 Natural Resources and Environment

Requiring certain water treatment and supply-related inspections to be conducted when certain property is sold or transferred.

SSB 1067 Natural Resources and Environment

Relating to regulation of the harvesting of commercial fish, turtles, and freshwater mussels and providing for fees and penalties.

SSB 1068 Natural Resources and Environment

Relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, and making penalties applicable.

SSB 1069 Judiciary

Creating the criminal offense of interference with judicial acts, and providing a penalty.

SSB 1070 Judiciary

Relating to jury service compensation, reimbursement, and confidentiality and exempting certain governmental employees from jury service compensation.

SUBCOMMITTEE ASSIGNMENTS**Senate File 27**

HUMAN RESOURCES: Hatch, Chair; Boettger and Ragan

SSB 1050

JUDICIARY: Kreiman, Chair; Behn and Hogg

SSB 1051

JUDICIARY: Schoenjahn, Chair; Hartsuch and Kreiman

SSB 1052

JUDICIARY: Kreiman, Chair; Hartsuch and Hogg

SSB 1053

ETHICS: Dearden, Chair; and Behn

SSB 1054

ETHICS: Connolly, Chair; and Putney

SSB 1055

WAYS AND MEANS: McCoy, Chair; Bolkcom and Wieck

SSB 1056

WAYS AND MEANS: Hogg, Chair; Quirnbach and Ward

SSB 1057

WAYS AND MEANS: Bolkcom, Chair; Schmitz and Ward

SSB 1058

WAYS AND MEANS: Connolly, Chair; Hogg and Ward

SSB 1059

WAYS AND MEANS: Appel, Chair; Noble and Stewart

SSB 1060

WAYS AND MEANS: Schmitz, Chair; Angelo and Hogg

SSB 1061

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Seng and Wieck

SSB 1062

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Horn and Ward

SSB 1063

LABOR AND BUSINESS RELATIONS: Horn, Chair; Courtney and McKinley

SSB 1064

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Dotzler and Hahn

SSB 1065

COMMERCE: Bolkcom, Chair; Heckroth and Putney

SSB 1066

NATURAL RESOURCES AND ENVIRONMENT: Bolkcom, Chair; Hogg and Lundby

SSB 1067

NATURAL RESOURCES AND ENVIRONMENT: Seng, Chair; Gaskill and Wood

SSB 1068

NATURAL RESOURCES AND ENVIRONMENT: Hancock, Chair; Black and Noble

SSB 1069

JUDICIARY: Horn, Chair; Fraise and Ward

SSB 1070

JUDICIARY: Fraise, Chair; Behn and Quirmbach

FINAL COMMITTEE REPORT OF BILL ACTION

COMMERCE

Bill Title: SENATE FILE 32 (SSB 1002), a bill for an act extending the future repeal of a provision requiring the issuance of certificates for furnishing local telecommunications services, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Warnstadt, Heckroth, Wieck, Bolkom, Kettering, McKibben, Olive, Putney, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, 4: Angelo, Courtney, McCoy, and Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

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

COMMISSION ON THE STATUS OF AFRICAN-AMERICANS (Sec. 216A.142)	
Treylla Lee-Chavis, Sioux City	09/08/2006 – 04/30/2008
BOARD OF EXAMINERS FOR ATHLETIC TRAINING (Sec. 147.14(18))	
Melody Higgins, Asbury	05/25/2006 – 04/30/2008
CHILD ADVOCACY BOARD (Sec. 237.16)	
Michael Steele, Mt. Pleasant	09/06/2006 – 04/30/2010
BOARD OF COSMETOLOGY ARTS AND SCIENCES EXAMINERS (Sec. 147.14(14))	
Kimberly Setzer, Whittimore	12/14/2006 – 04/30/2008
CREDIT UNION REVIEW BOARD (Sec. 533.53)	
Denise Dolan, Dubuque	10/09/2006 – 04/30/2009
ADMINISTRATOR OF THE DIVISION OF CRIMINAL AND JUVENILE JUSTICE PLANNING (Sec. 216A.2)	
Paul Stageberg, Clive	07/12/2006 – Pleasure of the Governor
COMMISSION ON THE DEAF (Sec. 216A.112)	
Theresa Legg, Ely	12/12/2006 – 04/30/2009
IOWA ECONOMIC DEVELOPMENT BOARD (Sec. 15.103)	
Mary Nelson, West Des Moines	01/02/2007 – 04/30/2010
COMMISSION OF ELDER AFFAIRS (Sec. 231.11)	
Daniel Ernst, Dubuque	12/27/2006 – 04/30/2009
Leroy Plasier, Doon	10/11/2006 – 04/30/2009
Shirley Sorenson, Urbandale	01/02/2007 – 04/30/2007
ELEVATOR SAFETY BOARD (Sec. 89A.13)	
Todd Christensen, Des Moines	10/12/2006 – 04/30/2010

IOWA EMPOWERMENT BOARD (Sec. 28.3)

Ruth Krueger, Iowa Falls	08/22/2006 – 04/30/2009
Marguerite Macek, Davenport	08/22/2006 – 04/30/2009
Cathy Ryba, Treynor	08/22/2006 – 04/30/2009
John White, Davenport	12/28/2006 – 04/30/2007

ADMINISTRATOR OF THE DIVISION ON THE STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE (Sec. 216A.2)

Cyndi Chen, Des Moines	08/28/2006 – Pleasure of Governor
------------------------	-----------------------------------

COMMISSION ON THE STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE (Sec. 216A.152)

Vinh Nguyen, Des Moines	11/13/2006 – 04/30/2010
Ilima Young-Dunn, Des Moines	11/13/2006 – 04/30/2010

COMMISSION ON JUDICIAL QUALIFICATIONS (Sec. 602.2102)

Henry Thomas, Des Moines	08/23/2006 – 04/30/2009
--------------------------	-------------------------

BOARD OF EXAMINERS FOR MASSAGE THERAPY (Sec. 147.14(17))

Malinda Patch-Gray, Indianola	09/29/2006 – 04/30/2007
-------------------------------	-------------------------

BOARD OF MEDICAL EXAMINERS (Sec. 147.14(2))

Yogesh Shah, Clive	09/12/2006 – 04/30/2007
--------------------	-------------------------

MENTAL HEALTH, MENTAL RETARDATION, DEVELOPMENTAL DISABILITIES, AND BRAIN INJURY COMMISSION (Sec. 225C.5(1))

David Johnson, Pleasant Hill	11/14/2006 – 04/30/2007
------------------------------	-------------------------

BOARD OF PAROLE (Sec. 904A.1-3)

Alfredo Alvarez, Des Moines	11/27/2006 – 04/30/2009
-----------------------------	-------------------------

BOARD OF PSYCHOLOGY EXAMINERS (Sec. 147.14(7))

Mary Johnson, Dubuque	08/28/2006 – 04/30/2007
-----------------------	-------------------------

RENEWABLE FUEL INFRASTRUCTURE BOARD (Sec. 15G.202)

Mona Bond, Ankeny	08/11/2006 – 04/30/2011
Dennis Harding, Des Moines	08/11/2006 – 04/30/2009
K. Allen Hillgren, Stuart	08/11/2006 – 04/30/2010
Jeff Hove, Altoona	08/11/2006 – 04/30/2010
Brenda Neville, Cambridge	08/11/2006 – 04/30/2009
Mary Norton, Clive	08/11/2006 – 04/30/2010
Jill Reams-Widder, Johnston	08/11/2006 – 04/30/2011
Keith Sexton, Rockwell City	12/08/2006 – 04/30/2011
David Smitherman, Clive	08/11/2006 – 04/30/2011
Yvonne Wenthe, Waverly	08/11/2006 – 04/30/2010
Brian Wiegert, Martensdale	08/11/2006 – 04/30/2009

COMMISSION ON TOBACCO USE PREVENTION AND CONTROL (Sec. 142A.3)

Steven Soddors, State Center

01/04/2007 – 04/30/2009

IOWA BOARD OF VETERINARY MEDICINE (Sec. 169.5)

Tom Colvin, Runnells

09/12/2006 – 04/30/2008

WORKERS' COMPENSATION COMMISSIONER (Sec. 86.1)

Christopher Godfrey, Des Moines

04/17/2006 – Pleasure of Governor

IOWA WORKFORCE DEVELOPMENT BOARD (Sec. 84A.1A)

Roger Grobstich, Hiawatha

12/27/2006 – 04/30/2010

Julie Lord, Sioux City

10/05/2006 – 04/30/2008

JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 22, 2007

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

Prayer was offered by Reverend Rufus Johnson, pastor of the First Light Christian Fellowship and Fellowship Missionary Baptist Church in Cedar Rapids, Iowa. He was the guest of Senator Hogg.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Susan Scieszinski.

The Journal of Thursday, January 18, 2007, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:15 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 1:28 p.m., President Kibbie presiding.

SPECIAL GUESTS

Senator Quirnbach introduced to the Senate chamber representatives of the Iowa Special Olympics. Director Rich Fellingham and athlete Jenna Schrack spoke about the successful 2006 National Special Olympics held in Ames in July. They

presented the Senate a special plaque to thank them for their support of Special Olympics.

The Senate rose and expressed its welcome.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:40 p.m. until 8:45 a.m., Tuesday, January 23, 2007.

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:

IOWA ARTS COUNCIL

Study of out-of-school arts programs, pursuant to 2006 Acts, House File 2797. Report received on January 19, 2007.

OFFICE OF DRUG CONTROL POLICY

2007 report on Methamphetamine Abuse in Iowa, pursuant to 2005 Acts, Senate File 169. Report received on January 19, 2007.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Business Training Services Annual Report, pursuant to Iowa Code section 15.113. Report received on January 19, 2007.

DEPARTMENT OF EDUCATION

Report regarding the implementation of the new statewide graduation standards, pursuant to 2006 Acts, House File 2792. Report received on January 22, 2007.

Report regarding teacher pay for performance systems and the possible implementation of pay for performance pilot projects, pursuant to 2006 Acts, House File 2792. Report received on January 22, 2007.

DEPARTMENT OF HUMAN SERVICES

Report regarding delinquent child support payments. Report received on January 22, 2007.

Annual Report of the Healthy and Well Kids in Iowa (hawk-i), pursuant to Iowa Code section 514I.5(7)(g). Report received on January 22, 2007.

INSTITUTE FOR TOMORROW'S WORKFORCE

Annual report, pursuant to Iowa Code section 7K.1. Report received on January 19, 2007.

AGENCY ICN REPORTS

Iowa Communications Network (ICN) usage report for FY 2006, pursuant to Iowa Code section 8D.10, were received from the following agencies:

IOWA NATIONAL GUARD — Report received on January 22, 2007.

BOARD OF REGENTS — Report received on January 22, 2007.

PRESENTATION OF VISITORS

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

Thirty-eight Iowa International Fellows from ten different countries who are attending various Iowa colleges and universities. Senator Beall.

REPORTS OF COMMITTEE MEETINGS

ECONOMIC GROWTH

Convened: Thursday, January 18, 2007, 3:05 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, and Zaun.

Members Absent: Houser, Ranking Member; and Seymour (both excused).

Committee Business: Presentation by Great Places.

Adjourned: 4:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Thursday, January 18, 2007, 9:40 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; Hartsuch and Stewart.

Members Absent: None.

Committee Business: Presentations by the Department of Human Rights.

Adjourned: 11:55 a.m.

EDUCATION

Convened: Monday, January 22, 2007, 3:05 p.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Mulder, Ranking Member; Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirmbach, Schmitz, Wood, Zaun, and Zieman.

Members Absent: Angelo.

Committee Business: Presentation by the Board of Regents.

Adjourned: 4:00 p.m.

LOCAL GOVERNMENT

Convened: Monday, January 22, 2007, 2:10 p.m.

Members Present: Quirmbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Angelo, Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart.

Members Absent: None.

Committee Business: Presentation by the League of Cities.

Adjourned: 2:50 p.m.

RULES AND ADMINISTRATION

Convened: Monday, January 22, 2007, 1:15 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved committee assignments for Governor's interim appointees.

Adjourned: 1:20 p.m.

STATE GOVERNMENT

Convened: Monday, January 22, 2007, 2:20 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Zieman, Ranking Member; Appel, Behn, Danielson, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood.

Members Absent: Black and Gaskill (both excused).

Committee Business: Approved SSBs 1009 (as amended), 1010 (as amended), and 1028.

Adjourned: 2:50 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 3, by Gronstal, a resolution honoring the women's volleyball team from Iowa Western Community College on winning the Division I National Junior College Athletic Association volleyball tournament.

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

INTRODUCTION OF BILL

Senate File 33, by Ragan, Seymour, Kreiman, Warnstadt, Schmitz, Dotzler, and Mulder, 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**.

STUDY BILLS RECEIVED**SSB 1071 Human Resources**

Relating to providing an appeal process for medical assistance providers.

SSB 1072 Human Resources

Relating to the regulation of hospitals and health care facilities by the department of inspections and appeals, including investigations of complaints against health care facilities and rules relating to authentication of certain orders by practitioners, and providing an immediate effective date.

SSB 1073 Human Resources

Relating to the licensing and inspection of hotels, home food establishments, and food establishments and processing plants, providing and increasing fees, making penalties applicable, making an appropriation, and providing an effective date.

SSB 1074 Ways and Means

Requiring combined corporate tax returns for unitary businesses and including a retroactive applicability date provision.

SSB 1075 Ways and Means

Relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes.

SUBCOMMITTEE ASSIGNMENT**Senate File 28**

STATE GOVERNMENT: Black, Chair; Gaskill and Schmitz

SSB 1071

HUMAN RESOURCES: Kreiman, Chair; Ragan and Seymour

SSB 1072

HUMAN RESOURCES: Quirnbach, Chair; Hatch and Mulder

SSB 1073

HUMAN RESOURCES: Dotzler, Chair; Boettger and Wood

SSB 1074

WAYS AND MEANS: Quirmbach, Chair; Bolkcom and McKibben

SSB 1075

WAYS AND MEANS: Stewart, Chair; Schmitz and Ward

**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 22, 2007:

COMMERCE

Denise Dolan – Credit Union Review Board

ECONOMIC GROWTH

Mary Nelson – Iowa Economic Development Board

HUMAN RESOURCES

Melody Higgins – Board of Athletic Training Examiners

Michael Steele – Child Advocacy Board

Theresa Legg – Commission on the Deaf

Shirley Sorenson – Commission of Elder Affairs

Leroy Plasier – Commission of Elder Affairs

Daniel Ernst – Commission of Elder Affairs

John White – Iowa Empowerment Board

Cathy Ryba – Iowa Empowerment Board

Marguerite Macek – Iowa Empowerment Board

Ruth Krueger – Iowa Empowerment Board

Cyndi Chen – Administrator of the Division on the Status of Iowans of Asian and Pacific Islander Heritage

Ilima Young-Dunn – Commission on the Status of Iowans of Asian and Pacific Islander Heritage

Vinh Nguyen – Commission on the Status of Iowans of Asian and Pacific Islander Heritage

David Johnson – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission

Steven Sodders – Commission on Tobacco Use Prevention and Control

JUDICIARY

Paul Stageberg – Administrator of the Division of Criminal and Juvenile Justice Planning

Henry Thomas – Commission on Judicial Qualifications

Alfredo Alvarez – Board of Parole

LABOR AND BUSINESS

Christopher Godfrey – Workers' Compensation Commissioner

Julie Lord – Iowa Workforce Development Board

Roger Grobstich – Iowa Workforce Development Board

NATURAL RESOURCES AND ENVIRONMENT

Brian Wiegert – Renewable Fuel Infrastructure Board

Yvonne Wentz – Renewable Fuel Infrastructure Board

David Smitherman – Renewable Fuel Infrastructure Board

Keith Sexton – Renewable Fuel Infrastructure Board

Jill Reams-Widder – Renewable Fuel Infrastructure Board

Mary Norton – Renewable Fuel Infrastructure Board

Brenda Neville – Renewable Fuel Infrastructure Board

Jeff Hove – Renewable Fuel Infrastructure Board

K. Allen Hillgren – Renewable Fuel Infrastructure Board

Dennis Harding – Renewable Fuel Infrastructure Board

Mona Bond – Renewable Fuel Infrastructure Board

STATE GOVERNMENT

Treylla Lee-Chavis – Commission on the Status of African-Americans

Kimberly Setzer – Board of Cosmetology Arts and Sciences Examiners

Todd Christensen – Elevator Safety Board

Malinda Patch-Gray – Board of Massage Therapy Examiners

Yogesh Shah – Board of Medical Examiners

Mary Johnson – Board of Psychology Examiners

Tom Colvin – Iowa Board of Veterinary Medicine

JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 23, 2007

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

Prayer was offered by Reverend Jim Wallace, pastor of the Central Presbyterian Church in Des Moines, Iowa. He was the guest of Senator McCoy.

The Journal of Monday, January 22, 2007, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Putney, until he arrives, on request of Senator Gaskill.

INTRODUCTION OF RESOLUTION

Senate Resolution 4, by Mulder, a resolution to recognize Professor Jeff Barker of Northwestern College for being selected Iowa Professor of the Year for 2006 by the Carnegie Foundation for the Advancement of Teaching.

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

RECESS

On motion of Senator Gronstal, the Senate recessed at 8:54 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:02 a.m., President Kibbie presiding.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:04 a.m. until 8:45 a.m., Wednesday, January 24, 2007.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Florence Christoffer, Waterloo—For celebrating her 80th birthday. Senator Dotzler (1/23/07).

Robert Crawford, Waterloo—For celebrating his 90th birthday. Senator Dotzler (1/23/07).

Gladys Homoolar, Waterloo—For celebrating her 90th birthday. Senator Dotzler (1/23/07).

Eugene Lind, Waterloo—For celebrating his 80th birthday. Senator Dotzler (1/23/07).

Chuck Schaefer, Waterloo—For celebrating his 80th birthday. Senator Dotzler (1/23/07).

Kevin Schares, Waterloo—For achieving the rank of Eagle Scout, Boy Scout Troop 126. Senator Dotzler (1/23/07).

Kyle Schares, Waterloo—For achieving the rank of Eagle Scout, Boy Scout Troop 126. Senator Dotzler (1/23/07).

Henrietta Shipp, Evansdale—For celebrating her 90th birthday. Senator Dotzler (1/23/07).

Kenny and Rita Trost, Waterloo—For celebrating their 50th wedding anniversary. Senator Dotzler (1/23/07).

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Monday, January 22, 2007, 5:05 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Boettger, Bolkcom, Hatch, Johnson, Kreiman, Mulder, Quirmbach, and Wood.

Members Absent: Behn and Dotzler (both excused).

Committee Business: Presentation by the mental health and disabilities director, Dr. Allan Parks, and subcommittee assignments.

Adjourned: 6:00 p.m.

JUDICIARY

Convened: Monday, January 22, 2007, 4:05 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; McKibben, Ranking Member; Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Zieman.

Members Absent: None.

Committee Business: Approved SSB 1006 and subcommittee assignments.

Adjourned: 4:15 p.m.

TRANSPORTATION

Convened: Monday, January 22, 2007, 5:05 p.m.

Members Present: Rielly, Chair; Danielson, Vice Chair; Noble, Ranking Member; Beall, Hancock, Heckroth, Houser, Putney, Warnstadt, and Zieman.

Members Absent: Dearden, McCoy, and Zaun (all excused).

Committee Business: Presentation by Iowa Motor Truck Association.

Adjourned: 5:30 p.m.

ECONOMIC GROWTH

Convened: Tuesday, January 23, 2007, 1:10 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Houser, Ranking Member; Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, and Zaun.

Members Absent: None.

Committee Business: Presentation by the Department of Economic Development.

Adjourned: 1:50 p.m.

HUMAN RESOURCES

Convened: Tuesday, January 23, 2007, 2:05 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Hatch, Johnson, Kreiman, Mulder, Quirmbach, and Wood.

Members Absent: Dotzler (excused).

Committee Business: Approved committee assignments for Governor's interim appointees and subcommittee assignments.

Adjourned: 2:10 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, January 23, 2007, 1:10 p.m.

Members Present: Black, Chair; Hancock, Vice Chair; Gaskill, Ranking Member; Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood.

Members Absent: None.

Committee Business: Passed SFs 3 and 18. Presentations by wildlife bureau chief, Dale Garner, and wildlife resource supervisor, Willy Suchy.

Adjourned: 1:55 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, January 23, 2007, 8:55 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SRs 3 and 4.

Adjourned: 9:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Tuesday, January 23, 2007, 9:40 a.m.

Members Present: Seng, Chair; Schoenjahn, Vice Chair; Gaskill, Ranking Member; and Houser.

Members Absent: Black (excused).

Committee Business: Presentations from the state forester and the forestry bureau chief.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Tuesday, January 23, 2007, 9:30 a.m.

Members Present: Dotzler, Chair; Heckroth, Vice Chair; Kettering, Ranking Member; Olive and Ward.

Members Absent: None.

Committee Business: Presentation by the Department of Economic Development.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Tuesday, January 23, 2007, 9:35 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; Quirnbach and Ziemann.

Members Absent: None.

Committee Business: Presentations by the presidents of the regents universities.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Tuesday, January 23, 2007, 9:35 a.m.

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

Members Absent: None.

Committee Business: Presentations by the state court administrator and Attorney General, Tom Miller.

Adjourned: 10:50 a.m.

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

Convened: Tuesday, January 23, 2007, 9:30 a.m.

Members Present: McCoy, Chair; Warnstadt, Vice Chair; Beall and McKibben.

Members Absent: Putney, Ranking Member (excused).

Committee Business: Presentation by the Department of Transportation.

Adjourned: 11:10 a.m.

INTRODUCTION OF BILLS

Senate File 34, by Johnson and Hancock, a bill for an act requiring the use of child restraint systems or seat belts by motor vehicle passengers under eighteen years of age and making a penalty applicable.

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

Senate File 35, by Zieman, a bill for an act relating to the criminal offense of child endangerment.

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

Senate File 36, 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 **State Government**.

Senate File 37, by McCoy, a bill for an act relating to drug and alcohol testing in motor vehicle accidents resulting in a death or serious injury reasonably likely to cause death.

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

Senate File 38, by McCoy, a bill for an act relating to the regulation of credit unions by revising and reorganizing the Iowa credit union Act, making conforming changes, and providing for taxes, fees, and penalties.

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

Senate File 39, by committee on State Government, a bill for an act relating to campaign contributions, the filing of disclosure reports, the posting of statements and reports on the internet, the posting of signs on private property, and the escheat of funds from an unknown or unidentifiable source.

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

Senate File 40, by committee on State Government, a bill for an act relating to the regulation of ethical conduct by governmental entities.

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

Senate File 41, by committee on Judiciary, a bill for an act relating to the disposition of unclaimed property concerning minerals.

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

Senate File 42, by committee on State Government, a bill for an act relating to campaign finance by revising the requirements for filing reports and for the use of certain resources for political purposes.

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

Senate File 43, by Appel, Bolkom, Hatch, Dvorsky, McCoy, Connolly, and Dotzler, a bill for an act relating to human growth and development and health education under the education standards, authorizing school districts and nonpublic schools to provide comprehensive sexual health education, and establishing related duties for the director of the department of education.

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

Senate File 44, by Danielson, a bill for an act eliminating provisions relating to the contents of the uniform citation and complaint.

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

Senate File 45, by Hancock, a bill for an act providing volunteer fire fighters and emergency medical services personnel with an individual income tax credit and providing effective and retroactive applicability dates.

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

STUDY BILLS RECEIVED

SSB 1076 Commerce

Requiring health care benefit coverage for certain prosthetic devices and providing an applicability date.

SSB 1077 Human Resources

Requiring invasive pneumococcal disease immunization for children enrolling in licensed child care centers.

SSB 1078 Human Resources

Renaming health-related examining boards as licensing boards and providing for the nonreversion of fees collected by the boards.

SSB 1079 Judiciary

Relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, ordering hearings for forcible entry and detainer actions, and forfeiting bail for failure to appear.

SSB 1080 Judiciary

Establishing the Iowa propane education and research council, providing for the development of programs and projects related to propane, providing for an assessment on the sale of odorized propane, and providing criminal penalties.

SSB 1081 Judiciary

Creating a private cause of action for certain consumer fraud violations.

SSB 1082 Economic Growth

Relating to historic preservation and cultural and entertainment district tax credits, making appropriations, and providing applicability date provisions.

SSB 1083 Education

Providing school districts with supplemental funding for students who attend virtual shared classes via the Iowa communications network, and providing a monetary incentive for teachers who instruct virtual shared classes, and providing an applicability date.

SSB 1084 Agriculture

Relating to the handling of manure originating from confinement feeding operations by providing for certification requirements.

SUBCOMMITTEE ASSIGNMENTS**Senate File 29**

ECONOMIC GROWTH: Stewart, Chair; Dotzler, Hahn, Houser, and Olive

Senate File 33

HUMAN RESOURCES: Mulder, Chair; Dotzler and Kreiman

SSB 1076

COMMERCE: Rielly, Chair; Olive and Ward

SSB 1077

HUMAN RESOURCES: Dotzler, Chair; Ragan and Seymour

SSB 1078

HUMAN RESOURCES: Schmitz, Chair; Mulder and Quirmbach

SSB 1079

JUDICIARY: Hogg, Chair; Kreiman and McKibben

SSB 1080

JUDICIARY: Quirmbach, Chair; Fraise and Hartsuch

SSB 1081

JUDICIARY: Kreiman, Chair; Hogg and Zieman

SSB 1082

ECONOMIC GROWTH: Rielly, Chair; Houser and Stewart

SSB 1083

EDUCATION: Wood, Chair; Boettger and Schmitz

SSB 1084

AGRICULTURE: Olive, Chair; Courtney and Mulder

FINAL COMMITTEE REPORTS OF BILL ACTION**JUDICIARY**

Bill Title: *SENATE FILE 41 (SSB 1006), a bill for an act relating to the disposition of unclaimed property concerning minerals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, 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 Judiciary Committee on Senate File 41, and they were attached to the committee report.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 3, a resolution honoring the women's volleyball team from Iowa Western Community College on winning the Division I National Junior College Athletic Association volleyball tournament.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 4, a resolution to recognize Professor Jeff Barker of Northwestern College for being selected Iowa Professor of the Year for 2006 by the Carnegie Foundation for the Advancement of Teaching.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: *SENATE FILE 39 (SSB 1010), a bill for an act relating to campaign contributions, the filing of disclosure reports, the posting of statements and reports on the internet, the posting of signs on private property, and the escheat of funds from an unknown or unidentifiable source.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Horn, Ziemann, Appel, Behn, Danielson, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, 2: Black and Gaskill.

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 39, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 40 (SSB 1028), a bill for an act relating to the regulation of ethical conduct by governmental entities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Horn, Zieman, Appel, Behn, Danielson, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, 2: Black and Gaskill.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 42 (SSB 1009), a bill for an act relating to campaign finance by revising the requirements for filing reports and for the use of certain resources for political purposes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Horn, Zieman, Appel, Behn, Danielson, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, 2: Black and Gaskill.

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 42, and they were attached to the committee report.

APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on January 23, 2007, to investigate the appointment and reappointment of the following appointees:

COMMERCE

As a member of the Credit Union Review Board:

DENISE DOLAN – Heckroth, Chair; Courtney and Kettering

ECONOMIC GROWTH

As a member of the Iowa Economic Development Board:

MARY NELSON – Dotzler, Chair; Danielson and Houser

HUMAN RESOURCES

As a member of the Board of Athletic Training Examiners:

MELODY HIGGINS – Dotzler, Chair; Behn and Wood

As a member of the Child Advocacy Board:

MICHAEL STEELE – Kreiman, Chair; Behn and Schmitz

As a member of the Commission on the Deaf:

THERESA LEGG – Ragan, Chair; Bolkcom and Seymour

As members of the Commission of Elder Affairs:

DANIEL ERNST – Bolkcom, Chair; Johnson and Ragan

LEROY PLASIER – Bolkcom, Chair; Johnson and Ragan

SHIRLEY SORENSON – Bolkcom, Chair; Johnson and Ragan

As members of the Iowa Empowerment Board:

RUTH KRUEGER – Schmitz, Chair; Boettger and Wood

MARGUERITE MACEK – Schmitz, Chair; Boettger and Wood

CATHY RYBA – Schmitz, Chair; Boettger and Wood

JOHN WHITE – Schmitz, Chair; Boettger and Wood

As Administrator of the Division on the Status of Iowans of Asian and Pacific Islander Heritage:

CYNDI CHEN – Quirnbach, Chair; Hatch and Mulder

As members of the Commission on the Status of Iowans of Asian and Pacific Islander Heritage:

VINH NGUYEN – Seymour, Chair; Quirnbach and Schmitz

ILIMA YOUNG-DUNN – Quirnbach, Chair; Hatch and Mulder

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

DAVID JOHNSON – Wood, Chair; Kreiman and Seymour

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

STEVEN SODDERS – Ragan, Chair; Bolkcom and Mulder

JUDICIARY

As Administrator of the Division of Criminal and Juvenile Justice Planning:

PAUL STAGEBERG – Kreiman, Chair; Fraise and Ward

As a member of the Commission on Judicial Qualifications:

HENRY THOMAS – Horn, Chair; Noble and Warnstadt

As a member of the Board of Parole:

ALFREDO ALVAREZ – Quirmbach, Chair; Horn and Ward

LABOR AND BUSINESS RELATIONS

As Commissioner of Workers' Compensation:

CHRISTOPHER GODFREY – Dearden, Chair; Dotzler and Ward

As members of the Iowa Workforce Development Board:

ROGER GROBSTICH – Seng, Chair; Hahn and McKinley

JULIE LORD – Horn, Chair; Ward and Wieck

NATURAL RESOURCES AND ENVIRONMENT

As members of the Renewable Fuel Infrastructure Board:

MONA BOND – Lundby, Chair; Hancock and Ragan

DENNIS HARDING – Wood, Chair; Dearden and Johnson

K. ALLEN HILLGREN – Seng, Chair; Hogg and Kettering

JEFF HOVE – Ragan, Chair; Johnson and Seng

BRENDA NEVILLE – Bolkom, Chair; Noble and Schoenjahn

MARY NORTON – Hogg, Chair; Lundby and Seng

JILL REAMS-WIDDER – Hancock, Chair; Gaskill and Ragan

KEITH SEXTON – Schoenjahn, Chair; Behn and Dearden

DAVID SMITHERMAN – Dearden, Chair; Bolkom and Johnson

YVONNE WENTE – Hogg, Chair; Gaskill and Wood

BRIAN WIEGERT – Behn, Chair; Black and Hogg

STATE GOVERNMENT

As a member of the Commission on the Status of African-Americans:

TREYLA LEE-CHAVIS – Kibbie, Chair; Kettering and Schmitz

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

KIMBERLY SETZER – Kibbie, Chair; Gaskill and Schmitz

As a member of the Elevator Safety Board:

TODD CHRISTENSEN – Hatch, Chair; Horn and Kettering

As a member of the Board of Massage Therapy Examiners:

MALINDA PATCH-GRAY – Appel, Chair; Black and Gaskill

As a member of the Board of Medical Examiners:

YOGESH SHAH – Hatch, Chair; Black and McKibben

As a member of the Board of Psychology Examiners:

MARY JOHNSON – Connolly, Chair; Hahn and Schmitz

As a member of the Iowa Board of Veterinary Medicine:

TOM COLVIN – Hatch, Chair; Behn and Kibbie

JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 24, 2007

The Senate met in regular session at 8:46 a.m., President Kibbie presiding.

Prayer was offered by Dr. Bruce Murphy, president of Northwestern College in Orange City, Iowa. He was the guest of Senator Mulder.

The Journal of Tuesday, January 23, 2007, 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 23, 2007, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 5, a concurrent resolution for a joint convention to be held on Tuesday, January 30, 2007, at 10:00 a.m. for Governor Chester J. Culver to deliver his budget message.

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

ALSO: That the House has on January 23, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

House File 1, a bill for an act relating to the state minimum hourly wage requirements and providing an effective date.

Read first time and referred to committee on **Labor and Business Relations**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Putney, for the day, on request of Senator Angelo; and Senator Wieck, for the day, on request of Senator Gaskill.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Bolkcom asked and received unanimous consent to take up for consideration Senate Resolution 4.

Senate Resolution 4

On motion of Senator Mulder, **Senate Resolution 4**, a resolution to recognize Professor Jeff Barker of Northwestern College for being selected Iowa Professor of the Year for 2006 by the Carnegie Foundation for the Advancement of Teaching, with report of committee recommending passage, was taken up for consideration.

Senator Mulder moved the adoption of Senate Resolution 4, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Mulder introduced to the Senate chamber Professor Jeff Barker and his wife. Accompanying them were the President of Northwestern College, Dr. Bruce Murphy, and his wife.

The Senate rose and expressed its welcome.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Bolkcom asked and received unanimous consent to take up for consideration House Concurrent Resolution 5.

House Concurrent Resolution 5

On motion of Senator Bolkcom, **House Concurrent Resolution 5**, a concurrent resolution for a joint convention to be held on Tuesday, January 30, 2007, at 10:00 a.m. for Governor Culver to deliver his budget message, was taken up for consideration.

Senator Bolkcom moved the adoption of House Concurrent Resolution 5, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Bolkcom asked and received unanimous consent that **House Concurrent Resolution 5** be **immediately messaged** to the House.

RECESS

On motion of Senator Bolkcom, the Senate recessed at 9:28 a.m. until 5:00 p.m.

APPENDIX—1**REPORTS OF COMMITTEE MEETINGS****AGRICULTURE**

Convened: Tuesday, January 23, 2007, 3:05 p.m.

Members Present: Fraise, Chair; Rielly, Vice Chair; Johnson, Ranking Member; Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Mulder, Olive, and Seng.

Members Absent: Putney (excused).

Committee Business: Presentation by the Department of Natural Resources.

Adjourned: 4:05 p.m.

ETHICS

Convened: Tuesday, January 23, 2007, 4:10 p.m.

Members Present: Kibbie, Chair; Connolly, Vice Chair; Behn, Ranking Member; Dearden and Wieck.

Members Absent: Putney (excused).

Committee Business: Approved SSBs 1053 and 1054.

Adjourned: 4:20 p.m.

GOVERNMENT OVERSIGHT

Convened: Tuesday, January 23, 2007, 9:30 a.m.

Members Present: Courtney, Chair; Connolly, Vice Chair; Wieck, Ranking Member; Lundby and Schmitz.

Members Absent: None.

Committee Business: Presentations from Mediacom Communications Corp., Sinclair Broadcast Group, Drake University, and the NAACP.

Adjourned: 11:25 a.m.

TRANSPORTATION

Convened: Tuesday, January 23, 2007, 2:10 p.m.

Members Present: Rielly, Chair; Danielson, Vice Chair; Noble, Ranking Member; Beall, Dearden, Hancock, Heckroth, Houser, Warnstadt, Zaun, and Ziemann.

Members Absent: McCoy and Putney (both excused).

Committee Business: Presentation by the director of the Department of Transportation, Nancy Richardson.

Adjourned: 3:00 p.m.

VETERANS AFFAIRS

Convened: Tuesday, January 23, 2007, 4:40 p.m.

Members Present: Beall, Chair; Warnstadt, Vice Chair; Seymour, Ranking Member; Danielson, Hartsuch, Horn, Kibbie, McKibben, McKinley, and Ragan.

Members Absent: Black.

Committee Business: Presentation by LSA.

Adjourned: 4:55 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Tuesday, January 23, 2007, 9:35 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; Hartsuch and Stewart.

Members Absent: None.

Committee Business: Presentations by the Department of Revenue and the Wapello County Treasurer.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Tuesday, January 23, 2007, 9:35 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Presentations by Commissioner of Insurance, Susan Voss; director of Department of Human Services, Kevin Concannon; Iowa Medicaid Enterprise; and the HAWK-I program.

Adjourned: 11:25 a.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, January 24, 2007, 2:00 p.m.

Members Present: Dearden, Chair; Courtney, Vice Chair; Ward, Ranking Member; Dotzler, Dvorsky, Hahn, Hatch, Horn, McKinley, and Seng.

Members Absent: Wieck (excused).

Committee Business: Passed HF 1.

Adjourned: 2:35 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Wednesday, January 24, 2007, 9:40 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; Hartsuch and Stewart.

Members Absent: None.

Committee Business: Presentation by the Secretary of State on the Help America Vote Act.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Wednesday, January 24, 2007, 9:30 a.m.

Members Present: Dotzler, Chair; Heckroth, Vice Chair; Kettering, Ranking Member; Olive and Ward.

Members Absent: None.

Committee Business: Presentation by the Department of Cultural Affairs.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, January 24, 2007, 9:40 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; Quirnbach and Ziemann.

Members Absent: None.

Committee Business: Presentations by state special schools, Iowa School for the Deaf, and Iowa Braille and Sight Saving School.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Wednesday, January 24, 2007, 10:10 a.m.

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

Members Absent: None.

Committee Business: Presentations on Fort Des Moines and ankle bracelets.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Wednesday, January 24, 2007, 9:30 a.m.

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

Members Absent: Putney, Ranking Member; and McKibben.

Committee Business: Presentation by Iowa Technology Governance Board.

Adjourned: 11:00 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 5, by committee on Ethics, a resolution relating to the Senate Rules Governing Lobbyists and their interactions with the Senate and members of the Senate during the Eighty-second General Assembly.

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

Senate Resolution 6, by committee on Ethics, a resolution relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Eighty-second General Assembly.

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

INTRODUCTION OF BILLS

Senate File 46, by McCoy, a bill for an act relating to school nutritional standards by requiring a ban on certain sales of unhealthy individual food items and requiring the director of the department of education to adopt guidelines for minimum nutritional standards.

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

Senate File 47, by Bolkcom, a bill for an act relating to reporting requirements for a candidate's committee of a candidate for city office, school board, or any other political subdivision office except for county office.

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

Senate File 48, by committee on Natural Resources and Environment, a bill for an act concerning the limitation of actions for prosecution of violations under certain statutes administered by the natural resource commission.

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

Senate File 49, by committee on Natural Resources and Environment, 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 **placed on calendar**.

STUDY BILLS RECEIVED

SSB 1085 Judiciary

Restricting the presence of a registered sex offender on the real property comprising a school or child care facility and providing a penalty.

SSB 1086 State Government

Relating to the disposition of certain unclaimed property.

SSB 1087 State Government

Concerning whistleblower complaints received by the citizens' aide.

SSB 1088 State Government

Prohibiting discrimination based upon a person's sexual orientation or gender identity under the Iowa civil rights Act.

SSB 1089 State Government

Relating to the regulation of pharmacy benefits managers and providing penalties.

SSB 1090 Human Resources

Relating to dependent adult abuse.

SSB 1091 Judiciary

Relating to the payment of costs of reasonable attorney fees related to certain paternity and adoption proceedings.

SSB 1092 Judiciary

Relating to the duties of directors of nonprofit corporations.

SSB 1093 Judiciary

Relating to the consideration of inherited or gifted property in dissolution-of-marriage property division proceedings.

SSB 1094 Judiciary

Relating to expert witness, notice of claim, and certificate of merit requirements in medical malpractice actions.

SSB 1095 Judiciary

Relating to the standardized training and state certification of reserve peace officers.

SSB 1096 Judiciary

Relating to business corporations, by providing for information required to be filed with the secretary of state and providing for shareholder voting.

SSB 1097 Judiciary

Relating to communications made in professional confidence concerning health care and health care records and providing for fees.

SSB 1098 Judiciary

Concerning limitations on actions for civil liability related to the dramshop Act and providing an effective and applicability date provision.

SSB 1099 Judiciary

Relating to a debtor's exempt personal injury payments in state court debt collection and federal bankruptcy actions.

SSB 1100 Judiciary

Relating to the conveyance or encumbrance of a homestead.

SSB 1101 State Government

Requiring a political committee expressly advocating the passage or defeat of a ballot issue to file four disclosure reports in an election year.

SSB 1102 State Government

Making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting.

SSB 1103 State Government

Relating to an agreement among the states to elect the president by national popular vote and providing an effective date.

SSB 1104 State Government

Relating to voting machines, including by requiring that direct recording electronic voting machines used in the state produce paper records to be verified by voters.

SUBCOMMITTEE ASSIGNMENTS**Senate File 30**

STATE GOVERNMENT: Kibbie, Chair; Schmitz and Zieman

Senate File 35

JUDICIARY: Horn, Chair; Kreiman and Zieman

Senate File 38

COMMERCE: McCoy, Chair; Heckroth and Putney

Senate File 44

JUDICIARY: Kreiman, Chair; Hartsuch and Noble

House File 1

LABOR AND BUSINESS RELATIONS: Courtney, Chair; Dotzler and Ward

SSB 1085

JUDICIARY: Kreiman, Chair; Dvorsky, Hogg, McKibben, and Noble

SSB 1086

STATE GOVERNMENT: Horn, Chair; Gaskill and Kibbie

SSB 1087

STATE GOVERNMENT: Wood, Chair; Danielson and McKibben

SSB 1088

STATE GOVERNMENT: Hatch, Chair; Behn and Connolly

SSB 1089

STATE GOVERNMENT: Danielson, Chair; Connolly and Zieman

SSB 1090

HUMAN RESOURCES: Seymour, Chair; Ragan and Schmitz

SSB 1091

JUDICIARY: Quirnbach, Chair; Fraise and Ward

SSB 1092

JUDICIARY: Hogg, Chair; Kreiman and Zieman

SSB 1093

JUDICIARY: Kreiman, Chair; Behn and Quirnbach

SSB 1094

JUDICIARY: Hogg, Chair; Hartsuch and Kreiman

SSB 1095

JUDICIARY: Kreiman, Chair; Hancock and Noble

SSB 1096

JUDICIARY: Quirnbach, Chair; Schoenjahn and Ward

SSB 1097

JUDICIARY: Hogg, Chair; Hartsuch and Kreiman

SSB 1098

JUDICIARY: Hogg, Chair; Kreiman and Zieman

SSB 1099

JUDICIARY: Hogg, Chair; Behn and Horn

SSB 1100

JUDICIARY: Fraise, Chair; Quirmbach and Ziemann

SSB 1101

STATE GOVERNMENT: Appel, Chair; Kettering and Kibbie

SSB 1102

STATE GOVERNMENT: Connolly, Chair; Behn and Kibbie

SSB 1103

STATE GOVERNMENT: Danielson, Chair; McKibben and Schmitz

SSB 1104

STATE GOVERNMENT: Connolly, Chair; Kibbie and Ziemann

FINAL COMMITTEE REPORTS OF BILL ACTION**ETHICS**

Bill Title: SENATE RESOLUTION 5 (SSB 1054), a resolution relating to the Senate Rules Governing Lobbyists and their interactions with the Senate and members of the Senate during the Eighty-second General Assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 5: Kibbie, Connolly, Behn, Dearden, and Wieck. Nays, none. Absent, 1: Putney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 6 (SSB 1053), a resolution relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Eighty-second General Assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 5: Kibbie, Connolly, Behn, Dearden, and Wieck. Nays, none. Absent, 1: Putney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND BUSINESS RELATIONS

Bill Title: HOUSE FILE 1, a bill for an act relating to the state minimum hourly wage requirements and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Dearden, Courtney, Ward, Dotzler, Dvorsky, Hatch, Horn, and Seng. Nays, 2: Hahn and McKinley. Absent, 1: Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: SENATE FILE 48 (formerly SF 3), a bill for an act concerning the limitation of actions for prosecution of violations under certain statutes administered by the natural resource commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 49 (formerly SF 18), a bill for an act providing for a .08 blood alcohol limit for motorboat or sailboat operating while intoxicated offenses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EVENING SESSION

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

The Senate stood at ease at 5:18 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 6:34 p.m., President Kibbie presiding.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 1.

House File 1

On motion of Senator Courtney, **House File 1**, a bill for an act relating to the state minimum hourly wage requirements and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator McKinley offered amendment S-3008, filed by Senator McKinley, et al., from the floor to page 1 and to the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3008 be adopted?" (H.F. 1), the vote was:

Yeas, 17:

Angelo	Hartsuch	McKibben	Zaun
Behn	Houser	McKinley	Zieman
Boettger	Johnson	Mulder	
Gaskill	Kettering	Noble	
Hahn	Lundby	Seymour	

Nays, 31:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn

Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Ward
Courtney	Hatch	Quirnbach	Warnstadt
Danielson	Heckroth	Ragan	Wood
Dearden	Hogg	Rielly	

Absent, 2:

Putney	Wieck
--------	-------

Amendment S-3008 lost.

Senator Angelo offered amendment S-3005, filed by him from the floor to pages 1 and 2 and to the title page of the bill.

Senator Gronstal raised the point of order that amendment S-3005 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3005 out of order.

Senator McKinley offered amendment S-3007, filed by Senator McKinley, et al., from the floor to page 1 and to the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3007 be adopted?" (H.F. 1), the vote was:

Yeas, 16:

Angelo	Hahn	Kettering	Noble
Behn	Hartsuch	Lundby	Seymour
Boettger	Houser	McKibben	Zaun
Gaskill	Johnson	McKinley	Zieman

Nays, 32:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Kibbie	Schmitz
Black	Fraise	Kreiman	Schoenjahn
Bolkcom	Gronstal	McCoy	Seng
Connolly	Hancock	Mulder	Stewart

Courtney	Hatch	Olive	Ward
Danielson	Heckroth	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wood

Absent, 2:

Putney	Wieck
--------	-------

Amendment S-3007 lost.

Senator Ward offered amendment S-3009, filed by Senator Ward, et al., from the floor to pages 1 and 2 and to the title page of the bill.

Senator Gronstal raised the point of order the amendment S-3009 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3009 out of order.

Senator Zaun offered amendment S-3002, filed by Senator Zaun, et al., from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3002 be adopted?" (H.F. 1), the vote was:

Yeas, 17:

Angelo	Hartsuch	McKibben	Zaun
Behn	Houser	McKinley	Zieman
Boettger	Johnson	Mulder	
Gaskill	Kettering	Noble	
Hahn	Lundby	Seymour	

Nays, 31:

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

Absent, 2:

Putney Wieck

Amendment S–3002 lost.

Senator Zaun offered amendment S–3004, filed by Senator Zaun, et al., from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3004 be adopted?” (H.F. 1), the vote was:

Yeas, 16:

Angelo	Hahn	Kettering	Mulder
Behn	Hartsuch	Lundby	Seymour
Boettger	Houser	McKibben	Zaun
Gaskill	Johnson	McKinley	Zieman

Nays, 32:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Kibbie	Schmitz
Black	Fraise	Kreiman	Schoenjahn
Bolkcom	Gronstal	McCoy	Seng
Cannolly	Hancock	Noble	Stewart
Courtney	Hatch	Olive	Ward
Danielson	Heckroth	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wood

Absent, 2:

Putney Wieck

Amendment S–3004 lost.

Senator Zaun offered amendment S–3003, filed by Senator Zaun, et al., from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3003 be adopted?" (H.F. 1), the vote was:

Yeas, 18:

Angelo	Hartsuch	McKibben	Ward
Behn	Houser	McKinley	Zaun
Boettger	Johnson	Mulder	Zieman
Gaskill	Kettering	Noble	
Hahn	Lundby	Seymour	

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Cannolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, 2:

Putney	Wieck
--------	-------

Amendment S-3003 lost.

Senator Zieman offered amendment S-3001, filed by Senator Zieman, et al., from the floor to page 1 and to the title page of the bill.

Senator Gronstal raised the point of order that amendment S-3001 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3001 out of order.

Senator McKibben offered amendment S-3006, filed by Senator Putney, et al., from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3006 be adopted?” (HF.1), the vote was:

Yeas, 18:

Angelo	Hartsuch	McKibben	Ward
Behn	Houser	McKinley	Zaun
Boettger	Johnson	Mulder	Zieman
Gaskill	Kettering	Noble	
Hahn	Lundby	Seymour	

Nays, 30:

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

Absent, 2:

Putney	Wieck
--------	-------

Amendment S–3006 lost.

Senator McKinley offered amendment S–3010, filed by Senator McKinley, et al., from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3010 be adopted?” (H.F. 1), the vote was:

Yeas, 18:

Angelo	Hartsuch	McKibben	Ward
Behn	Houser	McKinley	Zaun
Boettger	Johnson	Mulder	Zieman
Gaskill	Kettering	Noble	
Hahn	Lundby	Seymour	

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn

Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, 2:

Putney	Wieck
--------	-------

Amendment S-3010 lost.

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. 1), the vote was:

Yeas, 40:

Angelo	Dvorsky	Johnson	Ragan
Appel	Fraise	Kibbie	Rielly
Beall	Gaskill	Kreiman	Schmitz
Black	Gronstal	Lundby	Schoenjahn
Bolkcom	Hancock	McCoy	Seng
Connolly	Hatch	McKibben	Seymour
Courtney	Heckroth	Mulder	Stewart
Danielson	Hogg	Noble	Ward
Dearden	Horn	Olive	Warnstadt
Dotzler	Houser	Quirnbach	Wood

Nays, 8:

Behn	Hahn	Kettering	Zaun
Boettger	Hartsuch	McKinley	Zieman

Absent, 2:

Putney	Wieck
--------	-------

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 1** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:35 p.m. until 8:45 a.m., Thursday, January 25, 2007.

APPENDIX—2

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 TRANSPORTATION

Fiscal Year 2006 Annual Report of the Iowa Highway Research Board Research and Development Activities, pursuant to Iowa Code sections 310.36 and 312.3A. Report received on January 24, 2007.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, January 24, 2007, 2:00 p.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Mulder, Ranking Member; Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirnbach, Schmitz, Wood, Zaun, and Zieman.

Members Absent: None.

Committee Business: Approved SSBs 1021 (as amended) and 1048 (as amended).

Adjourned: 4:00 p.m.

WAYS AND MEANS

Convened: Wednesday, January 24, 2007, 4:10 p.m.

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

Members Absent: Putney and Wieck (both excused).

Committee Business: Passed SF 21.

Adjourned: 4:20 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Wednesday, January 24, 2007, 9:45 a.m.

Members Present: Seng, Chair; Schoenjahn, Vice Chair; Gaskill, Ranking Member; Black and Houser.

Members Absent: None.

Committee Business: Presentations by the state soil conservation committee and the soil and water conservation district commissioner.

Adjourned: 10:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, January 24, 2007, 9:45 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Health care presentations.

Adjourned: 11:40 a.m.

INTRODUCTION OF BILLS

Senate File 50, by Danielson, a bill for an act concerning suspension of a driver's license due to temporary loss of consciousness or lack of voluntary control.

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

Senate File 51, by Hancock, a bill for an act relating to social security numbers in court documents.

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

Senate File 52, by Hancock, Bolkcom, Ragan, Stewart, Schmitz, Kreiman, Beall, Schoenjahn, Dotzler, Heckroth, Dvorsky, Warnstadt, Horn, Seng, Olive, Hatch, Dearden, Wood, Fraise, Courtney, Kibbie,

Appel, Connolly, Hogg, Black, Rielly, and Quirmbach, 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 53, by committee on Ways and Means, a bill for an act relating to the designation of pilot project cities for a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas and including effective and retroactive applicability date provisions.

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

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: SENATE FILE 53 (formerly SF 21), a bill for an act relating to the designation of pilot project cities for a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas and including effective and retroactive applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Quirmbach, Schmitz, Seng, Stewart, and Ward. Nays, none. Absent, 2: Putney and Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3001	H.F.	1	Mark Ziemann David Hartsuch Paul McKinley Brad Zaun Larry Noble E. Thurman Gaskill Jerry Behn Mary A. Lundby Jeff Angelo
--------	------	---	--

S-3002	H.F.	1	Larry McKibben Nancy J. Boettger David Johnson James F. Hahn Brad Zaun Paul McKinley David Johnson Larry Noble E. Thurman Gaskill Dave Mulder Jerry Behn Mary A. Lundby Jeff Angelo Larry McKibben Nancy J. Boettger Mark Zieman David Hartsuch James F. Hahn Brad Zaun Paul McKinley David Johnson James A. Seymour Larry Noble E. Thurman Gaskill Jerry Behn Mary A. Lundby Dave Mulder Jeff Angelo Nancy J. Boettger Mark Zieman David Hartsuch Steve Kettering James F. Hahn Brad Zaun Paul McKinley David Johnson Jerry Behn Jeff Angelo Nancy J. Boettger Mark Zieman David Hartsuch
S-3003	H.F.	1	
S-3004	H.F.	1	

			James F. Hahn
			Dave Mulder
S-3005	H.F.	1	Jeff Angelo
S-3006	H.F.	1	John Putney
			Larry McKibben
			Mark Zieman
			David Hartsuch
			James F. Hahn
			Steve Kettering
			Brad Zaun
			Paul McKinley
			David Johnson
			Pat Ward
			James A. Seymour
			Larry Noble
			E. Thurman Gaskill
			Jerry Behn
			Mary A. Lundby
			Jeff Angelo
			Dave Mulder
S-3007	H.F.	1	Paul McKinley
			Brad Zaun
			David Johnson
			James A. Seymour
			Larry Noble
			E. Thurman Gaskill
			Jerry Behn
			Mary A. Lundby
			Jeff Angelo
			Larry McKibben
			Nancy J. Boettger
			Mark Zieman
			David Hartsuch
			James F. Hahn
S-3008	H.F.	1	Paul McKinley
			Brad Zaun
			David Johnson
			James A. Seymour
			Larry Noble
			E. Thurman Gaskill
			Jerry Behn

			Mary A. Lundby
			Jeff Angelo
			Larry McKibben
			Mark Zieman
			Nancy J. Boettger
			David Hartsuch
			James F. Hahn
S-3009	H.F.	1	Pat Ward
			James A. Seymour
			Larry Noble
			E. Thurman Gaskill
			Jerry Behn
			Mary A. Lundby
			Dave Mulder
			Jeff Angelo
			Larry McKibben
			Nancy J. Boettger
			Mark Zieman
			David Hartsuch
			David Johnson
			Paul McKinley
			James F. Hahn
			Brad Zaun
S-3010	H.F.	1	Paul McKinley
			Jerry Behn
			Brad Zaun
			David Johnson
			James F. Hahn

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 25, 2007

The Senate met in regular session at 8:50 a.m., President Pro Tempore Danielson presiding.

Prayer was offered by the Honorable Dave Mulder, member of the Senate from Sioux County, Sioux Center, Iowa.

The Journal of Wednesday, January 24, 2007, was approved.

INTRODUCTION OF RESOLUTION

Senate Resolution 7, by Kibbie, Gronstal, and Lundby, a resolution to commemorate the twentieth anniversary of the World Food Prize.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 3.

Senate Resolution 3

On motion of Senator Gronstal, **Senate Resolution 3**, a resolution honoring the women's volleyball team from Iowa Western Community College on winning the Division I National Junior College Athletic Association volleyball tournament, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Resolution 3, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Gronstal introduced to the Senate chamber the Iowa Western Community College women's volleyball team and their coaches, Terry Gamble and Becky Verespej.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:03 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:11 a.m., President Pro Tempore Danielson presiding.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:12 a.m. until 1:00 p.m., Monday, January 29, 2007.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Zack Kimber, Waukon—For achieving the rank of Eagle Scout, Boy Scout Troop 64. Senator Zieman (1/25/07).

Florida Rockett, Waterloo—For celebrating her 90th birthday. Senator Dotzler (1/25/07).

PRESENTATION OF VISITORS

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

Students from the following Iowa community colleges: Iowa Central Community College, Clinton Community College, Southeastern Community College, Kirkwood Community College, and Muscatine Community College. Senators Beall, Stewart, Courtney, Dvorsky, Hogg, Horn, Lundby, and Hahn.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Thursday, January 25, 2007, 1:05 p.m.

Members Present: Warnstadt, Chair; Heckroth, Vice Chair; Bolkcom, Kettering, McKibben, Olive, Schoenjahn, and Stewart.

Members Absent: Wieck, Ranking Member; Angelo, Courtney, McCoy, Putney, Rielly, and Ward (all excused).

Committee Business: Approved Governor's appointment.

Adjourned: 1:10 p.m.

ECONOMIC GROWTH

Convened: Thursday, January 25, 2007, 2:05 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Houser, Ranking Member; Beall, Danielson, Dotzler, Hahn, Mulder, Schmitz, Seymour, and Zaun.

Members Absent: Hatch and Rielly.

Committee Business: Presentation by community colleges regarding job training and workforce development programs.

Adjourned: 3:05 p.m.

GOVERNMENT OVERSIGHT

Convened: Thursday, January 25, 2007, 10:20 a.m.

Members Present: Courtney, Chair; Connolly, Vice Chair; Lundby and Schmitz.

Members Absent: Wieck, Ranking Member.

Committee Business: Presentations by DMACC and Attorney General's office.

Adjourned: 11:35 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, January 25, 2007, 2:10 p.m.

Members Present: Black, Chair; Hancock, Vice Chair; Gaskill, Ranking Member; Behn, Bolkcom, Dearden, Hogg, Kettering, Lundby, Noble, Ragan, Schoenjahn, and Seng.

Members Absent: Johnson and Wood (both excused).

Committee Business: Approved Governor's appointments, subcommittee assignments, and presentation by the Iowa Natural Heritage Foundation.

Adjourned: 3:00 p.m.

RULES AND ADMINISTRATION

Convened: Thursday, January 25, 2007, 9:05 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SR 7.

Adjourned: 9:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Thursday, January 25, 2007, 10:20 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; Hartsuch and Stewart.

Members Absent: None.

Committee Business: Presentations by the Treasurer of State and the Office of Drug Control Policy.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, January 25, 2007, 10:30 a.m.

Members Present: Seng, Chair; Schoenjahn, Vice Chair; Gaskill, Ranking Member; Black and Houser.

Members Absent: None.

Committee Business: Presentation by the Department of Natural Resources.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Thursday, January 25, 2007, 10:20 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Quirmbach and Zieman.

Members Absent: Boettger, Ranking Member (excused).

Committee Business: Presentation by the College Student Aid Commission.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, January 25, 2007, 10:15 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Ragan and Seymour.

Members Absent: Johnson, Ranking Member (excused).

Committee Business: Presentations on the comprehensive affordable health care for families and businesses bill.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Thursday, January 25, 2007, 10:25 a.m.

Members Present: Hancock, Chair; McKinley, Ranking Member; Hogg and Noble.

Members Absent: Fraise, Vice Chair (excused).

Committee Business: Presentations by state public defender and the director of the Civil Rights Commission.

Adjourned: 11:05 a.m.

INTRODUCTION OF BILLS

Senate File 54, by Kibbie, Boettger, Beall, and Houser, a bill for an act relating to the midwest interstate passenger rail compact and providing an effective date.

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

Senate File 55, by Rielly, Bolkcom, Stewart, Hancock, Ragan, Schoenjahn, Schmitz, Kreiman, Beall, Dotzler, Heckroth, Warnstadt, Horn, Seng, Olive, Dearden, Hatch, Wood, Fraise, Courtney, Kibbie, Appel, Connolly, Hogg, and Quirmbach, a bill for an act relating to the senior living trust fund and providing for appropriation of moneys from the fund.

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

Senate File 56, by McCoy, a bill for an act relating to guidelines for nutritionally adequate meals served by school districts, including establishing a goal for the use of Iowa-based products in school meal programs and a model nutrition plan for healthy children.

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

Senate File 57, by Bolkcom, a bill for an act providing restrictions on the information contained on electronically printed credit card receipts, and providing a penalty.

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

Senate File 58, by Warnstadt, a bill for an act relating to the number of signatures required on nomination papers for the office of mayor in certain cities.

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

Senate File 59, by Wood, Bolkom, Stewart, Ragan, Schmitz, Kreiman, Hancock, Beall, Schoenjahn, Dotzler, Heckroth, Horn, Seng, Olive, Hatch, Dearden, Fraise, Courtney, Gronstal, Kibbie, Appel, Connolly, Hogg, Rielly, and Quirmbach, a bill for an act relating to case management under the Medicaid elderly waiver and providing an appropriation.

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

Senate File 60, by Wood, Mulder, Schoenjahn, Connolly, Schmitz, Appel, Stewart, Beall, and Zaun, a bill for an act requiring a study by the department of education relating to implementation of a statewide student information system.

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

Senate File 61, by committee on Education, a bill for an act relating to the establishment of state and school antiharassment and 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 62, 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**.

STUDY BILLS RECEIVED

SSB 1105 Agriculture

Relating to motor vehicle fuel by establishing standards for the sale of such fuel, providing tax credits, and making penalties applicable.

SSB 1106 State Government

Concerning investment of certain public funds in companies doing business in Sudan by the treasurer of state, the Iowa public employees' retirement system, and the state board of regents.

SSB 1107 Human Resources

Relating to the conference of eligibility on and conditions of eligibility for individuals for certain programs under the purview of the department of human services.

SSB 1108 Judiciary

Relating to the disposition of seized property in a criminal proceeding.

SSB 1109 Judiciary

Relating to judicial branch practices and procedures, including expanding the definition of a seal, eliminating duties of the clerk of the supreme court, making confidential personal information, and obtaining electronic signatures on citations.

SSB 1110 Natural Resources and Environment

Relating to the waste tire management fund and making appropriations.

SSB 1111 Natural Resources and Environment

Relating to enforcement of prohibitions against the use of heavy metals in packaging and packaging components and providing a civil penalty.

SSB 1112 Natural Resources and Environment

Regulating the administration of drugs to certain noncaptive vertebrate wildlife and providing a penalty.

SSB 1113 Natural Resources and Environment

Relating to permit fees for diverting, storing, or withdrawing water and making appropriations.

SSB 1114 Natural Resources and Environment

Relating to civil damages payable for unlawful taking of certain animals and fish.

SSB 1115 Natural Resources and Environment

Increasing the number of nonresident wild turkey hunting licenses and antlered or any sex deer hunting licenses that may be issued by the natural resource commission.

SSB 1116 Human Resources

Relating to requirements of the department of human services involving electronic benefits transfer.

SSB 1117 Education

Relating to incentives for school district reorganizations and shared operational functions, and making an appropriation.

SSB 1118 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 an administrator quality program, and making appropriations.

SSB 1119 Education

Creating a preschool for four-year-old children program, and making appropriations and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS**Senate File 36**

STATE GOVERNMENT: Hatch, Chair; Behn and Schmitz

Senate File 43

EDUCATION: Appel, Chair; Connolly and Zaun

Senate File 45

WAYS AND MEANS: Bolkcom, Chair; Dotzler and Putney

Senate File 46

EDUCATION: Wood, Chair; Mulder and Schmitz

Senate File 47

STATE GOVERNMENT: Schmitz, Chair; Connolly and Hahn

Senate File 51

JUDICIARY: Hancock, Chair; Behn and Kreiman

Senate File 52

HUMAN RESOURCES: Bolkcom, Chair; Ragan and Seymour

SSB 1105

AGRICULTURE: Kibbie, Chair; Courtney and Johnson

SSB 1106

STATE GOVERNMENT: Connolly, Chair; Kibbie and Zieman

SSB 1107

HUMAN RESOURCES: Kreiman, Chair; Mulder and Wood

SSB 1108

JUDICIARY: Quirnbach, Chair; Hogg and Noble

SSB 1109

JUDICIARY: Kreiman, Chair; McKibben and Quirnbach

SSB 1110

NATURAL RESOURCES AND ENVIRONMENT: Schoenjahn, Chair; Johnson and Ragan

SSB 1111

NATURAL RESOURCES AND ENVIRONMENT: Bolkcom, Chair; Hogg and Kettering

SSB 1112

NATURAL RESOURCES AND ENVIRONMENT: Seng, Chair; Gaskill and Wood

SSB 1113

NATURAL RESOURCES AND ENVIRONMENT: Hogg, Chair; Behn and Ragan

SSB 1114

NATURAL RESOURCES AND ENVIRONMENT: Hancock, Chair; Black and Kettering

SSB 1115

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Noble

SSB 1116

HUMAN RESOURCES: Quirnbach, Chair; Johnson and Schmitz

SSB 1117

EDUCATION: Beall, Chair; Johnson and Wood

SSB 1118

EDUCATION: Heckroth, Chair; Connolly and Zieman

SSB 1119

EDUCATION: Appel, Chair; Boettger and Schmitz

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: *SENATE FILE 61 (SSB 1048), a bill for an act relating to the establishment of state and school antiharassment and antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Schoenjahn, Appel, Mulder, Beall, Connolly, Heckroth, Kreiman, Quirmbach, Schmitz, Wood and Zaun. Nays, 4: Angelo, Boettger, Johnson, 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 Education Committee on Senate File 61, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 62 (SSB 1021), 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, 15: Schoenjahn, Appel, Mulder, Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirmbach, Schmitz, Wood, Zaun, 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 Education Committee on Senate File 62, and they were attached to the committee report.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 7, a resolution to commemorate the twentieth anniversary of the World Food Prize.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. 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

Denise Dolan – Credit Union Review Board

NATURAL RESOURCES AND ENVIRONMENT

Dennis Harding – Renewable Fuel Infrastructure Board

Keith Sexton – Renewable Fuel Infrastructure Board

JOURNAL OF THE SENATE

TWENTY-SECOND CALENDAR DAY
THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 29, 2007

The Senate met in regular session at 1:08 p.m., President Pro Tempore Danielson presiding.

Prayer was offered by Leila Blackburn, pastor of the Griswold United Methodist Church in Griswold, Iowa. She was the guest of Senator Boettger.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Caitlin Oponski.

The Journal of Thursday, January 25, 2007, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gaskill, until he arrives, on request of Senator Putney.

SPECIAL GUEST

Senator Beall introduced to the Senate chamber former U.S. Congressman Berkley Bedell, who addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Kibbie asked and received unanimous consent to take up for consideration Senate Resolution 7.

Senate Resolution 7

On motion of Senator Kibbie, **Senate Resolution 7**, a resolution to commemorate the twentieth anniversary of the World Food Prize, with report of committee recommending passage, was taken up for consideration.

Senator Kibbie moved the adoption of Senate Resolution 7, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Kibbie introduced to the Senate chamber Ken Quinn, President of the World Food Prize Foundation. He addressed the Senate with brief remarks. Also in attendance were high school students who have participated in the Borlaug-Ruan International Internships program.

The Senate rose and expressed its welcome.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:35 p.m. until 8:45 a.m., Tuesday, January 30, 2007.

APPENDIX

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on January 24, 2007, when the votes were taken on Senate amendments S-3002, S-3003, S-3004, S-3005, S-3006, S-3007, S-3008, S-3010, and on House File 1. Had I been present, I would have voted “yea” on all amendments and on House File 1.

JOHN PUTNEY

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 NATURAL RESOURCES

Report of the State Preserves Advisory Board for the 2005–2006 Biennium. Report received on January 29, 2007.

STATE BOARD OF TAX REVIEW

2006 Annual Report. Report received on January 29, 2007.

AGENCY ICN REPORT

Iowa Communications Network (ICN) usage report for FY 2006, pursuant to Iowa Code section 8D.10, was received from the following agency:

DEPARTMENT OF TRANSPORTATION – Report received on January 25, 2007.

CERTIFICATES OF RECOGNITION

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

Anna Beek, George—For celebrating her 100th birthday. Senator Mulder (1/29/07).

Nick Campbell, West Liberty—For achieving the rank of Eagle Scout, Boy Scout Troop 141. Senator Hahn (1/29/07).

Marian Minnis, Morning Sun—For celebrating her 90th birthday. Senator Courtney (1/29/07).

Richard Tarbell, West Burlington—For celebrating his 90th birthday. Senator Courtney (1/29/07).

Nicholas Lee Williams, Muscatine—For achieving the rank of Eagle Scout, Boy Scout Troop 127. Senator Hahn (1/29/07).

PRESENTATION OF VISITORS

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

Thirty-two 9–12 grade students from Olin, Anamosa, Monticello, and Midland school districts. Senator Hancock.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Thursday, January 25, 2007, 3:05 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; McKibben, Ranking Member; Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Ziemann.

Members Absent: None.

Committee Business: Presentation by Judge Michael Mullins.

Adjourned: 4:00 p.m.

EDUCATION

Convened: Monday, January 29, 2007, 2:25 p.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Mulder, Ranking Member; Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirnbach, Schmitz, Wood, Zaun, and Ziemann.

Members Absent: None.

Committee Business: Presentations by the LSA.

Adjourned: 3:05 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Monday, January 29, 2007, 2:25 p.m.

Members Present: Dearden, Chair; Courtney, Vice Chair; Ward, Ranking Member; Dotzler, Dvorsky, Hahn, Horn, McKinley, Seng, and Wieck.

Members Absent: Hatch (excused).

Committee Business: Subcommittee assignments.

Adjourned: 2:30 p.m.

LOCAL GOVERNMENT

Convened: Monday, January 29, 2007, 3:00 p.m.

Members Present: Quirmbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart.

Members Absent: Angelo (excused).

Committee Business: Presentation from ISAC.

Adjourned: 3:50 p.m.

INTRODUCTION OF BILL

Senate File 63, by Johnson, a bill for an act providing for the biennial election of directors of local school districts, area education agencies, and merged areas and including effective date, applicability date, and transition provisions.

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

STUDY BILLS RECEIVED

SSB 1120 Labor and Business Relations

Providing for fair share agreements relating to collective bargaining and providing an effective date.

SSB 1121 Appropriations

Relating to the implementation of an electronic monitoring system to track pseudoephedrine sales at pharmacies, and making an appropriation.

SSB 1122 Appropriations

Expanding the scope of services under an existing appropriation for the community empowerment initiative involving preschool services and providing effective date and applicability provisions.

SSB 1123 Appropriations

Establishing an energy utility assessment and resolution program for certain persons with low incomes who have or need a deferred payment agreement to address home energy utility costs and making an appropriation.

SSB 1124 Appropriations

Making an appropriation for the support of multijurisdictional drug enforcement.

SUBCOMMITTEE ASSIGNMENTS**Senate File 24**

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 31

APPROPRIATIONS: Warnstadt, Chair; Angelo and Dvorsky

Senate File 34

TRANSPORTATION: Hancock, Chair; Beall and Zaun

Senate File 50

TRANSPORTATION: Danielson, Chair; Heckroth and Houser

Senate File 54

TRANSPORTATION: Beall, Chair; Rielly and Zieman

Senate File 55

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 59

APPROPRIATIONS: Ragan, Chair; Dvorsky, Hatch, Johnson, and Seymour

SSB 1120

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Courtney and Ward

SSB 1121

APPROPRIATIONS: Fraise, Chair; Boettger and Hancock

SSB 1122

APPROPRIATIONS: Ragan, Chair; Boettger and Dvorsky

SSB 1123

APPROPRIATIONS: Hogg, Chair; Angelo, Dvorsky, Hatch, and Johnson

SSB 1124

APPROPRIATIONS: Hancock, Chair; Behn, Dvorsky, Fraise, and Kettering

AMENDMENTS FILED

S-3011	S.F.	61	David Hartsuch
S-3012	S.F.	61	Jeff Angelo
			Brad Zaun

JOURNAL OF THE SENATE

TWENTY-THIRD CALENDAR DAY
FOURTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 30, 2007

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

Prayer was offered by Pat Nemmars, pastor of the Saylorville Baptist Church in Des Moines, Iowa. He was the guest of Senator Johnson.

The Journal of Monday, January 29, 2007, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 8:50 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 8:53 a.m., President Kibbie presiding.

The Senate stood at ease at 8:55 a.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 9:32 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.

Senator Gronstal moved that upon dissolution of the joint convention, the Senate recess until 3:00 p.m.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 5, duly adopted, the joint convention was called to order at 9:42 a.m., President Kibbie presiding.

Senator Gronstal moved to dispense with the roll call and to authorize the President of the joint convention 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 Gronstal moved that a committee of twelve, consisting of six members from the Senate and six members from the House, be appointed to notify Governor Chester J. Culver that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Dearden, Olive, Appel, Putney, Ward, and Johnson, on the part of the Senate, and Representatives Shomshor, Frevert, Abdul-Samad, Alons, Jacobs, and Raecker, on the part of the House.

The following guests were escorted into the House Chamber:

Chief Justice Ternus and the Justices of the Supreme Court, and Chief Judge Sackett and the judges of the Court of Appeals.

Treasurer of State Michael Fitzgerald, Secretary of Agriculture Bill Northey, Auditor of State David Vaudt, and Attorney General Tom Miller.

Lieutenant Governor Patty Judge and her husband, the former Senator John Judge.

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

President Kibbie presented Governor Chester J. Culver, who delivered the following State of the State Message:

Good morning. President Kibbie, Speaker Murphy, leaders Gronstal, McCarthy, Lundby and Rants, members of the 82nd General Assembly, statewide elected officials and judges. Welcome Lieutenant Governor Judge.

I want to thank you for the opportunity to address this joint legislative session. It's an honor and a privilege. I would like to start by congratulating you on the progress you have already made.

An increase in the minimum wage was an Iowa priority. You acted quickly and decisively, approving an increase from \$5.15 to \$7.25 per hour. Better wages will mean significant changes in the lives of nearly 260,000 Iowans and their families. I am very proud of the fact that the first bill I signed as Governor was House File 1, to increase the minimum wage. I am so proud that not a single leader, majority or minority, voted against this bill. This bipartisan effort is an example of what's possible when we work together.

However, the minimum wage is just the start. We have a lot of work to do. As I said in my inaugural address, this is our time. It's time for us to lead Iowa forward and fulfill our state's unlimited potential.

I also talked about a new 21st Century Iowa expedition, one on which we will be judged — whether or not we meet the challenges related to renewable energy, the environment, workforce development and job creation, educational excellence, health care, quality of life, and most importantly, balancing the budget.

Today we begin this difficult challenge. We need to find common ground and agree upon a budget that benefits all Iowans. Through this process we must remember, we have an historic opportunity to create One Iowa. Let us continue to lock arms and work for the common good, just like we did with the minimum wage.

As we set out on this expedition and look at Iowa's economic and fiscal picture, there is some pretty good news.

Fortunately, we have an expanding economy and enjoy a modest budget surplus. General fund receipts, personal income tax, and sales tax receipts are all up. Our median household income is higher than the national average, and our unemployment rate is lower than the national average. In addition, statewide land values and commodity prices are at all-time highs, and our state's export of value-added agricultural and manufacturing goods has steadily increased.

This strong economic growth fortunately means state revenues are coming in at a rate higher than anticipated. We also enjoy a growing bioeconomy that holds promise, and makes us a real player in the new global marketplace.

While this solid financial outlook should reinforce the belief that our future is unlimited, we all must realize that state revenues are always limited. We can do virtually anything we put our minds to — we just can't do everything we might want to.

So, because of these inherent revenue limitations, I believe we must always be guided by five responsible budgeting practices.

First, Iowa common sense is our best guide to budgeting. Simply put, we can't spend more than we take in. We are expected to balance our checkbook and put money into savings the same way Iowans do.

Second, we must respect state law regarding our reserves. These include the cash reserve fund and the economic emergency fund.

Third, we need to be guided by the actual numbers. They don't lie. Smoke and mirrors, games and gimmicks, just don't work.

Fourth, we must always realize we can't possibly fund all of the budget requests made of us. Difficult and painful decisions are required.

Fifth, we must never be satisfied with our state's fiscal condition. There is always room for improvement. Our state's bond rating does matter. While we have done well to receive a double-A rating, we should always strive for excellence. Why can't we work toward a triple-A bond rating? Why not become the best-managed state in the nation? I believe we should do all we can to leave this state in better financial condition than we found it.

I have applied these five important budgeting practices in the document that is being presented here today. Now I challenge each of you to do the same. As a result, the state's fiscal health will be preserved, our reserves and surplus will be protected, and we will meet the needs of our people.

Here's what this budget will allow us to do:

Most important, it will maintain a year-end balance of nearly \$200 million. This will allow us to be prepared for any unforeseen and unanticipated needs. After setting aside reserves, the most important priorities remaining are in energy, education and health care. This budget meets those challenges too.

Remember, this is our time. It's time for us to take control of our energy future. It's time to win the race to become the energy capital of the world. It's time for Iowa to break free from our dependence on foreign oil. It's time for Iowa to become the Silicon Valley of the Midwest. It's time to create the jobs of the future that will keep your children and my children here at home, where they belong.

To meet the energy challenge, I am proposing the creation of a \$100 million Iowa Power Fund, with a down payment of \$25 million this year. This priority is of such critical importance, I am asking you to authorize a supplemental appropriation immediately. This will help us rapidly develop the next-generation energy economy in Iowa. This new investment will incent the growth of Iowa-based businesses in this exciting new industry, create jobs, and attract millions of dollars in public research and development funds. It will also result in hundreds of millions of dollars in private investment in renewable energy in Iowa.

In addition, the Power Fund money will be used to help conduct the important research and development necessary for all forms of renewable energy and alternative fuel. It doesn't matter whether its related to wind or solar power, geothermal or biomass cellulosic ethanol, biodeisel, or E-85. Iowa needs to lead the way. The Power Fund will allow us to do this. We need to create the essential public-private partnerships required to further develop these alternative energy opportunities and commercialize them.

However, we are not the only state working toward energy independence. In order to maintain the leadership we have worked so hard to develop, we must compete and do so aggressively. Let's put Iowa in a position to win the race to become the energy capital of the world. Together, we can achieve this goal, and I ask you to act immediately to create the Iowa Power Fund.

This budget proposal also allows us to restore excellence in education. As a state, we must rededicate ourselves to this worthy goal. I believe we need a comprehensive pre-K to post-secondary education plan. That's why today I am proposing we invest nearly 190 million dollars in new funding for education. This will begin to allow us to meet the needs of our students at all levels.

A strong start for every Iowa child must be a shared goal. Ninety percent of brain development occurs from birth through age 6. We can't afford not to invest in our kids. We need them to arrive at kindergarten prepared, ready, and able to learn. To that end, I am asking you to make an additional 20-million-dollar commitment to early

childhood education. This step is a part of annual increases in funding necessary until every Iowa four-year-old has access.

To improve education at the K–12 level, we've set aside an additional 165 million dollars, which represents an increase from fiscal year 2007 of 6.5 percent. This will help us reach our goal of getting teacher pay to 25th in the nation. A 70-million-dollar investment in teacher pay is the largest ever. This unprecedented investment in teacher pay will allow us to recruit and retain the best teachers, close the gap in teacher pay between urban and rural school districts, ensure quality teaching, and most important, show our classroom teachers the respect they deserve for the important work they do every day.

Finally, we must renew our commitment to higher education. Today, there are real challenges for Iowa college students and their families; Iowa is at the bottom among states when it comes to needs-based access to higher education and at the top when it comes to student debt load. This is not a good combination, and we must do something about it.

This budget proposes five steps to accomplish this goal:

First, I am asking you fund the salary bill. This will assist in the constant battle to recruit and retain talented faculty and staff at our world-class public universities and excellent community colleges.

Second, I am asking you to provide an additional 25 million dollars to our regents institutions and 12.5 million dollars to our community college system. This step is designed to increase course offerings and to provide some immediate tuition relief.

Third, I am proposing we initiate a brand new college scholarship, called the All-Iowa Opportunity Scholarship. The scholarship will provide greater access to higher education for Iowa high school graduates based on financial need. It will allow a student to cover up to \$2,500 in tuition at an Iowa community college or up to \$5,000 toward their first year at any regents institution of their choice. This budget sets aside 5 million dollars for this important college scholarship program.

Fourth, for Iowa high school graduates who attend one of Iowa's 31 private colleges, we will increase the amount of the highly successful Iowa Tuition Grant. This will expand access for thousands of students who need it and keep them in the state.

Fifth, we will create a statewide Senior Year Plus program. This will allow every high school senior the chance to earn up to a year of college credit before they graduate from high school. This investment will save students and their families thousands in tuition dollars.

If we make these investments, the rewards of educational excellence will be with us for generations to come. That's why I ask you to support these important initiatives.

Perhaps the biggest and most expensive challenge we face, however, is in the area of health care. Two hundred fifty thousand Iowans including 50,000 kids have no health care coverage. None. There is not one legislator in this chamber today who didn't promise to do something about this.

In an attempt to deliver on our promises and significantly increase access to quality health care for all Iowans, I am proposing an additional \$140 million to meet our most immediate health care needs.

And I've identified, I believe, the only responsible way to pay for it. That's why I am asking you to increase Iowa's cigarette tax by one dollar per pack. This step will generate approximately 140 million dollars in new revenue the first year. By taking this important step we will be able to do the following:

1. Save more than 17,000 lives.
2. Create a powerful disincentive to start smoking and help others quit.
3. Improve the quality of life for tens of thousands of Iowans by preventing illness and reducing the incidence of cancer, stroke, heart disease, and emphysema.

4. Close the smoke-related budget deficit. Because we have the 9th lowest tobacco tax in the country, the state's costs of treating smoke-related illnesses is greater than our cigarette tax revenue by more than \$50 million dollars annually. This simply isn't fair. Nonsmoking Iowans shouldn't be expected to pay for health care costs of those who choose to smoke. It's time to close the gap.

5. Expand coverage to the most vulnerable among us, including up to 50,000 Iowa kids who have no coverage today.

6. Expand health care coverage to more than 6,000 Iowa parents living at or near the poverty level.

7. Double the size of the state's nursing home ombudsman's office which advocates for quality long-term care on behalf of thousands of Iowa seniors who need it.

8. Keep our commitment to fund the Senior Living Trust, which allows more Iowans to remain in an independent living setting for a longer period of time.

9. Fund other important programs like child and family health services, mental health community services, efforts to fight infectious disease, child health specialty clinics, and adoption services.

10. Provide significant funding for worthy health care related ideas being brought forth by legislators like Senator Hatch and Representatives Foege and Heaton, who are helping to drive this important discussion.

I know some legislators only want to increase the cigarette tax by 30 to 60 cents. But half-measures will only produce half the results. The fact is, we have hundreds of millions of dollars in health care related needs. I am not willing to ignore any of the important priorities I just outlined. We must find a responsible way to pay for all of them. Raiding our limited reserves is not possible. And severely underfunding health care and/or cutting necessary funding in other areas like education and energy are simply not viable options. I strongly believe the number needs to be one dollar, and I respectfully ask for it.

There is one more important step we need to take related to health care and saving lives. Today I am asking you to lift the ban on stem-cell research. The health care budget I have outlined will allow us to create the Center for Regenerative Medicine at the University of Iowa with a commitment of 12.5 million dollars. We are well positioned, as one of only 15 National Cancer Institute sites in the country, to forge ahead in the search for lifesaving cures for diseases like cardiovascular, diabetes, cancer, Parkinson's, and Alzheimer's. We have the chance to bring hope to thousands of Iowans suffering from these life-threatening illnesses. Let Iowa be known as a center for science research and technology, not only in energy but in the health sciences too.

As we work to lead Iowa forward, we must remember to honor the commitment of the veterans who have fought to defend our freedom, and those who are serving today. Our actions should show veterans the honor and respect they have earned. I believe we have an obligation to honor their sacrifices and those of their families.

As you know, Iowa suffered another tragic loss just ten days ago. Command Sergeant Major Marilyn Gabbard of Polk City, whose funeral is being held this morning, died January 20 while serving in Iraq. She was a committed and courageous wife, mother, and soldier who answered the call of duty. She was asked to make the ultimate sacrifice. Today, we mourn along with her family, friends, and her community. With my first executive order as Governor, I have ordered flags throughout the state to be flown at half staff on this day to honor Sergeant Major Gabbard.

Will you please join me now in a moment of silence for Sergeant Major Gabbard and the 49 other Iowans who have died in this conflict. Thank you.

In an effort to meet the needs of all of our returning veterans and their families, I am proposing 6.5 million dollars for the Enduring Freedom Support Program and for critically needed injury and housing assistance. They fought for us. Now it is time we fought for them.

All Iowa law enforcement officers and correctional officers also protect us every day by keeping our communities safe. They too deserve our gratitude. I am proposing to fund 130 unfilled positions at our corrections institutions in an effort to increase staffing levels. Unfortunately, we have some prisons in Iowa that are almost 50 percent above capacity. In an effort to reduce the strain caused by inadequate staffing levels, we have set aside \$17.5 million dollars to significantly reduce the strain on the system and to operate the new facility at Oakdale.

This budget proposal also cuts taxes and saves taxpayers millions. We have found a way to close certain out-of-state corporate tax loopholes and use available new information technology methods to improve tax collections. These important steps will not only allow us to save millions but they will also allow us to offer up to \$25 million in immediate commercial property tax relief.

Finally, there are some additional important priorities in this budget. They are:

— committing nearly \$20 million for our water quality initiatives. This will allow us to better protect the land, lakes, rivers, and streams we all love.

— setting aside \$9 million to improve our Mainstreet, Community Attractions and Tourism, and Great Places programs.

— providing resources to fund the CASAs, or Court Appointed Special Advocates, who often represent abused and neglected children in our court system.

— protecting and expanding access to shelter services for at-risk women, mothers, and children. I can tell you the First Lady will continue to be a real advocate on behalf of shelter service care providers and the vulnerable individuals who desperately need them.

In closing, this is our time. These are our priorities. We must take advantage of our unique opportunities and meet our unique challenges.

Let this 82nd legislative session be remembered as an historic one for the people of this great state. Let this session be remembered as the one in which Iowa turned the corner toward energy independence, protected its precious environment, led the way in job creation, recommitted itself to excellence in education, dramatically expanded health care access, and improved the quality of life for all of its people. I ask you to join me in this worthy effort.

I stand ready to work with you in good faith to get the job done. This budget is an opportunity to reach consensus and create One Iowa. Together I know we will succeed and we will lead Iowa forward.

May God bless you all, and may God bless the great state of Iowa.

Governor Chester J. Culver was escorted from the House chamber by the committee previously appointed.

On the motion of Representative McCarthy, the joint convention was dissolved.

APPENDIX—1

CERTIFICATES OF RECOGNITION

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

Iner and Barbara Gilson, Raymond—For celebrating their 50th wedding anniversary. Senator Dotzler (1/30/07).

Valeria Martin, Waterloo—For celebrating her 80th birthday. Senator Dotzler (1/30/07).

Dorothy Schneider, Waterloo—For celebrating her 90th birthday. Senator Dotzler (1/30/07).

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Monday, January 29, 2007, 5:05 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirnbach, and Wood.

Members Absent: Kreiman (excused).

Committee Business: Approved Governor's appointments and approved SSBs 1032, 1034, 1037, and 1039.

Adjourned: 5:25 p.m.

JUDICIARY

Convened: Monday, January 29, 2007, 4:10 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; McKibben, Ranking Member; Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Warnstadt, and Ziemann.

Members Absent: Ward.

Committee Business: Approved SSBs 1005 and 1051.

Adjourned: 4:35 p.m.

STATE GOVERNMENT

Convened: Monday, January 29, 2007, 3:00 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Zieman, Ranking Member; Appel, Behn, Black, Danielson, Gaskill, Hahn, Kettering, Kibbie, McKibben, Schmitz, and Wood.

Members Absent: Hatch (excused).

Committee Business: Approved Governor's appointments and presentation by Berkley Bedell.

Adjourned: 3:35 p.m.

TRANSPORTATION

Convened: Monday, January 29, 2007, 5:00 p.m.

Members Present: Rielly, Chair; Danielson, Vice Chair; Noble, Ranking Member; Beall, Dearden, Hancock, Heckroth, Houser, Putney, Warnstadt, Zaun, and Zieman.

Members Absent: McCoy (excused).

Committee Business: Subcommittee assignments.

Adjourned: 5:15 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, January 30, 2007, 8:50 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved admittance of Governor's staff to the Senate floor.

Adjourned: 8:53 a.m.

INTRODUCTION OF BILLS

Senate File 64, by Bolkom, a bill for an act relating to and making an appropriation to the department of elder affairs for statewide expansion of the elder abuse initiative program.

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

Senate File 65, by Johnson, Behn, Gaskill, Kettering, Zaun, Mulder, Ziemann, Boettger, Hahn, Angelo, Seymour, Ward, McKinley, and Noble, a bill for an act appropriating moneys to support researching nutrient usage and losses from manure application for a soybean crop.

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

Senate File 66, by McCoy, a bill for an act requiring licensed and registered child care facilities to identify how financial responsibility for injuries is addressed.

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

Senate File 67, by committee on Human Resources, a bill for an act relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license.

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

Senate File 68, by committee on Human Resources, a bill for an act relating to the classification and regulation of controlled substances and making penalties applicable.

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

Senate File 69, by committee on Judiciary, a bill for an act adding hallucinogenic substances to the list of schedule I controlled substances, and providing penalties.

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

Senate File 70, by committee on Judiciary, a bill for an act relating to crime victim compensation.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: SENATE FILE 67 (SSB 1037), a bill for an act relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirnbach, and Wood. Nays, none. Absent, 1: Kreiman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 68 (SSB 1032), a bill for an act relating to the classification and regulation of controlled substances and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirnbach, and Wood. Nays, none. Absent, 1: Kreiman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: SENATE FILE 69 (SSB 1051), a bill for an act adding hallucinogenic substances to the list of schedule I controlled substances, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 70 (SSB 1005), a bill for an act relating to crime victim compensation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Warnstadt, and Zieman. Nays, none. Absent, 1: Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 3:12 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 January 25, 2007, **adopted** the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 3, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-second General Assembly.

The Senate stood at ease at 3:13 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:55 p.m., President Kibbie presiding.

CONSIDERATION OF RESOLUTIONS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolutions 5 and 6.

Senate Resolution 5

On motion of Senator Connolly, **Senate Resolution 5**, a resolution relating to the Senate Rules Governing Lobbyists and their interactions with the Senate and members of the Senate during the Eighty-second General Assembly, was taken up for consideration.

Senator Connolly moved the adoption of Senate Resolution 5, which motion prevailed by a voice vote.

Senate Resolution 6

On motion of Senator Dearden, **Senate Resolution 6**, a resolution relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Eighty-second General Assembly, was taken up for consideration.

Senator Dearden moved the adoption of Senate Resolution 6, which motion prevailed by a voice vote.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 61.

Senate File 61

On motion of Senator Connolly, **Senate File 61**, a bill for an act relating to the establishment of state and school antiharassment and antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters, was taken up for consideration.

Senator Zieman asked and received unanimous consent that action on amendment S-3018 be **deferred**.

Senator Boettger asked and received unanimous consent that action on amendment S-3013 be **deferred**.

Senator Hartsuch asked and received unanimous consent that action on amendment S-3011 be **deferred**.

Senator Angelo offered amendment S-3012, filed by Senators Angelo and Zaun on January 29, 2007, to page 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3012 be adopted?” (S.F. 61), the vote was:

Yeas, 22:

Angelo	Houser	Mulder	Wieck
Behn	Johnson	Noble	Wood
Boettger	Kettering	Olive	Zaun
Gaskill	Lundby	Putney	Zieman
Hahn	McKibben	Seymour	
Hartsuch	McKinley	Ward	

Nays, 28:

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

Absent, none.

Amendment S–3012 lost.

The Senate stood at ease at 5:37 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 5:51 p.m., President Kibbie presiding.

Senator Zieman asked and received unanimous consent that action on amendment S–3018 be **deferred**.

Senator Boettger offered amendment S–3013, filed by Senator Boettger, et al., from the floor to pages 1 and 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3013 be adopted?” (S.F. 61), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Cannolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S–3013 lost.

Senator Zieman offered amendment S–3018, filed by him from the floor to pages 1 and 4 of the bill, and moved its adoption.

Amendment S–3018 lost by a voice vote.

Senator Hartsuch offered amendment S–3011, filed by him on January 29, 2007, to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3011 be adopted?” (S.F. 61), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

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

Absent, none.

Amendment S–3011 lost.

Senator Hartsuch offered amendment S–3014, filed by Senator Hartsuch, et al., from the floor to page 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3014 be adopted?” (S.F. 61), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

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

Absent, none.

Amendment S–3014 lost.

Senator Hartsuch asked and received unanimous consent that action on amendment S-3017 be **deferred**.

Senator Zaun offered amendment S-3015, filed by Senator Zaun, et al., from the floor to page 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3015 be adopted?" (S.F. 61), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Cannolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S-3015 lost.

Senator Zieman asked and received unanimous consent to withdraw amendment S-3016, filed by him from the floor to page 4 of the bill.

Senator Hartsuch offered amendment S-3017, filed by Senator Hartsuch, et al., from the floor to page 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3017 be adopted?" (S.F. 61), the vote was:

Yeas, 15:

Angelo	Hahn	Kettering	Wieck
Behn	Hartsuch	McKinley	Zaun
Boettger	Houser	Mulder	Zieman
Gaskill	Johnson	Seymour	

Nays, 35:

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

Absent, none.

Amendment S-3017 lost.

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. 61), the vote was:

Yeas, 36:

Angelo	Dotzler	Kibbie	Rielly
Appel	Dvorsky	Kreiman	Schmitz
Beall	Fraise	Lundby	Schoenjahn
Black	Gronstal	McCoy	Seng
Bolkcom	Hancock	McKibben	Stewart
Connolly	Hatch	Olive	Ward
Courtney	Heckroth	Putney	Warnstadt
Danielson	Hogg	Quirnbach	Wood
Dearden	Horn	Ragan	Zaun

Nays, 14:

Behn	Hartsuch	McKinley	Wieck
Boettger	Houser	Mulder	Zieman
Gaskill	Johnson	Noble	
Hahn	Kettering	Seymour	

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 61** 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 62.

Senate File 62

On motion of Senator Schoenjahn, **Senate File 62**, 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 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. 62), the vote was:

Yeas, 50:

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

Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 62** 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 January 30, 2007, **amended and adopted** the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 2, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the Eighty-second general assembly. (S-3019)

ALSO: That the House has on January 30, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

House File 95, a bill for an act relating to the designation of pilot project cities for a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas and including effective and retroactive applicability date provisions.

Read first time and **attached to companion Senate File 53**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:05 p.m. until 8:45 a.m., Wednesday, January 31, 2007.

APPENDIX—2

REPORTS OF COMMITTEE MEETINGS

ECONOMIC GROWTH

Convened: Tuesday, January 30, 2007, 1:05 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Houser, Ranking Member; Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, and Zaun.

Members Absent: None.

Committee Business: Presentation by the Association of Iowa Workforce Partners.

Adjourned: 1:55 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, January 30, 2007, 1:10 p.m.

Members Present: Black, Chair; Hancock, Vice Chair; Gaskill, Ranking Member; Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood.

Members Absent: None.

Committee Business: Approved Governor's appointments and approved SSB 1068 (as amended).

Adjourned: 1:35 p.m.

TRANSPORTATION

Convened: Tuesday, January 30, 2007, 2:10 p.m.

Members Present: Rielly, Chair; Danielson, Vice Chair; Noble, Ranking Member; Beall, Dearden, Hancock, Heckroth, Houser, McCoy, Putney, Warnstadt, Zaun, and Ziemann.

Members Absent: None.

Committee Business: Presentation by Department of Transportation.

Adjourned: 2:50 p.m.

INTRODUCTION OF BILLS

Senate File 71, by Johnson, a bill for an act relating to health care coverage for registered nurse first assistant benefits or services.

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

Senate File 72, by Kettering, a bill for an act providing for county eligibility for state payment of certain mental health, mental retardation, and developmental disabilities services allowed growth funding and providing effective and retroactive applicability dates.

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

Senate File 73, by Wieck, a bill for an act relating to the revocation or suspension of a law enforcement officer's certification.

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

Senate File 74, by committee on Human Resources, a bill for an act renaming health-related examining boards as licensing boards.

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

Senate File 75, by committee on Human Resources, a bill for an act relating to the registration of pharmacy technicians.

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

STUDY BILLS RECEIVED

SSB 1125 Local Government

Relating to publication of property assessment equalization orders.

SSB 1126 Local Government

Relating to the salary of deputy officers in certain county offices and providing an applicability date.

SSB 1127 Local Government

Relating to county recorder fees for certified copies of certain vital statistics records, and providing an effective date.

SSB 1128 Commerce

Relating to the disapproval of rate filings of certain casualty insurers.

SSB 1129 Judiciary

Relating to judicial branch procedures, including appointments of court of appeals judges, district judges, district associate judges, associate juvenile judges, associate probate judges, magistrates, clerks of the district court, and patient advocates, and compensation to judges and other court personnel serving as fiduciaries.

SSB 1130 Judiciary

Modifying the definition of sexual abuse by including certain deceptive acts, and providing penalties.

SSB 1131 Judiciary

Creating a criminal offense for impeding the normal breathing or circulation of the blood of another, and providing penalties.

SSB 1132 Commerce

Requiring that certain liability insurance policy information be given to claimants.

SSB 1133 Commerce

Relating to prohibited business practices by a real estate broker or salesperson.

SSB 1134 Human Resources

Relating to acquired immune deficiency syndrome and the human immunodeficiency virus.

SSB 1135 Human Resources

Relating to the expenditures allowable from medical assistance income trusts.

SSB 1136 Human Resources

Replacing the interstate compact on the placement of children with the interstate compact for the placement of children, making a penalty applicable, and providing a contingent effective date.

SSB 1137 Transportation

Relating to administration of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to qualifications of property appraisers, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates and fees, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, and requirements for operation of motor vehicles in merging traffic including a penalty, and providing effective dates.

SSB 1138 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 and including an applicability date provision.

SSB 1139 Ways and Means

Relating to a biomass burning stove tax credit under the individual and corporate income taxes and including a retroactive applicability date provision.

SSB 1140 Agriculture

Regulating confinement feeding operations by providing for the evaluation of applications to construct confinement feeding operation structures.

SUBCOMMITTEE ASSIGNMENTS

Senate File 56

EDUCATION: Schmitz, Chair; Boettger and Heckroth

Senate File 60

EDUCATION: Wood, Chair; Beall and Zaun

Senate File 63

EDUCATION: Connolly, Chair; Johnson and Quirmbach

Senate File 64

APPROPRIATIONS: Ragan, Chair; Bolkom and Seymour

Senate File 66

HUMAN RESOURCES: Wood, Chair; Boettger and Schmitz

SSB 1085
(Reassignment)

JUDICIARY: Kreiman, Chair; Dvorsky, Hogg, Noble, and Ward

SSB 1125

LOCAL GOVERNMENT: Schoenjahn, Chair; Angelo and Rielly

SSB 1126

LOCAL GOVERNMENT: Stewart, Chair; Beall and Hartsuch

SSB 1127

LOCAL GOVERNMENT: Stewart, Chair; Kreiman and McKinley

SSB 1128

COMMERCE: Rielly, Chair; McCoy and McKibben

SSB 1129

JUDICIARY: Kreiman, Chair; Hogg and Ward

SSB 1130

JUDICIARY: Kreiman, Chair; Hartsuch and Quirnbach

SSB 1131

JUDICIARY: Kreiman, Chair; Fraise and Hartsuch

SSB 1132

COMMERCE: McCoy, Chair; Angelo and Olive

SSB 1133

COMMERCE: Stewart, Chair; Olive and Ward

SSB 1134

HUMAN RESOURCES: Quirnbach, Chair; Bolcom and Seymour

SSB 1135

HUMAN RESOURCES: Wood, Chair; Boettger and Schmitz

SSB 1136

HUMAN RESOURCES: Kreiman, Chair; Hatch and Mulder

SSB 1137

TRANSPORTATION: Rielly, Chair; Danielson and Noble

SSB 1138

JUDICIARY: Hogg, Chair; Hartsuch and Kreiman

SSB 1139

WAYS AND MEANS: Dotzler, Chair; Putney and Seng

SSB 1140

AGRICULTURE: Kibbie, Chair; Fraise and Johnson

FINAL COMMITTEE REPORTS OF BILL ACTION**HUMAN RESOURCES**

Bill Title: *SENATE FILE 74 (SSB 1039), a bill for an act renaming health-related examining boards as licensing boards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirnbach, and Wood. Nays, none. Absent, 1: Kreiman.

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 74, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 75 (SSB 1034), a bill for an act relating to the registration of pharmacy technicians.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirnbach, and Wood. Nays, none. Absent, 1: Kreiman.

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 75, and they were attached to the committee report.

**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:

NATURAL RESOURCES AND ENVIRONMENT

Jill Reams-Widder – Renewable Fuel Infrastructure Board
David Smitherman – Renewable Fuel Infrastructure Board

STATE GOVERNMENT

Treyla Lee-Chavis – Commission on the Status of African-Americans

Kimberly Setzer – Board of Cosmetology Arts and Sciences Examiners

Malinda Patch-Gray – Board of Massage Therapy Examiners

Mary Johnson – Board of Psychology Examiners

AMENDMENTS FILED

S-3013	S.F.	61	Nancy J. Boettger Brad Zaun Dave Mulder Paul McKinley David Hartsuch Larry McKibben James F. Hahn Jerry Behn Larry Noble Ron Wieck Mark Zieman David Johnson Steve Kettering John Putney E. Thurman Gaskill Jeff Angelo James A. Seymour
S-3014	S.F.	61	David Hartsuch Brad Zaun Paul McKinley Dave Mulder Nancy J. Boettger James F. Hahn Mark Zieman James A. Seymour Jeff Angelo Jerry Behn David Johnson Steve Kettering
S-3015	S.F.	61	Brad Zaun Paul McKinley

			Nancy J. Boettger
			Dave Mulder
			Ron Wieck
			David Hartsuch
			James A. Seymour
			Mark Zieman
			David Johnson
			James F. Hahn
			Steve Kettering
			Jerry Behn
S-3016	S.F.	61	Mark Zieman
S-3017	S.F.	61	David Hartsuch
			Paul McKinley
			Brad Zaun
			Dave Mulder
			Nancy J. Boettger
			James F. Hahn
			Mark Zieman
			James A. Seymour
			Jeff Angelo
			David Johnson
			Jerry Behn
			Ron Wieck
			Steve Kettering
S-3018	S.F.	61	Mark Zieman
S-3019	S.C.R.	2	House

JOURNAL OF THE SENATE

TWENTY-FOURTH CALENDAR DAY
FIFTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 31, 2007

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

Prayer was offered by Pastor Todd Stiles of the First Family Church in Ankeny, Iowa. He was the guest of Senator Noble.

The Journal of Tuesday, January 30, 2007, was approved.

The Senate stood at ease at 8:53 a.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 9:30 a.m., Senator Kibbie presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:31 a.m. until 4:30 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

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

Christopher V. de Regnier, Winterset—For achieving the rank of Eagle Scout, Boy Scout Troop 121. Senator Appel (1/31/07).

Kadsan Thaidam Society—For preserving and promoting Thai Dam heritage. Senator Dearden (1/31/07).

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

IOWAccess Revolving Fund Annual Report for FY 2006, pursuant to Iowa Code section 8A.224. Report received on January 31, 2007.

DEPARTMENT OF ECONOMIC DEVELOPMENT

2006 report to the legislature regarding Endow Iowa and County Endowment Fund Activities, pursuant to Iowa Code section 15E.306. Report received on January 31, 2007.

DEPARTMENT OF EDUCATION

Report on modified allowable growth use in Iowa schools, pursuant to 2006 Acts, Senate File 2272. Report received on January 31, 2007.

BOARD OF REGENTS

2006 Annual Diversity Report, pursuant to Iowa Code sections 19B.5 and 262.93. Report received on January 31, 2007.

DEPARTMENT OF REVENUE

2006 annual report of the Iowa Capital Investment Board, pursuant to Iowa Code section 15E.46. Report received on January 31, 2007.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Tuesday, January 30, 2007, 2:00 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirmbach, and Wood.

Members Absent: None.

Committee Business: Approved Governor's appointments, subcommittee assignments, and presentation by the Iowa Peer Support Training Academy.

Adjourned: 2:40 p.m.

EDUCATION

Convened: Wednesday, January 31, 2007, 1:05 p.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Mulder, Ranking Member; Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirmbach, Schmitz, Wood, and Zieman.

Members Absent: Zaun.

Committee Business: Subcommittee work.

Adjourned: 1:30 p.m.

LOCAL GOVERNMENT

Convened: Wednesday, January 31, 2007, 1:30 p.m.

Members Present: Quirmbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Angelo, Heckroth, Houser, McKinley, Olive, Rielly, Schoenjahn, and Stewart.

Members Absent: Hartsuch and Kreiman (both excused).

Committee Business: Subcommittee assignments.

Adjourned: 1:40 p.m.

STATE GOVERNMENT

Convened: Wednesday, January 31, 2007, 1:30 p.m.

Members Present: Connolly, Chair; Zieman, Ranking Member; Appel, Behn, Gaskill, Kettering, Kibbie, McKibben, Schmitz, and Wood.

Members Absent: Horn, Vice Chair; Black, Danielson, Hahn, and Hatch (all excused).

Committee Business: Subcommittee assignments.

Adjourned: 1:40 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Wednesday, January 31, 2007, 10:20 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; and Stewart.

Members Absent: Hartsuch (excused).

Committee Business: Presentation by the State Treasurer's Office and the Office of Drug Control Policy.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Wednesday, January 31, 2007, 9:45 a.m.

Members Present: Seng, Chair; Schoenjahn, Vice Chair; Gaskill, Ranking Member; and Houser.

Members Absent: Black (excused).

Committee Business: Presentation by the Secretary of Agriculture.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Wednesday, January 31, 2007, 9:45 a.m.

Members Present: Dotzler, Chair; Heckroth, Vice Chair; Kettering, Ranking Member; Olive and Ward.

Members Absent: None.

Committee Business: Presentations by the Public Employment Relations Board and the Iowa Finance Authority.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, January 31, 2007, 9:50 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; Quirmbach and Ziemann.

Members Absent: None.

Committee Business: Presentation by the Department of Education.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Wednesday, January 31, 2007, 10:00 a.m.

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

Members Absent: None.

Committee Business: Approved Governor's appointments.

Adjourned: 10:40 a.m.

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

Convened: Wednesday, January 31, 2007, 9:45 a.m.

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

Members Absent: None.

Committee Business: Presentations by the Department of Administrative Services and the Department of Transportation.

Adjourned: 10:30 a.m.

INTRODUCTION OF BILLS

Senate File 76, by Black, a bill for an act to require proof of financial liability coverage upon registration of a motor vehicle and providing penalties.

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

Senate File 77, by Black, a bill for an act creating a department of environmental protection.

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

Senate File 78, by committee on Natural Resources and Environment, a bill for an act relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, and making penalties applicable.

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

Senate File 79, by Bolkom, a bill for an act relating to childhood obesity and foods and beverages sold and served on public school campuses, providing for a task force, and providing an effective date.

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

Senate File 80, by Kibbie and Johnson, a bill for an act providing for the sale of motor homes by a manufacturer under a temporary retail sales permit.

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

Senate File 81, by Wood, Schoenjahn, Hancock, Danielson, Rielly, Zaun, and Mulder, a bill for an act requiring school districts to adopt a student advancement policy and making an appropriation.

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

Senate File 82, by Dearden, a bill for an act allowing the establishment of an open season for hunting mourning doves.

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

FINAL COMMITTEE REPORT OF BILL ACTION

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *SENATE FILE 78 (SSB 1068), a bill for an act relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, 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 78, and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 4:33 p.m., President Kibbie presiding.

The Senate stood at ease at 4:34 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 4:55 p.m., President Kibbie presiding.

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:

Denise Dolan – Credit Union Review Board

Malinda Patch-Gray – Board of Massage Therapy Examiners

Mary Johnson – Board of Psychology Examiners

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

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 Concurrent Resolution 2

Senator Gronstal called up for consideration **Senate Concurrent Resolution 2**, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-second general assembly, amended by the House in House amendment S-3019, filed January 30, 2007.

Senator Gronstal 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 Gronstal moved the adoption of Senate Concurrent Resolution 2, as amended, which motion prevailed by a voice vote.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 53.

Senate File 53

On motion of Senator Dotzler, **Senate File 53**, a bill for an act relating to the designation of pilot project cities for a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas and including effective and retroactive applicability date provisions, was taken up for consideration.

Senator Dotzler asked and received unanimous consent that **House File 95** be **substituted** for **Senate File 53**.

House File 95

On motion of Senator Dotzler, **House File 95**, a bill for an act relating to the designation of pilot project cities for a targeted jobs

withholding tax credit to be used for funding improvements in certain urban renewal areas and including effective and retroactive applicability date provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 95), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

WITHDRAWN

Senator Dotzler asked and received unanimous consent that **Senate File 53** 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 49, 40, 39, and 32.

Senate File 49

On motion of Senator Ragan, **Senate File 49**, a bill for an act providing for a .08 blood alcohol limit for motorboat or sailboat operating while intoxicated offenses, 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. 49), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

President Pro Tempore Danielson took the chair at 5:10 p.m.

Senate File 40

On motion of Senator Kibbie, **Senate File 40**, a bill for an act relating to the regulation of ethical conduct by governmental entities, 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. 40), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

Senate File 39

On motion of Senator Kibbie, **Senate File 39**, a bill for an act relating to campaign contributions, the filing of disclosure reports, the posting of statements and reports on the internet, the posting of signs on private property, and the escheat of funds from an unknown or unidentifiable source, 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. 39), the vote was:

Yeas, 50:

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

Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

Senate File 32

On motion of Senator Bolkcom, **Senate File 32**, a bill for an act extending the future repeal of a provision requiring the issuance of certificates for furnishing local telecommunications services, and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 32), the vote was:

Yeas, 49:

Angelo	Gaskill	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirnbach	Zieman

Dotzler	Johnson	Ragan
Dvorsky	Kettering	Rielly
Fraise	Kibbie	Schmitz

Nays, none.

Absent, 1:

Dearden

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 Concurrent Resolution 2, Senate Files 32, 39, 40, and 49, and House File 95** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:29 p.m. until 8:45 a.m., Thursday, February 1, 2007.

APPENDIX—2**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS**

Convened: Wednesday, January 31, 2007, 3:40 p.m.

Members Present: Dvorsky, Chair; McCoy, Vice Chair; Angelo, Ranking Member; Behn, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood.

Members Absent: Black and Hatch (both excused).

Committee Business: Passed SF 31 (as amended) and subcommittee assignments.

Adjourned: 3:45 p.m.

WAYS AND MEANS

Convened: Wednesday, January 31, 2007, 2:30 p.m.

Members Present: Bolkcom, Chair; McCoy, Vice Chair; McKibben, Ranking Member; Angelo, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, Ward, and Wieck.

Members Absent: None.

Committee Business: Presentation by the Department of Revenue.

Adjourned: 3:30 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 1, by McKibben, Johnson, Behn, Seymour, Boettger, Noble, Ward, Wieck, Kettering, McKinley, Hartsuch, Ziemann, Angelo, Hahn, and Houser, a joint resolution proposing an amendment to the Constitution of the State of Iowa requiring approval by popular election before certain tax or fee increases take effect.

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

Senate Resolution 8, by Angelo, a resolution to recognize February 6, 2007, as Ronald Reagan Day.

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

INTRODUCTION OF BILLS

Senate File 83, by Zieman, Rielly, Zaun, Mulder, Wieck, and McKinley, a bill for an act allocating franchise tax revenues to local jurisdictions.

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

Senate File 84, by Zieman, Johnson, Seymour, Hartsuch, Mulder, Wieck, Boettger, Zaun, McKinley, Noble, Putney, Gaskill, Behn, Lundby, McKibben, Hahn, Kettering, and Angelo, a bill for an act requiring voters to provide certain identification when voting in person at the polling place.

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

Senate File 85, by McKinley, a bill for an act requiring the board of directors of a school district to adopt a student promotion policy to support student reading at grade level, and providing an applicability date.

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

Senate File 86, by McKinley, a bill for an act relating to determining which county commissioner of elections shall conduct an election for certain political subdivisions.

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

Senate File 87, by McKinley, a bill for an act relating to alternative practitioner preparation pilot programs to prepare individuals to teach elementary and secondary students.

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

Senate File 88, by Ziemann, Johnson, McKinley, Lundby, Hahn, Kettering, and Angelo, a bill for an act relating to the return of refund values to consumers for empty beverage containers.

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

Senate File 89, by Dvorsky, a bill for an act establishing a recreational therapy board, requiring the licensure of recreational therapists, and providing for fees and penalties.

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

Senate File 90, by Wood, a bill for an act concerning local emergency management commission communications.

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

Senate File 91, by Lundby, a bill for an act relating to the use of a motor vehicle registered as an antique vehicle.

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

STUDY BILLS RECEIVED

SSB 1141 Natural Resources and Environment

Relating to wastewater treatment and disposal for subdivisions and authorizing fees.

SSB 1142 Human Resources

Establishing a shaken baby prevention program in the department of public health.

SSB 1143 Human Resources

Relating to the membership of the board of physician assistant examiners.

SSB 1144 Judiciary

Relating to a hospital lien and providing an effective date.

SSB 1145 Judiciary

Relating to the statute of limitations period in a medical malpractice action and including an applicability provision.

SSB 1146 Judiciary

Repealing the statute of repose periods in a product liability case and in a case arising out of the unsafe or defective condition of an improvement to real property and including an applicability date provision.

SSB 1147 Commerce

Increasing insurance coverage requirements for damages resulting from certain incidents involving liquor control licensees and beer permittees.

SSB 1148 Local Government

Relating to the confidentiality of security procedures or emergency preparedness information discussed at a meeting of a governmental body and providing an effective date.

SSB 1149 Local Government

Relating to limitations of actions as applied to county collection of delinquent property taxes.

SUBCOMMITTEE ASSIGNMENTS**Senate File 57**

COMMERCE: Stewart, Chair; Heckroth and Kettering

Senate File 58

LOCAL GOVERNMENT: Quirnbach, Chair; Rielly and Zaun

Senate File 65

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 72

HUMAN RESOURCES: Wood, Chair; Schmitz and Seymour

Senate File 79

EDUCATION: Schmitz, Chair; Beall and Boettger

SSB 1141

NATURAL RESOURCES AND ENVIRONMENT: Wood, Chair; Bolkcom and Noble

SSB 1142

HUMAN RESOURCES: Wood, Chair; Boettger and Ragan

SSB 1143

HUMAN RESOURCES: Dotzler, Chair; Kreiman and Seymour

SSB 1144

JUDICIARY: Hogg, Chair; Hartsuch and Kreiman

SSB 1145

JUDICIARY: Kreiman, Chair; Hartsuch and Hogg

SSB 1146

JUDICIARY: Kreiman, Chair; Hogg and Ward

SSB 1147

COMMERCE: Rielly, Chair; Kettering and Warnstadt

SSB 1148

LOCAL GOVERNMENT: Rielly, Chair; Angelo and Kreiman

SSB 1149

LOCAL GOVERNMENT: Kreiman, Chair; Hartsuch and Rielly

REFERRALS 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”:

- Dennis Harding – Renewable Fuel Infrastructure Board
- Jill Reams-Widder – Renewable Fuel Infrastructure Board
- Keith Sexton – Renewable Fuel Infrastructure Board
- David Smitherman – Renewable Fuel Infrastructure Board

MARY A. LUNDBY

AMENDMENT FILED

S-3020	S.F.	25	Herman C. Quirmbach
			Keith A. Kreiman

JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 1, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by Pastor Ted Miller of the First Presbyterian Church in Cedar Rapids, Iowa. He was the guest of Senator Hogg.

The Journal of Wednesday, January 31, 2007, was approved.

SPECIAL GUEST

Senator Dotzler introduced to the Senate chamber Harriet M. Fulbright, president of the Fulbright Center. The purpose of the Fulbright Center is to advance the work of her late husband, Senator J. William Fulbright, to promote world peace and the use of nonviolent means to resolve conflicts.

The Senate rose and expressed its welcome.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:50 a.m. until 1:00 p.m., Monday, February 5, 2007.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Marie Atkins—For celebrating her 100th birthday. Senator Courtney (2/1/07).

Richard and Dorothy Hester, Burlington—For celebrating their 50th wedding anniversary. Senator Courtney (2/1/07).

Jim and Donna Miller—For celebrating their 50th wedding anniversary. Senator Courtney (2/1/07).

Jason Neverman, Manchester—For achieving the rank of Eagle Scout, Boy Scout Troop 33. Senator Hancock (2/1/07).

Spencer Chamber of Commerce—In recognition of its Diamond Jubilee, 1932-2007. Senator Johnson (2/1/07).

Jared VanDyke, South English—For achieving the rank of Eagle Scout, Boy Scout Troop 227. Senator Rielly (2/1/07).

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

Recycled products report, pursuant to Iowa Code section 8A.315. Report received on February 1, 2007.

IOWA COUNTY ENGINEERS ASSOCIATION SERVICE BUREAU

Annual report, pursuant to Iowa Code section 312.3B. Report received on February 1, 2007.

OFFICE OF DRUG CONTROL POLICY

Iowa's application to the U.S. Department of Justice for funds under the Edward Byrne Memorial Justice Assistance Grant. Report received on February 1, 2007.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Report on the activities of the Iowa Commission on Volunteer Service, pursuant to Iowa Code section 15H.2(3)(h). Report received on February 1, 2007.

DEPARTMENT OF HUMAN RIGHTS

Report on the Iowa Commission on the Status of Women. Report received on February 1, 2007.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, January 31, 2007, 10:00 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Discussion of affordable health care bill.

Adjourned: 12:10 p.m.

COMMERCE

Convened: Thursday, February 1, 2007, 11:35 a.m.

Members Present: Warnstadt, Chair; Heckroth, Vice Chair; Wieck, Ranking Member; Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, and Stewart.

Members Absent: Angelo and Ward (both excused).

Committee Business: Energy presentation by the Department of Natural Resources.

Adjourned: 12:05 p.m.

ECONOMIC GROWTH

Convened: Thursday, February 1, 2007, 1:10 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Houser, Ranking Member; Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, and Zaun.

Members Absent: None.

Committee Business: Approved Governor's appointments, presentation by the University of Northern Iowa, and approved SSB 1082 (as amended).

Adjourned: 2:10 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, February 1, 2007, 1:05 p.m.

Members Present: Black, Chair; Hancock, Vice Chair; Gaskill, Ranking Member; Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood.

Members Absent: Behn and Bolkcom (both excused).

Committee Business: Approved Governor's appointments and subcommittee assignments.

Adjourned: 1:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Thursday, February 1, 2007, 9:40 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; Hartsuch and Stewart.

Members Absent: None.

Committee Business: Presentation by Iowa Public Employees' Retirement System.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Thursday, February 1, 2007, 9:45 a.m.

Members Present: Dotzler, Chair; Heckroth, Vice Chair; Kettering, Ranking Member; Olive and Ward.

Members Absent: None.

Committee Business: Presentation by Mrs. Harriet Fulbright, president of the Fulbright Center, and the University of Northern Iowa.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Thursday, February 1, 2007, 9:50 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; Quirnbach and Ziemann.

Members Absent: None.

Committee Business: Presentations by the State Library, Central Iowa Library Services Areas, and Iowa Vocational Rehabilitation Services.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, February 1, 2007, 9:45 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Health care presentations.

Adjourned: 12:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Thursday, February 1, 2007, 9:45 a.m.

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

Members Absent: None.

Committee Business: Presentation by the Parole Board.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Thursday, February 1, 2007, 9:45 a.m.

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

Members Absent: None.

Committee Business: Presentation by the Department of Corrections.

Adjourned: 10:45 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 9, by Ragan and Seymour, a resolution in support of continuation of the state children's health insurance program.

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

INTRODUCTION OF BILLS

Senate File 92, by Wieck, a bill for an act relating to loans made to resident account beneficiaries of health savings accounts and providing a penalty.

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

Senate File 93, by McCoy, a bill for an act relating to the physical education requirements for grades nine through twelve under the educational standards for school districts and accredited nonpublic schools.

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

Senate File 94, by Rielly, a bill for an act excluding compensation, including retirement benefits, received from the federal government for military services from 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 95, by committee on Appropriations, a bill for an act making supplemental appropriations for the home ownership assistance and injured veterans grant programs for Iowa residents who are eligible members or military veterans of the armed forces of the United States and providing an effective date.

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

Senate File 96, by Fraise, a bill for an act prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates.

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

STUDY BILLS RECEIVED

SSB 1150 State Government

Creating the Iowa public records privacy commission and providing for a repeal.

SSB 1151 Education

Providing for incorporation of the education excellence program funding into the state school foundation program.

SSB 1152 Human Resources

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.

SSB 1153 Human Resources

Revising family investment program requirements.

SSB 1154 Human Resources

Relating to the substitution of antiepileptic drugs and establishing an effective date.

SSB 1155 Commerce

Relating to various matters under the purview of the insurance division of the department of commerce including workers' compensation insurance, premium taxes, the uniform securities Act, powers and duties of the insurance division, regulation of insurance sales to military personnel, domestic insurance companies, examination of insurance companies, life insurance companies, nonprofit health service corporations, external review of health care coverage decisions, investment limitations on insurers other than life

insurers, property and casualty insurers' reserves, motor vehicle service contracts, county and state mutual associations, reciprocal or interinsurance contracts, licensing of insurance producers and public adjusters, and life and fire insurance company boards of directors, and providing penalties.

SSB 1156 Labor and Business Relations

Relating to registration of construction contractors.

SSB 1157 Labor and Business Relations

Concerning work-related injuries suffered and claims made outside of this state.

SSB 1158 Labor and Business Relations

Relating to the provision of medical services and evaluation of permanent disabilities of injured employees under workers' compensation laws.

SUBCOMMITTEE ASSIGNMENTS

Senate File 84

STATE GOVERNMENT: Kibbie, Chair; Black and Ziemann

Senate File 85

EDUCATION: Quirnbach, Chair; Beall and Johnson

Senate File 86

LOCAL GOVERNMENT: Quirnbach, Chair; McKinley and Schoenjahn

Senate File 87

EDUCATION: Quirnbach, Chair; Beall and Zaun

Senate File 89

HUMAN RESOURCES: Wood, Chair; Boettger and Dotzler

Senate File 90

LOCAL GOVERNMENT: Rielly, Chair; Hartsuch and Heckroth

SSB 1150

STATE GOVERNMENT: Kibbie, Chair; Appel and Hahn

SSB 1151

EDUCATION: Wood, Chair; Connolly and Zieman

SSB 1152

HUMAN RESOURCES: Kreiman, Chair; Ragan and Seymour

SSB 1153

HUMAN RESOURCES: Schmitz, Chair; Johnson and Quirmbach

SSB 1154

HUMAN RESOURCES: Hatch, Chair; Behn and Schmitz

SSB 1155

COMMERCE: McCoy, Chair; Olive and Putney

SSB 1156

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Horn and McKinley

SSB 1157

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Dearden and Ward

SSB 1158

LABOR AND BUSINESS RELATIONS: Courtney, Chair; Dearden and Ward

FINAL COMMITTEE REPORT OF BILL ACTION**APPROPRIATIONS**

Bill Title: *SENATE FILE 95 (formerly SF 31), a bill for an act making supplemental appropriations for the home ownership assistance and injured veterans grant programs for Iowa residents who are eligible members or military veterans of the armed forces of the United States and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 23: Dvorsky, McCoy, Angelo, Behn, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, 2: Black and Hatch.

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 95, and they were attached to the committee report.

GOVERNOR'S APPOINTEE PLACED ON EN BLOC CALENDAR

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

ECONOMIC GROWTH

Mary Nelson – Iowa Economic Development Board

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees, assigned to standing committee for investigation, were placed on the Individual Confirmation Calendar with recommendations for confirmation:

NATURAL RESOURCES AND ENVIRONMENT

K. Allen Hillgren – Renewable Fuel Infrastructure Board

Jeff Hove – Renewable Fuel Infrastructure Board

Mary Norton – Renewable Fuel Infrastructure Board

Yvonne Wentz – Renewable Fuel Infrastructure Board

JOURNAL OF THE SENATE

TWENTY-NINTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 5, 2007

The Senate met in regular session at 1:04 p.m., President Kibbie presiding.

Prayer was offered by Reverend Al Henderson, pastor of the St. Paul Lutheran Church in Fort Dodge, Iowa. He was the guest of Senator Beall.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Natalie Gilkenson.

The Journal of Thursday, February 1, 2007, was approved.

INTRODUCTION OF RESOLUTION

Senate Resolution 10, by Dvorsky and Lundby, a resolution honoring Senator Wally Horn as he begins his thirty-fifth year of service as a member of the Iowa General Assembly representing the Cedar Rapids area.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Courtney, until he arrives, on request of Senator Gronstal; and Senator Houser, until he arrives, on request of Senator Angelo.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 95.

Senate File 95

On motion of Senator Warnstadt, **Senate File 95**, a bill for an act making supplemental appropriations for the home ownership assistance and injured veterans grant programs for Iowa residents who are eligible members or military veterans of the armed forces of the United States and providing an effective date, was taken up for consideration.

Senator McKibben offered amendment S-3021, filed by Senators McKibben and Angelo from the floor to page 1 of the bill, and moved its adoption.

Amendment S-3021 was adopted by a voice vote.

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. 95), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Courtney Houser

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 95** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:48 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 1:50 p.m., President Kibbie presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 10, a resolution honoring Senator Wally Horn as he begins his thirty-fifth year of service as a member of the Iowa General Assembly representing the Cedar Rapids area.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. 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 10.

Senate Resolution 10

On motion of Senator Dvorsky, **Senate Resolution 10**, a resolution honoring Senator Wally Horn as he begins his thirty-fifth year of service as a member of the Iowa General Assembly representing the Cedar Rapids area, with report of committee recommending passage, was taken up for consideration.

Senator Dvorsky moved the adoption of Senate Resolution 10, which motion prevailed by a voice vote.

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 1, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

House File 5, 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 and referred to committee on **Commerce**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:57 p.m. until 8:45 a.m., Tuesday, February 6, 2007.

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

Iowa Medical Drug Utilization Review Assistance Commission Annual Report, pursuant to Iowa Code section 249A.24. Report received on February 2, 2007.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, February 1, 2007, 9:55 a.m.

Members Present: Seng, Chair; Schoenjahn, Vice Chair; Gaskill, Ranking Member; and Houser.

Members Absent: Black (excused).

Committee Business: Presentation by the Department of Natural Resources.

Adjourned: 10:45 a.m.

HUMAN RESOURCES

Convened: Monday, February 5, 2007, 4:05 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Dotzler, Johnson, Mulder, Quirmbach, and Wood.

Members Absent: Hatch and Kreiman (both excused).

Committee Business: Approved Governor's appointments and subcommittee assignments.

Adjourned: 4:10 p.m.

JUDICIARY

Convened: Monday, February 5, 2007, 3:10 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; McKibben, Ranking Member; Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Ziemann.

Members Absent: None.

Committee Business: Approved Governor's appointments and approved SSB 1095.

Adjourned: 3:20 p.m.

LOCAL GOVERNMENT

Convened: Monday, February 5, 2007, 2:30 p.m.

Members Present: Quirmbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Angelo, Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart.

Members Absent: None.

Committee Business: Passed SF 58.

Adjourned: 2:35 p.m.

RULES AND ADMINISTRATION

Convened: Monday, February 5, 2007, 1:48 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SR 10.

Adjourned: 1:50 p.m.

STATE GOVERNMENT

Convened: Monday, February 5, 2007, 2:25 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Zieman, Ranking Member; Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood.

Members Absent: None.

Committee Business: Presentation by the Iowa Freedom of Information Council.

Adjourned: 3:00 p.m.

TRANSPORTATION

Convened: Monday, February 5, 2007, 4:05 p.m.

Members Present: Rielly, Chair; Danielson, Vice Chair; Noble, Ranking Member; Beall, Dearden, Hancock, Heckroth, Houser, Putney, Warnstadt, Zaun, and Zieman.

Members Absent: McCoy (excused).

Committee Business: Passed SF 34.

Adjourned: 4:15 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 11, by Gronstal, Warnstadt, and Lundby, a resolution designating February 6, 2007, as Iowa Insurance Day.

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

INTRODUCTION OF BILLS

Senate File 97, by Boettger, a bill for an act relating to information regarding deceased persons, including notifying surviving family members about the death of a family member and prohibiting the dissemination of the name of a deceased person over a radio broadcasting system under certain circumstances.

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

Senate File 98, by committee on Economic Growth, a bill for an act relating to historic preservation and cultural and entertainment district tax credits, making appropriations, and providing applicability date provisions.

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

Senate File 99, by Bolkom, a bill for an act relating to reporting requirements for delayed deposit services and making penalties applicable.

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

Senate File 100, by Bolkom, 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 101, by Bolkcom, a bill for an act creating a bicycle traffic safety fund and a special share-the-road motor vehicle registration plate, establishing fees, and making an appropriation.

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

Senate File 102, by Heckroth, a bill for an act to allow an ambulance manufacturer to act as an ambulance dealer.

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

Senate File 103, by Bolkcom, a bill for an act relating to offenses against identity by providing a procedure to secure credit information and providing a penalty.

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

Senate File 104, 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 105, by Zieman, a bill for an act providing a property tax exemption for certain recreational property and including effective date and retroactive applicability date provisions.

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

Senate File 106, by Connolly, a bill for an act relating to the sales and use taxes on the operation of bingo games.

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

Senate File 107, by Dearden, a bill for an act relating to the issuance of permits to carry weapons.

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

Senate File 108, by Danielson, a bill for an act relating to the operation of an all-terrain vehicle on the highway for the purpose of plowing snow on private driveways.

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

Senate File 109, by committee on Education, 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 under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED

SSB 1159 Transportation

Requiring the posting of close-clearance warning devices by railroads and providing a penalty.

SSB 1160 Transportation

Establishing prelicensing and continuing education requirements for used motor vehicle dealers.

SSB 1161 Local Government

Relating to local governments by creating a local government innovation commission and fund, creating a center for governing excellence, and including an effective date.

SSB 1162 Local Government

Relating to local regulation of smoking.

SSB 1163 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 1164 Judiciary

Relating to the time period for which peace officers' investigative reports and specific portions of electronic mail and telephone billing records are to be kept confidential.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 1**

WAYS AND MEANS: Bolkcom, Chair; Connolly and McKibben

Senate File 37

TRANSPORTATION: McCoy, Chair; Hancock and Houser

Senate File 73

JUDICIARY: Quirnbach, Chair; Kreiman and Noble

Senate File 80

TRANSPORTATION: Warnstadt, Chair; Heckroth and Noble

Senate File 83

WAYS AND MEANS: Appel, Chair; Quirnbach and Wieck

Senate File 92

WAYS AND MEANS: Quirnbach, Chair; Hogg and Wieck

Senate File 94

WAYS AND MEANS: Seng, Chair; Putney and Stewart

SSB 1059

TRANSPORTATION: Warnstadt, Chair; Heckroth and Putney

SSB 1160

TRANSPORTATION: Danielson, Chair; Hancock and Zaun

SSB 1161

LOCAL GOVERNMENT: Quirmbach, Chair; Heckroth and Zaun

SSB 1162

LOCAL GOVERNMENT: Quirmbach, Chair; Kreiman and Zaun

SSB 1163

EDUCATION: Schoenjahn, Chair; Appel and Mulder

SSB 1164

JUDICIARY: Schoenjahn, Chair; Behn and Kreiman

FINAL COMMITTEE REPORTS OF BILL ACTION

ECONOMIC GROWTH

Bill Title: *SENATE FILE 98 (SSB 1082), a bill for an act relating to historic preservation and cultural and entertainment district tax credits, making appropriations, and providing applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Stewart, Olive, Houser, Beall, Danielson, Dotzler, Hahn, Mulder, Rielly, Schmitz, Seymour, and Zaun. Nays, none. Present, 1: Hatch. 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 98, and they were attached to the committee report.

EDUCATION

Bill Title: SENATE FILE 109 (SSB 1163), 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: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Schoenjahn, Appel, Mulder, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirnbach, Schmitz, Wood, and Zieman. Nays, none. Absent, 2: Angelo and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: SENATE FILE 58, a bill for an act relating to the number of signatures required on nomination papers for the office of mayor in certain cities.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Quirnbach, Beall, Zaun, Angelo, Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: SENATE FILE 34, a bill for an act requiring the use of child restraint systems or seat belts by motor vehicle passengers under eighteen years of age and making a penalty applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Rielly, Danielson, Noble, Beall, Dearden, Hancock, Heckroth, Houser, Putney, Warnstadt, Zaun, and Zieman. Nays, none. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3021	S.F.	95	Larry McKibben Jeff Angelo
S-3022	S.F.	70	Brian Schoenjahn

JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 6, 2007

The Senate met in regular session at 9:09 a.m., President Kibbie presiding.

Prayer was offered by Pastor Dennis St. Lawrence of the Grace Baptist Church in Chariton, Iowa. He was the guest of Senator McKinley.

The Journal of Monday, February 5, 2007, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:15 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:18 a.m., President Kibbie presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 11, a resolution designating February 6, 2007, as Iowa Insurance Day.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. 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 11.

Senate Resolution 11

On motion of Senator Warnstadt, **Senate Resolution 11**, a resolution designating February 6, 2007, as Iowa Insurance Day, with report of committee recommending passage, was taken up for consideration.

Senator Warnstadt moved the adoption of Senate Resolution 11, which motion prevailed by a voice vote.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate File 98** be referred from the Regular Calendar to the committee on **Ways and Means**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:24 a.m. until 4:00 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

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

Myrtle Carmichael, Fairfield—For celebrating her 104th birthday. Senator Schmitz (2/6/07).

Constance Eagan, Waterloo—For celebrating her 90th birthday. Senator Dotzler (2/6/07).

Bill Erickson—For celebrating his 90th birthday. Senator Courtney (2/6/07).

Reverend Allen Henderson, Fort Dodge—For being the Pastor of the Day. Senator Beall (2/6/07).

Marian Lehr, Waterloo—For celebrating her 90th birthday. Senator Dotzler (2/6/07).

Reverends Karen and Reginald Merrill—For being Pastors of the Day. Senator Beall (2/6/07).

Velma Geraldine Peterson—For celebrating her 80th birthday. Senator Courtney (2/6/07).

Elizabeth Porter, Waterloo—For celebrating her 80th birthday. Senator Dotzler (2/6/07).

Dona Senf—For celebrating her 80th birthday. Senator Courtney (2/6/07).

Lillian Shaffer, Donnellson—For celebrating her 100th birthday. Senator Schmitz (2/6/07).

Jerry and Marcia Weber, Waterloo—For celebrating their 50th wedding anniversary. Senator Dotzler (2/6/07).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Monday, February 5, 2007, 5:00 p.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Mulder, Ranking Member; Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirmbach, Schmitz, Wood, and Ziemann.

Members Absent: Angelo and Zaun (both excused).

Committee Business: Approved SSB 1163.

Recessed: 5:10 p.m.

Reconvened: 5:20 p.m.

Adjourned: 6:10 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Monday, February 5, 2007, 5:00 p.m.

Members Present: Dearden, Chair; Ward, Ranking Member; Dotzler, Dvorsky, Hahn, Hatch, McKinley, Seng, and Wieck.

Members Absent: Courtney, Vice Chair; and Horn (both excused).

Committee Business: Approved SSBs 1012 and 1015 and approved Governor's appointments.

Adjourned: 5:15 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, February 6, 2007, 2:00 p.m.

Members Present: Black, Chair; Hancock, Vice Chair; Gaskill, Ranking Member; Behn, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Seng, and Wood.

Members Absent: Bolkom, Dearden, and Schoenjahn (all excused).

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

Adjourned: 2:05 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, February 6, 2007, 9:15 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SRs 8 and 11.

Adjourned: 9:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Tuesday, February 6, 2007, 9:45 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; Quirnbach and Ziemann.

Members Absent: None.

Committee Business: Presentation by Iowa Community Colleges.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Tuesday, February 6, 2007, 9:45 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Discussed affordable health care bill.

Adjourned: 12:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Tuesday, February 6, 2007, 9:45 a.m.

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

Members Absent: None.

Committee Business: Presentation by the Department of Public Safety.

Adjourned: 10:40 a.m.

INTRODUCTION OF BILLS

Senate File 110, by committee on Judiciary, a bill for an act relating to the standardized training and state certification of reserve peace officers.

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

Senate File 111, by Seymour, Noble, Mulder, Ward, Wieck, McKinley, Angelo, McKibben, Johnson, Lundby, Houser, Hahn, and Hatch, a bill for an act providing for online prescription drug retail price comparison.

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

Senate File 112, by Horn, 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.**

Senate File 113, by Beall, Fraise, Johnson, Kibbie, Houser, Black, Boettger, and Putney, a bill for an act appropriating moneys to support the purchase of equipment to conduct testing of motor fuel and biofuel.

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

Senate File 114, by committee on Labor and Business Relations, a bill for an act relating to elevator conveyance safety standards enforced by the division of labor services of the department of workforce development.

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

Senate File 115, by Bolkcom and Dvorsky, a bill for an act creating the Iowa stem cell research and cures initiative, and providing penalties.

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

Senate File 116, by committee on Labor and Business Relations, a bill for an act relating to the labor commissioner's regulation of fire fighter clothing and personal protection equipment.

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

Senate File 117, by Zaun, a bill for an act concerning publication requirements for certain joint governmental entities.

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

Senate File 118, by Zaun, a bill for an act increasing the number of nonresident deer hunting licenses available for issuance annually.

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

Senate File 119, by Bolkcom, Danielson, and Dvorsky, a bill for an act increasing punitive damages that may be awarded for wrongful retention of certain rental deposits.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

JUDICIARY

Bill Title: SENATE FILE 110 (SSB 1095), a bill for an act relating to the standardized training and state certification of reserve peace officers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND BUSINESS RELATIONS

Bill Title: SENATE FILE 114 (SSB 1015), a bill for an act relating to elevator conveyance safety standards enforced by the division of labor services of the department of workforce development.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Dearden, Ward, Dotzler, Dvorsky, Hahn, Hatch, McKinley, Seng, and Wieck. Nays, none. Absent, 2: Courtney and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 116 (SSB 1012), a bill for an act relating to the labor commissioner's regulation of fire fighter clothing and personal protection equipment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Dearden, Ward, Dotzler, Dvorsky, Hahn, Hatch, McKinley, Seng, and Wieck. Nays, none. Absent, 2: Courtney and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 8, a resolution to recognize February 6, 2007, as Ronald Reagan Day.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:07 p.m., President Kibbie presiding.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 109.

Senate File 109

On motion of Senator Schoenjahn, **Senate File 109**, 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, was taken up for consideration.

Senator Angelo offered amendment S-3023, filed by Senator Angelo, et al., from the floor to page 1 of the bill.

Senator Angelo called for the following division of amendment S-3023:

Division S-3023A: Page 1, lines 2 and 3, and ;

Division S-3023B: Page 1, lines 4-7.

(Action on division S-3023A and Senate File 109 was deferred, division S-3023B pending.)

The Senate stood at ease at 4:15 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 4:26 p.m., President Kibbie presiding.

BUSINESS PENDING

Senate File 109

The Senate resumed consideration of **Senate File 109**, 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, and division S-3023A, previously deferred (division S-3023B pending).

Senator Angelo moved the adoption of amendment S-3023A.

A record roll call was requested.

On the question "Shall amendment S-3023A be adopted?" (S.F. 109), the vote was:

Yeas, 20:

Angelo	Hartsuch	Lundby	Seymour
Behn	Hogg	McKibben	Ward
Boettger	Houser	McKinley	Wieck
Gaskill	Johnson	Noble	Zaun
Hahn	Kettering	Putney	Zieman

Nays, 30:

Appel	Dotzler	Kibbie	Schmitz
Beall	Dvorsky	Kreiman	Schoenjahn
Black	Fraise	McCoy	Seng
Bolkcom	Gronstal	Mulder	Stewart
Cannolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Horn	Rielly	

Absent, none.

Amendment S-3023A lost.

Senator Kreiman raised the point of order that amendment S-3023B was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3023B out of order.

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. 109), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 109** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 8.

Senate Resolution 8

On motion of Senator Angelo, **Senate Resolution 8**, a resolution to recognize February 6, 2007, as Ronald Reagan Day, with report of committee recommending passage, was taken up for consideration.

Senator Angelo moved the adoption of Senate Resolution 8, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:48 p.m. until 8:45 a.m., Wednesday, February 7, 2007.

APPENDIX—2

CERTIFICATES OF RECOGNITION

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

Bob and Elsie Carroll—For celebrating their 61st wedding anniversary. Senator Courtney (2/6/07).

Elsie Carroll—For celebrating her 80th birthday. Senator Courtney (2/6/07).

Rose Marie “Ro” Ruth, Iowa City—For being named a Fraternal Most Valuable Participant by the National Fraternal Congress of America. Senator Dvorsky (2/6/07).

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Tuesday, February 6, 2007, 2:05 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirmbach, and Wood.

Members Absent: None.

Committee Business: Presentations by the Department of Human Services, approved Governor’s appointments, and assigned subcommittees.

Adjourned: 3:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Tuesday, February 6, 2007, 9:45 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; Hartsuch and Stewart.

Members Absent: None.

Committee Business: Presentations by the Department of Inspections and Appeals, the Iowa Child Advocacy Board, the Iowa Employment Appeal Board, and the Racing and Gaming Commission.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Tuesday, February 6, 2007, 9:55 a.m.

Members Present: Seng, Chair; Schoenjahn, Vice Chair; Gaskill, Ranking Member; Black and Houser.

Members Absent: None.

Committee Business: Presentation by the Department of Agriculture and Land Stewardship.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Tuesday, February 6, 2007, 9:30 a.m.

Members Present: Warnstadt, Vice Chair; Putney, Ranking Member; Beall and McKibben.

Members Absent: McCoy, Chair (excused).

Committee Business: Presentations by the Department of Cultural Affairs, the Criminal Juvenile Justice Planning Division, and the Department of Defense.

Adjourned: 10:50 a.m.

INTRODUCTION OF BILLS

Senate File 120, by Danielson and Dotzler, a bill for an act relating to the construction of a whitewater park and making appropriations.

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

Senate File 121, by Angelo, Boettger, Behn, Seymour, Mulder, Zaun, McKinley, McKibben, Gaskill, Putney, Johnson, Houser, Kettering, and Wieck, a bill for an act making an appropriation for county fair infrastructure improvements to qualified fairs which belong to the association of Iowa fairs.

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

STUDY BILLS RECEIVED

SSB 1165 Agriculture

Relating to the issuance of permits to construct confinement feeding operation structures, and including an applicability provision.

SSB 1166 Ways and Means

Providing for an increase in the cigarette and tobacco taxes, imposing an inventory tax on tobacco products, and providing an effective date.

SSB 1167 Ways and Means

Increasing the earned income tax credit under the individual income tax and including a retroactive applicability date provision.

SSB 1168 Ways and Means

Relating to a tax amnesty program, making appropriations, and including an effective date provision.

SSB 1169 State Government

Relating to voter registration and voting systems performance standards.

SSB 1170 State Government

Providing a credit for a buyback of service under the Iowa public employees' retirement system and including an implementation provision.

SSB 1171 State Government

Relating to conducting county gambling elections and including an effective date and applicability provision.

SSB 1172 State Government

Authorizing payroll deduction for dues to a certified bargaining representative for individuals receiving payment for work performed from the state.

SSB 1173 State Government

Relating to campaign finance by requiring electronic filing of certain reports and by establishing an Iowa voter-owned clean elections Act, providing for funding of the Act, including an income tax checkoff and a sales tax imposed on political advertising, and providing an income tax exemption, penalties, and an effective date.

SSB 1174 Commerce

Authorizing the formation of a professional corporation or a professional limited liability company by licensed real estate brokers.

SSB 1175 Commerce

Relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses.

SSB 1176 Commerce

Relating to expenditure approval requirements applicable to the purchase of telecommunications equipment or services by the Iowa communications network.

SSB 1177 Human Resources

Requiring insurance coverage benefits for treatment of mental illness and substance abuse and providing an effective date.

SSB 1178 Commerce

Relating to the regulatory duties of the division of banking of the department of commerce regarding banking, debt management, mortgage banking, industrial loan companies, and professional licensing.

SSB 1179 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 1180 State Government

Concerning electrical and mechanical amusement devices and providing penalties.

SSB 1181 Appropriations

Relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, and the state aviation fund.

SSB 1182 State Government

Providing a minimum annual salary for a county attorney.

SSB 1183 State Government

Requiring a certificate of need for the relocation of an institutional health facility within a county.

SSB 1184 Agriculture

Providing for the regulation of confinement feeding operations, by providing for separation distances.

SUBCOMMITTEE ASSIGNMENTS**Senate File 71**

COMMERCE: Rielly, Chair; Ward and Warnstadt

Senate File 77

NATURAL RESOURCES AND ENVIRONMENT: Black, Chair; Dearden, Gaskill, Hancock, and Kettering

Senate File 88

NATURAL RESOURCES AND ENVIRONMENT: Schoenjahn, Chair; Johnson and Wood

Senate File 97

STATE GOVERNMENT: Black, Chair; Hatch and McKibben

Senate File 98

WAYS AND MEANS: Dotzler, Chair; Putney and Stewart

Senate File 100

NATURAL RESOURCES AND ENVIRONMENT: Bolkcom, Chair; Gaskill and Hogg

Senate File 104

STATE GOVERNMENT: Schmitz, Chair; Kettering and Wood

Senate File 105

WAYS AND MEANS: Quirnbach, Chair; Connolly and Putney

Senate File 106

WAYS AND MEANS: Connolly, Chair; Noble and Schmitz

Senate File 111

HUMAN RESOURCES: Bolkcom, Chair; Dotzler and Seymour

SSB 1165

AGRICULTURE: Fraise, Chair; Johnson and Kibbie

SSB 1166

WAYS AND MEANS: McCoy, Chair; Bolkcom and Wieck

SSB 1167

WAYS AND MEANS: Bolkcom, Chair; Angelo and Dotzler

SSB 1168

WAYS AND MEANS: Dotzler, Chair; Appel and Ward

SSB 1169

STATE GOVERNMENT: Wood, Chair; Schmitz and Zieman

SSB 1170

STATE GOVERNMENT: Kibbie, Chair; Connolly and Zieman

SSB 1171

STATE GOVERNMENT: Black, Chair; Behn and Connolly

SSB 1172

STATE GOVERNMENT: Danielson, Chair; Hahn and Schmitz

SSB 1173

STATE GOVERNMENT: Connolly, Chair; Appel, Gaskill, Kettering, and Kibbie

SSB 1174

COMMERCE: Heckroth, Chair; McKibben and Stewart

SSB 1175

COMMERCE: Olive, Chair; Putney and Stewart

SSB 1176

COMMERCE: Warnstadt, Chair; Angelo and Stewart

SSB 1177

HUMAN RESOURCES: Schmitz, Chair; Bolkcom and Johnson

SSB 1178

COMMERCE: Stewart, Chair; Heckroth and Kettering

SSB 1179

APPROPRIATIONS: Ragan, Chair; Hatch and Seymour

SSB 1180

STATE GOVERNMENT: Wood, Chair; Gaskill and Kibbie

SSB 1181

APPROPRIATIONS: McCoy, Chair; Dvorsky and Putney

SSB 1182

STATE GOVERNMENT: Danielson, Chair; Hahn and Horn

SSB 1183

STATE GOVERNMENT: Connolly, Chair; Behn and Kibbie

SSB 1184

AGRICULTURE: Kibbie, Chair; Black and Johnson

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

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

LABOR AND BUSINESS RELATIONS

Roger Grobstich – Iowa Workforce Development Board

Christopher Godfrey – Workers' Compensation Commissioner

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

The following appointees, assigned to standing committee for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

NATURAL RESOURCES AND ENVIRONMENT

Mona Bond – Renewable Fuel Infrastructure Board

Brian Wiegert – Renewable Fuel Infrastructure Board

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

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

LABOR AND BUSINESS RELATIONS

Julie Lord – Iowa Workforce Development Board

AMENDMENT FILED

S-3023	S.F.	109	Jeff Angelo Larry McKibben John Putney E. Thurman Gaskill Nancy J. Boettger Mark Zieman David Johnson Mary A. Lundby Ron Wieck Pat Ward
--------	------	-----	--

JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 7, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by Deacon James Kean of St. Patrick's Catholic Church in Epworth, Iowa. He was the guest of Senator Hancock.

The Journal of Tuesday, February 6, 2007, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:55 a.m. until 8:45 a.m., Thursday, February 8, 2007.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Michael Brandenburg, LeMars—For achieving the rank of Eagle Scout, Boy Scout Troop 188. Senator Mulder (2/7/07).

Rita Cook, Hubbard—For being crowned the 2007 Iowa Pork Producers' Queen. Senator McKibben (2/7/07).

Matthew Jurgens, LeMars—For achieving the rank of Eagle Scout, Boy Scout Troop 188. Senator Mulder (2/7/07).

Matthew Lampe, Bellevue—For achieving the rank of Eagle Scout, Boy Scout Troop 86. Senators Connolly and Stewart (2/7/07).

Marlys Morse—For celebrating her 80th birthday. Senator Dotzler (2/7/07).

John and Florence Roach, Carlisle—For celebrating their 65th wedding anniversary. Senator Appel (2/7/07).

Nathaniel Young, LeMars—For achieving the rank of Eagle Scout, Boy Scout Troop 188. Senator Mulder (2/7/07).

REPORTS OF COMMITTEE MEETINGS

WAYS AND MEANS

Convened: Tuesday, February 6, 2007, 3:10 p.m.

Members Present: Bolcom, Chair; McCoy, Vice Chair; McKibben, Ranking Member; Angelo, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, Ward, and Wieck.

Members Absent: None.

Committee Business: Approved SSB 1055 (as amended).

Adjourned: 4:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Tuesday, February 6, 2007, 9:45 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; Hartsuch and Stewart.

Members Absent: None.

Committee Business: Presentations by Department of Inspections and Appeals, Iowa Child Advocacy Board, Iowa Employment Appeal Board, and the Racing and Gaming Commission.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Tuesday, February 6, 2007, 9:30 a.m.

Members Present: Dotzler, Chair; Heckroth, Vice Chair; Kettering, Ranking Member; Olive and Ward.

Members Absent: None.

Committee Business: Presentation by Iowa Workforce Development.

Adjourned: 11:30 a.m.

AGRICULTURE

Convened: Wednesday, February 7, 2007, 2:05 p.m.

Members Present: Fraise, Chair; Rielly, Vice Chair; Johnson, Ranking Member; Appel, Black, Boettger, Gaskill, Hancock, Houser, Kibbie, Mulder, Olive, Putney, and Seng.

Members Absent: Courtney (excused).

Committee Business: Presentation by the president of Iowa State University.

Adjourned: 3:00 p.m.

EDUCATION

Convened: Wednesday, February 7, 2007, 1:00 p.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Mulder, Ranking Member; Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirmbach, Schmitz, Wood, Zaun, and Zieman.

Members Absent: Angelo.

Committee Business: Subcommittee work.

Adjourned: 1:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Wednesday, February 7, 2007, 10:00 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; Hartsuch and Stewart.

Members Absent: None.

Committee Business: Presentations by the Department of Corrections, Enterprise Rent-A-Car, Department of Natural Resources, and the Department of Administrative Services.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Wednesday, February 7, 2007, 10:25 a.m.

Members Present: Seng, Chair; Schoenjahn, Vice Chair; Gaskill, Ranking Member; Black and Houser.

Members Absent: None.

Committee Business: Presentation by the Department of Natural Resources.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, February 7, 2007, 10:10 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; Quirnbach and Ziemann.

Members Absent: None.

Committee Business: Discussion with LSA staff regarding budget requests.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, February 7, 2007, 10:00 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Discussion regarding the affordable health care bill.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Wednesday, February 7, 2007, 10:10 a.m.

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

Members Absent: None.

Committee Business: Presentation by the Department of Public Safety.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Wednesday, February 7, 2007, 9:30 a.m.

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

Members Absent: McCoy, Chair; and McKibben (both excused).

Committee Business: Presentations by the Department of Transportation and Department of Workforce Development.

Adjourned: 10:45 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 12, by Danielson, a resolution urging recognition of multiple chemical sensitivity and environmental sensitivity as a disability under the federal Americans With Disabilities Act.

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

INTRODUCTION OF BILLS

Senate File 122, by Rielly, a bill for an act providing a sales and use tax exemption for certain appliances that meet the energy efficiency rating established for the appliance 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 123, by Schoenjahn, Bolkcom, Stewart, Ragan, Schmitz, Kreiman, Beall, Dotzler, Heckroth, Dvorsky, Horn, Seng, Olive, Hatch, Dearden, Wood, Fraise, Courtney, Quirmbach, Gronstal, Kibbie, Appel, and Connolly, a bill for an act relating to the personal needs allowance for residents of certain facilities.

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

Senate File 124, by Hatch and Boettger, a bill for an act establishing an Iowa health freedom Act and providing remedies.

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

Senate File 125, by Boettger, a bill for an act relating to zoning provisions for the premises of home and community-based services waiver providers.

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

Senate File 126, by Danielson, a bill for an act relating to the administration of the state hygienic laboratory, including attachment of the laboratory to the state university of Iowa, and providing for the duties and authority of a board of directors of the state hygienic laboratory, including the imposition of fees.

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

Senate File 127, by Danielson and Dotzler, a bill for an act relating to extracurricular school activities and noninterference with parental visitation rights.

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

STUDY BILLS RECEIVED

SSB 1185 Agriculture

Relating to separation distance requirements between confinement feeding operations or manure originating from such places, and certain objects or locations, and making penalties applicable.

SSB 1186 Judiciary

Relating to the applicability of statute of limitations tolling provisions relating to minors and persons with mental illness and providing an applicability date.

SSB 1187 Judiciary

Relating to judicial branch practices and procedures including but not limited to adoption petitions, clerk of the district court duties and recordkeeping affecting real estate, the confidentiality of arrest warrants, and notices by the department of corrections to the clerk of the district court.

SSB 1188 Judiciary

Relating to the department of public safety practices and procedures, and providing an effective date.

SSB 1189 Judiciary

Relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision.

SUBCOMMITTEE ASSIGNMENTS

Senate File 96

JUDICIARY: Fraise, Chair; Behn and Kreiman

Senate File 107

JUDICIARY: Kreiman, Chair; Schoenjahn and Ziemann

Senate File 115

HUMAN RESOURCES: Bolkcom, Chair; Dotzler and Seymour

Senate File 117

STATE GOVERNMENT: Connolly, Chair; Hahn and Schmitz

Senate File 119

JUDICIARY: Dvorsky, Chair; Behn and Kreiman

Senate File 123

HUMAN RESOURCES: Wood, Chair; Bolkcom and Johnson

SSB 1185

AGRICULTURE: Olive, Chair; Hancock and Johnson

SSB 1186

JUDICIARY: Schoenjahn, Chair; Hartsuch and Kreiman

SSB 1187

JUDICIARY: Hancock, Chair; Kreiman and McKibben

SSB 1188

JUDICIARY: Hancock, Chair; Kreiman and Noble

SSB 1189

JUDICIARY: Kreiman, Chair; Warnstadt and Zieman

JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 8, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by Dr. Robert W. Wallace of the Nazareth Evangelical Lutheran Church in Cedar Falls, Iowa. He was the guest of Senator Danielson.

The Journal of Wednesday, February 7, 2007, was approved.

The Senate stood at ease at 8:48 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:47 a.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 February 8, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 95, a bill for an act making supplemental appropriations for the home ownership assistance and injured veterans grant programs for Iowa residents who are eligible members or military veterans of the armed forces of the United States and providing an effective date.

ALSO: That the House has on February 7, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 61, a bill for an act relating to the establishment of state and school antiharassment and antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters. (S-3024)

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:48 a.m. until 3:00 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

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

Pastor Isaiah A. Brown, Des Moines—For his 12th pastoral anniversary at Our Saviour's Baptist Church. Senator Hatch (2/8/07).

Stephen J. Frese, Marshalltown—For receiving the National History Day David Van Tassel Founders Award. Senator McKibben (2/8/07).

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 RIGHTS

Annual Report of the Iowa Commission on the Status of Women. Report received on February 8, 2007.

REPORTS OF COMMITTEE MEETINGS

LOCAL GOVERNMENT

Convened: Wednesday, February 7, 2007, 3:10 p.m.

Members Present: Quirmbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Angelo, Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart.

Members Absent: None.

Committee Business: Passed SF 22 and approved SSBs 1125 and 1161 (as amended).

Adjourned: 4:00 p.m.

STATE GOVERNMENT

Convened: Wednesday, February 7, 2007, 3:05 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Zieman, Ranking Member; Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood.

Members Absent: None.

Committee Business: Approved SSBs 1029 and 1030 (as amended), approved Governor's appointments, and presentation by Iowa State Association of Counties.

Adjourned: 4:00 p.m.

VETERANS AFFAIRS

Convened: Wednesday, February 7, 2007, 4:00 p.m.

Members Present: Beall, Chair; Black, Horn, McKibben, and McKinley.

Members Absent: Warnstadt, Vice Chair; Seymour, Ranking Member; Danielson, Hartsuch, Kibbie, and Ragan (all excused).

Committee Business: Presentation by Protocol Driven Healthcare, Inc.

Adjourned: 5:00 p.m.

COMMERCE

Convened: Thursday, February 8, 2007, 11:35 a.m.

Members Present: Warnstadt, Chair; Heckroth, Vice Chair; Wieck, Ranking Member; Bolkcom, Courtney, Kettering, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward.

Members Absent: Angelo and McCoy (both excused).

Committee Business: Presentation by Iowa Insurance Commissioner Susan Voss.

Adjourned: 12:00 p.m.

GOVERNMENT OVERSIGHT

Convened: Thursday, February 8, 2007, 9:30 a.m.

Members Present: Courtney, Chair; Connolly, Vice Chair; and Schmitz.

Members Absent: Wieck, Ranking Member; and Lundby (both excused).

Committee Business: Presentations by the Department of Administrative Services and the Citizens' Aide Ombudsman.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Thursday, February 8, 2007, 9:55 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; Hartsuch and Stewart.

Members Absent: None.

Committee Business: Presentations by the Department of Commerce.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Thursday, February 8, 2007, 9:30 a.m.

Members Present: Dotzler, Chair; Heckroth, Vice Chair; Kettering, Ranking Member; Olive and Ward.

Members Absent: None.

Committee Business: Presentation by Iowa State University.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Thursday, February 8, 2007, 9:30 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; and Zieman.

Members Absent: Boettger, Ranking Member; and Quirnbach (both excused).

Committee Business: Presentations by the Department for the Blind and Iowa Public Television.

Adjourned: 11:30 a.m.

INTRODUCTION OF BILLS

Senate File 128, by committee on Ways and Means, a bill for an act relating to an increase in the taxes on cigarettes and tobacco products, imposing an inventory tax on tobacco products, creating a health care trust fund, and providing an effective date and providing an applicability provision.

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

Senate File 129, by committee on State Government, a bill for an act relating to the racing and gaming commission by modifying provisions regulating horses involved in horse racing and providing an effective date.

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

Senate File 130, by committee on Local Government, a bill for an act relating to commissions that oversee memorial buildings and monuments.

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

Senate File 131, by committee on Local Government, a bill for an act relating to publication of property assessment equalization orders.

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

Senate File 132, by Bolkcom, a bill for an act relating to delayed deposit services including fees, notices, transaction amounts, and reporting requirements.

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

Senate File 133, by Bolkcom, a bill for an act creating a greenhouse gas registry.

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

Senate File 134, by Putney, a bill for an act relating to legal actions involving disputed boundaries.

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

Senate File 135, by Seng, Horn, Hatch, Kreiman, Bolkcom, Black, Kibbie, Dearden, Gaskill, Lundby, Johnson, and McKibben, 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 referred to committee on **Natural Resources and Environment**.

Senate File 136, by Putney and Kibbie, 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 referred to committee on **Transportation**.

FINAL COMMITTEE REPORTS OF BILL ACTION

LOCAL GOVERNMENT

Bill Title: SENATE FILE 130 (formerly SF 22), a bill for an act relating to commissions that oversee memorial buildings and monuments.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Quirnbach, Beall, Zaun, Angelo, Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 131 (SSB 1125), a bill for an act relating to publication of property assessment equalization orders.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Quirnbach, Beall, Zaun, Angelo, Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: SENATE FILE 129 (SSB 1029), a bill for an act relating to the racing and gaming commission by modifying provisions regulating horses involved in horse racing and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *SENATE FILE 128 (SSB 1055), a bill for an act relating to an increase in the taxes on cigarettes and tobacco products, imposing an inventory tax on tobacco products, creating a health care trust fund, and providing an effective date and providing an applicability provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bolkom, McCoy, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, and Ward. Nays, 3: McKibben, Angelo, and 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 Ways and Means Committee on Senate File 128, and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 3:00 p.m., President Kibbie presiding.

QUORUM CALL

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

The vote revealed 44 present, 6 absent, and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Gaskill, until he arrives, on request of Senator Putney; Senator Boettger, until she arrives, on request of Senator Angelo; and Senator Connolly, until he returns, on request of Senator Gronstal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 25, 34, and 41.

Senate File 25

On motion of Senator Hancock, **Senate File 25**, a bill for an act relating to the payment of victim restitution by a person convicted of a criminal offense, was taken up for consideration.

Senator Quirnbach asked and received unanimous consent to withdraw amendment S-3020, filed by Senators Quirnbach and Kreiman on January 31, 2007, to page 1 of the bill.

Senator Lundby asked and received unanimous consent that action on **Senate File 25** be **deferred**.

Senate File 34

On motion of Senator Hancock, **Senate File 34**, a bill for an act requiring the use of child restraint systems or seat belts by motor

vehicle passengers under eighteen years of age and making a penalty applicable, 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?" (S.F. 34), the vote was:

Yeas, 39:

Appel	Gronstal	Kreiman	Schmitz
Beall	Hahn	McCoy	Schoenjahn
Black	Hancock	McKibben	Seng
Bolkcom	Hartsuch	Mulder	Seymour
Courtney	Hatch	Noble	Stewart
Danielson	Heckroth	Olive	Ward
Dearden	Hogg	Putney	Warnstadt
Dotzler	Horn	Quirnbach	Wieck
Dvorsky	Johnson	Ragan	Wood
Fraise	Kibbie	Rielly	

Nays, 8:

Angelo	Houser	Lundby	Zaun
Behn	Kettering	McKinley	Zieman

Absent, 3:

Boettger	Connolly	Gaskill
----------	----------	---------

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

Senate File 41

On motion of Senator Hancock, **Senate File 41**, a bill for an act relating to the disposition of unclaimed property concerning minerals, was taken up for consideration.

Senator Lundby asked and received unanimous consent that action on **Senate File 41** be **deferred**.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 74 and 75.

Senate File 74

On motion of Senator Wood, **Senate File 74**, a bill for an act renaming health-related examining boards as licensing boards, 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. 74), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Boettger	Connolly	Gaskill
----------	----------	---------

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

Senate File 75

On motion of Senator Schmitz, **Senate File 75**, a bill for an act relating to the registration of pharmacy technicians, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 75), the vote was:

Yeas, 30:

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

Nays, 17:

Angelo	Johnson	Noble	Zaun
Behn	Kettering	Putney	Zieman
Hahn	Lundby	Seymour	
Hartsuch	McKinley	Ward	
Houser	Mulder	Wieck	

Absent, 3:

Boettger	Connolly	Gaskill
----------	----------	---------

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 34, 74, and 75** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 3:30 p.m. until 1:00 p.m., Monday, February 12, 2007.

APPENDIX—2**REPORTS OF COMMITTEE MEETINGS****ECONOMIC GROWTH**

Convened: Thursday, February 8, 2007, 1:40 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Houser, Ranking Member; Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, and Zaun.

Members Absent: None.

Committee Business: Presentation by the Iowa State University Department of Research and Economic Development.

Adjourned: 2:30 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, February 8, 2007, 1:40 p.m.

Members Present: Black, Chair; Hancock, Vice Chair; Behn, Dearden, Hogg, Johnson, Kettering, Noble, Ragan, Schoenjahn, Seng, and Wood.

Members Absent: Gaskill, Ranking Member; Bolkom (excused), and Lundby.

Committee Business: Presentation by agronomy professor, Dr. Rick Cruse, from Iowa State University.

Adjourned: 2:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, February 8, 2007, 10:00 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Passed LSB 1043ja (as amended).

Recessed: 10:10 a.m.

Reconvened: 10:20 a.m.

Adjourned: 10:55 a.m.

INTRODUCTION OF BILL

Senate File 137, by committee on State Government, a bill for an act providing for the registration of associate real estate appraisers, prohibiting improper influence over an appraiser's evaluation opinion, and imposing a penalty.

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

STUDY BILLS RECEIVED

SSB 1190 Commerce

Increasing proof of financial responsibility and insurance coverage requirements for damages resulting from motor vehicle accidents.

SSB 1191 Local Government

Relating to documents recorded with the county recorder.

SSB 1192 Labor and Business Relations

Relating to asbestos removal and encapsulation regulations as enforced by the labor commissioner.

SSB 1193 Appropriations

Relating to and making appropriations to the justice system.

SSB 1194 Appropriations

Relating to and making appropriations to the judicial branch.

SSB 1195 Human Resources

Relating to entities and activities regulated by the Iowa department of public health, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees.

SSB 1196 Local Government

Relating to certain overpayments of moneys to a county.

SUBCOMMITTEE ASSIGNMENTS

Senate File 108

TRANSPORTATION: Danielson, Chair; Heckroth and Noble

Senate File 113

APPROPRIATIONS: Dvorsky, Chair; Gaskill and Hogg

Senate File 120

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 121

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 124

HUMAN RESOURCES: Quirnbach, Chair; Boettger and Bolkcom

SSB 1190

COMMERCE: Olive, Chair; Rielly and Ward

SSB 1191

LOCAL GOVERNMENT: Quirnbach, Chair; Kreiman and Zaun

SSB 1192

LABOR AND BUSINESS RELATIONS: Courtney, Chair; Hahn and Seng

SSB 1193

APPROPRIATIONS: Hancock, Chair; Angelo and Dvorsky

SSB 1194

APPROPRIATIONS: Hancock, Chair; Angelo and Dvorsky

SSB 1195

HUMAN RESOURCES: Schmitz, Chair; Boettger and Hatch

SSB 1196

LOCAL GOVERNMENT: Olive, Chair; Hartsuch and Stewart

FINAL COMMITTEE REPORT OF BILL ACTION**STATE GOVERNMENT**

Bill Title: SENATE FILE 137 (SSB 1030), a bill for an act providing for the registration of associate real estate appraisers, prohibiting improper influence over an appraiser's evaluation opinion, and imposing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, 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 State Government Committee on Senate File 137, and they were attached to the committee report.

**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

Melody Higgins – Board of Athletic Training Examiners

Michael Steele – Child Advocacy Board

Theresa Legg – Commission on the Deaf

Daniel Ernst – Commission of Elder Affairs

Leroy Plasier – Commission of Elder Affairs

Shirley Sorenson – Commission of Elder Affairs

Ruth Krueger – Iowa Empowerment Board

Marguerite Macek – Iowa Empowerment Board

Cathy Ryba – Iowa Empowerment Board

John White – Iowa Empowerment Board

Cyndi Chen – Administrator of the Division on the Status of Iowans of Asian and Pacific Islander Heritage

Vinh Nguyen – Commission on the Status of Iowans of Asian and Pacific Islander Heritage

Ilima Young-Dunn – Commission on the Status of Iowans of Asian and Pacific Islander Heritage

David Johnson – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission

Steven Soddors – Commission on Tobacco Use Prevention and Control

STATE GOVERNMENT

Todd Christensen – Elevator Safety Board

Yogesh Shah – Board of Medical Examiners

Tom Colvin – Iowa Board of Veterinary Medicine

AMENDMENT FILED

S-3024 S.F. 61 House

JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 12, 2007

The Senate met in regular session at 1:00 p.m., President Kibbie 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 Senate Page Meredith Lamberti.

The Journal of Thursday, February 8, 2007, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:04 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 1:11 p.m., President Kibbie presiding.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:34 p.m. until 8:45 a.m., Tuesday, February 13, 2007.

APPENDIX

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 8, 2007, when the votes were taken on Senate Files 34, 74, and 75. Had I been present, I would have voted “Yea” on all.

MICHAEL CONNOLLY

CERTIFICATE OF RECOGNITION

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

Larry Bushman, Fort Dodge—For receiving the Master Editor-Publisher Award from the Iowa Newspaper Association. Senator Beall (2/12/07).

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Thursday, February 8, 2007, 2:35 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; McKibben, Ranking Member; Behn, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Ziemann.

Members Absent: Dvorsky.

Committee Business: Approved SSBs 1007, 1070, and 1164. Approved Governor’s appointments.

Adjourned: 2:55 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, February 8, 2007, 10:05 p.m.

Members Present: Seng, Chair; Schoenjahn, Vice Chair; Black and Houser.

Members Absent: Gaskill, Ranking Member (excused).

Committee Business: Presentations by Iowa State University College of Veterinary Medicine and the Department of Agriculture and Land Stewardship.

Adjourned: 10:50 a.m.

LOCAL GOVERNMENT

Convened: Monday, February 12, 2007, 2:40 p.m.

Members Present: Quirmbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Angelo, Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart.

Members Absent: None.

Committee Business: Approved SSB 1148.

Adjourned: 3:05 p.m.

RULES AND ADMINISTRATION

Convened: Monday, February 12, 2007, 1:05 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SR 9.

Adjourned: 1:10 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 13, by Kibbie, Appel, Beall, Black, Bolkom, Connolly, Courtney, Danielson, Dearden, Dotzler, Dvorsky, Fraise, Gronstal, Hancock, Hatch, Heckroth, Horn, Kreiman, McCoy, Olive, Quirmbach, Ragan, Rielly, Schmitz, Schoenjahn, Seng, Stewart, and Wood, a resolution opposing the commitment of additional American troops to the war in Iraq.

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

INTRODUCTION OF BILLS

Senate File 138, by committee on Judiciary, a bill for an act relating to jury service compensation, reimbursement, and confidentiality and exempting certain governmental employees from jury service compensation.

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

Senate File 139, by committee on Judiciary, a bill for an act relating to a criminal defendant filing an application for postconviction relief.

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

Senate File 140, by committee on Judiciary, a bill for an act relating to the time period for which peace officers' investigative reports and specific portions of electronic mail and telephone billing records are to be kept confidential.

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

Senate File 141, by Beall, a bill for an act relating to and making an appropriation for the office of substitute decision maker under the department of elder affairs.

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

Senate File 142, by Beall, a bill for an act providing for the establishment and administration of mental health court pilot projects.

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

Senate File 143, by McCoy, a bill for an act requiring insurers offering certain individual or group health insurance contracts, policies, or plans to provide coverage for audiological services and hearing aids for children.

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

Senate File 144, by McCoy, a bill for an act concerning off-premises transportation and consumption of resealed bottles of wine.

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

Senate File 145, by Putney, a bill for an act relating to the use of certain motorboats on lake Macbride and providing an effective date.

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

Senate File 146, by McKinley, a bill for an act allowing certain motorcycle manufacturers to be licensed as motor vehicle dealers.

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

Senate File 147, by Bolkcom, a bill for an act providing nutrition services to school districts.

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

Senate File 148, by Horn, a bill for an act authorizing monitor vending machines.

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

Senate File 149, by Dearden, a bill for an act requiring certain 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 referred to committee on **Natural Resources and Environment**.

Senate File 150, by Hatch, Dotzler, Beall, Hogg, Stewart, Olive, Black, Kibbie, Gronstal, Courtney, Fraise, Appel, Wood, Seng, Danielson, and Ragan, a bill for an act relating to assistance for small businesses, making appropriations, and providing an effective date provision.

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

Senate File 151, by Courtney, a bill for an act relating to the bases for exemptions to estate recovery under the medical assistance program.

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

Senate File 152, by Ragan and Kreiman, a bill for an act allowing certain associations to qualify as self-insurers for purposes of Iowa's motor vehicle financial responsibility laws.

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

Senate File 153, by Bolkcom, a bill for an act requiring consideration of greenhouse gas emissions in issuing conditional permits to electric power generating plant applicants for a certificate of public convenience and necessity.

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

Senate File 154, by Zieman, a bill for an act requiring retail dealers of motor fuel to advertise and sell motor fuel on a whole cent basis, and making penalties applicable.

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

Senate File 155, by committee on Local Government, a bill for an act relating to local governments by 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**.

STUDY BILLS RECEIVED

SSB 1197 Commerce

Relating to cemeteries and related services and providing fees and penalties.

SSB 1198 State Government

Relating to fire sprinkler installation and maintenance, by providing for the establishment of fire sprinkler installer and fire sprinkler maintenance worker licenses, creating an advisory board, establishing fees, and providing penalties.

SSB 1199 Local Government

Relating to information required to be indexed in the records of the county recorder.

SSB 1200 Labor and Business Relations

Defining gross negligence by a fellow employee for purposes of negating the exclusive remedy provisions of workers' compensation law.

SSB 1201 Labor and Business Relations

Requiring additional workers' compensation payments for scheduled injuries that result in a reduction in the injured employee's earning capacity.

SSB 1202 Labor and Business Relations

Relating to limitations on and maintenance of certain actions for workers' compensation benefits.

SSB 1203 Labor and Business Relations

Relating to the workers' compensation liability of employment brokers or temporary employment agencies for their employees.

SSB 1204 Labor and Business Relations

Relating to proceedings to reopen an award or agreement for settlement of workers' compensation benefits.

SUBCOMMITTEE ASSIGNMENTS

Senate File 101

TRANSPORTATION: McCoy, Chair; Dearden and Zaun

Senate File 102

TRANSPORTATION: Heckroth, Chair; Hancock and Putney

Senate File 126

STATE GOVERNMENT: Danielson, Chair; Behn, Connolly, Kettering, and Kibbie

Senate File 134

JUDICIARY: Fraise, Chair; Hancock and Ziemann

Senate File 135

NATURAL RESOURCES AND ENVIRONMENT: Seng, Chair; Behn and Black

Senate File 142

JUDICIARY: Hancock, Chair; Fraise and Hartsuch

SSB 1197

COMMERCE: Schoenjahn, Chair; Angelo and Heckroth

SSB 1198

STATE GOVERNMENT: Danielson, Chair; Hahn and Hatch

SSB 1199

LOCAL GOVERNMENT: Stewart, Chair; Angelo and Beall

SSB 1200

LABOR AND BUSINESS RELATIONS: Dearden, Chair; McKinley and Seng

SSB 1201

LABOR AND BUSINESS RELATIONS: Courtney, Chair; Horn and Ward

SSB 1202

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Horn and Ward

SSB 1203

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Hatch and McKinley

SSB 1204

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Seng and Wieck

FINAL COMMITTEE REPORTS OF BILL ACTION**JUDICIARY**

Bill Title: *SENATE FILE 138 (SSB 1070), a bill for an act relating to jury service compensation, reimbursement, and confidentiality and exempting certain governmental employees from jury service compensation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Kreiman, Hogg, Behn, Fraise, Hancock, Horn, Noble, Quirnbach, Schoenjahn, Ward, and Warnstadt. Nays, 3: McKibben, Hartsuch, and Zieman. Absent, 1: Dvorsky.

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 138, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 139 (SSB 1007), a bill for an act relating to a criminal defendant filing an application for postconviction relief.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kreiman, Hogg, McKibben, Behn, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, 1: Dvorsky.

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 139, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 140 (SSB 1164), a bill for an act relating to the time period for which peace officers' investigative reports and specific portions of electronic mail and telephone billing records are to be kept confidential.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kreiman, Hogg, McKibben, Behn, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Ziemann. Nays, none. Absent, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: *SENATE FILE 155 (SSB 1161), a bill for an act relating to local governments by 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, 10: Quirnbach, Beall, Zaun, Angelo, Heckroth, Kreiman, Olive, Rielly, Schoenjahn, and Stewart. Nays, 3: Hartsuch, Houser, and McKinley. 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 155, and they were attached to the committee report.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 9, a resolution in support of continuation of the state children's health insurance program.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 12th day of February, 2007.

Senate File 95.

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

Alfredo Alvarez – Board of Parole

Henry Thomas – Commission on Judicial Qualifications

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

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation:

JUDICIARY

Paul Stageberg – Administrator of the Division of Criminal and Juvenile Justice Planning

AMENDMENTS FILED

S-3025	S.F.	61	Michael Connolly
S-3026	S.F.	110	Keith A. Kreiman

JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 13, 2007

The Senate met in regular session at 8:50 a.m., President Kibbie presiding.

Prayer was offered by the Honorable Dave Mulder, member of the Senate from Sioux County, Sioux Center, Iowa.

The Journal of Monday, February 12, 2007, was approved.

The Senate stood at ease at 8:58 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:52 a.m., President Kibbie presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:54 a.m. until 11:30 a.m.

RECONVENED

The Senate reconvened at 11:34 a.m., President Kibbie presiding.

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:

Melody Higgins – Board of Athletic Training Examiners

Michael Steele – Child Advocacy Board

Theresa Legg – Commission on the Deaf

Mary Nelson – Iowa Economic Development Board

Daniel Ernst – Commission of Elder Affairs

Leroy Plasier – Commission of Elder Affairs

Shirley Sorenson – Commission of Elder Affairs

Todd Christensen – Elevator Safety Board

Marguerite Macek – Iowa Empowerment Board

Cathy Ryba – Iowa Empowerment Board

Cyndi S. Chen – Administrator of the Commission on the Status of Iowans of Asian and Pacific Islander Heritage

Vinh Nguyen – Commission on the Status of Iowans of Asian and Pacific Islander Heritage

Ilima Young-Dunn – Commission on the Status of Iowans of Asian and Pacific Islander Heritage

Alfredo Alvarez – Board of Parole

Steven Soddors – Commission on Tobacco Use Prevention and Control

Julie Lord – 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	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood

Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

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 61

Senator Connolly called up for consideration **Senate File 61**, a bill for an act relating to the establishment of state and school antiharassment and antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters, amended by the House in House amendment S-3024, filed February 8, 2007.

Senator Connolly offered amendment S-3025, filed by him on February 12, 2007, to page 1 of House amendment S-3024.

Senator Angelo offered amendment S-3027, filed by Senator Angelo, et al., from the floor to page 1 of amendment S-3025, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3027 be adopted?" (S.F. 61), the vote was:

Yeas, 21:

Angelo	Houser	McKinley	Wieck
Behn	Johnson	Mulder	Zaun
Boettger	Kettering	Noble	Zieman
Gaskill	Kreiman	Putney	
Hahn	Lundby	Seymour	
Hartsuch	McKibben	Ward	

Nays, 29:

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

Absent, none.

Amendment S–3027 lost.

Senator Zaun asked and received unanimous consent that action on amendment S–3025 to House amendment S–3024 and **Senate File 61** be **deferred**.

UNFINISHED BUSINESS
(Deferred February 8, 2007)

Senate File 41

The Senate resumed consideration of **Senate File 41**, a bill for an act relating to the disposition of unclaimed property concerning minerals, deferred February 8, 2007.

Senator Lundby offered amendment S–3029, filed by her from the floor to page 1 of the bill.

Senator Gronstal raised the point of order that amendment S–3029 was not germane to the bill.

The Chair ruled the point well-taken and amendment S–3029 out of order.

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. 41), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

The Senate stood at ease at 12:10 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 12:25 p.m., President Kibbie presiding.

BUSINESS PENDING

Senate File 61

The Senate resumed consideration of **Senate File 61**, a bill for an act relating to the establishment of state and school antiharassment and antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters, and amendment S–3025 to House amendment S–3024, previously deferred.

Senator Zaun offered amendment S–3030, filed by Senator Zaun, et al., from the floor to page 1 of amendment S–3025, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3030 be adopted?" (S.F. 61), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

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

Absent, none.

Amendment S-3030 lost.

Senator Zaun offered amendment S-3031, filed by Senator Zaun, et al., from the floor to page 1 of amendment S-3025, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3031 be adopted?" (S.F. 61), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

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

Absent, none.

Amendment S-3031 lost.

Senator Connolly moved the adoption of amendment S-3025 to House amendment S-3024.

Amendment S-3025 was adopted by a voice vote.

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

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (S.F. 61), the vote was:

Yeas, 30:

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

Nays, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Absent, none.

The motion prevailed and the Senate concurred in the House amendment, as amended.

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

On the question "Shall the bill pass?" (S.F. 61), the vote was:

Yeas, 36:

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

Nays, 14:

Angelo	Hartsuch	McKinley	Wieck
Behn	Johnson	Mulder	Zieman
Boettger	Kettering	Noble	
Hahn	McKibben	Seymour	

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 41 and 61** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 12:55 p.m. until 8:45 a.m., Wednesday, February 14, 2007.

APPENDIX

REPORT OF THE DIRECTOR OF THE LEGISLATIVE SERVICES AGENCY

SECRETARY OF THE SENATE: Pursuant to Senate Concurrent Resolution 2, Dennis C. Prouty, Legislative Services Agency, submits the following list of position classifications in the Office of the Legislative Services Agency and the following list of the names, positions, and grades and steps of the employees in the Legislative Services Agency.

		<u>GRADE</u>	<u>STEP</u>
M. Anfinson	Capitol Tour Guide	18	1
J. Arnett	Capitol Tour Guide Super. 2	25	7
M. Belieu	Capitol Tour Guide	18	1
M. Bray	Capitol Tour Guide	18	1
A. Bridges	Capitol Tour Guide	18	1
C. Coppock	Capitol Tour Guide	18	1
D. Craft	Legislative Doc. Tech. 2	22	3
C. Cronbaugh	LIO Director 1	32	4
D. Degen	Legislative Doc. Tech. 2	22	7
J. Douglas	Senior Librarian	27	7
J. Ellenwood	Legislative Doc. Tech. 1	19	3
T. Faller	Division Director	43	7
C. Fisher	Systems Analyst	32	5
M. Fisher	Capitol Tour Guide	18	1
R. Fowler	Legislative Doc. Tech. 3	25	4
G. Garrett	Legislative Doc. Tech. Super.	28	2
M. Hagen	Legislative Doc. Tech. 1	19	2
S. Hallam	Legislative Doc. Tech. 2	22	5
N. Herselius	Capitol Tour Guide	18	1
J. Jess	Capitol Tour Guide	18	1
M. Kappelman	LIO Officer 3	30	4
D. Kirk	Legislative Doc. Tech. 1	19	1
M. Kruse	Senior Finance Officer	31	5
B. Lamberti	LIO Officer 1	24	3
S. Laust	Legislative Doc. Tech. 3	25	6
J. McWeeny	Capitol Tour Guide	18	1
T. Milligan	Capitol Tour Guide	18	1
L. Morford	Legislative Doc. Tech. 3	25	4
C. Mosher	Legislative Doc. Tech. 3	25	7
S. Nabholz	Legislative Doc. Tech. 2	22	6
N. Navara	Legislative Doc. Tech. 3	25	7
K. Nelson	Legislative Doc. Tech. 1	19	2
K. Nichols	Legislative Doc. Tech. 1	19	7
W. Paxson	Capitol Tour Guide	18	1
D. Prouty	Director	\$127,150.40 annually	
E. Robinson	Capitol Tour Guide	18	1
L. Rosky	Legislative Doc. Tech. 3	25	5
T. Souer	Legislative Doc. Tech. Super.	28	7

E. Spiller	Legislative Doc. Tech. 1	19	1
M. Thompson	Legislative Doc. Tech. 3	25	2
D. Vasey	Capitol Tour Guide	18	1
J. Warner	Legislative Doc. Tech. 3	25	7
M. Weber	Capitol Tour Guide	18	1
K. Wesely	Senior Finance Officer	31	3
J. Wood	Capitol Tour Guide	18	1
J. Bellizzi	Computer Systems Analyst 2	29	3
B. Boyd	Division Administrator 1	38	7
G. Dickinson	Division Director	43	7
M. Eaton	Division Administrator 1	38	7
D. Kair	Division Administrator 1	38	7
S. Kappaganthu	Senior Comp. Systems Analyst	35	1
R. Knapp	Senior Comp. Systems Analyst	35	7
J. Koth	Senior Comp. Systems Engineer	35	3
J. Kroes	Senior Comp. Systems Engineer	35	7
E. Meyer	Computer Systems Analyst	24	2
S. Miller	Senior Comp. Systems Analyst	35	7
J. Rafdal	Senior Comp. Systems Engineer	35	7
G. Rudicil	Senior Comp. Systems Analyst	35	7
M. Rykhoek	Session Tech. Floor Assistant	17	1
J. Van Engelenhoven	Senior Comp. Systems Analyst	35	7
V. Van Vlair Hansen	Senior Comp. Systems Analyst	35	3
J. Acton	Legislative Analyst 3	35	2
J. Benson	Legislative Analyst	27	2
L. Burk	Legislative Analyst 2	32	3
D. Ferguson	Senior Legislative Analyst	38	7
K. Johannsen	Legislative Analyst	27	2
D. Kozel	Senior Legislative Analyst	38	3
B. Lenstra	Senior Legislative Analyst	38	7
S. Lerdal	Senior Legislative Analyst	38	7
S. Leto	Senior Legislative Analyst	38	7
H. Lyons	Division Director	43	7
R. Madison	Legislative Analyst 3	35	2
M. Mellick	Legislative Analyst 1	29	6
D. Reynolds	Senior Legislative Analyst	38	7
J. Robinson	Senior Legislative Analyst	38	7
R. Robinson	Senior Legislative Analyst	38	2
M. Shipman	Senior Legislative Analyst	38	7
S. Snyder	Senior Legislative Analyst	38	5
D. Wulf	Division Administrator 2	41	7
D. Ackerman	Research Analyst 3	38	7
D. Adkisson	Senior Legal Counsel	38	7
B. Carr	Assistant Editor 2	27	6
E. Cook	Senior Legal Counsel	38	7
J. Croatt	Publications Assistant	21	2
S. Crowley	Senior Legal Counsel	38	7
N. Dugan	Publications Assistant	21	2
P. Funaro	Senior Legal Counsel	38	7
E. Gardyas	Legal Counsel	30	3
M. Goedert	Senior Legal Counsel	38	7
C. Green	Publications Assistant	21	1

M. Hanify	Assistant Editor 1	24	2
K. Hanlon	Senior Research Analyst	38	7
L. Hickey	Iowa Code Editor	41	7
R. Hjelmaas	Legal Counsel 2	35	3
S. Hoff	Deputy Admin. Code Editor	35	2
N. Hoffman	Senior Legal Counsel	38	6
R. Johnson	Division Director	43	7
R. Karns	Assistant Editor 3	30	2
A. Knief	Legal Counsel	30	2
T. McDermott	Senior Legal Counsel	38	5
J. McEniry	Senior Legal Counsel	38	4
R. Nelson	Senior Legal Counsel	38	5
J. Page	Deputy Iowa Code Editor	35	7
J. Pollak	Division Administrator 2	41	7
J. Royce	Senior Legal Counsel	38	7
R. Schulze	Index Supervisor	28	7
C. Thurmond	Publications Assistant	21	2
T. Vander Linden	Assistant Editor 3	30	4
A. Ver Heul	Legal Counsel 1	32	4
M. Wardell	Publications Assistant	21	1
M. Weiford	Assistant Editor 1	24	2
K. West	Administrative Code Editor	41	7
N. Westbrook	Assistant Editor 1	24	4
P. Worden	Index Supervisor	28	7

REPORT OF THE DIRECTOR OF THE OFFICE OF THE CITIZENS' AIDE/OMBUDSMAN

SECRETARY OF THE SENATE: Pursuant to Senate Concurrent Resolution 2, William P. Angrick II, Citizens' Aide/Ombudsman, submits the following list of position classifications in the Office of the Citizens' Aide/Ombudsman and the following list of the names, positions, and grades and steps of the employees in the Office of the Citizens' Aide/Ombudsman.

		<u>GRADE</u>	<u>STEP</u>
William P. Angrick II	Citizens' Aide/Ombudsman	45	4
Ruth Cooperrider	Senior Deputy	41	7
Judith M. Milosevich	Senior Assistant	38	7
Kristie Hirschman	Senior Assistant	38	7
Jeffrey E. Burnham	Senior Assistant	38	6
Kyle R. White	Assistant 2	32	5
Rory R. Calloway	Assistant 2	32	5
Bert Dalmer	Assistant 2	32	1
Elizabeth J. Hart	Assistant 1	29	4
Angela M. Dalton	Assistant 1	29	4
Barbara Van Allen	Assistant 1	29	3
Charles A. Teas	Assistant	27	2
Linda S. Brundies	Assistant	27	2
Jeri Burdick Crane	Senior Finance Officer	31	4
Adrian N. Stinson	Secretary/Receptionist	19	1

**SECRETARY OF THE SENATE'S REPORT
OF THE JOINT EMPLOYEES OF THE HOUSE AND SENATE**

Pursuant to Senate Concurrent Resolution 2, the following is a list of officers and joint Senate/House employees for the Eighty-second General Assembly, 2007 Session, and their respective classification, grades, and steps.

		<u>GRADE</u>	<u>STEP</u>
Mark L. Willemsen	Sr. Facilities Manager	41	6
Shawna S. Ferguson	Legis. Security Coordinator I	23	5
Robert W. Cornwell	Legislative Security Officer I	20	1
Marshall T. Irwin	Legislative Security Officer I	20	5
Carl E. Lami	Legislative Security Officer I	20	5
Mahlon Y. Lamp	Legislative Security Officer I	20	4
Steven D. Marsh	Legislative Security Officer I	20	5
Roy E. Paradise	Legislative Security Officer I	20	4
Robert J. Porter	Legislative Security Officer I	20	5
Judith A. Salier	Legislative Security Officer I	20	5
Curtis L. Scott	Legislative Security Officer I	20	3
Gordon M. Skeffington	Legislative Security Officer I	20	1
Leo R. Skeffington	Legislative Security Officer I	20	3
Kent M. Stevens	Legislative Security Officer I	20	4
Mark S. Lundberg	Conservation/Restoration Specialist II	31	6
Shirley M. Roach	Sr. Copy Center Operator	21	6

CERTIFICATE OF RECOGNITION

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

Elaine Nelson, Harlan—For celebrating her 85th birthday. Senator Boettger (2/13/07).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Monday, February 12, 2007, 3:00 p.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Mulder, Ranking Member; Beall, Boettger, Connolly, Heckroth, Kreiman, Quirnbach, Schmitz, Wood, Zaun, and Ziemann.

Members Absent: Angelo and Johnson (both excused).

Committee Business: Presentations from the Department of Education and the Department of Management.

Adjourned: 4:00 p.m.

HUMAN RESOURCES

Convened: Monday, February 12, 2007, 4:10 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirmbach, and Wood.

Members Absent: None.

Committee Business: Passed SFs 72 and 115.

Adjourned: 4:55 p.m.

TRANSPORTATION

Convened: Monday, February 12, 2007, 5:05 p.m.

Members Present: Rielly, Chair; Danielson, Vice Chair; Noble, Ranking Member; Beall, Hancock, Heckroth, Houser, McCoy, Putney, Warnstadt, Zaun, and Ziemann.

Members Absent: Dearden (excused).

Committee Business: Presentation by the Department of Transportation.

Adjourned: 5:55 p.m.

ECONOMIC GROWTH

Convened: Tuesday, February 13, 2007, 1:10 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Houser, Ranking Member; Beall, Dotzler, Hatch, Rielly, and Schmitz.

Members Absent: Danielson, Hahn, Mulder, Seymour, and Zaun.

Committee Business: Presentation by Bioscience Alliance.

Adjourned: 2:10 p.m.

HUMAN RESOURCES

Convened: Tuesday, February 13, 2007, 2:15 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirmbach, and Wood.

Members Absent: None.

Committee Business: Approved SSB 1077 and presentation by Family Support Coordinator Janet Gartin.

Adjourned: 2:50 p.m.

GOVERNMENT OVERSIGHT

Convened: Tuesday, February 13, 2007, 9:45 a.m.

Members Present: Courtney, Chair; Connolly, Vice Chair; Wieck, Ranking Member; Lundby and Schmitz.

Members Absent: None.

Committee Business: Presentation by the Iowa Civil Rights Commission.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Tuesday, February 13, 2007, 9:30 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; and Stewart.

Members Absent: Hahn, Ranking Member; and Hartsuch (both excused).

Committee Business: Presentations by the Governor's Office and the Department of Management.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Tuesday, February 13, 2007, 9:55 a.m.

Members Present: Seng, Chair; Schoenjahn, Vice Chair; Gaskill, Ranking Member; Black and Houser.

Members Absent: None.

Committee Business: Presentations by the Department of Natural Resources and the Iowa Natural Heritage Foundation.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Tuesday, February 13, 2007, 9:55 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; Quirnbach and Zieman.

Members Absent: None.

Committee Business: Presentations by the Area Education Agencies.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Tuesday, February 13, 2007, 10:05 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Presentations by the Department of Human Services, Iowa Health Care Association, and the Association of Homes and Services for the Aging.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Tuesday, February 13, 2007, 10:00 a.m.

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

Members Absent: None.

Committee Business: Presentation on the Iowa drug courts.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Tuesday, February 13, 2007, 10:05 a.m.

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

Members Absent: None.

Committee Business: Presentation by the Department of Administrative Services.

Adjourned: 11:20 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 14, by Quirnbach, a resolution honoring the League of Women Voters on the 87th anniversary of its founding.

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

INTRODUCTION OF BILLS

Senate File 156, 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 **Natural Resources and Environment**.

Senate File 157, by Warnstadt and Kreiman, a bill for an act relating to a name change by a person required to register as a sex offender, and providing penalties.

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

Senate File 158, by Dotzler, Stewart, and Ward, a bill for an act relating to moneys appropriated to the department of economic development for regional tourism marketing purposes.

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

Senate File 159, by Hogg, a bill for an act requiring carbon monoxide detectors in certain multiple-unit residential buildings and making penalties applicable.

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

Senate File 160, by Zieman, Hahn, Wieck, Hartsuch, Johnson, Mulder, Zaun, McKinley, Noble, Gaskill, Putney, McKibben, Angelo, Seymour, and Boettger, a bill for an act providing for a standing appropriation to support fairs.

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

Senate File 161, by committee on Local Government, a bill for an act relating to the confidentiality of security procedures or emergency preparedness information discussed at a meeting of a governmental body and providing an effective date.

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

Senate File 162, by committee on Human Resources, a bill for an act creating the Iowa stem cell research and cures initiative, and providing penalties.

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

Senate File 163, by Quirmbach, Beall, Danielson, Dearden, Hancock, Heckroth, McCoy, Rielly, and Warnstadt, a bill for an act relating to advance notification of the need to renew a driver's license.

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

Senate File 164, by Danielson, a bill for an act providing an appropriation for a pilot program to expand the availability of a holistic, multidisciplinary approach to addressing the health needs of primarily low to moderate income persons.

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

Senate File 165, by Danielson, a bill for an act relating to creation of a program to address waste, fraud, and abuse in the Medicaid program.

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

Senate File 166, by McKibben, a bill for an act eliminating the limitation on the reduction in damages awarded to plaintiffs who fail to wear a motor vehicle safety belt or safety harness.

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

Senate File 167, by Danielson, a bill for an act concerning food allergies and the prevention of life-threatening incidents in schools.

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

Senate File 168, by Heckroth and Danielson, a bill for an act modifying and extending state tax benefits for use of soy-based transformer fluid by electric utilities and including effective and applicability date provisions.

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

Senate File 169, by committee on Human Resources, a bill for an act providing for county eligibility for state payment of certain mental health, mental retardation, and developmental disabilities services funding and providing effective and retroactive applicability dates.

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

STUDY BILLS RECEIVED

SSB 1205 Appropriations

Relating to health care including provisions relating to improved health care access and delivery and wellness promotion, providing for consumer input, education, and empowerment regarding health care and health care decisions, providing for mandating coverage of treatment for certain mental health conditions, and making appropriations.

SSB 1206 Judiciary

Relating to an action for satisfaction of a mortgage.

SSB 1207 Commerce

Creating an interim commission on affordable health care plans for small businesses and families and a health care data research advisory council, and making an appropriation.

SSB 1208 Commerce

Relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date.

SSB 1209 Judiciary

Relating to notifying a school about certain juvenile court proceedings.

SSB 1210 Judiciary

Relating to the recognition and enforcement of civil judgments, orders, and decrees issued by a tribal court of a federally recognized Indian tribe.

SSB 1211 Judiciary

Creating a private cause of action for damages resulting from certain illegal insurance trade practices and providing an effective date.

SSB 1212 Judiciary

Relating to disclosure requirements applicable to new merchandise repairs.

SSB 1213 Judiciary

Providing a minimum annual salary for a county attorney.

SSB 1214 Judiciary

Relating to the rights of peace officers and public safety and emergency personnel.

SSB 1215 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 1216 Judiciary

Relating to grandparents and great-grandparents visitation.

SSB 1217 Judiciary

Allowing a competent adult to execute a written instrument directing the final disposition of that person's remains, including coordinating provisions, and providing applicability dates.

SSB 1218 Judiciary

Relating to revising the uniform commercial code, by providing for warehouse receipts, bills of lading, and other documents of title.

SSB 1219 Judiciary

Relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

SSB 1220 Natural Resources and Environment

Making black bears and cougars fur-bearing animals.

SSB 1221 Ways and Means

Relating to biodiesel fuel, by exempting qualified small biodiesel producers from motor fuel tax and licensing requirements, and providing for the early elimination of an income tax credit for retail dealers who sell biodiesel blended fuel.

SUBCOMMITTEE ASSIGNMENTS

Senate File 99

COMMERCE: Stewart, Chair; Bolkcom and Kettering

Senate File 103

COMMERCE: Stewart, Chair; Olive and Ward

Senate File 118

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Bolkcom and Johnson

Senate File 132

COMMERCE: Stewart, Chair; Bolkcom and Kettering

Senate File 133

NATURAL RESOURCES AND ENVIRONMENT: Bolkcom, Chair; Kettering and Schoenjahn

Senate File 143

COMMERCE: Rielly, Chair; Kettering and McCoy

Senate File 149

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Johnson

Senate File 151

HUMAN RESOURCES: Quirnbach, Chair; Behn and Hatch

Senate File 153

NATURAL RESOURCES AND ENVIRONMENT: Bolkcom, Chair; Behn and Hogg

Senate File 154

AGRICULTURE: Rielly, Chair; Appel and Putney

Senate File 156

NATURAL RESOURCES AND ENVIRONMENT: Hogg, Chair; Lundby and Schoenjahn

House File 5

COMMERCE: Bolkcom, Chair; Angelo and Stewart

SSB 1205

APPROPRIATIONS: Hatch, Chair; Angelo, Dvorsky, Johnson, Ragan, Seymour, and Warnstadt

SSB 1206

JUDICIARY: Hogg, Chair; Behn and Kreiman

SSB 1207

COMMERCE: Rielly, Chair; Olive, Putney, Ward, and Warnstadt

SSB 1208

COMMERCE: Warnstadt, Chair; Angelo, Courtney, Heckroth, and Putney

SSB 1209

JUDICIARY: Quirnbach, Chair; Hogg and Ward

SSB 1210

JUDICIARY: Kreiman, Chair; Behn and Warnstadt

SSB 1211

JUDICIARY: Kreiman, Chair; Hogg and Ward

SSB 1212

JUDICIARY: Hogg, Chair; Hartsuch and Kreiman

SSB 1213

JUDICIARY: Horn, Chair; Quirnbach and Zieman

SSB 1214

JUDICIARY: Quirnbach, Chair; Kreiman and Noble

SSB 1215

JUDICIARY: Ward, Chair; Behn and Fraise

SSB 1216

JUDICIARY: Kreiman, Chair; Fraise and Zieman

SSB 1217

JUDICIARY: Horn, Chair; Behn and Kreiman

SSB 1218

JUDICIARY: Schoenjahn, Chair; Horn and Ward

SSB 1219

JUDICIARY: Noble, Chair; Fraise and Hartsuch

SSB 1220

NATURAL RESOURCES AND ENVIRONMENT: Hogg, Chair; Black and Kettering

SSB 1221

WAYS AND MEANS: Dotzler, Chair; Putney and Schmitz

FINAL COMMITTEE REPORTS OF BILL ACTION**HUMAN RESOURCES**

Bill Title: SENATE FILE 162 (formerly SF 115), a bill for an act creating the Iowa stem cell research and cures initiative, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Ragan, Schmitz, Bolkcom, Dotzler, Hatch, Kreiman, Quirnbach, and Wood. Nays, 5: Seymour, Behn, Boettger, Johnson, and Mulder. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 169 (formerly SF 72), a bill for an act providing for county eligibility for state payment of certain mental health, mental retardation, and developmental disabilities services funding and providing effective and retroactive applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, 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 169, and they were attached to the committee report.

LOCAL GOVERNMENT

Bill Title: *SENATE FILE 161 (SSB 1148), a bill for an act relating to the confidentiality of security procedures or emergency preparedness information discussed at a meeting of a governmental body and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Quirnbach, Beall, Zaun, Angelo, Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, and Schoenjahn. Nays, none. Absent, 1: Stewart.

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 161, and they were attached to the committee report.

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":

Henry Thomas – Commission on Judicial Qualifications

MARY A. LUNDBY

AMENDMENTS FILED

S-3027	S.F.	61	Jeff Angelo Larry McKibben Dave Mulder Mark Zieman Brad Zaun
S-3028	S.F.	138	Gene Fraise Jerry Behn
S-3029	S.F.	41	Mary A. Lundby
S-3030	S.F.	61	Brad Zaun Paul McKinley Dave Mulder
S-3031	S.F.	61	Brad Zaun Paul McKinley Dave Mulder
S-3032	S.F.	130	Daryl Beall David Hartsuch Keith A. Kreiman

JOURNAL OF THE SENATE

THIRTY-EIGHTH CALENDAR DAY
TWENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 14, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by Jan Heckroth, chaplain and pastoral team leader of Allen Health Systems in Waterloo, Iowa. She was the guest of her husband, Senator Bill Heckroth.

The Journal of Tuesday, February 13, 2007, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 8:47 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 8:55 a.m., President Kibbie presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 8:56 a.m. until 11:30 a.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

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

LaVon Brickman, Waterloo—For celebrating her 80th birthday. Senator Dotzler (2/14/07).

Carney and Virginia Cook, Burlington—For celebrating their 50th wedding anniversary. Senator Courtney (2/14/07).

George Fowler—For celebrating his 99th birthday. Senator Courtney (2/14/07).

Blanche Haberstitch, Waterloo—For celebrating her 80th birthday. Senator Dotzler (2/14/07).

Helen Mizner, Waterloo—For celebrating her 90th birthday. Senator Dotzler (2/14/07).

Bob and Donna Newland, West Burlington—For celebrating their 50th wedding anniversary. Senator Courtney (2/14/07).

Evelyn Rowley—For celebrating her 90th birthday. Senator Courtney (2/14/07).

Dorothy Savage—For celebrating her 88th birthday. Senator Courtney (2/14/07).

Wilbert Scharnhorst, Waterloo—For celebrating his 80th birthday. Senator Dotzler (2/14/07).

Jackie and Charles Sebring—For celebrating their 50th wedding anniversary. Senator Dotzler (2/14/07).

John and Roselea Smith, Burlington—For celebrating their 50th wedding anniversary. Senator Courtney (2/14/07).

Kathleen Stone—For celebrating her 90th birthday. Senator Courtney (2/14/07).

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convended: Tuesday, February 13, 2007, 3:05 p.m.

Members Present: Fraise, Chair; Rielly, Vice Chair; Johnson, Ranking Member; Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Mulder, Olive, Putney, and Seng.

Members Absent: None.

Committee Business: Discussed SF 10 and had presentation by Renewable Fuel Infrastructure Board.

Recessed: 3:30 p.m.

Reconvened: 3:55 p.m.

Adjourned: 4:05 p.m.

JUDICIARY

Convened: Tuesday, February 13, 2007, 4:10 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; McKibben, Ranking Member; Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Zieman.

Members Absent: None.

Committee Business: Approved SSB 1108.

Adjourned: 4:25 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Tuesday, February 13, 2007, 9:45 a.m.

Members Present: Dotzler, Chair; Heckroth, Vice Chair; Kettering, Ranking Member; Olive and Ward.

Members Absent: None.

Committee Business: Presentation by BIOWA, Department of Economic Development, and the Department of Cultural Affairs.

Adjourned: 11:20 a.m.

RULES AND ADMINISTRATION

Convened: Wednesday, February 14, 2007, 8:50 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SR 14.

Adjourned: 8:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Wednesday, February 14, 2007, 9:40 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; Hartsuch and Stewart.

Members Absent: None.

Committee Business: Presentation by the Department of Administrative Services.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Wednesday, February 14, 2007, 9:45 a.m.

Members Present: Seng, Chair; Schoenjahn, Vice Chair; Gaskill, Ranking Member; Black and Houser.

Members Absent: None.

Committee Business: Presentation by the Department of Natural Resources.

Adjourned: 10:30 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 15, by Kibbie, Appel, Beall, Black, Bolcom, Connolly, Courtney, Danielson, Dearden, Dotzler, Dvorsky, Fraise, Gronstal, Hancock, Hatch, Heckroth, Horn, Kreiman, McCoy, Olive, Quirnbach, Ragan, Rielly, Schmitz, Schoenjahn, Seng, Stewart, and Wood, a resolution opposing the commitment of additional American troops to the war in Iraq.

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

INTRODUCTION OF BILLS

Senate File 170, by Black, a bill for an act relating to the authority of persons to destroy untagged or threatening dogs and the liability of owners of such dogs.

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

Senate File 171, by Black, a bill for an act excluding certain severance pay 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 172, by Black, a bill for an act relating to a property tax exemption for certain recreational property and including effective date and retroactive applicability date provisions.

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

Senate File 173, by Black, a bill for an act concerning the requirement to conduct county gambling elections.

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

Senate File 174, 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**.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 14, a resolution honoring the League of Women Voters on the 87th anniversary of its founding.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RECONVENED

The Senate reconvened at 11:36 a.m., President Kibbie presiding.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 14.

Senate Resolution 14

On motion of Senator Quirmbach, **Senate Resolution 14**, a resolution honoring the League of Women Voters on the 87th anniversary of its founding, with report of committee recommending passage, was taken up for consideration.

Senator Quirmbach moved the adoption of Senate Resolution 14, which motion prevailed by a voice vote.

The Senate stood at ease at 11:42 a.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 12:18 p.m., President Pro Tempore Danielson presiding.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 162.

Senate File 162

On motion of Senator Bolkom, **Senate File 162**, a bill for an act creating the Iowa stem cell research and cures initiative, and providing penalties, was taken up for consideration.

Senator Behn offered amendment S-3033, filed by Senator Behn, et al., from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3033 be adopted?” (S.F. 162), the vote was:

Yeas, 22:

Angelo	Hartsuch	McKinley	Ward
Behn	Houser	Mulder	Wieck
Boettger	Johnson	Noble	Zaun
Gaskill	Kettering	Putney	Zieman
Hahn	Lundby	Seng	
Hancock	McKibben	Seymour	

Nays, 28:

Appel	Dearden	Hogg	Ragan
Beall	Dotzler	Horn	Rielly
Black	Dvorsky	Kibbie	Schmitz
Bolkcom	Fraise	Kreiman	Schoenjahn
Connolly	Gronstal	McCoy	Stewart
Courtney	Hatch	Olive	Warnstadt
Danielson	Heckroth	Quirnbach	Wood

Absent, none.

Amendment S–3033 lost.

President Kibbie took the chair at 12:50 p.m.

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. 162), the vote was:

Yeas, 26:

Appel	Dearden	Horn	Rielly
Beall	Dotzler	Kibbie	Schmitz
Black	Dvorsky	Kreiman	Stewart
Bolkcom	Fraise	McCoy	Warnstadt
Connolly	Gronstal	Olive	Wood
Courtney	Hatch	Quirnbach	
Danielson	Hogg	Ragan	

Nays, 24:

Angelo	Hartsuch	McKibben	Seng
Behn	Heckroth	McKinley	Seymour
Boettger	Houser	Mulder	Ward
Gaskill	Johnson	Noble	Wieck
Hahn	Kettering	Putney	Zaun
Hancock	Lundby	Schoenjahn	Zieman

Absent, none.

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 129.

Senate File 129

On motion of Senator Black, **Senate File 129**, a bill for an act relating to the racing and gaming commission by modifying provisions regulating horses involved in horse racing and providing an effective date, was taken up for consideration.

Senator Black 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. 129), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart

Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Zaun
Danielson	Horn	Putney	Zieman
Dearden	Houser	Quirnbach	
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, 1:

Wood

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 129** and **162** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 9.

Senate Resolution 9

On motion of Senator Ragan, **Senate Resolution 9**, a resolution in support of continuation of the state children's health insurance program, with report of committee recommending passage, was taken up for consideration.

Senator Ragan moved the adoption of Senate Resolution 9, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 58 and 116.

Senate File 58

On motion of Senator Quirmbach, **Senate File 58**, a bill for an act relating to the number of signatures required on nomination papers for the office of mayor in certain cities, 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?" (S.F. 58), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

Senate File 116

On motion of Senator Horn, **Senate File 116**, a bill for an act relating to the labor commissioner's regulation of fire fighter clothing and personal protection equipment, 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?" (S.F. 116), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 58 and 116** be **immediately messaged** to the House.

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 14, 2007, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Joint Resolution 3, 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 Gronstal, the Senate adjourned at 1:45 p.m. until 8:45 a.m., Thursday, February 15, 2007.

APPENDIX—2

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 14, 2007, when the vote was taken on Senate File 129. Had I been present, I would have voted “Yea.”

FRANK B. WOOD

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: Wednesday, February 14, 2007, 1:50 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Courtney, Danielson, Dearden, Dvorsky, and Ragan.

Members Absent: Angelo, Mulder, and Wieck.

Committee Business: Approved SR 13.

Adjourned: 1:55 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Wednesday, February 14, 2007, 9:40 a.m.

Members Present: Dotzler, Chair; Heckroth, Vice Chair; Kettering, Ranking Member; and Olive.

Members Absent: Ward (excused).

Committee Business: Presentation by Batelle and Iowa Workforce Development.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, February 14, 2007, 9:40 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; and Zieman.

Members Absent: Quirnbach (excused).

Committee Business: Presentations by Community Empowerment and the Department of Education.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, February 14, 2007, 9:50 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Presentations by the Department of Human Services, Iowa Veterans Home, and the Department of Elder Affairs.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Wednesday, February 14, 2007, 9:45 a.m.

Members Present: Hancock, Chair; McKinley, Ranking Member; Hogg and Noble.

Members Absent: Fraise, Vice Chair (excused).

Committee Business: Presentation by Department of Corrections.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Wednesday, February 14, 2007, 9:40 a.m.

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

Members Absent: None.

Committee Business: Presentation by the LSA.

Adjourned: 9:55 a.m.

INTRODUCTION OF BILLS

Senate File 175, by committee on Judiciary, a bill for an act relating to the disposition of seized property in a criminal proceeding.

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

Senate File 176, by Kettering, a bill for an act relating to placement of juveniles on the sex offender registry.

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

Senate File 177, by Seng, Kreiman, Black, Ragan, Beall, Olive, Wood, Schmitz, Heckroth, Dearden, Rielly, Schoenjahn, Fraise, Dotzler, Danielson, Hatch, Horn, Stewart, Appel, Courtney, Hancock, McCoy, Quirmbach, Gronstal, Zaun, Connolly, Kettering, Putney, Gaskill, Mulder, Noble, Wieck, Seymour, Houser, Bolkcom, Boettger, Hartsuch, Angelo, Behn, McKibben, and Kibbie, a bill for an act appropriating moneys for tourism marketing and promotion.

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

Senate File 178, by Rielly, Seng, and Wood, a bill for an act relating to the disposition of certain real estate transfer tax receipts by the treasurer of state.

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

STUDY BILLS RECEIVED

SSB 1222 Human Resources

Relating to and making an appropriation for the office of substitute decision maker under the department of elder affairs.

SSB 1223 State Government

Relating to the privacy of social security numbers and other personal information in public records and providing remedies.

SSB 1224 Natural Resources and Environment

Providing for an increase in the wildlife habitat fee, making an appropriation, and creating an upland game bird habitat development program.

SSB 1225 Natural Resources and Environment

Providing preferences for nonresident landowners to obtain wild turkey and antlered or any sex deer hunting licenses.

SSB 1226 Natural Resources and Environment

Relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions.

SSB 1227 State Government

Removing the limitation on the length of a leave of absence for service in elective office.

SSB 1228 State Government

Concerning gambling games on gambling structures.

SSB 1229 State Government

Allowing a voter to register to vote and to vote after regular registration and prior to voting in an election.

SSB 1230 Commerce

Relating to the issuance of gift cards and gift certificates, including providing for abandonment, establishing restrictions on fees and charges, prohibiting expiration dates and other restrictive terms, and making penalties applicable.

SSB 1231 Commerce

Requiring insurers offering certain individual or group health insurance contracts, policies, or plans to provide coverage for vaccinations for human papilloma virus.

SSB 1232 Judiciary

Relating to the Iowa law enforcement academy and minimum entrance requirements.

SSB 1233 Appropriations

Relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund.

SSB 1234 Judiciary

Prohibiting a person who is the subject of a protective order or who has been convicted of a misdemeanor crime of domestic violence in violation of federal law from possessing, transferring, or selling firearms or offensive weapons and providing a penalty.

SSB 1235 Natural Resources and Environment

Relating to water quality.

SSB 1236 Local Government

Modifying water service requirements for rural water providers.

SSB 1237 Local Government

Relating to county general obligation bonds by modifying the definition of essential county purpose and by changing the requirements under which a county may issue general county purpose bonds without an election.

SSB 1238 Human Resources

Relating to regulation of children's services by the department of human services by increasing the age for certain children receiving child care regulated by the department and revising child welfare and juvenile justice service provisions.

SSB 1239 Human Resources

Relating to support including child support provisions relating to passport sanctions for nonpayment of child support and mandatory review and adjustment of child support orders, medical support, and support payments, providing effective dates, and providing for retroactive applicability.

SSB 1240 Appropriations

Relating to and making appropriations to certain state departments, agencies, funds, and certain other entities.

SUBCOMMITTEE ASSIGNMENTS**Senate File 81**

APPROPRIATIONS: Wood, Chair; Angelo, Boettger, Danielson, and Dvorsky

Senate File 125

LOCAL GOVERNMENT: Schoenjahn, Chair; McKinley and Olive

Senate File 141

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 150

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 160

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 165

HUMAN RESOURCES: Bolkcom, Chair; Hatch and Seymour

Senate File 166

JUDICIARY: McKibben, Chair; Horn and Kreiman

Senate File 170

JUDICIARY: Kreiman, Chair; Hancock and Hartsuch

Senate File 173

STATE GOVERNMENT: Black, Chair; Behn and Connolly

Senate File 174

HUMAN RESOURCES: Bolkcom, Chair; Hatch and Seymour

House Joint Resolution 3

STATE GOVERNMENT: Connolly, Chair; Behn and Hatch

SSB 1222

HUMAN RESOURCES: Hatch, Chair; Johnson and Ragan

SSB 1223

STATE GOVERNMENT: Wood, Chair; Behn and Kibbie

SSB 1224

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Gaskill and Hancock

SSB 1225

NATURAL RESOURCES AND ENVIRONMENT: Black, Chair; Kettering and Ragan

SSB 1226

NATURAL RESOURCES AND ENVIRONMENT: Wood, Chair; Behn and Bolkcom

SSB 1227

STATE GOVERNMENT: Danielson, Chair; Connolly and McKibben

SSB 1228

STATE GOVERNMENT: Connolly, Chair; Gaskill and Kibbie

SSB 1229

STATE GOVERNMENT: Appel, Chair; Danielson and Zieman

SSB 1230

COMMERCE: Bolkcom, Chair; McCoy and McKibben

SSB 1231

COMMERCE: Rielly, Chair; Courtney and Ward

SSB 1232

JUDICIARY: Horn, Chair; Noble and Quirmbach

SSB 1233

APPROPRIATIONS: Bolkcom, Chair; Johnson and Ragan

SSB 1234

JUDICIARY: Kreiman, Chair; Dvorsky and Ziemann

SSB 1235

NATURAL RESOURCES AND ENVIRONMENT: Wood, Chair; Hancock, Johnson, Noble, and Schoenjahn

SSB 1236

LOCAL GOVERNMENT: Olive, Chair; Hartsuch and Rielly

SSB 1237

LOCAL GOVERNMENT: Olive, Chair; Angelo and Heckroth

SSB 1238

HUMAN RESOURCES: Schmitz, Chair; Behn and Kreiman

SSB 1239

HUMAN RESOURCES: Kreiman, Chair; Boettger and Schmitz

SSB 1240

APPROPRIATIONS: Danielson, Chair; Dvorsky and Hahn

FINAL COMMITTEE REPORTS OF BILL ACTION

JUDICIARY

Bill Title: SENATE FILE 175 (SSB 1108), a bill for an act relating to the disposition of seized property in a criminal proceeding.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Ziemann. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 13, a resolution opposing the commitment of additional American troops to the war in Iraq.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Gronstal, Kibbie, Courtney, Danielson, Dearden, Dvorsky, and Ragan. Nays, 1: Lundby. Absent, 3: Angelo, Mulder, and Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 14, 2007, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 95 – Making supplemental appropriations for the home ownership assistance and injured veterans grant programs for Iowa residents who are eligible members or military veterans of the armed forces of the United States and providing an effective date.

GOVERNOR'S APPOINTEE PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation:

NATURAL RESOURCES AND ENVIRONMENT

Brenda Neville – Renewable Fuel Infrastructure Board

AMENDMENT FILED

S-3033	S.F.	162	Jerry Behn Brad Zaun Mary A. Lundby Nancy J. Boettger James A. Seymour Paul McKinley Dave Mulder David Johnson David Hartsuch Mark Zieman Jeff Angelo Steve Kettering Ron Wieck Hubert Houser James F. Hahn Larry McKibben John Putney
--------	------	-----	--

JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 15, 2007

The Senate met in regular session at 8:50 a.m., President Kibbie presiding.

Prayer was offered by Pastor Curtis Girod of the Cornerstone Assembly of God Church in De Witt, Iowa. He was the guest of Senators Stewart and Wood.

The Journal of Wednesday, February 14, 2007, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 8:57 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:02 a.m., President Kibbie presiding.

The Senate stood at ease at 9:03 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:44 a.m., President Pro Tempore Danielson presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 15, a resolution opposing the commitment of additional American troops to the war in Iraq.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Gronstal, Kibbie, Courtney, Danielson, Dearden, Dvorsky, and Ragan. Nays, 4: Lundby, Angelo, Mulder, and Wieck. 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 15.

Senate Resolution 15

On motion of President Kibbie, **Senate Resolution 15**, a resolution opposing the commitment of additional American troops to the war in Iraq, with report of committee recommending passage, was taken up for consideration.

President Kibbie moved the adoption of Senate Resolution 15, which motion prevailed by a voice vote.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate Resolution 13** be referred from the Regular Calendar to the committee on **Rules and Administration**.

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 15, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 199, a bill for an act relating to the payment of costs of reasonable attorney fees related to certain paternity proceedings.

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

House File 245, a bill for an act requiring invasive pneumococcal disease immunization for children enrolling in licensed child care centers.

Read first time and attached to **companion Senate File 187**.

House File 260, a bill for an act relating to the classification and regulation of controlled substances and making penalties applicable.

Read first time and attached to **companion Senate File 68**.

House File 317, a bill for an act relating to an on-site fiscal review to be conducted under phase II of the accreditation process upon recommendation by the school budget review committee.

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:27 a.m. until 1:00 p.m., Monday, February 19, 2007.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Wednesday, February 14, 2007, 3:10 p.m.

Members Present: Fraise, Chair; Rielly, Vice Chair; Johnson, Ranking Member; Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Mulder, Olive, and Seng.

Members Absent: Putney (excused).

Committee Business: Presentation by Broin Company.

Adjourned: 4:00 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Wednesday, February 14, 2007, 2:10 p.m.

Members Present: Black, Chair; Hancock, Vice Chair; Gaskill, Ranking Member; Behn, Bolkcom, Dearden, Hogg, Johnson, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood.

Members Absent: Kettering (excused).

Committee Business: Approved Governor's appointment, presentation by the Great Plains Institute Program, and subcommittee assignments.

Adjourned: 3:05 p.m.

WAYS AND MEANS

Convened: Wednesday, February 14, 2007, 4:00 p.m.

Members Present: Bolkcom, Chair; McKibben, Ranking Member; Angelo, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck.

Members Absent: McCoy, Vice Chair; and Putney (both excused).

Committee Business: Presentation by Culver Property Tax Task Force.

Adjourned: 4:50 p.m.

COMMERCE

Convened: Thursday, February 15, 2007, 11:40 a.m.

Members Present: Warnstadt, Chair; Heckroth, Vice Chair; Wieck, Ranking Member; Bolkcom, McKibben, Olive, Putney, Schoenjahn, and Stewart.

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

Committee Business: Approved SSB 1174.

Adjourned: 11:45 a.m.

JUDICIARY

Convened: Thursday, February 15, 2007, 1:35 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; McKibben, Ranking Member; Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Zieman.

Members Absent: None.

Committee Business: Passed SF 14 and approved SSB 1188.

Adjourned: 1:50 p.m.

LOCAL GOVERNMENT

Convened: Thursday, February 15, 2007, 1:00 p.m.

Members Present: Quirmbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Hartsuch, Heckroth, Kreiman, Olive, Rielly, Schoenjahn, and Stewart.

Members Absent: Angelo, Houser, and McKinley (all excused).

Committee Business: Passed SF 90 and approved SSBs 1126, 1127, and 1191.

Adjourned: 1:20 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, February 15, 2007, 2:35 p.m.

Members Present: Black, Chair; Hancock, Vice Chair; Gaskill, Ranking Member; Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood.

Members Absent: None.

Committee Business: Presentation on DNR lake restoration projects and Clear Lake watershed.

Adjourned: 3:40 p.m.

RULES AND ADMINISTRATION

Convened: Thursday, February 15, 2007, 8:58 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SR 15.

Adjourned: 9:02 a.m.

STATE GOVERNMENT

Convened: Thursday, February 15, 2007, 1:00 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Zieman, Ranking Member; Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood.

Members Absent: None.

Committee Business: Passed SF 7 and approved SSBs 1019 and 1086 (as amended).

Adjourned: 1:25 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, February 15, 2007, 10:40 a.m.

Members Present: Seng, Chair; Schoenjahn, Vice Chair; Gaskill, Ranking Member; and Houser.

Members Absent: Black (excused).

Committee Business: Presentations by the Department of Natural Resources and the Department of Agriculture and Land Stewardship.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Thursday, February 15, 2007, 10:05 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; and Zieman.

Members Absent: Quirnbach (excused).

Committee Business: Presentation by the Department of Education.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Thursday, February 15, 2007, 10:35 a.m.

Members Present: Hancock, Chair; Fraise, Vice Chair; Hogg and Noble.

Members Absent: McKinley, Ranking Member (excused).

Committee Business: Presentations by the Iowa Law Enforcement Academy and the Department of Corrections.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Thursday, February 15, 2007, 10:30 a.m.

Members Present: McCoy, Chair; Putney, Ranking Member; Beall and McKibben.

Members Absent: Warnstadt, Vice Chair (excused).

Committee Business: Presentations by Iowa schools and universities.

Adjourned: 11:50 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 16, by Wieck, Boettger, Zaun, McKinley, Noble, Putney, Gaskill, Behn, Lundby, Johnson, McKibben, Angelo, Hahn, Kettering, Zieman, Seymour, Hartsuch, Mulder, Ward, and Houser, a resolution designating May 1 as Iowa Right to Work Day.

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

INTRODUCTION OF BILLS

Senate File 179, by McKibben, Angelo, Putney, Lundby, Behn, Gaskill, Seymour, Noble, Zaun, McKinley, Mulder, Johnson, Ward, Hartsuch, Zieman, Boettger, Kettering, Wieck, Houser, and Hahn, a bill for an act providing a small business health care tax credit, and providing for a retroactive applicability date.

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

Senate File 180, by McKibben, Angelo, Putney, Lundby, Behn, Gaskill, Seymour, Noble, Zaun, McKinley, Mulder, Johnson, Ward, Hartsuch, Zieman, Boettger, Kettering, Wieck, Houser, and Hahn, 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 181, by McKibben, Angelo, Putney, Lundby, Behn, Gaskill, Seymour, Noble, Zaun, McKinley, Johnson, Ward, Hartsuch, Zieman, Boettger, Kettering, Wieck, Houser, and Hahn, a bill for an act relating to the repeal of the state inheritance tax and state qualified use inheritance tax.

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

Senate File 182, by Dotzler, Ragan, Hatch, Appel, Rielly, Stewart, Bolkcom, Schmitz, Danielson, Dvorsky, Warnstadt, Horn, McCoy, Hancock, Olive, Dearden, Fraise, Gronstal, Kibbie, Black, Courtney, and Beall, a bill for an act providing that employees should be paid based on comparable worth and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

Senate File 183, by Dotzler, Danielson, Heckroth, Dvorsky, Horn, Seng, Hatch, Hancock, Beall, Olive, Wood, Appel, Courtney, Fraise, Gronstal, Kibbie, Black, McCoy, Connolly, Stewart, Ragan, Schmitz, Kreiman, Rielly, Schoenjahn, and Bolkcom, a bill for an act creating a film, television, and video project promotion program and fund and an Iowa film advisory board, providing tax credits and income exclusions, making appropriations, and including effective and retroactive applicability dates.

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

Senate File 184, by Dotzler, a bill for an act relating to hotel, food establishment, and food processing plant licensing and inspection, providing fees, making penalties applicable, making an appropriation, and providing an effective date.

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

Senate File 185, by Zaun, Angelo, Behn, Boettger, and Johnson, a bill for an act requiring public libraries that receive state funding to adopt certain policies.

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

Senate File 186, by McKinley and Kreiman, a bill for an act relating to councils of governments by making technical changes and by designating a new council of governments area.

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

Senate File 187, 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 188, by Beall, Dotzler, Danielson, Ragan, Kreiman, Schmitz, Wood, Connolly, Stewart, Black, Kibbie, Gronstal, Appel, Fraise, Dearden, Olive, Quirmbach, Dvorsky, Hancock, Horn, Seymour, Mulder, McKinley, Johnson, Ward, Zieman, Boettger, Angelo, McKibben, Hahn, Houser, and Noble, 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 189, by Angelo, Ward, Seymour, Zaun, McKinley, McKibben, Gaskill, Hahn, Johnson, and Wieck, a bill for an act relating to tuition rates at state universities by providing resident status to the children of alumni and by creating a college costs predictability program to be administered by the state board of regents.

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

Senate File 190, by Hatch, a bill for an act requiring certain providers under the state child care assistance program to be regulated by the department of human services.

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

Senate File 191, by Beall, Stewart, Kreiman, Ragan, Danielson, Dotzler, Dvorsky, Schmitz, Dearden, Appel, Fraise, Courtney, Gronstal, Kibbie, Bolkcom, Quirmbach, McCoy, Connolly, Black, Hatch, Schoenjahn, Heckroth, and Mulder, a bill for an act requiring certain health insurance policies to provide coverage for colorectal and 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 192, by Bolkcom, a bill for an act relating to a change in the compulsory education attendance age and providing an effective date.

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

Senate File 193, by Rielly, a bill for an act allowing small business wellness and disease management initiatives, and providing an effective date.

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

Senate File 194, by McKibben, Putney, Behn, Gaskill, Noble, Seymour, McKinley, Zaun, Ward, Hartsuch, Boettger, Angelo, Wieck, and Hahn, a bill for 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**.

Senate File 195, by Hogg, a bill for an act relating to waste tires deposited on land owned by a nonprofit organization.

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

Senate File 196, by Hogg, a bill for an act providing for a use tax refund for certain fuel-efficient motor vehicles, and making an appropriation.

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

Senate File 197, by Hogg, a bill for an act providing for the establishment of a math and science education improvement grant program, and providing appropriations.

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

Senate File 198, by Hatch, Dvorsky, Hogg, Connolly, Kreiman, Quirnbach, Wood, Dearden, Appel, Kibbie, and Schoenjahn, 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 199, by committee on State Government, a bill for an act granting the civil rights commission additional subpoena power to investigate unfair or discriminatory practices and providing an effective date.

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

STUDY BILLS RECEIVED

SSB 1241 State Government

Concerning the department of administrative services and providing an effective date.

SSB 1242 Ways and Means

Requiring combined corporate tax returns for unitary businesses and including a retroactive applicability date provision.

SSB 1243 Ways and Means

Relating to hybrid and alternative fuel motor vehicles by replacing the current deduction with an individual income tax credit, and including effective and retroactive applicability date provisions.

SSB 1244 Natural Resources and Environment

Relating to the development, management, and efficient use of energy resources in the state.

SUBCOMMITTEE ASSIGNMENTS

Senate File 82

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Bolkcom and Johnson

Senate File 144

COMMERCE: McCoy, Chair; Courtney and Ward

Senate File 152

TRANSPORTATION: Danielson, Chair; Heckroth and Putney

Senate File 157

JUDICIARY: Kreiman, Chair; Dvorsky and Ward

Senate File 159

JUDICIARY: Hogg, Chair; Fraise and Ward

Senate File 167

EDUCATION: Connolly, Chair; Mulder and Schmitz

Senate File 176

JUDICIARY: Kreiman, Chair; Dvorsky and Ward

Senate File 177

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 184

HUMAN RESOURCES: Dotzler, Chair; Johnson and Wood

SSB 1241

STATE GOVERNMENT: Danielson, Chair; Appel and Hahn

SSB 1242

WAYS AND MEANS: Quirmbach, Chair; Bolkcom and McKibben

SSB 1243

WAYS AND MEANS: Bolkcom, Chair; Angelo and Connolly

SSB 1244

NATURAL RESOURCES AND ENVIRONMENT: Bolkcom, Chair; Behn and Hogg

FINAL COMMITTEE REPORTS OF BILL ACTION**HUMAN RESOURCES**

Bill Title: SENATE FILE 187 (SSB 1077), 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, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirmbach, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: SENATE FILE 90, a bill for an act concerning local emergency management commission communications.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Quirnbach, Beall, Hartsuch, Heckroth, Kreiman, Olive, Rielly, Schoenjahn, and Stewart. Nays, 1: Zaun. Absent, 3: Angelo, Houser, and McKinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: SENATE FILE 7, a bill for an act allowing cash prizes at annual game nights conducted by qualified organizations representing volunteer emergency services providers.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 199 (SSB 1019), a bill for an act granting the civil rights commission additional subpoena power to investigate unfair or discriminatory practices and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, 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 State Government Committee on Senate File 199, and they were attached to the committee report.

AMENDMENT FILED

S-3034

S.F. 78

Tom Hancock
Dennis H. Black
Larry Noble

JOURNAL OF THE SENATE

FORTY-THIRD CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 19, 2007

The Senate met in regular session at 1:00 p.m., President Kibbie presiding.

Prayer was offered by Reverend Dennis Johnson, pastor of the Lutheran Church of the Resurrection in Marion, Iowa. He was the guest of Senator Lundby.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Shauna Agan.

The Journal of Thursday, February 15, 2007, was approved.

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 February 13, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 109, 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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:35 p.m. until 8:45 a.m., Tuesday, February 20, 2007.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Agnes Weber, Sioux City—For celebrating her 80th birthday. Senator Warnstad (2/19/07).

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:

COUNTY REAL ESTATE ELECTRONIC GOVERNMENT ADVISORY COMMITTEE

Third supplemental report, pursuant to 2006 Iowa Acts, House File 2794. Report received on February 15, 2007.

DEPARTMENT OF REVENUE

2006 report of the Iowa Streamlined Sales Tax Advisory Council, pursuant to 2006 Iowa Acts, House File 683. Report received on February 19, 2007.

REPORTS OF COMMITTEE MEETINGS

ECONOMIC GROWTH

Convened: Thursday, February 15, 2007, 2:35 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, and Zaun.

Members Absent: Houser, Ranking Member (excused).

Committee Business: Approved SSB 1017 and presentation by the University of Iowa.

Adjourned: 3:40 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Thursday, February 15, 2007, 10:30 a.m.

Members Present: Dotzler, Chair; Heckroth, Vice Chair; Kettering, Ranking Member; Olive and Ward.

Members Absent: None.

Committee Business: Presentation by the University of Iowa.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, February 15, 2007, 10:35 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Discussion of mental health issues.

Adjourned: 11:50 a.m.

STATE GOVERNMENT

Convened: Monday, February 19, 2007, 2:35 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Zieman, Ranking Member; Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood.

Members Absent: None.

Committee Business: Approved SSB 1172.

Adjourned: 2:50 p.m.

INTRODUCTION OF BILLS

Senate File 200, by committee on Judiciary, a bill for an act providing for the liability of a landowner of land where livestock are kept or an owner of adjoining land for erecting and maintaining a fence, and providing for the assessment of property taxes.

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

Senate File 201, by committee on Local Government, a bill for an act relating to county recorder fees for certified copies of certain vital statistics records, and providing an effective date.

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

Senate File 202, by committee on State Government, a bill for an act relating to the disposition of certain unclaimed property.

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

Senate File 203, by committee on Natural Resources and Environment, a bill for an act requiring certain 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 204, by committee on Judiciary, a bill for an act relating to the department of public safety practices and procedures.

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

Senate File 205, by committee on Economic Growth, a bill for an act relating to the use of moneys in the Iowa cultural trust grant account by the board of trustees of the Iowa cultural trust.

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

Senate File 206, by committee on Commerce, a bill for an act authorizing the formation of a professional corporation or a professional limited liability company by licensed real estate brokers.

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

Senate File 207, by committee on Local Government, a bill for an act concerning local emergency management commission communications.

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

Senate File 208, by committee on Local Government, a bill for an act relating to documents recorded with the county recorder.

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

Senate File 209, by Bolkcom, a bill for an act providing for an Iowa farm-to-school program.

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

Senate File 210, by Bolkcom, 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 211, by Bolkcom and Appel, a bill for an act establishing a task force to set state level nutrition standards for school districts and licensed preschools.

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

Senate File 212, 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 213, by Danielson, a bill for an act relating to deficiencies in the repair or construction of residential real property.

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

Senate File 214, by Danielson, a bill for an act requiring the dissemination of a medical assistance summary notice to all program recipients.

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

Senate File 215, by Danielson, a bill for an act providing for the modification of property divisions made pursuant to a dissolution of marriage.

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

Senate File 216, by Danielson and Horn, a bill for an act providing for candidate physical ability tests for fire fighter applicants under the statewide fire and police retirement system.

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

Senate File 217, by Danielson, a bill for an act relating to emergency medical services training.

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

Senate File 218, by Danielson, Zieman, Hahn, Bolkcom, Ragan, Hancock, Zaun, Kettering, Houser, Gaskill, Schoenjahn, Black, Courtney, Dearden, Lundby, Fraise, Mulder, Kreiman, Horn, Connolly, Stewart, Dotzler, Dvorsky, Warnstadt, McCoy, Rielly, Olive, Appel, Kibbie, Wood, Schmitz, and Beall, a bill for an act concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans and allowable prizes at annual game nights.

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

Senate File 219, by Danielson, a bill for an act concerning social gambling by religious institutions.

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

Senate File 220, by Danielson, a bill for an act allowing a resident deer hunter to use a first shotgun season deer hunting license during the second shotgun deer hunting season to fill an unused tag.

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

Senate File 221, by Danielson, a bill for an act providing a sales tax exemption for the construction and operation of nonprofit organizations that receive and distribute food.

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

Senate File 222, by Hogg, a bill for an act relating to the Iowa economic emergency fund and the cash reserve fund by increasing the maximum balances of the funds and authorizing a contingent appropriation.

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

STUDY BILLS RECEIVED

SSB 1245 Natural Resources and Environment

Relating to the regulation of snowmobiles and all-terrain vehicles, and providing fees and penalties.

SSB 1246 Judiciary

Concerning the recognition and enforcement of civil judgments, orders, and decrees issued by a tribal court of a federally recognized Indian tribe and including an applicability provision.

SUBCOMMITTEE ASSIGNMENTS

Senate File 112

STATE GOVERNMENT: Horn, Chair; Kibbie and Ziemann

Senate File 122

WAYS AND MEANS: Quirnbach, Chair; Noble and Seng

Senate File 158

ECONOMIC GROWTH: Beall, Chair; Mulder and Schmitz

Senate File 168

WAYS AND MEANS: Connolly, Chair; Putney and Schmitz

Senate File 171

WAYS AND MEANS: Bolkcom, Chair; Connolly and Wieck

Senate File 172

WAYS AND MEANS: Bolkcom, Chair; Angelo and Connolly

Senate File 178

WAYS AND MEANS: Dotzler, Chair; Putney and Stewart

Senate File 180

JUDICIARY: Kreiman, Chair; Dvorsky and McKibben

Senate File 183

ECONOMIC GROWTH: Dotzler, Chair; Rielly and Zaun

Senate File 190

HUMAN RESOURCES: Kreiman, Chair; Bolkcom and Johnson

Senate File 194

JUDICIARY: Kreiman, Chair; Dvorsky and McKibben

Senate File 195

NATURAL RESOURCES AND ENVIRONMENT: Hogg, Chair; Noble and Schoenjahn

Senate File 198

JUDICIARY: Dvorsky, Chair; Quirnbach and Zieman

House File 199

JUDICIARY: Schoenjahn, Chair; Kreiman and Noble

SSB 1245

NATURAL RESOURCES AND ENVIRONMENT: Hancock, Chair; Gaskill and Schoenjahn

SSB 1246

JUDICIARY: Kreiman, Chair; Ward and Warnstadt

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: *SENATE FILE 206 (SSB 1174), a bill for an act authorizing the formation of a professional corporation or a professional limited liability company by licensed real estate brokers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Warnstadt, Heckroth, Wieck, Bolkcom, McKibben, Olive, Putney, Schoenjahn, and Stewart. Nays, none. Absent, 6: Angelo, Courtney, Kettering, McCoy, Rielly, 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 Commerce Committee on Senate File 206, and they were attached to the committee report.

ECONOMIC GROWTH

Bill Title: SENATE FILE 205 (SSB 1017), a bill for an act relating to the use of moneys in the Iowa cultural trust grant account by the board of trustees of the Iowa cultural trust.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Stewart, Olive, Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, and Zaun. Nays, none. Absent, 1: Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: *SENATE FILE 200 (formerly SF 14), a bill for an act providing for the liability of a landowner of land where livestock are kept or an owner of adjoining land for erecting and maintaining a fence, and providing for the assessment of property taxes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, 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 Judiciary Committee on Senate File 200, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 204 (SSB 1188), a bill for an act relating to the department of public safety practices and procedures.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, 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 Judiciary Committee on Senate File 204, and they were attached to the committee report.

LOCAL GOVERNMENT

Bill Title: *SENATE FILE 201 (SSB 1127), a bill for an act relating to county recorder fees for certified copies of certain vital statistics records, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Quirnbach, Beall, Zaun, Hartsuch, Heckroth, Kreiman, Olive, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, 3: Angelo, Houser, and McKinley.

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 201, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 207 (formerly SF 90), a bill for an act concerning local emergency management commission communications.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Quirnbach, Beall, Hartsuch, Heckroth, Kreiman, Olive, Rielly, Schoenjahn, and Stewart. Nays, 1: Zaun. Absent, 3: Angelo, Houser, and McKinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 208 (SSB 1191), a bill for an act relating to documents recorded with the county recorder.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Quirnbach, Beall, Zaun, Hartsuch, Heckroth, Kreiman, Olive, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, 3: Angelo, Houser, and McKinley.

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 208, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 212 (SSB 1126), 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, 10: Quirnbach, Beall, Zaun, Hartsuch, Heckroth, Kreiman, Olive, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, 3: Angelo, Houser, and McKinley.

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 212, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: SENATE FILE 203 (formerly SF 149), a bill for an act requiring certain 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, Hancock, Gaskill, Behn, Bolkom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, and Seng. Nays, none. Absent, 2: Schoenjahn and Wood.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: *SENATE FILE 202 (SSB 1086), a bill for an act relating to the disposition of certain unclaimed property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, 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 State Government Committee on Senate File 202, and they were attached to the committee report.

AMENDMENTS FILED

S-3035	S.F.	169	Frank B. Wood
S-3036	S.F.	7	Tom Hancock

JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 20, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by the Honorable Gene Fraise, member of the Senate from Lee County, Fort Madison, Iowa.

The Journal of Monday, February 19, 2007, 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 20, 2007, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 6, that a joint convention of the two houses of the 2007 session of the Eighty-second General Assembly be held on Tuesday, March 20, 2007, at 9:00 a.m. for Major General Ron Dardis to present his message of the Condition of the Iowa National Guard.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Concurrent Resolution 6.

House Concurrent Resolution 6

On motion of Senator Gronstal, **House Concurrent Resolution 6**, that a joint convention of the two houses of the 2007 session of the Eighty-second General Assembly be held on Tuesday, March 20, 2007, at 9:00 a.m. for Major General Ron Dardis to present his message of the Condition of the Iowa National Guard, was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 6, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Concurrent Resolution 6** 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 6, 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 6, duly adopted, the joint convention was called to order at 9:04 a.m., President Kibbie 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 six, three members from the Senate and three members from the House, be appointed to escort Governor Chester J. Culver to the House chamber.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Hancock, Rielly, and McKinley, on the part of the Senate, and Representatives D. Olson, Berry, and Worthan, on the part of the House.

Senator Gronstal moved that a committee of ten, five members from the Senate and five 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 Warnstadt, Danielson, Wood, Seymour, and Noble, on the part of the Senate, and Representatives Bailey, Whitead, Jacoby, Tymeson, and Windschitl, on the part of the House.

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

Major General Dardis's wife, Carmel, was escorted into the House chamber.

Lieutenant Governor Patty Judge was escorted into the House chamber.

The committee waited upon Governor Chester J. Culver 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 Kibbie presented Major General Ron Dardis, Adjutant General of the Iowa National Guard, who delivered the following Condition of the Iowa National Guard address:

Thank you very much. I am honored once again to stand before you representing the fine men and women of the Iowa National Guard team—a team drawn from throughout Iowa's communities, large and small, dedicated to excellence and committed to defending our state and nation, both here at home and around the world.

Speaker Murphy, President Kibbie—thank you for the invitation to present the Condition of the National Guard address before this joint convention of the Eighty-second General Assembly of the Iowa Legislature.

Governor Culver, Lieutenant Governor Judge, members of the General Assembly, distinguished guests, fellow Iowans:

I am pleased to report the Iowa National Guard is strong—quite possibly the strongest it has been in generations. During the first five months of this recruiting year, the Iowa Army National Guard set recruiting records by enlisting more new soldiers during that period than ever before. Both the Iowa Army and Air National Guard remain at over 100 percent strength—thanks in large part to members who have chosen to continue serving after their current enlistments expire.

The Iowa National Guard is a national leader, consistently ranking near the top among the 54 states and territories. Our ranks are filled with dedicated, skilled, and experienced combat and deployment veterans who remain ready and willing to serve when called. Our infrastructure and facilities programs have provided quality facilities where our service members can work and train. Our units continue to meet requirements to source, train, and equip soldiers and airmen for the Global War on Terrorism. Our employer and family support programs remain strong and vibrant. We continue to have sufficient resources to meet our homeland security requirements despite equipment challenges caused by the Global War on Terrorism and service transformation.

Our soldiers and airmen have built strong relationships and developed vital capabilities with local, state, and federal law enforcement and homeland security agencies. Our soldiers and airmen add vitality to our communities by serving as role models to young Iowans and by giving back with their time and talents. Our soldiers and airmen are proud of their military heritage, they are proud of their service and performance in the Global War on Terrorism, and they are proud to be part of America's national defense team. Simply put, the soldiers and airmen of the Iowa National Guard are strong—Iowa strong!

Some may ask, "How can this be?" After six years of war, multiple deployments, long and difficult mobilizations, hardship and loss—how can the Iowa National Guard be in such good shape? The answer is simple—it's people. We are blessed with remarkable and talented service members who are committed to and believe in what they are doing; who are supported by understanding families, employers, and communities; and who benefit greatly from the benefits and incentives provided by their state and nation.

A prime example of this is the veterans' supplemental appropriation passed by the legislature and signed into law by Governor Culver last week. The Home Ownership Assistance Program and the Injured Veteran Grant Program both received a much-needed infusion of cash—\$2 million each. These are wonderful programs that keep the faith with those who have sacrificed to protect our state and defend our nation. The Injured Veteran Grant Program is a critical benefit that helps families cope during difficult and trying times. The Home Ownership Assistance Program, coupled with membership in the Iowa National Guard and participation in the Iowa National Guard Tuition Assistance Program, helps create powerful opportunities for our young soldiers, airmen, and their families to live, learn, and lead happy and fulfilling lives right here in Iowa. These young men and women join Iowa National Guard units, they attend Iowa colleges and universities, they are hired by Iowa employers, and they buy Iowa homes, all of which creates a solid foundation for maintaining Iowa roots. None of this would be possible without these significant investments made by the citizens of Iowa.

Additionally, your financial support of our capital and infrastructure programs enables us to leverage federal dollars to begin upgrading and refurbishing armories

and maintenance facilities in critical locations around the state. This allows us to provide our soldiers and airmen with facilities that are on par with local school buildings, business facilities, and other community amenities. On behalf of the Iowa National Guard team, I want to publicly thank the legislature and all Iowans for their unmatched support of the infrastructure and quality of life programs for soldiers, airmen, and veterans. This support has truly made a difference.

Governor Culver, I also want to thank you for your strong support of the Iowa National Guard. During our very first meeting together, you said, "What more can we do to help the young men and women serving and sacrificing today?" We greatly appreciate your support of our programs. Your decision to issue proclamations lowering flags to half-staff is a fitting tribute in honor of our fallen comrades and a moving reminder to all Iowans of the cost and sacrifice of war. Governor, thank you for this truly remarkable gesture of respect and honor for Iowans who have given their lives in defense of our state and nation.

With us today is very special group of people. For them, sacrifice, honor, and hero are not words to be taken lightly. They are the families of our most recent Iowa National Guard soldiers lost in battle. At this time, I ask the family members to stand as I call the name of your fallen hero:

- Sergeant Daniel L. Sesker, April 6, 2006—Operation Iraqi Freedom
- Sergeant Kampha B. Sourivoung, September 30, 2006—Operation Iraqi Freedom
- Sergeant First Class Scott E. Nisely, September 30, 2006—Operation Iraqi Freedom
- Command Sergeant Major Marilyn L. Gabbard, January 20, 2007—Operation Iraqi Freedom

These three men and one woman will long be remembered as heroes, not because of how they died but because of how they lived. They lived in service to their state and nation, they lived to be part of something larger than themselves, and they lived to make a difference in the lives of others. These humble soldiers stepped forward so others wouldn't have to; they willingly put themselves in harm's way to defend our nation and bring freedom and liberty to an oppressed people.

To you, the families left behind, there are no words or deeds to offer that will take away your pain or fill the void left by the loss of your loved one. I only hope that you receive some small measure of comfort in knowing that millions of Iowans stand with you to honor the memory of your fallen hero. We are humbled by your presence with us today, we are eternally grateful for your sacrifice on behalf of our nation, and we are honored to have this opportunity to comfort and salute you.

As we gather here today, nearly 1100 Iowa National Guard soldiers and airmen are currently deployed or are preparing to deploy in support of the Global War on Terrorism. They are doing dangerous and important work—performing security, aviation, and support missions in Iraq and training the Afghan National Army. They are performing bravely and doing a superb job. I ask all Iowans to remember and pray for all our military members and their families.

The National Guard is a uniquely American organization with a proud military lineage and strong community ties. Despite recent attention focused on the National Guard resulting from its support and participation in the Global War on Terrorism, many Iowans do not fully understand or appreciate the role, mission, and responsibility the National Guard plays in securing the homeland and defending our national interest.

The National Guard is a community-based organization with global responsibilities. It plays a unique role in our national defense strategy. Because of its funding, structure, and constitutional origins, the National Guard spans the federal-state

divide, provides balance between our active and reserve component military, and helps connect the American public to military operations conducted on their behalf. In an era when less than one percent of the American population serves in uniform or has any association to the military, this connection is critically important.

The National Guard is a vital element of the nation's all-volunteer force, a thirty-four-year-old concept that is being tested like never before. In the past six years, the reserve component has provided nearly half of the military forces required for the Global War on Terrorism. And as I've reported many times from this rostrum, the Iowa National Guard has been at the forefront of this effort, mobilizing and deploying more than 9,500 soldiers and airmen—more than 100 percent of our authorized strength.

Some wonder why so much reliance on the National Guard and whether this level of use is appropriate. Since the end of the Cold War, the National Guard has evolved from a strategic to an operational reserve of the active duty military. Cuts in the size of our active duty military following the end of the Cold War, coupled with federal mobilization and sourcing policies, have created a situation that when this nation goes to war it must necessarily rely on its reserve component forces. Many have realized that cuts in the size of the active component following the end of the Cold War were too great.

Congress and the Department of Defense are working to increase the number of military members serving on active duty. Replacing them will take time. And given current operational needs, it is clear demand for reserve component forces will continue.

Because we have a federal mission to provide combat-ready units in support of the national military strategy, more than 95 percent of our budget is provided by the federal government. That means this year alone more than \$375 million in federal funding came into the state to pay our soldiers and airmen, fund our training and operations, procure our equipment, and support our infrastructure programs.

This funding results in an economic impact of more than a half billion dollars to the state of Iowa. This investment by the federal government enables us to meet our state mission requirements of providing units and equipment to protect life and property, coming to the aid of Iowans in time of need, preserving peace and order, and ensuring public safety for our fellow citizens.

Many of you have asked about the status of our equipment and whether we have sufficient equipment to perform our state mission requirements. Allow me to put your mind at ease: We have adequate equipment to perform our ten core capabilities for homeland security and homeland defense. That's not to say we don't have equipment shortfalls overall—clearly we do—but when it comes to having what we need to perform our state mission, I am confident we can get the job done.

The equipment issues of most concern to us deal with having what we need to train and prepare in support of the Global War on Terrorism. Transformation and mobilizations have left us short in a few critical areas. The Iowa National Guard is not alone. The National Guard Bureau has asked the U.S. Army for \$21 billion in funding to modernize equipment; the Army has indicated that it will allocate those funds to be spent over a seven-year period. The Iowa National Guard will benefit from these equipment upgrades.

As an operational reserve of the active duty military, mobilizations and deployments of Iowa National Guard Army and Air units will continue for the foreseeable future. After six years of war, anyone joining our ranks today knows and understands this fact. Working through the National Guard Bureau and the Secretary of Defense, we have sought to establish some level of predictability for our service

members, their families, and employers. As a result, the Department of Defense recently announced significant changes in its mobilization policy goals.

First and foremost is its desire to limit reserve component call-ups to 365 days, start to finish, including predeployment training and boots-on-the-ground time. This is a significant change to the 18- to 24-month call-ups we experienced in the past. Second, the new policy seeks to provide reserve component soldiers with a minimum of 60 months between mobilizations.

In order to accomplish these goals, the Iowa National Guard will play a larger role in training and validating service members prior to mobilizing. This will change the time commitments our traditional members typically make in support of their military duties in the months preceding deployments.

In order to facilitate the transition to this new policy, the Secretary of Defense has modified the cumulative limit of 24 months for involuntary mobilizations. This change effectively resets everyone's mobilization clock. Regardless of prior mobilizations in the past six years, all of our members are now eligible for immediate involuntary call-ups. While this could have adverse effects on some units and selected leadership personnel, we expect the majority of our soldiers and airmen to have a minimum of 48 months between deployments. However, in war nothing is certain. We understand and ask our members, families, and employers to recognize that the new mobilization strategy is a goal, not a set-in-stone policy.

Like we have seen in the past, most recently with the extension of the 1-133rd Infantry Battalion, sourcing requirements generated by the Global War on Terrorism may break stated policy goals. When this happens, the Iowa National Guard, working through family and soldier readiness programs, will do everything it can to help those most impacted by these events.

The recent alert of the 833rd Engineer Company from Ottumwa is clearly a break in the Department of Defense's mobilization policy goal. This company was previously deployed with the 224th Engineer Battalion in support of Operation Iraqi Freedom from October 2004 until December 2005. The soldiers from this company have been home for less than 14 months and are now preparing for another deployment. This unit is being alerted because it is the best of its kind in the U.S. Army. I know these soldiers will serve honorably and with distinction, just like they did before. Our thoughts and prayers go out to the families who must now prepare for another separation.

Because the Department of Defense is breaking its stated goals, the right and fair thing for it to do is provide an appropriate package of federal benefits and incentives to compensate for the additional burdens the department is placing on these soldiers and their families. I've asked Governor Culver to carry this issue forward to make sure it gets the attention it deserves.

The sacrifice made by the families of our deployed soldiers and airmen is an often unseen aspect of the Global War on Terrorism. In many respects, these noble Americans alone bear the home-front burden of fighting the Global War on Terrorism. While their loved ones go off to war, they remain behind in a nation where for the majority of the population, daily life remains unchanged. Each of them, in their own way, learns to cope with the separation, anxiety, and uncertainty that come with long deployments. They keep the "home fires" burning so their loved ones can remain focused on their mission. Although often overlooked, these brave Americans are an important part of the nation's defense team.

With me today are representatives from the family support groups of our current deployed Iowa National Guard soldiers. Please join me in honoring and thanking them for their strong support of their loved ones and the key role they play in contributing to successful deployments.

The vast majority of our citizen soldiers and airmen maintain full-time employment in addition to their military careers. Mobilizations and deployments have significant impacts on their employers. They must do without or hire replacement workers to fill the void. In spite of these hardships, many employers choose to continue providing compensation and benefits while their service members are deployed. They reach out and do what they can to help families cope with separation. They work with our service members to provide them with the flexibility they need to prepare and train for their deployments. We couldn't succeed without the tremendous help and support of our employers.

Barry Spear, the state chairman of the Employer Support of the Guard and Reserve, and his committees work to educate service members and their employers on the rights and obligations each have in this process. Like families, employers play an important role in the success of the Iowa National Guard. With Barry in the gallery today are Dennis McGuire from Allied Insurance, Kent Simmer from Des Moines Bolt and Supply Co., and Jim Leach from John Deere Des Moines Works. These gentlemen represent the hundreds of employers around this great state who employ and support our soldiers and airmen. Please join me in thanking them for being part of America's national defense team.

Community participation and support are other vital elements in the success of the Iowa National Guard. Our soldiers and airmen participate in community programs that add value to our communities, to Iowa, and to America. They work to be true role models and make our communities safer and better places to raise our families. In turn, our communities provide us with unbelievable support.

In light of the debate and rhetoric about the Global War on Terrorism, one of the greatest concerns our service members express is whether the American people continue to support them. We need look no further than the gallery for an answer. Here today are a number of community groups that are making a difference in the lives of our service members and their families. They represent but a few of the thousands of such individuals and groups throughout our state and nation.

The Patriot Guard Riders is full of noble Americans who have made it their mission to ensure our military members and their families receive the support and honor they deserve. They are there when we send our units off to war; they are there to help welcome them home; and on those sad occasions when we lay to rest those lost in battle, they are here to show the colors, protect the family, and honor the fallen.

Iowa's Bravest is another community group that is committed to standing with our service members. Formed shortly after the war began in 2003, this group wanted to ensure the men and women fighting this war were treated better than their Vietnam era counterparts. This group has grown immensely in the last few years and now includes many community members, schoolchildren, Boy and Girl Scout troops, veterans' organizations, churches, and businesses. To date, they have sent nearly 1,650 care packages containing over 27,000 pounds of items to deployed Iowa service members serving overseas.

The Iowa Cattlemen's Association raised more than \$75,000 from hundreds of individual cattlemen and cattlemen's organizations to send over three and half tons of beef sticks to deployed Iowa National Guard and Iowa Reserve units. In addition, they donated more than \$7,200 to help meet the emergency needs of deployed service members and their families. We thank Iowa's cattlemen and women for bringing a little taste of home to those deployed and helping those left behind. But most important, we thank them for standing with our soldiers and airmen as they sacrifice to protect our values and freedoms.

Over the years, the Iowa Cubs have shown great community support for our soldiers and airmen by sponsoring an Iowa National Guard Night at Principal Park.

They have given away thousands of tickets to our members and their families in appreciation for the sacrifices they make in protecting our state and nation.

The Des Moines Menace donated 100 soccer balls to the 1-133rd Infantry Battalion for them to provide to a youth soccer park in Baghdad. This donation helps our soldiers build goodwill while they patrol Iraqi streets.

Carl Jacob, the “Tootsie Roll Man,” is a Charles City Vietnam vet who wanted to do something for our soldiers. Remembering his days on patrol in Vietnam where he substituted Tootsie Roll pops for cigarettes, Carl knew what to do. He immediately went to the Tootsie Roll company and asked for their help, which has resulted in more than 100,000 Tootsie Rolls, Tootsie Roll pops, and other Tootsie Roll candy products being sent to our deployed Iowa National Guard soldiers.

Carol Duncan, the phone card lady, is a Camp Dodge institution. Carol has done more than any other Iowan to help our service members and their families stay connected by raising more than \$70,000 in phone cards to send with our deployed units.

These are but a few of the millions of grateful Americans who stand with our soldiers and airmen. They didn’t wait idly by for someone to give them a role to play in the Global War on Terrorism. They looked around and said, “Here’s what I can do, these are my talents, this is what needs to be done, and this is what I can contribute on behalf of those on whom we have placed such a heavy burden.” These humble and caring citizens are an example to all of us of the generosity and gratitude of the American people. Please join me in showing our appreciation for all they have done.

As I wrap up my comments, I want to introduce you to a few of our citizen soldiers and airmen sitting in the gallery. They represent some of the significant accomplishments and contributions our members have made this past year.

The 2168th Transportation Company, Iowa Army National Guard, received the National Defense Transportation Association’s Transportation Unit of the Year Award for its distinguished service during its 2005 deployment to Iraq. While deployed to Iraq, the unit logged over 2 million miles and delivered more than 15 thousand pieces of equipment to support the war effort—all without accident, damage to equipment being delivered, or loss of a single soldier.

The 132nd Fighter Wing, Iowa Air National Guard, was selected as the recipient of the 2006 Air Force Outstanding Unit Award, a national honor, for exceptional meritorious service from September 1, 2004, to August 31, 2006. This is an extraordinary accomplishment by a truly outstanding unit.

The 185th Air Refueling Wing, Iowa Air National Guard, continued to support the Global War on Terrorism with individual and group deployments while completing a conversion. Their new mission has taken them to many locations across the globe—Europe, the Middle East, the Caribbean, the North Atlantic, the South Pacific, Asia, and various U.S. locations, including Alaska and Hawaii. Three weeks ago, the 185th participated in the Ability to Survive and Operate exercise to verify personnel would be ready to deploy at a moment’s notice to anywhere in the world, and survive. This was the unit’s first Operational Readiness Inspection since converting from F-16 fighters to KC-135 tankers in 2003. They received an “excellent” rating overall—almost unheard of the first time through this type of inspection—a truly remarkable accomplishment.

The 133rd Test Squadron is the only Command and Control Test Squadron in the United States Air Force. The unit is chartered with ensuring that Air Force and Joint military systems are thoroughly tested prior to delivery.

The 3655th Maintenance Company returned from Iraq last year where it established and enforced forward-operating base defenses, which helped protect thousands of coalition forces and civilians, and provided maintenance and training support for critical scout surveillance systems.

The 134th Medical Company returned from Iraq this fall, where its soldiers provided medical support to detainees at Abu Ghraib prison, operated troop medical clinics, provided medical and evacuation support, and trained and gave medical support to Iraqi Special Forces units.

The Joint Forces Headquarters Afghan National Army training team returned from Afghanistan last summer where they trained, mentored, and advised more than 2,000 Afghan National Army soldiers during more than 50 major combat operations and patrols.

Ladies and gentlemen, please join me in thanking these great soldiers and airmen for all they and their colleagues have done for our state and nation.

I want to end with an extraordinary story about a few dedicated members of Troop C, 1st Squadron, 113th Cavalry. This unit was deployed to Iraq last year. On May 20, 2006, these troopers were on mission in Baghdad when they heard a large explosion. The mission leader, Staff Sergeant Jeremy Koch, immediately ordered his squad to turn around and investigate. Arriving on scene they saw wounded U.S. personnel and civilians on the ground. Without regard for their own personal safety, they established security and began first aid.

As they began treating the injured, Staff Sergeant Koch came upon CBS reporter Kimberly Dozier. He immediately saw that her injuries were life-threatening and began first aid. Staff Sergeant Koch stayed with Ms. Dozier the entire time, treating her injuries and providing comfort. Staff Sergeant Koch, along with Staff Sergeant Mitchell Hall, Sergeant Patrick Flattery, and Specialist Corey Heaberlin, stayed on the ground providing security and critical first aid for 45 minutes while waiting for a MEDEVAC to arrive.

One U.S. service member, one U.S. local national interpreter, and two CBS crewman died in the explosion. Six U.S. service members and one U.S. civilian, Kimberly Dozier, the CBS reporter, were injured. Had these brave troopers not arrived on the scene when they did, the death toll surely would have been higher. In doing their job that day, these ordinary soldiers did something extraordinary. Someone needed help, and these humble soldiers from the heartland stepped forward without hesitation. They will insist they did nothing special or unique; they were just doing their duty.

Every day around the world thousands of brave Americans put their lives on the line to do their duty. We must never forget what they are doing for all of us. Please join me in thanking these outstanding soldiers for their service on behalf of our state and nation.

Ladies and gentlemen, thanks for allowing me to share my comments with you today, and thank you for your continued 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, the great state of Iowa, and the United States of America! Thank you!

Major General Ron Dardis was escorted from the House chamber by the committee previously appointed.

Governor Chester J. Culver was escorted from the House chamber by the committee previously appointed.

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

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:52 a.m. until the completion of a meeting of the committee on Agriculture.

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Kibbie presiding.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:31 p.m. until 9:00 a.m., Wednesday, February 21, 2007.

APPENDIX**CERTIFICATES OF RECOGNITION**

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

Glenn and Treva Beard—For celebrating their 70th wedding anniversary. Senator Courtney (2/20/07).

Candace Carlson, Council Bluffs—For achieving national recognition for exemplary volunteer service by receiving a 2007 Prudential Spirit of Community Award. Senator Houser (2/20/07).

Betty Jean Carter, formerly of Burlington—For celebrating her 75th birthday. Senator Courtney (2/20/07).

Louis Dehner, Burlington—For celebrating his 103rd birthday. Senator Courtney (2/20/07).

Duane and Ruth Dravis—For celebrating their 40th wedding anniversary. Senator Courtney (2/20/07).

Grace Goble—For celebrating her 90th birthday. Senator Courtney (2/20/07).

John and Darlene Hupp, Wapello—For celebrating their 60th wedding anniversary. Senator Courtney (2/20/07).

Virgil and Joyce Kehe, Readlyn—For celebrating their 62nd wedding anniversary. Senator Heckroth (2/20/07).

Jim and Mabel Kelly—For celebrating their 60th wedding anniversary. Senator Courtney (2/20/07).

Norma Lange, Marion—For celebrating her 80th birthday. Senator Courtney (2/20/07).

Irene Anders Renshaw—For celebrating her 80th birthday. Senator Courtney (2/20/07).

Darlene Stevens, Mediapolis—For celebrating her 80th birthday. Senator Courtney (2/20/07).

Gerald Stevens, Mediapolis—For celebrating his 80th birthday. Senator Courtney (2/20/07).

Roy Van Tine—For celebrating his 90th birthday. Senator Courtney (2/20/07).

REPORTS OF COMMITTEE MEETINGS

LOCAL GOVERNMENT

Convened: Monday, February 19, 2007, 2:30 p.m.

Members Present: Quirmbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Angelo, Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart.

Members Absent: None.

Committee Business: Approved SSB 1162 (as amended).

Adjourned: 4:00 p.m.

ECONOMIC GROWTH

Convened: Tuesday, February 20, 2007, 1:10 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Houser, Ranking Member; Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, and Zaun.

Members Absent: None.

Committee Business: Discussion of bills.

Adjourned: 1:20 p.m.

GOVERNMENT OVERSIGHT

Convened: Tuesday, February 20, 2007, 10:20 a.m.

Members Present: Courtney, Chair; Wieck, Ranking Member; Lundby and Schmitz.

Members Absent: Connolly, Vice Chair (excused).

Committee Business: Presentation by the Iowa Communications Network.

Adjourned: 11:20 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, February 20, 2007, 1:05 p.m.

Members Present: Black, Chair; Hancock, Vice Chair; Gaskill, Ranking Member; Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood.

Members Absent: None.

Committee Business: Subcommittee assignments.

Adjourned: 2:20 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Tuesday, February 20, 2007, 10:25 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Presentation by the Department of Human Services.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Tuesday, February 20, 2007, 10:25 a.m.

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

Members Absent: None.

Committee Business: Presentation by the Justice Reform Consortium.

Adjourned: 11:00 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 17, by Appel, a resolution honoring the memory of John Wayne on the 100th anniversary of his birth.

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

INTRODUCTION OF BILLS

Senate File 223, by Warnstadt and Wieck, a bill for an act making an appropriation to the department of education for a pilot program for a summer educational enrichment program for low-income students.

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

Senate File 224, by Bolkcom and McCoy, a bill for an act relating to the Iowa civil rights Act and discrimination based upon a person's sexual orientation or gender identity.

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

Senate File 225, by Hatch, Appel, and Quirmbach, 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 226, by Rielly, a bill for an act relating to issuing subpoenas for an investigation or prosecution of a simple misdemeanor.

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

Senate File 227, by Hogg, a bill for an act relating to agreements to pay compensation to recover or assist in the recovery of certain unclaimed property.

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

Senate File 228, by Bolkcom, a bill for an act relating to the instructional support property tax levy of a school district collected in an urban renewal area and providing for the Act's applicability.

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

Senate File 229, by Bolkcom, a bill for an act providing for the establishment of an energy conservation technician for capitol complex building maintenance purposes, and making an appropriation.

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

Senate File 230, by Bolkcom, a bill for an act requiring certain Iowa national pollutant discharge elimination system program permit holders to post signs at discharge points, including a reporting requirement, and providing a penalty.

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

Senate File 231, by Bolkcom, a bill for an act to allow a person whose driver's license has been suspended or revoked to be issued a temporary restricted license while a civil penalty is owing.

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

Senate File 232, by committee on State Government, a bill for an act authorizing payroll deduction for dues to a certified bargaining representative for individuals receiving payment for work performed from the state.

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

Senate File 233, by Dearden, a bill for an act providing for the licensure of elevator contractors and elevator mechanics and providing penalties.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations.**

Senate File 234, by Wood, Gaskill, and Stewart, a bill for an act relating to enterprise zones that include the site of a biodiesel or biodiesel blended fuel production facility.

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

Senate File 235, by Wood, a bill for an act relating to joint physical care of children in dissolution cases.

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

Senate File 236, by committee on Local Government, a bill for an act relating to local regulation of smoking.

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

Senate File 237, by Ragan and Beall, a bill for an act concerning the sales tax on the operation of bingo games.

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

Senate File 238, by Rielly, a bill for an act concerning the manufacture and sale of native distilled spirits, and establishing a related permit fee and excise tax.

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

Senate File 239, by Black, a bill for an act relating to the exercise of regulatory authority by the department of natural resources and the natural resource commission within the boundaries of the Sac and Fox tribe settlement in Tama county, and providing for applicability and effective dates.

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

Senate File 240, by Rielly, a bill for an act providing for the development of a uniform health insurance application form for use by small employers.

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

Senate File 241, by Bolkcom, a bill for an act specifying an increasing percentage of electricity to be owned or purchased by electric utilities from alternative energy production facilities.

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

Senate File 242, by Bolkcom, a bill for an act providing for the inclusion of energy usage information in a real estate disclosure statement.

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

STUDY BILLS RECEIVED

SSB 1247 Appropriations

Relating to financial and regulatory matters by making and revising appropriations for the fiscal years beginning July 1, 2004, 2005, and 2006, and providing an effective date.

SSB 1248 Appropriations

Relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources.

SSB 1249 Appropriations

Relating to and making appropriations to the department of human services, the department of elder affairs, the department of public health, the department of veterans affairs, and the Iowa veterans home, the state board of regents, the department of inspections and appeals, and including other related provisions and appropriations, and including effective date provisions.

SSB 1250 Ways and Means

Relating to the disposition of certain real estate transfer tax receipts by the treasurer of state to certain funds.

SSB 1251 Judiciary

Relating to the sale of pseudoephedrine product by a pharmacy or retailer, and providing penalties and contingent applicability.

SSB 1252 Human Resources

Providing for county and state financial responsibility for certain human services programs and treatment or support services.

SSB 1253 Economic Growth

Relating to programs, funds, authority, and duties of the Iowa finance authority.

SSB 1254 Labor and Business Relations

Requiring the posting of close-clearance warning devices by railroads and providing a penalty.

SSB 1255 State Government

Relating to the voter registration deadline for primary elections and providing an immediate effective date.

SSB 1256 State Government

Relating to publishing notice of examination and testing of voting machines and voting system tabulating devices.

SSB 1257 State Government

Relating to requirements for persons seeking election to township office.

SSB 1258 State Government

Relating to membership on election boards.

SSB 1259 State Government

Allowing a county commissioner of elections to appoint certain high school students to serve as precinct election board members.

SSB 1260 State Government

Making changes to the conduct of elections and voter registration and including effective and applicability date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 145**

NATURAL RESOURCES AND ENVIRONMENT: Bolkcom, Chair; Black and Johnson

Senate File 163

TRANSPORTATION: Hancock, Chair; Dearden and Houser

Senate File 179

WAYS AND MEANS: Connolly, Chair; Bolkcom and Wieck

Senate File 181

WAYS AND MEANS: Quirmbach, Chair; Bolkcom and Putney

Senate File 182

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Courtney and McKinley

Senate File 188

TRANSPORTATION: Warnstadt, Chair; Beall and Ziemann

Senate File 191

COMMERCE: Rielly, Chair; Kettering and Olive

Senate File 193

COMMERCE: Rielly, Chair; McKibben and Olive

Senate File 196

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 197

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 209

AGRICULTURE: Appel, Chair; Black and Mulder

Senate File 210

HUMAN RESOURCES: Kreiman, Chair; Boettger and Bolcom

Senate File 213

JUDICIARY: Schoenjahn, Chair; Fraise and Hartsuch

Senate File 214

HUMAN RESOURCES: Hatch, Chair; Seymour and Wood

Senate File 215

JUDICIARY: Hancock, Chair; Hogg and Ward

Senate File 216

STATE GOVERNMENT: Danielson, Chair; Hahn and Horn

Senate File 217

HUMAN RESOURCES: Dotzler, Chair; Behn and Wood

Senate File 218

STATE GOVERNMENT: Danielson, Chair; Connolly and Zieman

Senate File 219

STATE GOVERNMENT: Danielson, Chair; Kettering and Kibbie

Senate File 222

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 223

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 224

STATE GOVERNMENT: Hatch, Chair; Behn and Connolly

Senate File 225

APPROPRIATIONS: Dvorsky, Chair; and Angelo

SSB 1247

APPROPRIATIONS: Dvorsky, Chair; Angelo, Hancock, Johnson, and McCoy

SSB 1248

APPROPRIATIONS: Seng, Chair; Angelo, Black, Dvorsky, and Gaskill

SSB 1249

APPROPRIATIONS: Hatch, Chair; Angelo, Dvorsky, Johnson, and Ragan

SSB 1250

WAYS AND MEANS: Appel, Chair; Angelo and Stewart

SSB 1251

JUDICIARY: Kreiman, Chair; Fraise and Noble

SSB 1252

HUMAN RESOURCES: Hatch, Chair; Johnson and Schmitz

SSB 1253

ECONOMIC GROWTH: Danielson, Chair; Hahn and Stewart

SSB 1254

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Courtney and McKinley

SSB 1255

STATE GOVERNMENT: Kibbie, Chair; Appel and Zieman

SSB 1256

STATE GOVERNMENT: Kibbie, Chair; Appel and Zieman

SSB 1257

STATE GOVERNMENT: Kibbie, Chair; Appel and Hahn

SSB 1258

STATE GOVERNMENT: Kibbie, Chair; Appel and Gaskill

SSB 1259

STATE GOVERNMENT: Kibbie, Chair; Appel and Behn

SSB 1260

STATE GOVERNMENT: Appel, Chair; Connolly, Danielson, McKibben, and Ziemann

FINAL COMMITTEE REPORTS OF BILL ACTION**LOCAL GOVERNMENT**

Bill Title: *SENATE FILE 236 (SSB 1162), a bill for an act relating to local regulation of smoking.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Quirnbach, Beall, Hartsuch, Heckroth, Kreiman, Olive, Rielly, Schoenjahn, and Stewart. Nays, 3: Zaun, Angelo, and McKinley. Absent, 1: 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 Local Government Committee on Senate File 236, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 232 (SSB 1172), a bill for an act authorizing payroll deduction for dues to a certified bargaining representative for individuals receiving payment for work performed from the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Connolly, Horn, Appel, Black, Danielson, Hatch, Kibbie, Schmitz, and Wood. Nays, 6: Ziemann, Behn, Gaskill, Hahn, Kettering, and McKibben. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

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 20th day of February, 2007:

Senate File 109.

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 name be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar":

Tom Colvin – Iowa Board of Veterinary Medicine

MARY A. LUNDBY

AMENDMENTS FILED

S-3037	S.F.	161	Thomas Rielly
S-3038	S.F.	155	Brad Zaun
			Keith A. Kreiman
			Herman C. Quirnbach

JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 21, 2007

The Senate met in regular session at 9:00 a.m., President Kibbie presiding.

Prayer was offered by Pastor Michael Fitzsimmon of the Presbyterian Church in Carroll, Iowa. He was the guest of Senator Kettering.

The Journal of Tuesday, February 20, 2007, was approved.

SPECIAL GUESTS

Senator Johnson welcomed to the Senate chamber former state senator Richard Vande Hoef and his wife Harriet. Mr. Vande Hoef, from Osceola County, served in the legislature for 18 years.

The Senate rose and expressed its welcome.

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 20, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 258, a bill for an act relating to the duties of directors of nonprofit corporations.

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

House File 367, a bill for an act relating to wage payment collection of direct deposit wages as administered by the division of labor services of the department of workforce development.

Read first time and referred to committee on **Labor and Business Relations**.

House File 385, a bill for an act relating to the filing of nomination petitions to fill a vacancy on a city council.

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

House File 397, a bill for an act relating to the expenditures allowable from medical assistance income trusts.

Read first time and attached to **companion Senate File 251**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:17 a.m. until 4:00 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

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

Larry and Molly Bowlin—For celebrating their 50th wedding anniversary. Senator Appel (2/21/07).

Velma Brack—For celebrating her 80th birthday. Senator Boettger (2/21/07).

Paul Dwayne and Joan Guy—For celebrating their 60th wedding anniversary. Senator Appel (2/21/07).

Gene and Veda Johnson—For celebrating their 50th wedding anniversary. Senator Appel (2/21/07).

Anthony Peter Kommes—For celebrating his 89th birthday. Senator Boettger (2/21/07).

Mr. and Mrs. Leslie Marousek, Atlantic—For celebrating their 60th wedding anniversary. Senator Boettger (2/21/07).

Mr. and Mrs. Don Schaben, Defiance—For celebrating their 50th wedding anniversary. Senator Boettger (2/21/07).

Mr. and Mrs. Henry Walter, Elk Horn—For celebrating their 50th wedding anniversary. Senator Boettger (2/21/07).

Matthew Wettach, Mount Pleasant—For achieving national recognition for exemplary volunteer service by receiving a 2007 Prudential Spirit of Community Award. Senator Fraise (2/21/07).

PRESENTATION OF VISITORS

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

Representatives from the Resource Enhancement and Protection programs. Senator Black.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Tuesday, February 20, 2007, 3:15 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood.

Members Absent: None.

Committee Business: Presentation by the Iowa Association of Counties.

Adjourned: 4:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Tuesday, February 20, 2007, 10:15 a.m.

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

Members Absent: None.

Committee Business: Presentation by the Iowa Association of Community College trustees and Des Moines Area Community College representatives.

Adjourned: 10:45 a.m.

STATE GOVERNMENT

Convened: Wednesday, February 21, 2007, 11:35 a.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Zieman, Ranking Member; Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood.

Members Absent: None.

Committee Business: Approved SSBs 1008 and 1228.

Adjourned: 12:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Wednesday, February 21, 2007, 9:45 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; Hartsuch and Stewart.

Members Absent: None.

Committee Business: Presentations by the Secretary of State and the Office of Drug Control Policy.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Wednesday, February 21, 2007, 9:50 a.m.

Members Present: Seng, Chair; Schoenjahn, Vice Chair; Gaskill, Ranking Member; and Black.

Members Absent: Houser (excused).

Committee Business: Presentations by the Iowa Watershed Improvement Review Board and the Iowa Geographic Information Council.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Wednesday, February 21, 2007, 9:30 a.m.

Members Present: Dotzler, Chair; Kettering, Ranking Member; Olive and Ward.

Members Absent: Heckroth, Vice Chair (excused).

Committee Business: Presentation by WasteNotIowa.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, February 21, 2007, 10:50 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; Quirnbach and Zieman.

Members Absent: None.

Committee Business: Presentations on before and after school programs and the Accelerated Career Education programs.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, February 21, 2007, 9:50 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Presentations by the Department of Public Health, the Mid-Eastern Council on Chemical Abuse, the Iowa Academy of Family Practitioners, and the Department of Veterans Affairs.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convended: Wednesday, February 21, 2007, 9:55 a.m.

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

Members Absent: None.

Committee Business: Presentations by the director of Prison Industries and the LSA.

Adjourned: 10:35 a.m.

INTRODUCTION OF BILLS

Senate File 243, by Warnstadt, a bill for an act relating to the designation of enterprise zones located near modes of transportation and including effective date and retroactive applicability date provisions.

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

Senate File 244, by Bolkcom, a bill for an act requiring a balanced user approach to transportation planning and development.

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

Senate File 245, by Zieman, a bill for an act creating a recreational class of property for purposes of property assessment and taxation.

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

Senate File 246, by Putney, a bill for an act relating to the ordering of political parties listed on the ballot.

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

Senate File 247, by committee on Natural Resources and Environment, 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 248, by committee on Human Resources, a bill for an act relating to the membership of the board of physician assistant examiners.

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

Senate File 249, by committee on Human Resources, a bill for an act relating to the conference of eligibility on and conditions of eligibility for individuals for certain programs under the purview of the department of human services.

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

Senate File 250, by committee on Natural Resources and Environment, a bill for an act relating to regulation of the harvesting of commercial fish, turtles, and freshwater mussels and providing for fees and penalties.

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

Senate File 251, by committee on Human Resources, a bill for an act relating to the expenditures allowable from medical assistance income trusts.

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

Senate File 252, by committee on Human Resources, 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 **placed on calendar**.

Senate File 253, by committee on Natural Resources and Environment, a bill for an act regulating the administration of drugs to certain noncaptive vertebrate wildlife and providing a penalty.

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

Senate File 254, by committee on Human Resources, a bill for an act revising family investment program requirements.

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

Senate File 255, 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 a game bird habitat development program.

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

Senate File 256, by Bolkom, a bill for an act relating to the civil penalty imposed when a driver's license is suspended or revoked, by allowing the penalty to be paid in installments.

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

Senate File 257, by Danielson, a bill for an act designating the Sullivan brothers veterans museum as the state of Iowa veterans museum.

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

Senate File 258, 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 259, by committee on Human Resources, a bill for an act creating a program to provide financial assistance for

postsecondary education for young adults who were involved with the state's foster care program.

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

Senate File 260, by committee on Human Resources, a bill for an act relating to dependent adult abuse.

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

Senate File 261, by committee on Natural Resources and Environment, a bill for an act requiring certain private sewage disposal system-related inspections to be conducted when certain property is sold or transferred and including an effective date provision.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: SENATE FILE 248 (SSB 1143), a bill for an act relating to the membership of the board of physician assistant examiners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 249 (SSB 1107), a bill for an act relating to the conference of eligibility on and conditions of eligibility for individuals for certain programs under the purview of the department of human services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 251 (SSB 1135), a bill for an act relating to the expenditures allowable from medical assistance income trusts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 252 (formerly SF 52), 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 254 (SSB 1153), a bill for an act revising family investment program requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 259 (formerly SF 27), a bill for an act creating a program to provide financial assistance for postsecondary education for young adults who were involved with the state's foster care program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, 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 259, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 260 (SSB 1090), a bill for an act relating to dependent adult abuse.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, 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 260, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: SENATE FILE 247 (SSB 1220), a bill for an act making black bears and cougars fur-bearing animals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Black, Hancock, Gaskill, Bolkcom, Dearden, Hogg, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, 3: Behn, Johnson, and Kettering. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 250 (SSB 1067), a bill for an act relating to regulation of the harvesting of commercial fish, turtles, and freshwater mussels and providing for fees and penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 253 (SSB 1112), a bill for an act regulating the administration of drugs to certain noncaptive vertebrate wildlife and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, 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 253, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 255 (SSB 1224), a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, 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 255, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 261 (SSB 1066), a bill for an act requiring certain private sewage disposal system-related inspections to be conducted when certain property is sold or transferred and including an effective date provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, 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 261, and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President Kibbie presiding.

QUORUM CALL

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

The vote revealed 44 present, 6 absent, and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy, until he arrives, on request of Senator Connolly.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Connolly asked and received unanimous consent to take up for consideration Senate Files 48 and 42.

Senate File 48

On motion of Senator Dearden, **Senate File 48**, a bill for an act concerning the limitation of actions for prosecution of violations under certain statutes administered by the natural resource commission, 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?" (S.F. 48), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schoenjahn
Appel	Gaskill	Kreiman	Seng
Beall	Gronstal	Lundby	Seymour
Behn	Hahn	McKibben	Stewart
Black	Hancock	McKinley	Ward
Boettger	Hartsuch	Mulder	Warnstadt

Bolkcom	Hatch	Noble	Wieck
Connolly	Heckroth	Olive	Wood
Courtney	Hogg	Putney	Zaun
Danielson	Horn	Quirnbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, none.

Absent, 1:

McCoy

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

Senate File 42

On motion of Senator Wood, **Senate File 42**, a bill for an act relating to campaign finance by revising the requirements for filing reports and for the use of certain resources for political purposes, 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. 42), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

The Senate stood at ease at 4:15 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 5:21 p.m., President Kibbie presiding.

QUORUM CALL

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

The vote revealed 37 present, 13 absent, and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 70 and 110.

Senate File 70

On motion of Senator Schoenjahn, **Senate File 70**, a bill for an act relating to crime victim compensation, was taken up for consideration.

Senator Schoenjahn offered amendment S-3022, filed by him on February 5, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3022 was adopted by a voice vote.

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. 70), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gaskill, until he returns, on request of Senator Putney.

Senate File 110

On motion of Senator Kreiman, **Senate File 110**, a bill for an act relating to the standardized training and state certification of reserve peace officers, was taken up for consideration.

Senator Angelo withdrew amendment S–3039, filed by him from the floor to page 2 of the bill.

Senator Kreiman offered amendment S–3026, filed by him on February 12, 2007, to page 3 of the bill, and moved its adoption.

Amendment S–3026 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. 110), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Gaskill

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

UNFINISHED BUSINESS
(Deferred February 8, 2007)

Senate File 25

The Senate resumed consideration of **Senate File 25**, a bill for an act relating to the payment of victim restitution by a person convicted of a criminal offense, deferred February 8, 2007.

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. 25), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Gaskill

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 130 and 137.

Senate File 130

On motion of Senator Beall, **Senate File 130**, a bill for an act relating to commissions that oversee memorial buildings and monuments, was taken up for consideration.

Senator Beall offered amendment S-3032, filed by Senator Beall, et al., on February 13, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3032 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. 130), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Gaskill

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

Senate File 137

On motion of Senator Wood, **Senate File 137**, a bill for an act providing for the registration of associate real estate appraisers, prohibiting improper influence over an appraiser's evaluation opinion, and imposing a penalty, 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. 137), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Gaskill

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 25, 42, 48, 70, 110, 130, and 137** 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 68, 67, and 232.

Senate File 68

On motion of Senator Schmitz, **Senate File 68**, a bill for an act relating to the classification and regulation of controlled substances and making penalties applicable, was taken up for consideration.

Senator Schmitz asked and received unanimous consent that **House File 260** be **substituted** for **Senate File 68**.

House File 260

On motion of Senator Schmitz, **House File 260**, a bill for an act relating to the classification and regulation of controlled substances and making penalties applicable, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 260), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Gaskill

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

WITHDRAWN

Senator Schmitz asked and received unanimous consent that **Senate File 68** be **withdrawn** from further consideration of the Senate.

Senate File 67

On motion of Senator Schmitz, **Senate File 67**, a bill for an act relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license, was taken up for consideration.

Senator Hartsuch asked and received unanimous consent that action on **Senate File 67** be **deferred**.

Senate File 232

On motion of Senator Danielson, **Senate File 232**, a bill for an act authorizing payroll deduction for dues to a certified bargaining representative for individuals receiving payment for work performed from the state, was taken up for consideration.

Senator Ziemann asked and received unanimous consent that action on **Senate File 232** be **deferred**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 260** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 169 and 161.

Senate File 169

On motion of Senator Wood, **Senate File 169**, a bill for an act providing for county eligibility for state payment of certain mental health, mental retardation, and developmental disabilities services funding and providing effective and retroactive applicability dates, was taken up for consideration.

Senator Wood offered amendment S-3035, filed by him on February 19, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3035 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. 169), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Gaskill

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

Senate File 161

On motion of Senator Rielly, **Senate File 161**, a bill for an act relating to the confidentiality of security procedures or emergency preparedness information discussed at a meeting of a governmental body and providing an effective date, was taken up for consideration.

Senator Rielly offered amendment S-3037, filed by him on February 20, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3037 was adopted by a voice vote.

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. 161), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Gaskill

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 161 and 169** 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 February 21, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 40, a bill for an act relating to the regulation of ethical conduct by governmental entities.

ALSO: That the House has on February 21, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

House File 396, a bill for an act expanding the scope of services under an existing appropriation for the community empowerment initiative involving preschool services and providing effective date and applicability provisions.

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:10 p.m. until 8:45 a.m., Thursday, February 22, 2007.

APPENDIX—2

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Wednesday, February 21, 2007, 3:35 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; McKibben, Ranking Member; Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Ward, Warnstadt, and Zieman.

Members Absent: Schoenjahn (excused).

Committee Business: Approved SSBs 1092 and 1219.

Adjourned: 3:45 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, February 21, 2007, 2:05 p.m.

Members Present: Dearden, Chair; Courtney, Vice Chair; Ward, Ranking Member; Dotzler, Dvorsky, Hahn, Hatch, Horn, McKinley, Seng, and Wieck.

Members Absent: None.

Committee Business: Approved SSBs 1063, 1064, 1156, and 1192 (all amended).

Adjourned: 3:00 p.m.

INTRODUCTION OF BILLS

Senate File 262, by Bolkcom, a bill for an act creating an Iowa climate disruption advisory council and making appropriations.

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

Senate File 263, by committee on State Government, a bill for an act concerning gambling games on gambling structures.

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

Senate File 264, by committee on Human Resources, a bill for an act relating to grandparent and great-grandparent visitation.

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

STUDY BILLS RECEIVED

SSB 1261 Education

Relating to the employment of school nurses by school districts and providing an effective date.

SSB 1262 Government Oversight

Relating to whistleblower complaints received by the citizens' aide.

SSB 1263 Appropriations

Relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

SSB 1264 Judiciary

Creating the criminal offense of sexual solicitation of a minor, providing for registration on the sex offender registry, and providing penalties.

SSB 1265 Judiciary

Relating to the assessment of civil and criminal court fees and penalties.

SSB 1266 Judiciary

Creating the criminal offense of indecent exposure through a webcam, and providing a penalty.

SSB 1267 Agriculture

Relating to cooperative associations, by providing for documentation, including certificates and statements.

SSB 1268 State Government

Relating to certain elections regarding city utilities or combined utility systems.

SSB 1269 State Government

Providing for energy performance-based contracts for certain public entities.

SUBCOMMITTEE ASSIGNMENTS**Senate File 136**

TRANSPORTATION: Putney, Chair; Danielson and McCoy

Senate File 220

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Lundby

Senate File 226

JUDICIARY: Hancock, Chair; Kreiman and Noble

Senate File 229

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 230

NATURAL RESOURCES AND ENVIRONMENT: Bolckom, Chair; Hogg and Johnson

Senate File 233

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Dotzler and Wieck

Senate File 234

ECONOMIC GROWTH: Olive, Chair; Hatch and Houser

Senate File 235

JUDICIARY: Kreiman, Chair; Schoenjahn and Ward

Senate File 246

STATE GOVERNMENT: Hatch, Chair; Kettering and Kibbie

House File 396

HUMAN RESOURCES: Schmitz, Chair; Boettger and Ragan

SSB 1261

EDUCATION: Schmitz, Chair; Connolly and Ziemann

SSB 1262

GOVERNMENT OVERSIGHT: Schmitz, Chair; Connolly, Courtney, Lundby, and Wieck

SSB 1263

APPROPRIATIONS: McCoy, Chair; Angelo, Dvorsky, Putney, and Warnstadt

SSB 1264

JUDICIARY: Kreiman, Chair; Dvorsky and Ward

SSB 1265

JUDICIARY: Schoenjahn, Chair; Kreiman and Ward

SSB 1266

JUDICIARY: Kreiman, Chair; Dvorsky and Hatch

SSB 1267

AGRICULTURE: Fraise, Chair; Gaskill and Olive

SSB 1268

STATE GOVERNMENT: Hatch, Chair; Hahn and Kibbie

SSB 1269

STATE GOVERNMENT: Danielson, Chair; Behn and Connolly

FINAL COMMITTEE REPORTS OF BILL ACTION**HUMAN RESOURCES**

Bill Title: *SENATE FILE 264 (formerly SF 33), a bill for an act relating to grandparent and great-grandparent visitation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, 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 264, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 263 (SSB 1228), a bill for an act concerning gambling games on gambling structures.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S-3039 S.F. 110 Jeff Angelo

JOURNAL OF THE SENATE

FORTY-SIXTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 22, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by Pastor Stephen Anenson of the Immanuel Lutheran Church in Story City, Iowa. He was the guest of Senator Olive.

The Journal of Wednesday, February 21, 2007, 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 21, 2007, **passed** the following bills in which the concurrence of the House was asked:

Senate File 32, a bill for an act extending the future repeal of a provision requiring the issuance of certificates for furnishing local telecommunications services, and providing an effective date.

Senate File 74, a bill for an act renaming health-related examining boards as licensing boards.

ALSO: That the House has on February 21, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 298, a bill for an act relating to the conveyance or encumbrance of a homestead and providing an effective and applicability date.

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

House File 368, a bill for an act relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development.

Read first time and referred to committee on **Labor and Business Relations**.

House File 369, a bill for an act relating to elevator conveyance safety standards enforced by the division of labor services of the department of workforce development.

Read first time and attached to **similar Senate File 114**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:18 a.m. until 1:00 p.m., Monday, February 26, 2007.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Viola Fisher, Waterloo—For celebrating her 90th birthday. Senator Dotzler (2/22/07).

Sam McReynolds, Des Moines—For celebrating his 90th birthday. Senator Dearden (2/22/07).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, February 21, 2007, 2:00 p.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Mulder, Ranking Member; Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirmbach, Schmitz, Wood, Zaun, and Zieman.

Members Absent: None.

Committee Business: Approved SSB 1118 (as amended).

Recessed: 3:30 p.m.

Reconvened: 6:00 p.m.

Adjourned: 6:30 p.m.

GOVERNMENT OVERSIGHT

Convened: Thursday, February 22, 2007, 10:00 a.m.

Members Present: Courtney, Chair; Connolly, Vice Chair; Wieck, Ranking Member; and Schmitz.

Members Absent: Lundby (excused).

Committee Business: Presentations by the Department of Management, Department of Human Services, Iowa College Student Aid Commission, and Homeland Security and Emergency Management Division.

Adjourned: 10:45 a.m.

VETERANS AFFAIRS

Convened: Thursday, February 22, 2007, 11:40 a.m.

Members Present: Beall, Chair; Warnstadt, Vice Chair; Seymour, Ranking Member; Danielson, Hartsuch, Kibbie, and McKinley.

Members Absent: Black, Horn, McKibben, and Ragan (all excused).

Committee Business: Presentation by Representative Whitead.

Adjourned: 11:55 a.m.

WAYS AND MEANS

Convened: Thursday, February 22, 2007, 1:00 p.m.

Members Present: Bolkcom, Chair; McCoy, Vice Chair; Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck.

Members Absent: McKibben, Ranking Member; and Angelo (both excused).

Committee Business: Approved SSBs 1059 and 1060.

Adjourned: 2:25 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, February 22, 2007, 10:00 a.m.

Members Present: Seng, Chair; Schoenjahn, Vice Chair; Gaskill, Ranking Member; Black and Houser.

Members Absent: None.

Committee Business: Budget discussion.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Thursday, February 22, 2007, 10:30 a.m.

Members Present: Dotzler, Chair; Kettering, Ranking Member; Olive and Ward.

Members Absent: Heckroth, Vice Chair (excused).

Committee Business: Budget discussion.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Thursday, February 22, 2007, 10:00 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; Quirmbach and Ziemann.

Members Absent: None.

Committee Business: Budget discussion.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, February 22, 2007, 9:55 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Presentations by the Department of Human Services, Linn County Youth Services, American Home Finding Association, and the Coalition for Family and Children Services.

Adjourned: 12:00 p.m.

INTRODUCTION OF BILLS

Senate File 265, by committee on Labor and Business Relations, a bill for an act relating to asbestos removal and encapsulation regulations as enforced by the labor commissioner.

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

Senate File 266, by Danielson, Appel, Beall, Black, Bolkcom, Connolly, Dearden, Dotzler, Dvorsky, Fraise, Gronstal, Hancock, Heckroth, Horn, Houser, Kettering, Kibbie, McCoy, Olive, Putney, Quirmbach, Ragan, Rielly, Schmitz, Schoenjahn, Seng, Seymour, Stewart, Warnstadt, Wieck, and Wood, a bill for an act relating to the regulation of contributions for a gubernatorial inauguration and providing a penalty.

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

Senate File 267, by Bolckcom, a bill for an act relating to policies granting resident status for purposes of paying postsecondary tuition and fees at public institutions of higher education.

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

Senate File 268, by Beall, Hogg, Kreiman, Quirmbach, and Kibbie, a bill for an act providing that third-party payment of health care coverage costs for biologically based mental illness includes eating disorders.

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

Senate File 269, by McKinley, a bill for an act relating to postsecondary tuition and fee remission for veterans and survivors at community colleges and state universities.

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

Senate File 270, by committee on State Government, a bill for an act relating to the military code by amending the powers of the adjutant general and by allowing the armory board to enter into design-build contracts for the construction of certain national guard facilities.

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

Senate File 271, by committee on Judiciary, a bill for an act relating to the duties of directors of nonprofit corporations.

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

Senate File 272, 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 273, by committee on Labor and Business Relations, a bill for an act relating to registration of construction contractors.

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

Senate File 274, by Johnson, a bill for an act relating to applicators of pesticides by providing for exemptions from certification requirements.

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

Senate File 275, by committee on Labor and Business Relations, a bill for an act relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development.

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

Senate File 276, by committee on Labor and Business Relations, a bill for an act requiring reimbursement of the division of labor services of the department of workforce development when the labor commissioner or an employee of the division of labor services is compelled to give testimony or depositions concerning their official duties in civil proceedings.

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

STUDY BILLS RECEIVED

SSB 1270 State Government

Providing procedures to increase the number of city council members in certain cities.

SSB 1271 Commerce

Relating to real estate education programs and the real estate education fund, providing an effective date, and making appropriations.

SSB 1272 Education

Requiring school districts and accredited nonpublic schools to provide articulated sequential guidance programs and providing for a waiver.

SSB 1273 Transportation

Relating to safe walkways for railroad workers and making penalties applicable.

SUBCOMMITTEE ASSIGNMENTS**Senate File 147**

EDUCATION: Schmitz, Chair; Boettger and Heckroth

Senate File 185

EDUCATION: Connolly, Chair; Quirmbach and Zaun

Senate File 189

EDUCATION: Connolly, Chair; Beall and Johnson

Senate File 192

EDUCATION: Kreiman, Chair; Angelo and Heckroth

Senate File 211

EDUCATION: Appel, Chair; Boettger and Schmitz

Senate File 221

WAYS AND MEANS: Hogg, Chair; Noble and Quirmbach

Senate File 228

WAYS AND MEANS: Connolly, Chair; Appel and Lundby

Senate File 237

WAYS AND MEANS: Schmitz, Chair; Noble and Stewart

Senate File 238

WAYS AND MEANS: Dotzler, Chair; Seng and Wieck

Senate File 239

NATURAL RESOURCES AND ENVIRONMENT: Black, Chair; Gaskill and Hancock

Senate File 240

COMMERCE: Rielly, Chair; McKibben and Olive

Senate File 245

LOCAL GOVERNMENT: Quirnbach, Chair; Kreiman and McKinley

Senate File 257

VETERANS AFFAIRS: Danielson, Chair; Black and Seymour

Senate File 262

NATURAL RESOURCES AND ENVIRONMENT: Bolkcom, Chair; Hogg and Johnson

House File 258

JUDICIARY: Hogg, Chair; Kreiman and Ziemann

House File 385

LOCAL GOVERNMENT: Quirnbach, Chair; Rielly and Zaun

SSB 1270

STATE GOVERNMENT: Schmitz, Chair; Hahn and Hatch

SSB 1271

COMMERCE: Warnstadt, Chair; Angelo and Olive

SSB 1272

EDUCATION: Connolly, Chair; Mulder and Schoenjahn

SSB 1273

TRANSPORTATION: Dearden, Chair; Hancock and Putney

FINAL COMMITTEE REPORTS OF BILL ACTION**JUDICIARY**

Bill Title: SENATE FILE 271 (SSB 1092), a bill for an act relating to the duties of directors of nonprofit corporations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Ward, Warnstadt, and Ziemann. Nays, none. Absent, 1: Schoenjahn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 272 (SSB 1219), 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, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Ward, Warnstadt, and Ziemann. Nays, none. Absent, 1: Schoenjahn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND BUSINESS RELATIONS

Bill Title: SENATE FILE 265 (SSB 1192), a bill for an act relating to asbestos removal and encapsulation regulations as enforced by the labor commissioner.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Dearden, Courtney, Ward, Dotzler, Dvorsky, Hahn, Hatch, Horn, McKinley, Seng, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 273 (SSB 1156), a bill for an act relating to registration of construction contractors.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Dearden, Courtney, Dotzler, Hatch, Horn, and Seng. Nays, 4: Ward, Hahn, McKinley, and Wieck. Absent, 1: Dvorsky.

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 Labor and Business Relations Committee on Senate File 273, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 275 (SSB 1064), a bill for an act relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Dearden, Courtney, Ward, Dotzler, Dvorsky, Hahn, Hatch, Horn, McKinley, Seng, 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 Labor and Business Relations Committee on Senate File 275, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 276 (SSB 1063), a bill for an act requiring reimbursement of the division of labor services of the department of workforce development when the labor commissioner or an employee of the division of labor services is compelled to give testimony or depositions concerning their official duties in civil proceedings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Dearden, Courtney, Ward, Dotzler, Dvorsky, Hahn, Hatch, Horn, McKinley, Seng, 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 Labor and Business Relations Committee on Senate File 276, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: *SENATE FILE 270 (SSB 1008), a bill for an act relating to the military code by amending the powers of the adjutant general and by allowing the armory board to enter into design-build contracts for the construction of certain national guard facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, 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 State Government Committee on Senate File 270, and they were attached to the committee report.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 22, 2007, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 109 – Providing for the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date.

JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 26, 2007

The Senate met in regular session at 1:00 p.m., President Kibbie presiding.

Prayer was offered by the Honorable Gene Fraise, member of the Senate from Lee County, Fort Madison, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Stefan McCleary.

The Journal of Thursday, February 22, 2007, was approved.

INTRODUCTION OF BILL

Senate File 277, by committee on Education, a bill for an act 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 an administrator quality program, making appropriations, and providing an effective date.

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

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 February 22, 2007, **concurred in the Senate amendment to the House amendment and passed** the following bill in which the concurrence of the House was asked:

Senate File 61, a bill for an act relating to the establishment of state and school antiharassment and antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters.

ALSO: That the House has on February 22, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 162, a bill for an act creating the Iowa stem cell research and cures initiative, and providing penalties.

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.	207	Local Government
S.F.	255	Ways and Means
S.F.	277	Appropriations

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:07 p.m. until 8:45 a.m., Tuesday, February 27, 2007.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Allison Nohr, Council Bluffs—For achieving national recognition for exemplary volunteer service by receiving a 2007 Prudential Spirit of Community Award. Senator Gronstal (2/26/07).

R.E. “Bob” Sorenson, Council Bluffs—For celebrating his 96th birthday. Senator Gronstal (2/26/07).

INTRODUCTION OF RESOLUTION

Senate Resolution 18, by Appel and Ward, a resolution designating March 2007 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 278, by committee on Ways and Means, a bill for an act relating to changes in the utility replacement tax law by redefining a new electric power generating plant, extending the life of the utility replacement tax task force, and requiring notification by the taxpayer to the department of revenue and local taxing district upon transfer of utility property.

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

Senate File 279, by committee on Ways and Means, a bill for an act updating the Code references to the Internal Revenue Code and including effective date and retroactive applicability provisions.

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

Senate File 280, by Hancock, a bill for an act relating to youth deer hunting licenses.

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

Senate File 281, by Boettger and Hatch, a bill for an act relating to the licensing of naturopathic physicians.

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

Senate File 282, by Boettger, a bill for an act providing for the ongoing existence of a disaster behavioral health responder ready reserve and providing an appropriation.

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

Senate File 283, by Quirmbach, Bolkcom, Stewart, Hatch, Beall, Kreiman, Ragan, Connolly, Dvorsky, Danielson, Dotzler, Seng, Schoenjahn, Gronstal, Courtney, McCoy, Fraise, Appel, Schmitz, Dearden, Heckroth, Hancock, Kibbie, 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 284, by Dearden, a bill for an act concerning employees subject to unannounced drug or alcohol testing.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations.**

Senate File 285, by Hogg, a bill for an act relating to energy efficiency in schools, and making appropriations.

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

Senate File 286, by Hogg and Bolkcom, a bill for an act establishing energy efficiency performance standards applicable to specified public utilities.

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

Senate File 287, by Hogg, Quirnbach, Mulder, Hancock, Olive, and Noble, a bill for an act relating to the sales of beer kegs by requiring an identification number on each keg of beer, recording of the purchase of beer by the keg, and providing penalties.

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

Senate File 288, by Hogg, a bill for an act relating to the adoption, application, and enforcement of energy conservation requirements as part of the state building code.

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

Senate File 289, by Quirnbach, Beall, Black, Warnstadt, Fraise, Dearden, Wood, Olive, Hancock, Seng, Horn, Dvorsky, Dotzler, Kreiman, Schmitz, Ragan, Stewart, Connolly, McCoy, Kibbie, Seymour, McKinley, Hartsuch, and Danielson, a bill for an act relating to special motor vehicle registration plates associated with military service, providing for special gold star plates and distinguished service cross, navy cross, air force cross, soldier's medal, sailor's medal, and airman's medal special plates, establishing fees, and crediting fees from the sale of certain special plates to the veterans license fee fund.

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

STUDY BILL RECEIVED

SSB 1274 Judiciary

Relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 280

NATURAL RESOURCES AND ENVIRONMENT: Hancock, Chair; Dearden and Gaskill

House File 368

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Dotzler and Hahn

SSB 1274

JUDICIARY: Noble, Chair; Fraise and Kreiman

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: *SENATE FILE 277 (SSB 1118), a bill for an act 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 an administrator quality program, making appropriations, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Schoenjahn, Appel, Beall, Connolly, Heckroth, Quirnbach, Schmitz, and Wood. Nays, none. Present, 6: Mulder, Angelo, Boettger, Johnson, Zaun, and Zieman. Absent, 1: Kreiman.

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 277, and they were attached to the committee report.

WAYS AND MEANS

Bill Title: SENATE FILE 278 (SSB 1060), a bill for an act relating to changes in the utility replacement tax law by redefining a new electric power generating plant, extending the life of the utility replacement tax task force, and requiring notification

by the taxpayer to the department of revenue and local taxing district upon transfer of utility property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolkcom, McCoy, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, 2: McKibben and Angelo.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 279 (SSB 1059), a bill for an act updating the Code references to the Internal Revenue Code and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolkcom, McCoy, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, 2: McKibben and Angelo.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 27, 2007

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

Prayer was offered by Pastor John De Boef of the Hilltop Chapel in What Cheer, Iowa. He was the guest of Senator Rielly.

The Journal of Monday, February 26, 2007, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:09 a.m. until 8:45 a.m., Wednesday, February 28, 2007.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Jared Enderton, Graettinger—For becoming the Class 1A 189-pound 1st place finisher at the 2007 State Wrestling Tournament. Senator Kibbie (2/27/07).

Kathleen Higgins, Waterloo—For celebrating her 90th birthday. Senator Dotzler (2/27/07).

Kyle Simonson, Algona—For becoming the Class 2A 215-pound 1st place finisher at the 2007 State Wrestling Tournament. Senator Kibbie (2/27/07).

Twin River Valley/West Bend-Mallard Wrestling Team—For being named the Class 1A 2nd place Team Champs at the State Wrestling Tournament. Senator Kibbie (2/27/07).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Thursday, February 22, 2007, 9:30 a.m.

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

Members Absent: None.

Committee Business: Budget discussion.

Adjourned: 11:00 a.m.

EDUCATION

Convened: Monday, February 26, 2007, 3:00 p.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Beall, Connolly, Heckroth, Johnson, Kreiman, Quirmbach, Schmitz, and Wood.

Members Absent: Mulder, Ranking Member; Angelo, Boettger, Zaun, and Zieman.

Committee Business: Presentation on the Midwestern Higher Education Compact.

Recessed: 3:35 p.m.

Reconvened: 3:40 p.m.

Adjourned: 4:05 p.m.

AGRICULTURE

Convened: Tuesday, February 27, 2007, 2:10 p.m.

Members Present: Fraise, Chair; Rielly, Vice Chair; Johnson, Ranking Member; Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Mulder, Olive, Putney, and Seng.

Members Absent: None.

Committee Business: Approved SSB 1267 and presentation by the Secretary of Agriculture.

Adjourned: 2:35 p.m.

ECONOMIC GROWTH

Convened: Tuesday, February 27, 2007, 1:10 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Houser, Ranking Member; Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, and Zaun.

Members Absent: None.

Committee Business: Passed SF 158 and approved SSB 1016.

Adjourned: 1:25 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, February 27, 2007, 1:10 p.m.

Members Present: Black, Chair; Hancock, Vice Chair; Gaskill, Ranking Member; Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Noble, Ragan, Schoenjahn, Seng, and Wood.

Members Absent: Lundby.

Committee Business: Passed SFs 77, 156, and 239 and approved SSB 114. Subcommittee assignments.

Adjourned: 2:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Tuesday, February 27, 2007, 9:55 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Presentations by the Cedar Rapids/Iowa City Elevate Youth Program, the Child and Family Policy Center, and the Department of Human Services.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Tuesday, February 27, 2007, 9:50 a.m.

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

Members Absent: None.

Committee Business: Discussion of bills.

Adjourned: 11:25 a.m.

PRESENTATION OF VISITORS

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

Nine 11th and 12th grade students from Hinton Public High School, Hinton, Iowa, accompanied by Amy Brighton. Senator Mulder.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 2, by Courtney, a joint resolution designating the channel catfish as the official state fish for the State of Iowa.

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

INTRODUCTION OF BILLS

Senate File 290, by Kettering, a bill for an act relating to adult mental health, mental retardation, and developmental disabilities services by shifting responsibility for such services from the counties to the state, revising county levy authority for such services, and providing effective and applicability dates.

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

Senate File 291, by Bolkom, a bill for an act relating to tonnage fees retained by certain sanitary landfills.

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

Senate File 292, by Angelo, a bill for an act relating to under legal age consumption or possession of an alcoholic beverage on certain property, and providing penalties.

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

Senate File 293, by Beall, a bill for an act relating to restraint requirements for motor vehicle occupants and making a penalty applicable.

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

Senate File 294, by Hancock, a bill for an act relating to national pollutant discharge elimination system permits for disposal systems of certain cities.

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

Senate File 295, by Dotzler, a bill for an act extending state tax benefits for use of soy-based transformer fluid by electric utilities and including effective and applicability date provisions.

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

Senate File 296, by Hogg, a bill for an act establishing a local government energy innovation competitive grant program, and making an appropriation.

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

Senate File 297, by Hogg, a bill for an act relating to the use of a cellular telephone by a motor vehicle operator with an instruction permit or intermediate driver's license issued under the graduated driver licensing program and making penalties applicable.

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

Senate File 298, by Zaun, a bill for an act relating to requirements under the linked investments for tomorrow program.

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

Senate File 299, by McKinley, a bill for an act relating to the characterization of personal injuries for purposes of workers' compensation liability.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations.**

Senate File 300, by McKinley, a bill for an act establishing a value-added assessment system to calculate annually the academic growth of students enrolled in school districts at grade levels three through eleven.

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

Senate File 301, by Hogg, Danielson, and Dotzler, a bill for an act requiring the Iowa utilities board to establish rules applicable to merchant power plants providing for energy conservation, energy efficiency, renewable energy, and research and technology development requirements comparable to those applying to utilities regulated by the board, and providing effective and applicability dates.

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

STUDY BILLS RECEIVED

SSB 1275 Education

Prohibiting parent-teacher conferences on the day of a general election.

SSB 1276 Education

Relating to establishment and implementation of core content standards and a model core curriculum and making an appropriation.

SSB 1277 Education

Creating an all Iowa opportunity grant program and fund to be administered by the college student aid commission.

SSB 1278 Local Government

Relating to city elections by providing procedures for filling a city council vacancy by special election and by providing satellite absentee voting at certain city elections.

SSB 1279 Ways and Means

Relating to a commercial property tax credit for individual and corporation income tax, and including effective and retroactive applicability date provisions.

SSB 1280 Judiciary

Relating to civil protective orders and criminal no-contact orders.

SSB 1281 Judiciary

Relating to the postsecondary education subsidy.

SSB 1282 Judiciary

Relating to conciliation proceedings in a dissolution of marriage case and domestic abuse.

SSB 1283 Judiciary

Concerning the employment of unauthorized aliens and human trafficking and providing penalties and other sanctions and an appropriation.

SSB 1284 Judiciary

Relating to indecent exposure and providing penalties.

SSB 1285 Judiciary

Expanding the criminal offense of possessing contraband in correctional institutions to include possessing contraband in a secure facility for the detention or custody of juveniles, a detention facility, or a jail, and providing a penalty.

SSB 1286 Judiciary

Relating to specified types of business solicitations, providing an exception from applicability of certain requirements for sales conducted by mail, the telephone, or the internet.

SSB 1287 Judiciary

Relating to the statute of limitation period in an action involving a tort claim against a municipality.

SSB 1288 Judiciary

Relating to a revised uniform anatomical gift Act, and providing penalties.

SUBCOMMITTEE ASSIGNMENTS**Senate File 227**

COMMERCE: Stewart, Chair; Heckroth and Kettering

Senate File 241

COMMERCE: McCoy, Chair; Putney and Warnstadt

Senate File 242

COMMERCE: Olive, Chair; Courtney and Ward

Senate File 255

WAYS AND MEANS: Dotzler, Chair; Putney and Seng

Senate File 258

JUDICIARY: Hancock, Chair; Fraise and Ward

Senate File 266

STATE GOVERNMENT: Danielson, Chair; Black and Gaskill

Senate File 267

EDUCATION: Connolly, Chair; Angelo and Quirnbach

Senate File 268

COMMERCE: Rielly, Chair; McCoy and McKibben

Senate File 269

EDUCATION: Connolly, Chair; Kreiman and Zaun

Senate File 274

AGRICULTURE: Fraise, Chair; Black and Johnson

Senate File 287

STATE GOVERNMENT: Hatch, Chair; Behn and Connolly

Senate File 288

JUDICIARY: Hogg, Chair; Behn and Kreiman

Senate File 291

NATURAL RESOURCES AND ENVIRONMENT: Bolkom, Chair; Hogg and Noble

Senate File 294

NATURAL RESOURCES AND ENVIRONMENT: Hancock, Chair; Hogg and Kettering

House File 298

JUDICIARY: Fraise, Chair; Horn and Zieman

SSB 1275

EDUCATION: Quirnbach, Chair; Johnson and Wood

SSB 1276

EDUCATION: Schoenjahn, Chair; Boettger and Heckroth

SSB 1277

EDUCATION: Wood, Chair; Mulder and Quirnbach

SSB 1278

LOCAL GOVERNMENT: Quirnbach, Chair; Hartsuch and Schoenjahn

SSB 1279

WAYS AND MEANS: Stewart, Chair; Bolkcom and McKibben

SSB 1280

JUDICIARY: Hancock, Chair; Horn and Noble

SSB 1281

JUDICIARY: Quirnbach, Chair; Hartsuch and Horn

SSB 1282

JUDICIARY: Quirnbach, Chair; Hancock and Zieman

SSB 1283

JUDICIARY: Kreiman, Chair; Fraise and Noble

SSB 1284

JUDICIARY: Quirnbach, Chair; Hartsuch and Kreiman

SSB 1285

JUDICIARY: Hancock, Chair; Noble and Quirnbach

SSB 1286

JUDICIARY: Kreiman, Chair; Behn and Schoenjahn

SSB 1287

JUDICIARY: Hogg, Chair; Kreiman and Ward

SSB 1288

JUDICIARY: Hancock, Chair; Hartsuch and Kreiman

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 32, the following correction was made:

1. Page 1, line 1: "92" Iowa Acts changed to "1992" Iowa Acts.

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 27th day of February, 2007:

Senate Files 32, 40, and 162.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

S-3040	S.F.	263	John P. Kibbie Michael Connolly
S-3041	S.F.	208	Herman C. Quirnbach
S-3042	S.F.	155	Robert E. Dvorsky Herman C. Quirnbach

JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 28, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by Pastor David Ruhe of Plymouth Congregational United Church of Christ in Des Moines, Iowa. He was the guest of Senator Ward.

The Journal of Tuesday, February 27, 2007, 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 27, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 491, a bill for an act adding hallucinogenic substances to the list of schedule I controlled substances, and providing penalties.

Read first time and **attached to companion Senate File 69**.

House File 499, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including workers' compensation self-insurance, premium taxes, the uniform securities Act, powers and duties of the insurance division, regulation of insurance sales to military personnel, domestic insurance companies, life insurance companies, nonprofit health service corporations, external review of health care coverage

decisions, investment limitations on insurers other than life insurers, property and casualty insurers' reserves, motor vehicle service contracts, county and state mutual associations, reciprocal or interinsurance contracts, licensing of insurance producers and public adjusters, and life and fire insurance company boards of directors, and providing penalties.

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

RECESS

On motion of Senator Courtney, the Senate recessed at 8:50 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 8:53 a.m., President Kibbie presiding.

RECESS

On motion of Senator Courtney, the Senate recessed at 8:54 a.m. until 12:00 p.m.

APPENDIX—1**CERTIFICATES OF RECOGNITION**

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

Arietta Barry, New London—For celebrating her 90th birthday. Senator Courtney (2/28/07).

Raymond and Mary Beggs, Burlington—For celebrating their 50th wedding anniversary. Senator Courtney (2/28/07).

Glen and Pat Brown, Mount Union—For celebrating their 50th wedding anniversary. Senator Courtney (2/28/07).

Mike Finch, Hartley-Melvin-Sanborn High School—For becoming the Class 1A 152-pound 1st place finisher at the 2007 State Wrestling Tournament. Senator Johnson (2/28/07).

Matthew Gayman, Urbandale—For achieving the rank of Eagle Scout, Boy Scout Troop 93. Senator Zaun (2/28/07).

Eldon Hardy, Burlington—For celebrating his 93rd birthday. Senator Courtney (2/28/07).

Ruth Hill, Burlington—For celebrating her 80th birthday. Senator Courtney (2/28/07).

Lloyd Kelly—For celebrating his 90th birthday. Senator Courtney (2/28/07).

Robert and Marjory Knapp—For celebrating their 60th wedding anniversary. Senator Courtney (2/28/07).

Benjamin and Dorothy Marsh, Burlington—For celebrating their 50th wedding anniversary. Senator Courtney (2/28/07).

Leon and Marilyn Marshall—For celebrating their 50th wedding anniversary. Senator Courtney (2/28/07).

Dillon Miner, Spirit Lake Park—For becoming the Class 2A 119-pound 1st place finisher at the 2007 State Wrestling Tournament. Senator Johnson (2/28/07).

Ray and Ella Mixer, Burlington—For celebrating their 60th wedding anniversary. Senator Courtney (2/28/07).

Elizabeth Mowell—For celebrating her 85th birthday. Senator Courtney (2/28/07).

Wayne Niebuhr, formerly of Burlington—For celebrating his 79th birthday. Senator Courtney (2/28/07).

Harold and Sharon Safley, Muscatine—For celebrating their 50th wedding anniversary. Senator Courtney (2/28/07).

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Tuesday, February 27, 2007, 4:05 p.m.

Members Present: Warnstadt, Chair; Heckroth, Vice Chair; Wieck, Ranking Member; Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward.

Members Absent: Angelo (excused).

Committee Business: Passed SF 38 and approved SSBs 1065 and 1178 (all amended).

Adjourned: 4:30 p.m.

JUDICIARY

Convened: Tuesday, February 27, 2007, 5:05 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; McKibben, Ranking Member; Behn, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman.

Members Absent: Dvorsky (excused).

Committee Business: Passed HF 199 and approved SSBs 1093, 1206, and 1215.

Adjourned: 5:20 p.m.

WAYS AND MEANS

Convened: Tuesday, February 27, 2007, 3:00 p.m.

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

Members Absent: Angelo and Lundby (both excused).

Committee Business: Passed SF 83 and presentation by the Department of Transportation.

Adjourned: 4:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Tuesday, February 27, 2007, 9:50 a.m.

Members Present: Dotzler, Chair; Heckroth, Vice Chair; Kettering, Ranking Member; Olive and Ward.

Members Absent: None.

Committee Business: Budget discussion.

Adjourned: 10:25 a.m.

APPROPRIATIONS

Convened: Wednesday, February 28, 2007, 9:40 a.m.

Members Present: Dvorsky, Chair; Angelo, Ranking Member; Behn, Boettger, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood.

Members Absent: McCoy, Vice Chair; Black, Bolkcom, and Putney (all excused).

Committee Business: Approved LSB 2829sc.

Adjourned: 9:50 a.m.

RULES AND ADMINISTRATION

Convened: Wednesday, February 28, 2007, 8:50 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SR 18.

Adjourned: 8:55 a.m.

INTRODUCTION OF BILLS

Senate File 302, by committee on Economic Growth, a bill for an act relating to moneys appropriated to the department of economic development for regional tourism marketing purposes.

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

Senate File 303, by Bolkcom, a bill for an act permitting rate-regulated gas and electric utilities to aggregate energy efficiency program funding, administration, and delivery, and to utilize a third party for such administration and delivery secured through a competitive bidding process.

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

Senate File 304, by committee on Natural Resources and Environment, a bill for an act relating to the exercise of regulatory authority by the department of natural resources and the natural resource commission within the boundaries of the Sac and Fox tribe settlement in Tama county, and providing for applicability and effective dates.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

ECONOMIC GROWTH

Bill Title: SENATE FILE 302 (formerly SF 158), a bill for an act relating to moneys appropriated to the department of economic development for regional tourism marketing purposes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Stewart, Olive, Houser, Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: HOUSE FILE 199, a bill for an act relating to the payment of costs of reasonable attorney fees related to certain paternity proceedings.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Kreiman, Hogg, McKibben, Behn, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: SENATE FILE 304 (formerly SF 239), a bill for an act relating to the exercise of regulatory authority by the department of natural resources and the natural resource commission within the boundaries of the Sac and Fox tribe settlement in Tama county, and providing for applicability and effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Hancock, Gaskill, Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 18, a resolution designating March 2007 as Iowa Women's History Month.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 12:01 p.m., President Kibbie presiding.

QUORUM CALL

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

The vote revealed 37 present, 13 absent, and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Lundby and Putney, for the day, on request of Senator Johnson; and Senator Gronstal, for the day, on request of Senator Courtney.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration Senate Files 140 and 205.

Senate File 140

On motion of Senator Schoenjahn, **Senate File 140**, a bill for an act relating to the time period for which peace officers' investigative reports and specific portions of electronic mail and telephone billing records are to be kept confidential, 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. 140), the vote was:

Yeas, 47:

Angelo	Dvorsky	Kettering	Schmitz
Appel	Fraise	Kibbie	Schoenjahn
Beall	Gaskill	Kreiman	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart

Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Quirnbach	Zaun
Dearden	Houser	Ragan	Zieman
Dotzler	Johnson	Rielly	

Nays, none.

Absent, 3:

Gronstal	Lundby	Putney
----------	--------	--------

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

Senate File 205

On motion of Senator Danielson, **Senate File 205**, a bill for an act relating to the use of moneys in the Iowa cultural trust grant account by the board of trustees of the Iowa cultural trust, 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. 205), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Gronstal

Lundby

Putney

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

INTRODUCTION OF BILL

Senate File 305, by committee on Appropriations, a bill for an act authorizing funding for providing disaster grants to needy individuals and families and providing an effective date.

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

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 28, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 319, a bill for an act updating the Code references to the Internal Revenue Code and including effective date and retroactive applicability provisions.

Read first time and **attached to companion Senate File 279**.

House File 468, a bill for an act requiring a study by the department of education relating to implementation of a statewide student information system.

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

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that **Senate Files 140** and **205** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration Senate Files 204, 187, 175, and 139.

Senate File 204

On motion of Senator Hancock, **Senate File 204**, a bill for an act relating to the department of public safety practices and procedures, 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. 204), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Gronstal	Lundby	Putney
----------	--------	--------

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

Senate File 187

On motion of Senator Dotzler, **Senate File 187**, a bill for an act requiring invasive pneumococcal disease immunization for children enrolling in licensed child care centers, was taken up for consideration.

Senator Dotzler asked and received unanimous consent that **House File 245** be **substituted** for **Senate File 187**.

House File 245

On motion of Senator Dotzler, **House File 245**, a bill for an act requiring invasive pneumococcal disease immunization for children enrolling in licensed child care centers, 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. 245), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Gronstal	Lundby	Putney
----------	--------	--------

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

WITHDRAWN

Senator Dotzler asked and received unanimous consent that **Senate File 187** be **withdrawn** from further consideration of the Senate.

Senate File 175

On motion of Senator Quirnbach, **Senate File 175**, a bill for an act relating to the disposition of seized property in a criminal proceeding, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 175), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Gronstal	Lundby	Putney
----------	--------	--------

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

Senate File 139

On motion of Senator Hogg, **Senate File 139**, a bill for an act relating to a criminal defendant filing an application for postconviction relief, was taken up for consideration.

Senator Hogg 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. 139), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Gronstal	Lundby	Putney
----------	--------	--------

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

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that **Senate Files 139, 175, and 204** and **House File 245** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration Senate Files 203 and 201.

Senate File 203

On motion of Senator Dearden, **Senate File 203**, a bill for an act requiring certain 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 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?" (S.F. 203), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Gronstal	Lundby	Putney
----------	--------	--------

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

Senate File 201

On motion of Senator Stewart, **Senate File 201**, a bill for an act relating to county recorder fees for certified copies of certain vital statistics records, and providing an effective date, was taken up for consideration.

Senator Stewart offered amendment S-3045, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-3045 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. 201), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Gronstal	Lundby	Putney
----------	--------	--------

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

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that **Senate Files 201** and **203** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration Senate File 78.

Senate File 78

On motion of Senator Hancock, **Senate File 78**, a bill for an act relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, and making penalties applicable, was taken up for consideration.

Senator Johnson offered amendment S-3043, filed by him from the floor to page 6 of the bill, and moved its adoption.

Amendment S-3043 was adopted by a voice vote.

Senator Hancock offered amendment S-3034, filed by Senator Hancock, et al., on February 15, 2007, to page 6 and to the title page of the bill, and moved its adoption.

Amendment S-3034 was adopted by a voice vote.

Senator Hancock offered amendment S-3047, filed by him from the floor to page 6 of the bill, and moved its adoption.

Amendment S-3047 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. 78), the vote was:

Yeas, 47:

Angelo	Dvorsky	Kettering	Schmitz
Appel	Fraise	Kibbie	Schoenjahn
Beall	Gaskill	Kreiman	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward

Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Quirnbach	Zaun
Dearden	Houser	Ragan	Zieman
Dotzler	Johnson	Rielly	

Nays, none.

Absent, 3:

Gronstal	Lundby	Putney
----------	--------	--------

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

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: SENATE FILE 305 (LSB 2829sc), a bill for an act authorizing funding for providing disaster grants to needy individuals and families and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 21: Dvorsky, Angelo, Behn, Boettger, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, 4: McCoy, Black, Bolkcom, and Putney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration Senate File 305.

Senate File 305

On motion of Senator Dvorsky, **Senate File 305**, a bill for an act authorizing funding for providing disaster grants to needy individuals and families and providing an effective date, was taken up for consideration.

Senator Dvorsky offered amendment S-3046, filed by him from the floor to page 1 and to the title page of the bill, and moved its adoption.

Amendment S-3046 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. 305), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Gronstal	Lundby	Putney
----------	--------	--------

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 Courtney asked and received unanimous consent that **Senate Files 78 and 305** be **immediately messaged** to the House.

RECESS

On motion of Senator Courtney, the Senate recessed at 1:20 p.m. until 4:00 p.m.

RECONVENED

The Senate reconvened at 4:00 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 February 28, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 305, a bill for an act authorizing funding for providing disaster grants to needy individuals and families and providing an effective date.

ADJOURNMENT

On motion of Senator Courtney, the Senate adjourned at 4:01 p.m. until 8:45 a.m., Thursday, March 1, 2007.

APPENDIX—2

CERTIFICATES OF RECOGNITION

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

Devin Kimber, Waukon—For achieving the rank of Eagle Scout. Senator Zieman (2/28/07).

Jacob Riese, Waukon—For achieving the rank of Eagle Scout. Senator Zieman (2/28/07).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, February 28, 2007, 1:25 p.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Mulder, Ranking Member; Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirmbach, Schmitz, Wood, Zaun, and Zieman.

Members Absent: None.

Committee Business: Approved SSB 1119 and presentation by the Department of Education.

Adjourned: 3:10 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, February 28, 2007, 1:35 p.m.

Members Present: Dearden, Chair; Courtney, Vice Chair; Ward, Ranking Member; Dotzler, Dvorsky, Hahn, Hatch, Horn, McKinley, Seng, and Wieck.

Members Absent: None.

Committee Business: Approved SSBs 1013 and 1157 (both amended).

Adjourned: 2:20 p.m.

TRANSPORTATION

Convened: Wednesday, February 28, 2007, 3:10 p.m.

Members Present: Rielly, Chair; Danielson, Vice Chair; Noble, Ranking Member; Beall, Dearden, Hancock, Heckroth, Houser, Warnstadt, Zaun, and Zieman.

Members Absent: McCoy and Putney.

Committee Business: Passed SF 54 and approved SSB 1160 (both amended).

Adjourned: 3:30 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Wednesday, February 28, 2007, 10:40 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; Hartsuch and Stewart.

Members Absent: None.

Committee Business: Presentation by the State Treasurer's Office.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Wednesday, February 28, 2007, 10:45 a.m.

Members Present: Seng, Chair; Schoenjahn, Vice Chair; Gaskill, Ranking Member; Black and Houser.

Members Absent: None.

Committee Business: Discussed LSB 1127.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Wednesday, February 28, 2007, 10:35 a.m.

Members Present: Dotzler, Chair; Heckroth, Vice Chair; Kettering, Ranking Member; Olive and Ward.

Members Absent: None.

Committee Business: Budget discussion.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, February 28, 2007, 10:40 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; Quirnbach and Ziemann.

Members Absent: None.

Committee Business: Presentation by Governor's Office.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, February 28, 2007, 10:40 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Health care presentations.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Wednesday, February 28, 2007, 10:40 a.m.

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

Members Absent: None.

Committee Business: Discussion of bills.

Adjourned: 10:55 a.m.

INTRODUCTION OF BILLS

Senate File 306, by committee on Economic Growth, a bill for an act relating to the designation of Iowa great places and financial and technical assistance to projects in Iowa great places.

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

Senate File 307, by committee on Ways and Means, a bill for an act allocating franchise tax revenues to local jurisdictions.

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

Senate File 308, 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 309, by committee on Natural Resources and Environment, a bill for an act creating a department of environmental protection and providing an effective date.

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

Senate File 310, by committee on Natural Resources and Environment, a bill for an act relating to civil damages payable for unlawful taking of certain animals and fish.

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

Senate File 311, by committee on Judiciary, a bill for an act relating to an action for satisfaction of a mortgage.

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

Senate File 312, by Seng, a bill for an act providing for state and local planning for the rescue of support animals in times of public disorder or disaster.

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

Senate File 313, by Bolckcom, a bill for an act relating to consumer protection in specified home loans and the responsibilities of mortgage bankers and mortgage brokers in connection with such home loans.

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

Senate File 314, by Bolckcom, a bill for an act providing for the establishment of net metering applicable to alternative energy production facilities.

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

Senate File 315, by Lundby, Seng, Johnson, Angelo, Danielson, McCoy, Wood, and Putney, a bill for an act relating to joint physical care of children in dissolution cases and establishing a rebuttable presumption that a request for joint physical care is in the best interest of the child.

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

Senate File 316, by Bolkcom and Lundby, a bill for an act creating an Alzheimer's disease task force.

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

Senate File 317, by Wood, a bill for an act requiring in-state home improvement contractors to obtain surety performance bonds, and providing a criminal penalty.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations.**

Senate File 318, by Kibbie, Gronstal, and Quirmbach, a bill for an act relating to support for renewable fuels by making appropriations for the design and construction of a new renewable fuels building and for the employment of additional renewable fuels research scientists at Iowa state university.

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

STUDY BILLS RECEIVED

SSB 1289 Local Government

Concerning accountability requirements for entities, boards, and administrators created for joint exercise of governmental powers.

SSB 1290 State Government

Establishing uniform finance procedures for obligations issued by the state.

SSB 1291 Labor and Business Relations

Providing for programs to assist mature workers in the workforce.

SSB 1292 Appropriations

Relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters.

SSB 1293 Appropriations

Relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents.

SSB 1294 Human Resources

Creating a hemophilia advisory committee and providing an effective date.

SSB 1295 Human Resources

Relating to elimination of certain duties of the department of elder affairs and the area agencies on aging.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 2**

NATURAL RESOURCES AND ENVIRONMENT: Ragan, Chair; Black and Kettering

Senate File 76

TRANSPORTATION: Danielson, Chair; Warnstadt and Zieman

Senate File 91

TRANSPORTATION: Putney, Chair; Dearden and Rielly

Senate File 231

TRANSPORTATION: McCoy, Chair; Danielson and Houser

Senate File 243

ECONOMIC GROWTH: Hatch, Chair; Houser and Olive

Senate File 277

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

Senate File 281

HUMAN RESOURCES: Quirnbach, Chair; Ragan and Seymour

Senate File 283

COMMERCE: Rielly, Chair; Olive and Wieck

Senate File 284

LABOR AND BUSINESS RELATIONS: McKinley, Chair; Horn and Seng

Senate File 290

HUMAN RESOURCES: Hatch, Chair; Ragan and Seymour

Senate File 292

JUDICIARY: Ward, Chair; Kreiman and Schoenjahn

Senate File 295

WAYS AND MEANS: Dotzler, Chair; Putney and Stewart

Senate File 296

NATURAL RESOURCES AND ENVIRONMENT: Hogg, Chair; Behn and Bolkcom

Senate File 298

STATE GOVERNMENT: Hatch, Chair; Behn and Kibbie

Senate File 299

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Dotzler and McKinley

House File 367

LABOR AND BUSINESS RELATIONS: Ward, Chair; Dearden and Horn

SSB 1289

LOCAL GOVERNMENT: Quirmbach, Chair; Angelo and Kreiman

SSB 1290

STATE GOVERNMENT: Connolly, Chair; Hahn and Hatch

SSB 1291

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Dotzler and Wieck

SSB 1292

APPROPRIATIONS: Dotzler, Chair; Dvorsky and Ward

SSB 1293

APPROPRIATIONS: Wood, Chair; Boettger and Dvorsky

SSB 1294

HUMAN RESOURCES: Johnson, Chair; Dotzler and Schmitz

SSB 1295

HUMAN RESOURCES: Bolkcom, Chair; Ragan and Seymour

LSB 2829sc

APPROPRIATIONS: Dvorsky, Chair; Angelo and Danielson

FINAL COMMITTEE REPORTS OF BILL ACTION**ECONOMIC GROWTH**

Bill Title: *SENATE FILE 306 (SSB 1016), a bill for an act relating to the designation of Iowa great places and financial and technical assistance to projects in Iowa great places.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Stewart, Olive, Houser, Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, 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 306, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 311 (SSB 1206), a bill for an act relating to an action for satisfaction of a mortgage.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kreiman, Hogg, McKibben, Behn, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: SENATE FILE 308 (formerly SF 156), 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, 14: Black, Hancock, Gaskill, Behn, Bolcom, Dearden, Hogg, Johnson, Kettering, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 309 (formerly SF 77), a bill for an act creating a department of environmental protection and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Hancock, Gaskill, Behn, Bolcom, Dearden, Hogg, Johnson, Kettering, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Lundby.

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 309, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 310 (SSB 1114), a bill for an act relating to civil damages payable for unlawful taking of certain animals and fish.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Hancock, Gaskill, Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Lundby.

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 310, and they were attached to the committee report.

WAYS AND MEANS

Bill Title: SENATE FILE 307 (formerly SF 83), a bill for an act allocating franchise tax revenues to local jurisdictions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolkcom, McCoy, McKibben, Appel, Connolly, Dotzler, Hogg, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, 2: Angelo and Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

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 28th day of February, 2007:

Senate File 305.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

S-3043	S.F.	78	David Johnson
S-3044	S.F.	114	Wally E. Horn
S-3045	S.F.	201	Roger Stewart
S-3046	S.F.	305	Robert E. Dvorsky
S-3047	S.F.	78	Tom Hancock
S-3048	S.F.	67	David Hartsuch

JOURNAL OF THE SENATE

FIFTY-THIRD CALENDAR DAY
THIRTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 1, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by the Honorable Dave Mulder, member of the Senate from Sioux County, Sioux Center, Iowa.

The Journal of Wednesday, February 28, 2007, was approved.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration Senate Resolution 18.

Senate Resolution 18

On motion of Senator Appel, **Senate Resolution 18**, a resolution designating March 2007 as Iowa Women's History Month, with report of committee recommending passage, was taken up for consideration.

Senator Appel moved the adoption of Senate Resolution 18, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Courtney, the Senate adjourned at 9:24 a.m. until 9:00 a.m., Monday, March 5, 2007.

APPENDIX

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 28, 2007, when the votes were taken on Senate Files 78, 139, 140, 175, 201, 203, 204, 205, and 305 and House File 245. Had I been present, I would have voted “Yea” on all.

JOHN PUTNEY

CERTIFICATES OF RECOGNITION

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

Gerald and Martha Gross—For celebrating their 50th wedding anniversary. Senator Boettger (3/1/07).

George and Alma Mathiasen—For celebrating their 70th wedding anniversary. Senator Boettger (3/1/07).

Charlie and Joan Sorensen—For celebrating their 50th wedding anniversary. Senator Boettger (3/1/07).

Willis and Thelma Umland—For celebrating their 50th wedding anniversary. Senator Boettger (3/1/07).

Roland and Velma Wegner—For celebrating their 50th wedding anniversary. Senator Boettger (3/1/07).

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Wednesday, February 28, 2007, 3:10 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood.

Members Absent: None.

Committee Business: Passed SF 123 (as amended), and approved SSBs 1035 and 1142 (as amended).

Recessed: 3:15 p.m.

Reconvened: 3:20 p.m.

Adjourned: 3:45 p.m.

LOCAL GOVERNMENT

Convened: Wednesday, February 28, 2007, 4:00 p.m.

Members Present: Quirnbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Angelo, Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart.

Members Absent: None.

Committee Business: Passed SFs 13 and 125. Approved SSBs 1196, 1199, and 1237.

Adjourned: 4:20 p.m.

STATE GOVERNMENT

Convened: Wednesday, February 28, 2007, 4:15 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Zieman, Ranking Member; Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood.

Members Absent: None.

Committee Business: Approved SSBs 1101, 1104, 1106, 1171, and 1229 (all as amended).

Adjourned: 5:35 p.m.

VETERANS AFFAIRS

Convened: Wednesday, February 28, 2007, 5:40 p.m.

Members Present: Beall, Chair; Seymour, Ranking Member; Black, Hartsuch, Horn, Kibbie, McKinley, and Ragan.

Members Absent: Warnstadt, Vice Chair; Danielson and McKibben (all excused).

Committee Business: Presentation by the Gold Star Museum.

Adjourned: 6:25 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 19, by Wieck, Lundby, Seymour, Noble, Hartsuch, Zieman, Mulder, Kettering, McKinley, Zaun, Gaskill, Putney, Hahn, Ward, Houser, Behn, McKibben, Angelo, and Johnson,

a resolution to honor the work of United States Attorney Matthew Whitaker and State Auditor David Vaudt.

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

INTRODUCTION OF BILLS

Senate File 319, by committee on Agriculture, a bill for an act relating to cooperative associations, by providing for documentation, including certificates and statements.

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

Senate File 320, by Wieck, a bill for an act authorizing a small business health care tax credit, and providing for a retroactive applicability date.

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

Senate File 321, by Boettger, a bill for an act relating to the sales tax exemption for farm machinery and equipment used in agricultural production.

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

Senate File 322, by Boettger, a bill for an act relating to eligibility requirements for the low-income home energy assistance program and the Iowa affordable heating program based on payment of a child support obligation.

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

Senate File 323, by Connolly, a bill for an act relating to certain property eligible for an exemption from property taxation, providing a refund of property taxes in certain circumstances, and including effective and retroactive applicability date provisions.

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

STUDY BILLS RECEIVED

SSB 1296 State Government

Establishing an Iowa Abraham Lincoln bicentennial commission and fund and providing for its prospective repeal.

SSB 1297 State Government

Requiring the legislative services agency to prepare reports regarding nonprofit hospitals and organized health systems.

SSB 1298 Economic Growth

Establishing the office of renewable energy and the Iowa power fund and related provisions, and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS

Senate File 316

HUMAN RESOURCES: Boettger, Chair; Bolkcom and Ragan

SSB 1296

STATE GOVERNMENT: Behn, Chair; Black and Wood

SSB 1297

STATE GOVERNMENT: Connolly, Chair; Danielson and Kettering

SSB 1298

ECONOMIC GROWTH: Stewart, Chair; Dotzler, Houser, Olive, and Seymour

FINAL COMMITTEE REPORT OF BILL ACTION

AGRICULTURE

Bill Title: SENATE FILE 319 (SSB 1267), a bill for an act relating to cooperative associations, by providing for documentation, including certificates and statements.

Recommendation: APPROVED COMMITTEE BILL.

JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 5, 2007

The Senate met in regular session at 9:00 a.m., President Pro Tempore Danielson 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 Robb Riggle.

The Journal of Thursday, March 1, 2007, 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 1, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 70, a bill for an act relating to crime victim compensation. (S-3050)

ALSO: That the House has on March 1, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 400, a bill for an act authorizing the formation of a professional corporation or a professional limited liability company by licensed real estate brokers.

Read first time and **attached to companion Senate File 206**.

House File 432, a bill for an act relating to abuse of a human corpse and providing penalties.

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

The Senate stood at ease at 9:05 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:20 a.m., President Kibbie presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:28 a.m. until 6:00 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

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

Tom Johnson—For 35 years of live professional theater at the Old Creamery Theatre, Amana, Iowa, and at schools and communities throughout Iowa. Senator Rielly (3/5/07).

Dorothy Poppen, Alton—For celebrating her 100th birthday. Senator Mulder (3/5/07).

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Thursday, March 1, 2007, 10:05 a.m.

Members Present: Warnstadt, Chair; Wieck, Ranking Member; Bolkom, Courtney, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward.

Members Absent: Heckroth, Vice Chair; Angelo, Kettering, McCoy, and McKibben (all excused).

Committee Business: Passed SFs 193 and 240 and approved SSBs 1207 and 1208.

Adjourned: 10:40 a.m.

APPROPRIATIONS

Convened: Monday, March 5, 2007, 11:10 a.m.

Members Present: Dvorsky, Chair; McCoy, Vice Chair; Angelo, Ranking Member; Behn, Black, Boettger, Bolkom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood.

Members Absent: Kettering (excused).

Committee Business: Passed SF 277 (as amended) and approved SSB 1247 (as amended).

Recessed: 11:15 a.m.

Reconvened: 11:45 a.m.

Adjourned: 12:15 p.m.

INTRODUCTION OF BILLS

Senate File 324, by Danielson, a bill for an act declaring certain city franchise fees legal, providing a basis for calculation and use of city franchise fees, and providing an effective date.

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

Senate File 325, by Danielson, a bill for an act relating to turtle trapping.

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

Senate File 326, by Ragan, Appel, Schmitz, Ward, and Lundby, a bill for an act relating to human papillomavirus infection by providing appropriations for a public awareness program and for vaccinations of low-income persons who are uninsured.

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

Senate File 327, by Black, a bill for an act relating to the determination of the reimbursement rate for hospitals under the medical assistance program.

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

Senate File 328, by Black, a bill for an act relating to plans and financial assurance requirements for sanitary landfill projects.

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

Senate File 329, by Black, Kreiman, and Hogg, a bill for an act establishing the Iowa retail petroleum unfair sales Act, and providing a penalty.

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

Senate File 330, by Black, a bill for an act requiring the state fire marshal to assess the practice and impact of selling novelty lighters.

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

Senate File 331, by McKinley, a bill for an act extending the reading instruction pilot project grant program by one year and providing an effective date.

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

Senate File 332, by McKinley, a bill for an act relating to board of educational examiners testing requirements for applicants for teacher licensure or endorsement.

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

Senate File 333, 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.**

Senate File 334, by committee on Labor and Business Relations, a bill for an act modifying the fee structure relating to amusement ride safety inspections conducted by the division of labor services of the department of workforce development, and providing an effective date.

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

Senate File 335, by committee on Local Government, a bill for an act relating to zoning provisions for the premises of home and community-based services waiver providers.

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

Senate File 336, by committee on Local Government, a bill for an act allowing certain cities to appoint additional civil service commissioners.

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

Senate File 337, by committee on Local Government, a bill for an act relating to information required to be indexed in the records of the county recorder.

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

Senate File 338, by committee on Human Resources, a bill for an act relating to the administrative modification of a child support order.

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

Senate File 339, by committee on Local Government, a bill for an act relating to county general obligation bonds by modifying the definition of essential county purpose and by changing the requirements under which a county may issue general county purpose bonds without an election.

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

Senate File 340, by committee on Judiciary, a bill for an act relating to the consideration of inherited or gifted property in dissolution-of-marriage property division proceedings and including an effective date and an applicability provision.

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

Senate File 341, by committee on Labor and Business Relations, a bill for an act concerning work-related injuries suffered and claims made outside of this state.

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

Senate File 342, by Lundby and Gronstal, a bill for an act relating to children who are subject to a court order for a temporary or permanent out-of-home placement by providing for visitation or ongoing interaction between the children and siblings.

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

Senate File 343, by Warnstadt, a bill for an act requiring the department of administrative services to convert state-owned vehicles under the department's control to alternative fuel vehicles.

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

Senate File 344, by committee on Natural Resources and Environment, a bill for an act relating to enforcement of certain solid waste disposal requirements and providing civil penalties.

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

Senate File 345, by committee on Commerce, a bill for an act allowing certain association group health care plans and wellness initiatives, and providing an effective date.

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

Senate File 346, by committee on Commerce, a bill for an act providing for the development of a uniform health insurance application form for use by small employers.

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

Senate File 347, by committee on Commerce, a bill for an act relating to the authority of creditors and credit unions in consumer credit or credit union transactions.

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

Senate File 348, by committee on State Government, a bill for an act relating to conducting county gambling elections and including an effective date and applicability provision.

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

Senate File 349, by committee on Human Resources, a bill for an act establishing a shaken baby syndrome prevention program in the department of public health.

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

Senate File 350, by committee on Education, a bill for an act creating a statewide voluntary preschool program for four-year-old children and making appropriations.

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

Senate File 351, by committee on State Government, a bill for an act requiring a political committee expressly advocating the passage or defeat of a ballot issue to file five disclosure reports in an election year.

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

Senate File 352, by committee on State Government, a bill for an act allowing a voter to register to vote and to vote after regular registration and prior to voting in an election.

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

Senate File 353, by committee on Transportation, a bill for an act relating to the Midwest interstate passenger rail compact and providing an effective date.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: SENATE FILE 277, a bill for an act 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 an administrator quality program, making appropriations, and providing an effective date.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3053.

Final Vote: Ayes, 19: Dvorsky, McCoy, Angelo, Black, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hancock, Hatch, Hogg, Putney, Ragan, Seng, Ward, Warnstadt, and Wood. Nays, 4: Behn, Boettger, Hahn, and Johnson. Present, 1: Seymour. Absent, 1: Kettering.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Bill Title: *SENATE FILE 345 (formerly SF 193), a bill for an act allowing certain association group health care plans and wellness initiatives, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Warnstadt, Wieck, Bolkcom, Courtney, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. Nays, none. Absent, 5: Heckroth, Angelo, Kettering, McCoy, and 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 Commerce Committee on Senate File 345, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 346 (formerly SF 240), a bill for an act providing for the development of a uniform health insurance application form for use by small employers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Warnstadt, Wieck, Bolkcom, Courtney, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. Nays, none. Absent, 5: Heckroth, Angelo, Kettering, McCoy, and McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 347 (SSB 1065), a bill for an act relating to the authority of creditors and credit unions in consumer credit or credit union transactions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Warnstadt, Heckroth, Wieck, Bolkcom, Courtney, Kettering, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. Nays, 1: McCoy. Absent, 1: Angelo.

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 347, and they were attached to the committee report.

EDUCATION

Bill Title: *SENATE FILE 350 (SSB 1119), a bill for an act creating a statewide voluntary preschool program for four-year-old children and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Schoenjahn, Appel, Mulder, Beall, Connolly, Heckroth, Kreiman, Quirnbach, Schmitz, and Wood. Nays, 4: Angelo, Boettger, Johnson, and Zaun. Present, 1: Ziemann. 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 350, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: SENATE FILE 338 (SSB 1035), a bill for an act relating to the administrative modification of a child support order.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 349 (SSB 1142), a bill for an act establishing a shaken baby syndrome prevention program in the department of public health.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirmbach, 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 349, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 333 (SSB 1215), 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: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3063.

Final Vote: Ayes, 14: Kreiman, Hogg, McKibben, Behn, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 340 (SSB 1093), a bill for an act relating to the consideration of inherited or gifted property in dissolution-of-marriage property division proceedings and including an effective date and an applicability provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kreiman, Hogg, McKibben, Behn, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND BUSINESS RELATIONS

Bill Title: *SENATE FILE 334 (SSB 1013), a bill for an act modifying the fee structure relating to amusement ride safety inspections conducted by the division of labor services of the department of workforce development, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Dearden, Courtney, Ward, Dotzler, Dvorsky, Hahn, Hatch, Horn, McKinley, Seng, 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 Labor and Business Relations Committee on Senate File 334, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 341 (SSB 1157), a bill for an act concerning work-related injuries suffered and claims made outside of this state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Dearden, Courtney, Dotzler, Dvorsky, Hatch, Horn, and Seng. Nays, 4: Ward, Hahn, McKinley, and 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 Labor and Business Relations Committee on Senate File 341, and they were attached to the committee report.

LOCAL GOVERNMENT

Bill Title: SENATE FILE 335 (formerly SF 125), a bill for an act relating to zoning provisions for the premises of home and community-based services waiver providers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Quirnbach, Beall, Zaun, Angelo, Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 336 (formerly SF 13), a bill for an act allowing certain cities to appoint additional civil service commissioners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Quirnbach, Beall, Zaun, Angelo, Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 337 (SSB 1199), a bill for an act relating to information required to be indexed in the records of the county recorder.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Quirnbach, Beall, Zaun, Angelo, Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 339 (SSB 1237), a bill for an act relating to county general obligation bonds by modifying the definition of essential county purpose and by changing the requirements under which a county may issue general county purpose bonds without an election.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Quirnbach, Beall, Zaun, Angelo, Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *SENATE FILE 344 (SSB 1111), a bill for an act relating to enforcement of certain solid waste disposal requirements and providing civil penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Hancock, Gaskill, Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Lundby.

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 344, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: *SENATE FILE 348 (SSB 1171), a bill for an act relating to conducting county gambling elections and including an effective date and applicability provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hatch, Kettering, McKibben, Schmitz, and Wood. Nays, 1: Hahn. Absent, 1: Kibbie.

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 348, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 351 (SSB 1101), a bill for an act requiring a political committee expressly advocating the passage or defeat of a ballot issue to file five disclosure reports in an election year.

Recommendation: APPROVED COMMITTEE BILL.

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

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 351, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 352 (SSB 1229), a bill for an act allowing a voter to register to vote and to vote after regular registration and prior to voting in an election.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Connolly, Horn, Appel, Black, Danielson, Hatch, Schmitz, and Wood. Nays, 6: Zieman, Behn, Gaskill, Hahn, Kettering, and McKibben. Absent, 1: Kibbie.

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 352, and they were attached to the committee report.

TRANSPORTATION

Bill Title: *SENATE FILE 353 (formerly SF 54), a bill for an act relating to the Midwest interstate passenger rail compact and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Rielly, Danielson, Noble, Beall, Dearden, Hancock, Heckroth, Houser, Warnstadt, Zaun, and Zieman. Nays, none. Absent, 2: McCoy 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 Transportation Committee on Senate File 353, and they were attached to the committee report.

EVENING SESSION

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

QUORUM CALL

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

The vote revealed 45 present, 5 absent, and a quorum present.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 7.

Senate File 7

On motion of Senator Danielson, **Senate File 7**, a bill for an act allowing cash prizes at annual game nights conducted by qualified organizations representing volunteer emergency services providers, with report of committee recommending passage, was taken up for consideration.

Senator Lundby asked and received unanimous consent that action on **Senate File 7** be **deferred**.

The Senate stood at ease at 6:00 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 6:50 p.m., President Kibbie presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Houser, until he arrives, on request of Senator Wieck.

BUSINESS PENDING

Senate File 7

The Senate resumed consideration of **Senate File 7**, a bill for an act allowing cash prizes at annual game nights conducted by qualified organizations representing volunteer emergency services providers, previously deferred.

Senator Danielson offered amendment S-3036, filed by Senator Hancock on February 19, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3036 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. 7), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Houser

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

President Pro Tempore Danielson took the chair at 6:55 p.m.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 263.

Senate File 263

On motion of Senator Kibbie, **Senate File 263**, a bill for an act concerning gambling games on gambling structures, was taken up for consideration.

Senator Kibbie offered amendment S-3040, filed by Senators Kibbie and Connolly on February 27, 2007, to page 3 of the bill, and moved its adoption.

Amendment S-3040 was adopted 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?" (S.F. 263), the vote was:

Yeas, 46:

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

Nays, 3:

Hartsuch	McKinley	Zaun
----------	----------	------

Absent, 1:

Houser

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 7:04 p.m.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 7 and 263** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 277.

Senate File 277

On motion of Senator Wood, **Senate File 277**, a bill for an act 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 an administrator quality program, making appropriations, and providing an effective date, with report of committee on Appropriations recommending amendment and passage, was taken up for consideration.

Senator Lundby asked and received unanimous consent that action on **Senate File 277** be **deferred**.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 278 and 279.

Senate File 278

On motion of Senator Schmitz, **Senate File 278**, a bill for an act relating to changes in the utility replacement tax law by redefining a new electric power generating plant, extending the life of the utility replacement tax task force, and requiring notification by the taxpayer to the department of revenue and local taxing district upon transfer of utility property, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 278), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Houser

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

Senate File 279

On motion of Senator Appel, **Senate File 279**, a bill for an act updating the Code references to the Internal Revenue Code and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Appel asked and received unanimous consent that **House File 319** be **substituted** for **Senate File 279**.

House File 319

On motion of Senator Appel, **House File 319**, a bill for an act updating the Code references to the Internal Revenue Code and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Appel 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. 319), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Houser

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

WITHDRAWN

Senator Appel asked and received unanimous consent that **Senate File 279** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS
(Deferred February 21, 2007)

Senate File 67

The Senate resumed consideration of **Senate File 67**, a bill for an act relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license, deferred February 21, 2007.

Senator Hartsuch offered amendment S-3048, filed by him on February 28, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3048 lost by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 67), the vote was:

Yeas, 33:

Angelo	Dotzler	Kibbie	Schoenjahn
Appel	Dvorsky	Kreiman	Seng
Beall	Fraise	McCoy	Stewart
Black	Gronstal	McKibben	Ward
Bolkcom	Hancock	Olive	Warnstadt
Connolly	Hatch	Quirnbach	Wood
Courtney	Heckroth	Ragan	
Danielson	Hogg	Rielly	
Dearden	Horn	Schmitz	

Nays, 16:

Behn	Hartsuch	McKinley	Seymour
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Absent, 1:

Houser

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 208.

Senate File 208

On motion of Senator Quirmbach, **Senate File 208**, a bill for an act relating to documents recorded with the county recorder, was taken up for consideration.

Senator Quirmbach offered amendment S-3041, filed by him on February 27, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3041 was adopted by a voice vote.

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. 208), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Houser

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 67, 208, and 278** and **House File 319** 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 212, 247, 206, and 155.

Senate File 212

On motion of Senator Stewart, **Senate File 212**, a bill for an act relating to the salary of deputy officers in certain county offices and providing an applicability date, 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. 212), the vote was:

Yeas, 47:

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

Nays, 2:

Behn	Kettering
------	-----------

Absent, 1:

Houser

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

Senate File 247

On motion of Senator Hogg, **Senate File 247**, a bill for an act making black bears and cougars fur-bearing animals, was taken up for consideration.

Senator Kettering offered amendment S-3054, filed by Senator Kettering, et al., from the floor to page 1 and to the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3054 be adopted?" (S.F. 247), the vote was:

Yeas, 29:

Angelo	Heckroth	Noble	Warnstadt
Beall	Johnson	Olive	Wieck
Behn	Kettering	Putney	Wood
Boettger	Kibbie	Rielly	Zaun
Gaskill	Kreiman	Schoenjahn	Zieman
Hahn	McKibben	Seymour	
Hancock	McKinley	Stewart	
Hartsuch	Mulder	Ward	

Nays, 20:

Appel	Danielson	Gronstal	McCoy
Black	Dearden	Hatch	Quirmbach
Bolkcom	Dotzler	Hogg	Ragan
Connolly	Dvorsky	Horn	Schmitz
Courtney	Fraise	Lundby	Seng

Absent, 1:

Houser

Amendment S-3054 was adopted.

Senator Gronstal asked and received unanimous consent that action on **Senate File 247** be **deferred**.

Senate File 206

On motion of Senator Heckroth, **Senate File 206**, a bill for an act authorizing the formation of a professional corporation or a professional limited liability company by licensed real estate brokers, was taken up for consideration.

Senator Heckroth asked and received unanimous consent that **House File 400** be **substituted** for **Senate File 206**.

House File 400

On motion of Senator Heckroth, **House File 400**, a bill for an act authorizing the formation of a professional corporation or a professional limited liability company by licensed real estate brokers, was taken up for consideration.

Senator Heckroth 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. 400), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Houser

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

WITHDRAWN

Senator Heckroth asked and received unanimous consent that **Senate File 206** be **withdrawn** from further consideration of the Senate.

Senate File 155

On motion of Senator Quirnbach, **Senate File 155**, a bill for an act relating to local governments by creating a local government innovation commission and fund, creating a center for governing excellence, and including an effective date, was taken up for consideration.

Senator Zaun offered amendment S-3038, filed by Senator Zaun, et al., on February 20, 2007, to pages 4, 6, and 7 of the bill.

Senator Zaun asked and received unanimous consent that action on amendment S-3038 be deferred.

Senator Dvorsky offered amendment S-3042, filed by Senators Dvorsky and Quirnbach on February 27, 2007, to pages 4-7 of the bill, and moved its adoption.

Amendment S-3042 was adopted by a voice vote.

Senator McKinley offered amendment S-3056, filed by Senator McKinley, et al., from the floor to page 7 of the bill, and moved its adoption.

Amendment S-3056 lost by a voice vote.

The Senate resumed consideration of amendment S-3038, previously deferred.

Senator Zaun moved the adoption of amendment S-3038, which motion prevailed by a voice vote.

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. 155), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Houser

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 155** and **212** and **House File 400** be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Deferred February 21, 2007)

Senate File 232

The Senate resumed consideration of **Senate File 232**, a bill for an act authorizing payroll deduction for dues to a certified bargaining representative for individuals receiving payment for work performed from the state, deferred February 21, 2007.

Senator Ziemann offered amendment S-3052, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-3052 lost 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. 232), the vote was:

Yeas, 30:

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

Nays, 19:

Angelo	Hartsuch	McKinley	Ward
Behn	Johnson	Mulder	Wieck
Boettger	Kettering	Noble	Zaun
Gaskill	Lundby	Putney	Ziemann
Hahn	McKibben	Seymour	

Absent, 1:

Houser

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 199, 114, and 131.

Senate File 199

On motion of Senator Appel, **Senate File 199**, a bill for an act granting the civil rights commission additional subpoena power to investigate unfair or discriminatory practices and providing an effective date, was taken up for consideration.

Senator McKinley asked and received unanimous consent that action on **Senate File 199** be **deferred**.

Senate File 114

On motion of Senator Horn, **Senate File 114**, a bill for an act relating to elevator conveyance safety standards enforced by the division of labor services of the department of workforce development, was taken up for consideration.

Senator Horn offered amendment S-3044, filed by him on February 28, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3044 was adopted by a voice vote.

Senator Horn asked and received unanimous consent that **House File 369** be **substituted** for **Senate File 114**.

House File 369

On motion of Senator Horn, **House File 369**, a bill for an act relating to elevator conveyance safety standards enforced by the division of labor services of the department of workforce development, 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. 369), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Houser

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

WITHDRAWN

Senator Horn asked and received unanimous consent that **Senate File 114** be **withdrawn** from further consideration of the Senate.

Senate File 131

On motion of Senator Schoenjahn, **Senate File 131**, a bill for an act relating to publication of property assessment equalization orders, 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. 131), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gaskill	Lundby	Seng

Beall	Gronstal	McCoy	Seymour
Behn	Hahn	McKibben	Stewart
Black	Hancock	McKinley	Ward
Boettger	Hartsuch	Mulder	Warnstadt
Bolkcom	Hatch	Noble	Wieck
Connolly	Heckroth	Olive	Wood
Courtney	Hogg	Putney	Zaun
Danielson	Horn	Quirnbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Houser

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 248, 254, and 302.

Senate File 248

On motion of Senator Dotzler, **Senate File 248**, a bill for an act relating to the membership of the board of physician assistant examiners, 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. 248), the vote was:

Yeas, 46:

Angelo	Dvorsky	Kibbie	Schmitz
Appel	Fraise	Kreiman	Schoenjahn
Beall	Gaskill	Lundby	Seng
Behn	Gronstal	McCoy	Seymour
Black	Hahn	McKibben	Stewart
Boettger	Hancock	Mulder	Ward

Bolkcom	Hatch	Noble	Warnstadt
Connolly	Heckroth	Olive	Wieck
Courtney	Hogg	Putney	Wood
Danielson	Horn	Quirnbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	

Nays, 3:

Hartsuch	McKinley	Zaun
----------	----------	------

Absent, 1:

Houser

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

Senate File 254

On motion of Senator Schmitz, **Senate File 254**, a bill for an act revising family investment program requirements, was taken up for consideration.

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

On the question “Shall the bill pass?” (S.F. 254), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Houser

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

Senate File 302

On motion of Senator Beall, **Senate File 302**, a bill for an act relating to moneys appropriated to the department of economic development for regional tourism marketing purposes, 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. 302), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Houser

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 131, 232, 248, 254, and 302** and **House File 369** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 277

The Senate resumed consideration of **Senate File 277**, a bill for an act 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 an administrator quality program, making appropriations, and providing an effective date, previously deferred.

Senator Wood offered amendment S-3053, filed by the committee on Appropriations to pages 2-4, 12-15, and 17 of the bill.

Senator McKinley offered amendment S-3059, filed by Senator McKinley, et al., from the floor to page 1, and to the title page of amendment S-3053, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3059 be adopted?" (S.F. 277), the vote was:

Yeas, 18:

Angelo	Hartsuch	McKinley	Wieck
Behn	Johnson	Noble	Zaun
Boettger	Kettering	Putney	Zieman
Gaskill	Lundby	Seymour	
Hahn	McKibben	Ward	

Nays, 31:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Kibbie	Schmitz
Black	Fraise	Kreiman	Schoenjahn
Bolkcom	Gronstal	McCoy	Seng
Connolly	Hancock	Mulder	Stewart
Courtney	Hatch	Olive	Warnstadt

Danielson	Heckroth	Quirnbach	Wood
Dearden	Hogg	Ragan	

Absent, 1:

Houser

Amendment S-3059 lost.

Senator Zieman offered amendment S-3060, filed by Senator Zieman, et al., from the floor to page 1 of amendment S-3053, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3060 be adopted?" (S.F. 277), the vote was:

Yeas, 19:

Angelo	Hahn	McKibben	Ward
Beall	Hartsuch	McKinley	Wieck
Behn	Johnson	Noble	Zaun
Boettger	Kettering	Putney	Zieman
Gaskill	Lundby	Seymour	

Nays, 30:

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

Absent, 1:

Houser

Amendment S-3060 lost.

Senator Angelo offered amendment S-3058, filed by Senators Angelo and Johnson from the floor to pages 1 and 2 of amendment S-3053, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3058 be adopted?” (S.F. 277), the vote was:

Yeas, 19:

Angelo	Hartsuch	McKibben	Ward
Behn	Johnson	McKinley	Wieck
Boettger	Kettering	Noble	Zaun
Gaskill	Lundby	Putney	Zieman
Hahn	McCoy	Seymour	

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	Mulder	Stewart
Cannolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, 1:

Houser

Amendment S–3058 lost.

Senator Johnson offered amendment S–3061, filed by him from the floor to pages 1 and 2 of amendment S–3053, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3061 be adopted?” (S.F. 277), the vote was:

Yeas, 18:

Angelo	Hartsuch	McKinley	Wieck
Behn	Johnson	Noble	Zaun
Boettger	Kettering	Putney	Zieman
Gaskill	Lundby	Seymour	
Hahn	McKibben	Ward	

Nays, 31:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Kibbie	Schmitz
Black	Fraise	Kreiman	Schoenjahn

Bolkcom	Gronstal	McCoy	Seng
Connolly	Hancock	Mulder	Stewart
Courtney	Hatch	Olive	Warnstadt
Danielson	Heckroth	Quirmbach	Wood
Dearden	Hogg	Ragan	

Absent, 1:

Houser

Amendment S-3061 lost.

Senator Putney offered amendment S-3062, filed by Senator Putney, et al., from the floor to page 2 of amendment S-3053, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3062 be adopted?" (S.F. 277, the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Houser

Amendment S-3062 was adopted.

Senator Wood moved the adoption of committee amendment S-3053.

A record roll call was requested.

On the question "Shall amendment S-3053 be adopted?" (S.F. 277), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Houser

Amendment S-3053, as amended, was adopted.

Senator Angelo offered amendment S-3057, filed by Senator Angelo, et al., from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3057 be adopted?" (S.F. 277), the vote was:

Yeas, 17:

Angelo	Hartsuch	McKinley	Wieck
Behn	Johnson	Noble	Zieman
Boettger	Kettering	Putney	
Gaskill	Lundby	Seymour	
Hahn	McKibben	Ward	

Nays, 32:

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

Absent, 1:

Houser

Amendment S-3057 lost.

Senator Wood offered amendment S-3055, filed by Senators Wood and Mulder from the floor to pages 5 and 7-9 of the bill, and moved its adoption.

Amendment S-3055 was adopted by a voice vote.

Senator Mulder offered amendment S-3064, filed by Senators Mulder and Wood from the floor to page 19 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3064 be adopted?" (S.F. 277), the vote was:

Yeas, 40:

Appel	Gronstal	Kreiman	Schoenjahn
Beall	Hahn	Lundby	Seng
Behn	Hancock	McKinley	Seymour
Black	Hartsuch	Mulder	Stewart
Boettger	Hatch	Noble	Ward
Bolkcom	Heckroth	Olive	Warnstadt
Danielson	Hogg	Putney	Wieck
Dvorsky	Johnson	Quirnbach	Wood
Fraise	Kettering	Ragan	Zaun
Gaskill	Kibbie	Rielly	Zieman

Nays, 9:

Angelo	Dearden	McCoy
Connolly	Dotzler	McKibben
Courtney	Horn	Schmitz

Absent, 1:

Houser

Amendment S-3064 was adopted.

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. 277), the vote was:

Yeas, 44:

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

Nays, 5:

Behn	Hartsuch	McKinley
Hahn	Kettering	

Absent, 1:

Houser

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 277** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:15 p.m. until 8:45 a.m., Tuesday, March 6, 2007.

APPENDIX—2

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which amendment S-3054 to Senate File 247 was adopted by the Senate on March 5, 2007.

FRANK WOOD

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Monday, March 5, 2007, 5:00 p.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Mulder, Ranking Member; Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirnbach, Schmitz, Wood, and Zaun.

Members Absent: Zieman.

Committee Business: Passed SF 60. Approved SSBs 1023 and 1275.

Adjourned: 5:50 p.m.

JUDICIARY

Convened: Monday, March 5, 2007, 2:10 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; McKibben, Ranking Member; Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman.

Members Absent: None.

Committee Business: Passed SF 170 and HF 258. Approved SSBs 1031, 1129, 1186, 1218, 1265, and 1281.

Recessed: 2:15 p.m.

Reconvened: 2:40 p.m.

Adjourned: 3:30 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Monday, March 5, 2007, 5:10 p.m.

Members Present: Dearden, Chair; Courtney, Vice Chair; Ward, Ranking Member; Dotzler, Dvorsky, Hahn, Hatch, Horn, McKinley, Seng, and Wieck.

Members Absent: None.

Committee Business: Passed SF 233 and approved SSB 1025.

Adjourned: 5:35 p.m.

TRANSPORTATION

Convened: Monday, March 5, 2007, 3:35 p.m.

Members Present: Rielly, Chair; Danielson, Vice Chair; Noble, Ranking Member; Beall, Dearden, Hancock, Heckroth, McCoy, Putney, Warnstadt, Zaun, and Zieman.

Members Absent: Houser (excused).

Committee Business: Passed SF 91 and approved SSB 1137 (as amended).

Adjourned: 3:55 p.m.

INTRODUCTION OF BILLS

Senate File 354, by committee on Local Government, a bill for an act relating to certain overpayments of moneys to a county.

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

Senate File 355, by Kibbie, Lundby, Gaskill, Seymour, Kettering, Houser, Wieck, Fraise, Quirnbach, Black, Bolkcom, Hatch, Stewart, Ragan, Schmitz, Kreiman, Danielson, Dotzler, Heckroth, Dvorsky, Hancock, Hogg, Olive, Wood, Dearden, Appel, Courtney, Gronstal, Beall, Schoenjahn, and Seng, a bill for an act relating to wind energy by establishing a community-based wind energy program and a community-based energy project study.

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

Senate File 356, by Zaun, a bill for an act establishing contractor qualifications for bidding on public works projects and specifying criteria prohibited from being required of contractors on public works or public road projects.

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

Senate File 357, by Hancock, a bill for an act relating to public safety by making an appropriation to the department of public safety for the fire service training bureau and discontinuing state funding for law enforcement on the Sac and Fox Indian settlement.

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

STUDY BILLS RECEIVED

SSB 1299 Economic Growth

Relating to the establishment of regional sports authorities by convention and visitors bureaus in certain cities and making appropriations.

SSB 1300 Economic Growth

Relating to certain distress criteria under the enterprise zone program.

SSB 1301 Economic Growth

To support efforts to strengthen after school programming using the arts and making an appropriation.

SSB 1302 Local Government

Establishing residency requirements for certain boards of hospital trustees and for utility board members.

SSB 1303 Economic Growth

Relating to mortgage release certificates issued by the Iowa finance authority.

SSB 1304 Economic Growth

Relating to certification of allocations of the state ceiling under the private activity bond allocation Act.

SSB 1305 Appropriations

Relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection.

SSB 1306 Economic Growth

Creating an Iowa advanced renewable fuels technology commercialization program, fund, and an advisory board.

SSB 1307 Ways and Means

Relating to city franchise fees by declaring certain franchise fees legal and providing a basis for calculation and use of franchise fees by a city, and providing an effective date.

SSB 1308 Labor and Business Relations

Relating to workers' compensation laws by regulating insurance policy exclusions and debt collection practices.

SSB 1309 State Government

Concerning assessments for funding of municipal utility retirement systems.

SUBCOMMITTEE ASSIGNMENTS**Senate File 93**

EDUCATION: Heckroth, Chair; Beall and Mulder

Senate File 127

EDUCATION: Quirnbach, Chair; Mulder and Schmitz

Senate File 256

TRANSPORTATION: Dearden, Chair; McCoy and Ziemann

Senate File 286

COMMERCE: McCoy, Chair; Heckroth and McKibben

Senate File 289

TRANSPORTATION: Warnstadt, Chair; Beall and Noble

Senate File 297

TRANSPORTATION: Dearden, Chair; Hancock and Zaun

Senate File 300

EDUCATION: Quirnbach, Chair; Kreiman and Mulder

Senate File 301

COMMERCE: McCoy, Chair; Heckroth and Putney

Senate File 303

COMMERCE: McCoy, Chair; Heckroth and Ward

Senate File 313

COMMERCE: Bolkcom, Chair; Kettering and Warnstadt

Senate File 314

COMMERCE: McCoy, Chair; Putney and Schoenjahn

Senate File 317

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Horn and McKinley

Senate File 320

COMMERCE: Rielly, Chair; McCoy and Wieck

Senate File 321

WAYS AND MEANS: Quirnbach, Chair; Bolkcom and Putney

Senate File 322

HUMAN RESOURCES: Kreiman, Chair; Hatch and Seymour

Senate File 324

LOCAL GOVERNMENT: Rielly, Chair; Angelo and Heckroth

Senate File 327

HUMAN RESOURCES: Hatch, Chair; Bolkcom and Seymour

House File 468

EDUCATION: Wood, Chair; Beall and Zaun

House File 499

COMMERCE: McCoy, Chair; Kettering and Rielly

SSB 1299

ECONOMIC GROWTH: Hatch, Chair; Rielly and Zaun

SSB 1300

ECONOMIC GROWTH: Rielly, Chair; Danielson and Houser

SSB 1301

ECONOMIC GROWTH: Beall, Chair; Schmitz and Seymour

SSB 1302

LOCAL GOVERNMENT: Quirmbach, Chair; Hartsuch and Kreiman

SSB 1303

ECONOMIC GROWTH: Stewart, Chair; Danielson, and Hahn

SSB 1304

ECONOMIC GROWTH: Stewart, Chair; Danielson and Hahn

SSB 1305

APPROPRIATIONS: Seng, Chair; Dvorsky and Gaskill

SSB 1306

ECONOMIC GROWTH: Stewart, Chair; Beall and Houser

SSB 1307

WAYS AND MEANS: McCoy, Chair; Angelo and Hogg

SSB 1308

LABOR AND BUSINESS RELATIONS: Wieck, Chair; Courtney and Dotzler

SSB 1309

STATE GOVERNMENT: Connolly, Chair; Kibbie and Zieman

FINAL COMMITTEE REPORTS OF BILL ACTION**JUDICIARY**

Bill Title: HOUSE FILE 258, a bill for an act relating to the duties of directors of nonprofit corporations.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: SENATE FILE 354 (SSB 1196), a bill for an act relating to certain overpayments of moneys to a county.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Quirnbach, Beall, Zaun, Angelo, Hartsuch, Heckroth, Houser, Kreiman, Olive, Rielly, Schoenjahn, and Stewart. Nays, 1: McKinley. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: SENATE FILE 91, a bill for an act relating to the use of a motor vehicle registered as an antique vehicle.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Rielly, Danielson, Noble, Beall, Dearden, Hancock, Heckroth, Putney, Warnstadt, Zaun, and Zieman. Nays, none. Absent, 2: Houser and McCoy.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

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 5th day of March, 2007:

Senate File 61.

MICHAEL E. MARSHALL
Secretary of the Senate

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 5, 2007, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 61 – Relating to the establishment of state and school antiharassment and antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters.

AMENDMENTS FILED

S-3050	S.F.	70	House
S-3051	S.F.	128	Dave Mulder
S-3052	S.F.	232	Mark Ziemann
S-3053	S.F.	277	Appropriations
S-3054	S.F.	247	Steve Kettering
			David Johnson
			James A. Seymour
			Nancy J. Boettger
			Dave Mulder
			Ron Wieck
			Jeff Angelo
S-3055	S.F.	277	Frank B. Wood
			Dave Mulder
S-3056	S.F.	155	Paul McKinley
			Mark Ziemann
			David Hartsuch
			Brad Zaun
			Dave Mulder
			David Johnson

			Pat Ward
			Nancy J. Boettger
			Jerry Behn
			Jeff Angelo
			Larry McKibben
			Steve Kettering
			James F. Hahn
			Ron Wieck
			John Putney
			James A. Seymour
			E. Thurman Gaskill
			Larry Noble
S-3057	S.F.	277	Jeff Angelo
			Larry McKibben
			Ron Wieck
			Jerry Behn
			James A. Seymour
			Paul McKinley
			Pat Ward
			Nancy J. Boettger
			David Hartsuch
S-3058	S.F.	277	Jeff Angelo
			David Johnson
S-3059	S.F.	277	Paul McKinley
			Brad Zaun
			Steve Kettering
			Mark Zieman
			David Hartsuch
			David Johnson
			Jerry Behn
			Nancy J. Boettger
			Pat Ward
			Larry Noble
			James F. Hahn
			John Putney
			Jeff Angelo
			Ron Wieck
S-3060	S.F.	277	Mark Zieman
			Brad Zaun
			David Johnson
			Paul McKinley

			David Hartsuch
			Larry Noble
			Larry McKibben
			Pat Ward
			James F. Hahn
			Ron Wieck
			Jerry Behn
S-3061	S.F.	277	David Johnson
S-3062	S.F.	277	John Putney
			Robert E. Dvorsky
			Frank B. Wood
S-3063	S.F.	333	Judiciary
S-3064	S.F.	277	Dave Mulder
			Frank B. Wood

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 6, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by The Most Reverend R. Walker Nickless, bishop of the diocese of Sioux City. He was the guest of Senator Johnson.

The Journal of Monday, March 5, 2007, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:00 a.m. until 8:00 a.m., Wednesday, March 7, 2007.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 74, the following correction was made:

1. Page 55, line 30: "NEW PARAGRAPH" was changed to "NEW UNNUMBERED PARAGRAPH".
2. Page 58, line 18: "New Section" was changed to "New Subsection".

MICHAEL E. MARSHALL
Secretary of the Senate

CERTIFICATES OF RECOGNITION

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

Alice Frentress, Waterloo—For celebrating her 90th birthday. Senator Dotzler (3/6/07).

Daisy Herr—For celebrating her 100th birthday. Senator Courtney (3/6/07).

Gary and Donna Horak, Waterloo—For celebrating their 50th wedding anniversary. Senator Dotzler (3/6/07).

Sister Mary Carla Koestner, SSND, formerly of Burlington—For celebrating her 97th birthday. Senator Courtney (3/6/07).

Tom Mashek—For being inducted into the Buena Vista University Hall of Fame. Senator Courtney (3/6/07).

Mark Miller—For being recognized as the Mississippi Athletic Conference Coach of the Year. Senator Courtney (3/6/07).

Delbert and Mildred Pilling—For celebrating their 70th wedding anniversary. Senator Courtney (3/6/07).

Kayla Riley, Burlington—For being named the Mississippi Athletic Conference Player of the Year. Senator Courtney (3/6/07).

Gary and Betty Sumpter—For celebrating their 50th wedding anniversary. Senator Courtney (3/6/07).

Adam Test—For achieving the rank of Eagle Scout, Boy Scout Troop 40. Senator McCoy (3/6/07).

Harold and Beverly Todd—For celebrating their 50th wedding anniversary.
Senator Courtney (3/6/07).

Carl and Mary Wolkenhauer—For celebrating their 50th wedding anniversary.
Senator Courtney (3/6/07).

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Monday, March 5, 2007, 3:40 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirmbach, and Wood.

Members Absent: None.

Committee Business: Passed SF 184 (as amended) and approved SSB 1177 (as amended).

Recessed: 5:05 p.m.

Reconvened: 6:25 p.m.

Adjourned: 6:30 p.m.

AGRICULTURE

Convened: Tuesday, March 6, 2007, 9:50 a.m.

Members Present: Fraise, Chair; Rielly, Vice Chair; Johnson, Ranking Member; Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Mulder, Olive, Putney, and Seng.

Members Absent: None.

Committee Business: Passed SF 209 (as amended) and approved SSB 1001 (as amended).

Recessed: 10:00 a.m.

Reconvened: 10:35 a.m.

Adjourned: 11:05 a.m.

COMMERCE

Convened: Tuesday, March 6, 2007, 1:05 p.m.

Members Present: Warnstadt, Chair; Heckroth, Vice Chair; Wieck, Ranking Member; Angelo, Bolcom, Courtney, Kettering, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward.

Members Absent: McCoy (excused).

Committee Business: Approved SSB 1175.

Adjourned: 1:10 p.m.

VETERANS AFFAIRS

Convened: Tuesday, March 6, 2007, 11:10 a.m.

Members Present: Beall, Chair; Warnstadt, Vice Chair; Seymour, Ranking Member; Danielson, Hartsuch, Horn, Kibbie, McKibben, McKinley, and Ragan.

Members Absent: Black (excused).

Committee Business: Passed SF 257 and approved SSBs 1116 and 1117.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Tuesday, March 6, 2007, 8:10 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; Quirnbach and Zieman.

Members Absent: None.

Committee Business: Discussion of bills.

Adjourned: 8:25 a.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 3, by Angelo, Boettger, Zieman, Hartsuch, Ward, Wieck, Zaun, McKinley, Seymour, Gaskill, Johnson, Putney, McKibben, and Hahn, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the repeal of state programs.

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

INTRODUCTION OF BILLS

Senate File 358, by committee on Transportation, a bill for an act establishing prelicensing and continuing education requirements for used motor vehicle dealers.

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

Senate File 359, by committee on Human Resources, a bill for an act relating to the personal needs allowance for residents of certain facilities.

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

Senate File 360, by committee on Commerce, a bill for an act relating to the regulatory duties of the division of banking of the department of commerce regarding banking, debt management, mortgage banking, industrial loan companies, and professional licensing.

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

Senate File 361, by committee on State Government, a bill for an act concerning investment of certain public funds in companies doing business in Sudan by the treasurer of state, public retirement systems in Iowa, and the state board of regents.

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

Senate File 362, by Beall, a bill for an act relating to the funding for snowmobile and all-terrain vehicle programs by making appropriations to restore transferred funding from snowmobile and all-terrain vehicle fees.

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

Senate File 363, by Beall and Dotzler, a bill for an act relating to assessment of certain recreational property for purposes of property taxation.

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

Senate File 364, by Beall, a bill for an act relating to school nurse employment and the provision of health services by school districts and providing an effective date.

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

Senate File 365, by Beall, a bill for an act relating to forgivable loans for individuals enrolled in approved nursing education programs.

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

Senate File 366, by Boettger, a bill for an act relating to the election of county sheriff on a nonpartisan basis and providing an effective date.

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

Senate File 367, by committee on Commerce, a bill for an act creating an interim commission on affordable health care plans for small businesses and families and a health care data research advisory council, and making an appropriation.

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

Senate File 368, 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**.

Senate File 369, by committee on State Government, a bill for an act relating to voting machines and optical scan voting systems.

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

Senate File 370, by committee on Commerce, a bill for an act relating to the regulation of credit unions by revising and reorganizing the Iowa credit union Act, making conforming changes, and providing for taxes, fees, and penalties.

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

Senate File 371, by Noble, a bill for an act providing for the placement of highway signs honoring members of the state patrol killed in the line of duty.

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

Senate File 372, by Rielly, a bill for an act authorizing the use of advance directives for mental health care and providing penalties.

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

Senate File 373, by committee on Judiciary, a bill for an act relating to the postsecondary education subsidy.

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

Senate File 374, by Hancock, a bill for an act allowing regions within the state to participate in a pilot project for regional emergency response districts and providing for a district tax levy.

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

Senate File 375, by Hancock, a bill for an act relating to a person under legal age submitting to a preliminary screening test for the detection of the presence of alcohol, and providing a penalty.

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

Senate File 376, by Angelo, a bill for an act relating to the transferability of investment tax credits for an eligible business that is a biodiesel project located in an enterprise zone.

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

Senate File 377, by McKinley, Zaun, Kettering, Boettger, Hartsuch, Behn, Noble, Gaskill, Johnson, Angelo, McKibben, Hahn, Seymour, Zieman, Ward, Wieck, and Mulder, a bill for an act requiring proof of citizenship or lawful presence in this country for issuance of a driver's license or nonoperator's identification card.

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

Senate File 378, by Kettering, a bill for an act requiring certain health care providers and temporary nurse agencies to have or supply documentation that criminal record and abuse registry checks have been performed on individuals who provide nursing services on a temporary basis.

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

Senate File 379, by Zieman, a bill for an act relating to the exemption from the individual income tax of active duty pay for certain military service, and including effective and retroactive applicability date provisions.

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

Senate File 380, by Noble, a bill for an act eliminating the requirement of the commission of certain predatory acts prior to civil commitment as a sexually violent predator.

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

STUDY BILLS RECEIVED

SSB 1310 Local Government

Relating to the construction bidding procedures Act by modifying procedures and requirements for letting public improvement contracts, and making corrections.

SSB 1311 Agriculture

Relating to the state interagency Missouri river authority, by providing for the participation in or withdrawal from interstate associations, providing for the appointment of a vice chairperson, and providing for duties of member agencies.

SSB 1312 Agriculture

Relating to motor fuel by establishing standards for the sale of biodiesel fuel, making penalties applicable, and providing for an effective date.

SSB 1313 Commerce

Reorganizing Code chapter provisions relating to the authority to engage in the business of insurance other than life insurance by transferring provisions, eliminating outdated provisions, and amending corresponding provisions, as necessary.

SSB 1314 Commerce

Relating to the regulation of savings and loan associations by the division of banking of the department of commerce.

SSB 1315 Agriculture

Relating to maximum size and weight requirements for vehicles hauling crops during the annual period of harvest.

SSB 1316 Veterans Affairs

Relating to the home ownership assistance program for Iowa residents who are eligible members of the armed forces of the United States.

SSB 1317 Veterans Affairs

Creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, and providing a tax exemption and a penalty.

SSB 1318 Judiciary

Relating to civil liability for damages relating to the use of an automated external defibrillator in sudden cardiac arrest emergencies.

SSB 1319 Judiciary

Relating to mechanics' liens.

SSB 1320 Transportation

Providing for an agricultural-biomanufacturing initiative and making an appropriation.

SSB 1321 Agriculture

Relating to animal feeding operations, by providing for the enforcement of regulatory provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 3**

STATE GOVERNMENT: Black, Chair; Kibbie and McKibben

Senate File 312

NATURAL RESOURCES AND ENVIRONMENT: Seng, Chair; Kettering and Schoenjahn

Senate File 315

JUDICIARY: McKibben, Chair; Hogg and Kreiman

Senate File 323

WAYS AND MEANS: Connolly, Chair; Bolkcom and Wieck

Senate File 325

NATURAL RESOURCES AND ENVIRONMENT: Seng, Chair; Dearden and Gaskill

Senate File 328

NATURAL RESOURCES AND ENVIRONMENT: Bolkcom, Chair; Hogg and Lundby

Senate File 329

AGRICULTURE: Courtney, Chair; Black and Putney

Senate File 330

JUDICIARY: Kreiman, Chair; Dvorsky and Zieman

Senate File 342

HUMAN RESOURCES: Kreiman, Chair; Ragan and Seymour

Senate File 371

TRANSPORTATION: Noble, Chair; Hancock and Rielly

Senate File 372

HUMAN RESOURCES: Kreiman, Chair; Ragan and Seymour

House File 432

JUDICIARY: Fraise, Chair; Hartsuch and Quirnbach

SSB 1310

LOCAL GOVERNMENT: Quirnbach, Chair; Hartsuch and Olive

SSB 1311

AGRICULTURE: Mulder, Chair; Houser and Olive

SSB 1312

AGRICULTURE: Kibbie, Chair; Boettger and Rielly

SSB 1313

COMMERCE: McCoy, Chair; Olive and Wieck

SSB 1314

COMMERCE: Heckroth, Chair; Courtney and Kettering

SSB 1315

AGRICULTURE: Fraise, Chair; Gaskill and Kibbie

SSB 1316

VETERANS AFFAIRS: Beall, Chair; Black, Danielson, Hartsuch, Horn, Kibbie, McKibben, McKinley, Ragan, Seymour, and Warnstadt

SSB 1317

VETERANS AFFAIRS: Beall, Chair; Black, Danielson, Hartsuch, Horn, Kibbie, McKibben, McKinley, Ragan, Seymour, and Warnstadt

SSB 1318

JUDICIARY: Kreiman, Chair; Fraise and Hartsuch

SSB 1319

JUDICIARY: Kreiman, Chair; Fraise and Ward

SSB 1320

TRANSPORTATION: Rielly, Chair; Hancock and Putney

SSB 1321

AGRICULTURE: Black, Chair; Johnson and Rielly

FINAL COMMITTEE REPORTS OF BILL ACTION

COMMERCE

Bill Title: *SENATE FILE 360 (SSB 1178), a bill for an act relating to the regulatory duties of the division of banking of the department of commerce regarding banking, debt management, mortgage banking, industrial loan companies, and professional licensing.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Warnstadt, Heckroth, Wieck, Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. Nays, none. Absent, 1: Angelo.

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 360, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 367 (SSB 1207), a bill for an act creating an interim commission on affordable health care plans for small businesses and families and a health care data research advisory council, and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Warnstadt, Wieck, Bolkcom, Courtney, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. Nays, none. Absent, 5: Heckroth, Angelo, Kettering, McCoy, and 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 Commerce Committee on Senate File 367, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 368 (SSB 1208), 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: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Warnstadt, Wieck, Bolkcom, Courtney, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. Nays, none. Absent, 5: Heckroth, Angelo, Kettering, McCoy, and 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 Commerce Committee on Senate File 368, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 370 (formerly SF 38), a bill for an act relating to the regulation of credit unions by revising and reorganizing the Iowa credit union Act, making conforming changes, and providing for taxes, fees, and penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Warnstadt, Heckroth, Wieck, Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. Nays, none. Absent, 1: Angelo.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: *SENATE FILE 359 (formerly SF 123), a bill for an act relating to the personal needs allowance for residents of certain facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, 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 359, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 373 (SSB 1281), a bill for an act relating to the postsecondary education subsidy.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Horn, Noble, Quirnbach, Schoenjahn, Ward, and Warnstadt. Nays, 1: Hartsuch. Present, 1: Zieman. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: *SENATE FILE 361 (SSB 1106), a bill for an act concerning investment of certain public funds in companies doing business in Sudan by the treasurer of state, public retirement systems in Iowa, and the state board of regents.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 7, 2007

The Senate met in regular session at 8:05 a.m., President Kibbie presiding.

Prayer was offered by Reverend Steve Perkins of the St. John A.M.E. Church in Burlington, Iowa. He was the guest of Senator Courtney.

The Journal of Tuesday, March 6, 2007, was approved.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 128.

Senate File 128

On motion of Senator McCoy, **Senate File 128**, a bill for an act relating to an increase in the taxes on cigarettes and tobacco products, imposing an inventory tax on tobacco products, creating a health care trust fund, and providing an effective date and providing an applicability provision, was taken up for consideration.

The Senate stood at ease at 8:16 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:15 a.m., President Kibbie presiding.

Senator Gronstal asked and received unanimous consent that action on **Senate File 128** be **deferred**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 319.

Senate File 319

On motion of Senator Fraise, **Senate File 319**, a bill for an act relating to cooperative associations, by providing for documentation, including certificates and statements, 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. 319), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 319** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 311 and House File 258.

Senate File 311

On motion of Senator Hogg, **Senate File 311**, a bill for an act relating to an action for satisfaction of a mortgage, was taken up for consideration.

Senator Hogg 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. 311), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

House File 258

On motion of Senator Hogg, **House File 258**, a bill for an act relating to the duties of directors of nonprofit corporations, with report of committee recommending passage, was taken up for consideration.

Senator Hogg 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. 258), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 311** and **House File 258** be **immediately messaged** to the House.

WITHDRAWN

Senator Gronstal asked and received unanimous consent that **Senate File 271** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 265.

Senate File 265

On motion of Senator Courtney, **Senate File 265**, a bill for an act relating to asbestos removal and encapsulation regulations as enforced by the labor commissioner, 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?" (S.F. 265), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 265** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:34 a.m. until 8:30 p.m.

APPENDIX—1

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF ECONOMIC DEVELOPMENT

Report on the Enterprise Zone Program, pursuant to 2006 Iowa Acts, Senate File 2183. Report received on March 7, 2007.

IOWA COLLEGE STUDENT AID COMMISSION

2007 Ethnic Diversity Report, pursuant to Iowa Code section 261.25. Report received on March 7, 2007.

CERTIFICATE OF RECOGNITION

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

Loren M. Greiner, Emmetsburg—For celebrating his 99th birthday. Senator Kibbie (3/7/07).

REPORTS OF COMMITTEE MEETINGS

ECONOMIC GROWTH

Convened: Tuesday, March 6, 2007, 2:40 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Houser, Ranking Member; Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, and Zaun.

Members Absent: None.

Committee Business: Passed SF 234 (as amended). Approved SSBs 1253 (as amended), 1299 (as amended), and 1303.

Recessed: 3:45 p.m.

Reconvened: 3:55 p.m.

Adjourned: 4:00 p.m.

LOCAL GOVERNMENT

Convened: Tuesday, March 6, 2007, 4:00 p.m.

Members Present: Quirmbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Angelo, Hartsuch, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart.

Members Absent: Heckroth.

Committee Business: Passed SF 186. Approved SSBs 1149, 1236, and 1278.

Adjourned: 4:35 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, March 6, 2007, 2:35 p.m.

Members Present: Black, Chair; Hancock, Vice Chair; Gaskill, Ranking Member; Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood.

Members Absent: None.

Committee Business: Approved SJR 2. Passed SFs 135 (as amended), 153 (as amended), 262 (as amended), 280, 294 (as amended), 296, and 312.

Adjourned: 4:00 p.m.

STATE GOVERNMENT

Convened: Tuesday, March 6, 2007, 4:10 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Zieman, Ranking Member; Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood.

Members Absent: None.

Committee Business: Passed SFs 218 (as amended), 219, and 224. Approved SSBs 1182, 1227 (as amended), 1256, 1257, 1258, 1259, 1260 (as amended), 1268, 1296, and 1297.

Adjourned: 6:00 p.m.

EDUCATION

Convened: Wednesday, March 7, 2007, 9:30 a.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Mulder, Ranking Member; Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirmbach, Schmitz, Wood, Zaun, and Zieman.

Members Absent: None.

Committee Business: Passed SF 93. Approved SSBs 1117 and 1276.

Recessed: 9:45 a.m.

Reconvened: 10:05 a.m.

Adjourned: 11:00 a.m.

JUDICIARY

Convened: Wednesday, March 7, 2007, 1:40 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; McKibben, Ranking Member; Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Ziemann.

Members Absent: None.

Committee Business: Passed SFs 119, 198, and 292. Approved SSBs 1050, 1052, 1085, 1109, 1189, 1214, 1217, 1234, 1282, and 1283.

Recessed: 1:45 p.m.

Reconvened: 2:10 p.m.

Adjourned: 3:10 p.m.

TRANSPORTATION

Convened: Wednesday, March 7, 2007, 3:00 p.m.

Members Present: Rielly, Chair; Danielson, Vice Chair; Noble, Ranking Member; Beall, Dearden, Hancock, Heckroth, Houser, McCoy, Putney, Warnstadt, Zaun, and Ziemann.

Members Absent: None.

Committee Business: Passed SFs 80 (as amended), 102 (as amended), 136, 152 (as amended), 163, 289 (as amended), 343 (as amended), and 371. Approved SSB 1320.

Recessed: 3:05 p.m.

Reconvened: 3:20 p.m.

Adjourned: 4:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Wednesday, March 7, 2007, 11:45 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; Hartsuch and Stewart.

Members Absent: None.

Committee Business: Approved LSB 1126 (as amended).

Recessed: 11:55 a.m.

Reconvened: 12:30 p.m.

Adjourned: 1:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, March 7, 2007, 11:45 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; Quirnbach and Ziemann.

Members Absent: None.

Committee Business: Passed proposed education appropriations bill (as amended).

Adjourned: 12:50 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, March 7, 2007, 11:40 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Budget discussion.

Adjourned: 12:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Wednesday, March 7, 2007, 11:45 a.m.

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

Members Absent: None.

Committee Business: Discussion of amendments.

Recessed: 12:55 p.m.

Reconvened: 3:05 p.m.

Adjourned: 3:10 p.m.

INTRODUCTION OF BILLS

Senate File 381, by committee on Judiciary, a bill for an act relating to judicial branch procedures, including appointments of court of appeals judges, district judges, district associate judges, associate juvenile judges, associate probate judges, magistrates, and patient advocates, and compensation to judges and other court personnel serving as fiduciaries.

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

Senate File 382, by committee on Human Resources, a bill for an act requiring insurance coverage benefits for treatment of mental illness and providing an effective date.

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

Senate File 383, by committee on Education, a bill for an act prohibiting parent-teacher conferences on the day of a general election.

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

Senate File 384, by committee on Judiciary, a bill for an act relating to statute of limitations provisions relating to minors and persons with mental illness and tort claims against a municipality and providing an applicability date.

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

Senate File 385, by committee on Labor and Business Relations, a bill for an act excluding unarmed combat fighting from boxing and wrestling regulation.

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

Senate File 386, by committee on Human Resources, a bill for an act relating to hotel, food establishment, and food processing plant licensing and inspection, providing fees, making penalties applicable, making an appropriation, and providing an effective date.

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

Senate File 387, by Danielson, a bill for an act excluding certain volunteer fire fighter service payments from wages or compensation for purposes of the Iowa public employees' retirement system and the statewide fire and police retirement system.

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

Senate File 388, by McCoy, a bill for an act increasing penalties for a person whose driver's license or operating privilege has been denied, canceled, suspended, or revoked who drives a motor vehicle while the license or privilege is denied, canceled, suspended, or revoked.

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

Senate File 389, by Behn and Black, a bill for an act authorizing the issuance of additional special nonresident deer hunting licenses.

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

Senate File 390, by McCoy, a bill for an act imposing a satellite and cable system entertainment tax, and providing effective and retroactive applicability dates.

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

Senate File 391, by Hogg, a bill for an act relating to carbon neutral standards for electric generating plants and major stationary sources of air contaminants.

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

Senate File 392, by Danielson, a bill for an act allowing school districts to use at-risk funds to pay some costs of school guidance counselors.

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

Senate File 393, by Danielson, a bill for an act providing a sales tax refund for up to five years for power used in the operation of information technology facilities.

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

Senate File 394, by Danielson, Dotzler, and Heckroth, a bill for an act relating to state tax benefits for use of biomass fuel by electric utilities and including applicability and repeal date provisions.

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

Senate File 395, by committee on Judiciary, a bill for an act relating to the assessment of civil and criminal court fees and penalties.

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

Senate File 396, by committee on Judiciary, a bill for an act funding courthouse security programs through the enhanced court collections fund and creating a courthouse security commission.

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

Senate File 397, by committee on Education, a bill for an act allowing school districts to count foreign exchange pupils in certified enrollment counts for budget and funding purposes.

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

Senate File 398, by committee on Education, a bill for an act requiring a study by the department of education relating to implementation of a statewide student information system.

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

Senate File 399, by committee on State Government, a bill for an act relating to publishing notice of examination and testing of voting machines and voting system tabulating devices.

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

Senate File 400, by committee on Economic Growth, a bill for an act relating to mortgage release certificates issued by the Iowa finance authority.

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

Senate File 401, by committee on Transportation, a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates and fees, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, the maximum length limitation for single trucks, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates.

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

Senate File 402, by Angelo, Zieman, Mulder, Ward, Wieck, Noble, Zaun, McKinley, Seymour, Gaskill, Johnson, Putney, McKibben, and Hahn, a bill for an act relating to the main street program and making appropriations.

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

Senate File 403, by committee on Appropriations, a bill for an act addressing financial and regulatory matters by making and revising appropriations, providing for properly related matters, and providing effective dates.

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

Senate File 404, by committee on Judiciary, a bill for an act relating to revising the uniform commercial code, by providing for warehouse receipts, bills of lading, and other documents of title.

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

Senate File 405, by committee on Natural Resources and Environment, a bill for an act relating to national pollutant discharge elimination system permits for disposal systems.

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

Senate File 406, 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 407, by committee on Veterans Affairs, a bill for an act relating to the home ownership assistance program for Iowa residents who are eligible members of the armed forces of the United States.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 403 (SSB 1247), a bill for an act addressing financial and regulatory matters by making and revising appropriations, providing for properly related matters, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

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

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 403, and they were attached to the committee report.

ECONOMIC GROWTH

Bill Title: SENATE FILE 400 (SSB 1303), a bill for an act relating to mortgage release certificates issued by the Iowa finance authority.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Stewart, Olive, Houser, Beal, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: *SENATE FILE 383 (SSB 1275), a bill for an act prohibiting parent-teacher conferences on the day of a general election.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Schoenjahn, Appel, Beall, Connolly, Heckroth, Kreiman, Quirnbach, Schmitz, and Wood. Nays, 4: Angelo, Boettger, Johnson, and Zaun. Present, 1: Mulder. Absent, 1: Zieman.

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 383, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 397 (SSB 1023), a bill for an act allowing school districts to count foreign exchange pupils in certified enrollment counts for budget and funding purposes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Schoenjahn, Appel, Mulder, Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirnbach, Schmitz, Wood, and Zaun. Nays, none. Absent, 1: Zieman.

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 397, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 398 (formerly SF 60), a bill for an act requiring a study by the department of education relating to implementation of a statewide student information system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Schoenjahn, Appel, Mulder, Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirmbach, Schmitz, Wood, and Zaun. Nays, none. Absent, 1: Zieman.

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 398, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: *SENATE FILE 382 (SSB 1177), a bill for an act requiring insurance coverage benefits for treatment of mental illness and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Ragan, Schmitz, Bolkcom, Dotzler, Hatch, Kreiman, Mulder, Quirmbach, and Wood. Nays, 4: Seymour, Behn, Boettger, and Johnson. 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 382, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 386 (formerly SF 184), a bill for an act relating to hotel, food establishment, and food processing plant licensing and inspection, providing fees, making penalties applicable, making an appropriation, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Ragan, Schmitz, Seymour, Boettger, Bolkcom, Dotzler, Hatch, Kreiman, Mulder, Quirmbach, and Wood. Nays, 2: Behn and Johnson. 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 386, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 381 (SSB 1129), a bill for an act relating to judicial branch procedures, including appointments of court of appeals judges, district judges, district associate judges, associate juvenile judges, associate probate judges, magistrates, and patient advocates, and compensation to judges and other court personnel serving as fiduciaries.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Ziemann. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 384 (SSB 1186), a bill for an act relating to statute of limitations provisions relating to minors and persons with mental illness and tort claims against a municipality and providing an applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kreiman, Hogg, Dvorsky, Fraise, Hancock, Horn, Quirnbach, Schoenjahn, and Warnstadt. Nays, 6: McKibben, Behn, Hartsuch, Noble, Ward, and Ziemann. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 395 (SSB 1265), a bill for an act relating to the assessment of civil and criminal court fees and penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Ziemann. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 396 (SSB 1031), a bill for an act funding courthouse security programs through the enhanced court collections fund and creating a courthouse security commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 404 (SSB 1218), a bill for an act relating to revising the uniform commercial code, by providing for warehouse receipts, bills of lading, and other documents of title.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 406 (formerly SF 170), 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, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, 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 Judiciary Committee on Senate File 406, and they were attached to the committee report.

LABOR AND BUSINESS RELATIONS

Bill Title: *SENATE FILE 385 (SSB 1025), a bill for an act excluding unarmed combat fighting from boxing and wrestling regulation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Dearden, Courtney, Ward, Dotzler, Dvorsky, Hatch, Horn, Seng, and Wieck. Nays, 2: Hahn and McKinley. 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 Labor and Business Relations Committee on Senate File 385, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: SENATE JOINT RESOLUTION 2, a joint resolution designating the channel catfish as the official state fish for the State of Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 405 (formerly SF 294), a bill for an act relating to national pollutant discharge elimination system permits for disposal systems.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, 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 405, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 399 (SSB 1256), a bill for an act relating to publishing notice of examination and testing of voting machines and voting system tabulating devices.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: *SENATE FILE 401 (SSB 1137), a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates and fees, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, the maximum length limitation for single trucks, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Rielly, Danielson, Noble, Beall, Dearden, Hancock, Heckroth, McCoy, Putney, Warnstadt, Zaun, and Zieman. Nays, none. Absent, 1: 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 Transportation Committee on Senate File 401, and they were attached to the committee report.

VETERANS AFFAIRS

Bill Title: SENATE FILE 407 (SSB 1316), a bill for an act relating to the home ownership assistance program for Iowa residents who are eligible members of the armed forces of the United States.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Beall, Warnstadt, Seymour, Danielson, Hartsuch, Horn, Kibbie, McKibben, McKinley, and Ragan. Nays, none. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EVENING SESSION

The Senate reconvened at 8:31 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 7, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 39, a bill for an act relating to campaign contributions, the filing of disclosure reports, the posting of statements and reports on the internet, the posting of signs on private property, and the escheat of funds from an unknown or unidentifiable source.

The Senate stood at ease at 8:33 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:01 p.m., President Kibbie presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Angelo and Mulder, for the remainder of the day, on request of Senator Lundby.

BUSINESS PENDING

Senate File 128

The Senate resumed consideration of **Senate File 128**, a bill for an act relating to an increase in the taxes on cigarettes and tobacco products, imposing an inventory tax on tobacco products, creating a health care trust fund, and providing an effective date and providing an applicability provision, previously deferred.

Senator McKibben offered amendment S-3078, filed by him from the floor striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3078 be adopted?" (S.F. 128), the vote was:

Yeas, 17:

Behn	Johnson	Noble	Zaun
Boettger	Kettering	Putney	Zieman
Gaskill	Lundby	Seymour	
Hahn	McKibben	Ward	
Houser	McKinley	Wieck	

Nays, 31:

Appel	Dotzler	Hogg	Rielly
Beall	Dvorsky	Horn	Schmitz
Black	Fraise	Kibbie	Schoenjahn
Bolkcom	Gronstal	Kreiman	Seng
Cannolly	Hancock	McCoy	Stewart
Courtney	Hartsuch	Olive	Warnstadt
Danielson	Hatch	Quirnbach	Wood
Dearden	Heckroth	Ragan	

Absent, 2:

Angelo	Mulder
--------	--------

Amendment S-3078 lost.

Senator McKibben asked and received unanimous consent that action on amendment S-3065 be deferred.

Senator McKibben withdrew amendment S-3071, filed by him from the floor to pages 1, 3, and 4 and to the title page of the bill.

Senator Wieck offered amendment S-3072, filed by him from the floor to pages 1 and 4 and to the title page of the bill.

Senator McCoy raised the point of order that amendment S-3072 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3072 out of order.

Senator Hartsuch offered amendment S-3073, filed by him from the floor to pages 1 and 4 and to the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3073 be adopted?" (S.F. 128), the vote was:

Yeas, 11:

Behn	Hahn	Kettering	Zaun
Boettger	Hartsuch	McKinley	Zieman
Gaskill	Johnson	Wieck	

Nays, 37:

Appel	Fraise	Lundby	Schoenjahn
Beall	Gronstal	McCoy	Seng
Black	Hancock	McKibben	Seymour
Bolkcom	Hatch	Noble	Stewart
Connolly	Heckroth	Olive	Ward
Courtney	Hogg	Putney	Warnstadt
Danielson	Horn	Quirnbach	Wood
Dearden	Houser	Ragan	
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schmitz	

Absent, 2:

Angelo	Mulder
--------	--------

Amendment S-3073 lost.

Senator McKibben offered amendment S-3081, filed by him from the floor to pages 1, 3, and 4 and to the title page of the bill.

Senator McCoy raised the point of order that amendment S-3081 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3081 out of order.

The Senate stood at ease at 9:50 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 10:05 p.m., President Kibbie presiding.

Senator McKibben withdrew amendment S-3068, filed by him from the floor to pages 1-4 and to the title page of the bill.

Senator Zieman asked and received unanimous consent that action on amendment S-3070 be deferred.

Senator Zieman offered amendment S-3074, filed by him from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3074 be adopted?" (S.F. 128), the vote was:

Yeas, 8:

Boettger	Hartsuch	Houser	Noble
Hahn	Hatch	Lundby	Zieman

Nays, 40:

Appel	Dvorsky	Kibbie	Schmitz
Beall	Fraise	Kreiman	Schoenjahn
Behn	Gaskill	McCoy	Seng
Black	Gronstal	McKibben	Seymour
Bolkcom	Hancock	McKinley	Stewart
Connolly	Heckroth	Olive	Ward
Courtney	Hogg	Putney	Warnstadt
Danielson	Horn	Quirnbach	Wieck
Dearden	Johnson	Ragan	Wood
Dotzler	Kettering	Rielly	Zaun

Absent, 2:

Angelo	Mulder
--------	--------

Amendment S-3074 lost.

Senator McCoy offered amendment S-3066, filed by him from the floor to pages 1-4 and to the title page of the bill.

Senator McKibben offered amendment S-3080, filed by him from the floor to pages 1 and 3 of amendment S-3066.

Senator McCoy raised a point of order that amendment S-3080 to amendment S-3066 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3080 out of order.

Senator Ziemann offered amendment S-3082, filed by him from the floor to pages 1 and 3 of amendment S-3066.

Senator McCoy raised the point of order that amendment S-3082 to amendment S-3066 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3082 out of order.

Senator Gronstal withdrew amendment S-3076, filed by him from the floor to pages 1-3 of amendment S-3066.

Senator Gronstal offered amendment S-3077, filed by him from the floor to pages 1-3 of amendment S-3066.

Senator Behn raised the point of order that amendment S-3077 to amendment S-3066 was not germane to the bill.

The Chair ruled the order not well-taken and amendment S-3077 in order.

Senator Gronstal moved the adoption of amendment S-3077 to amendment S-3066.

Amendment S-3077 was adopted by a voice vote.

Senator Seymour offered amendment S-3079, filed by Senators Seymour and Johnson from the floor to pages 1 and 3 of amendment S-3066.

Senator McCoy raised a point of order that amendment S-3079 to amendment S-3066 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3079 out of order.

The Senate resumed consideration of amendment S-3066, as amended.

Senator Behn raised the point of order that amendment S-3066 was not germane to the bill.

The Chair ruled the point not well-taken and amendment S-3066 in order.

Senator McCoy moved the adoption of amendment S-3066.

Amendment S-3066 was adopted by a voice vote.

With the adoption of amendment S-3066, the Chair ruled the following amendments out of order:

S-3065, filed by Senators McKibben and Angelo on March 6, 2007, to pages 1-3 and to the title page of the bill;

S-3067, filed by Senators Seymour and Johnson from the floor to pages 2-4 and to the title page of the bill;

S-3069, filed by Senators Seymour and Johnson from the floor to page 3 and to the title page of the bill;

S-3070, filed by Senator Zieman from the floor to pages 1-3 and to the title page of the bill.

Senator Lundby offered amendment S-3051, filed by Senator Mulder on March 5, 2007, to page 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3051 be adopted?" (S.F. 128), the vote was:

Yeas, 18:

Behn	Houser	McKinley	Wieck
Boettger	Johnson	Noble	Zaun
Gaskill	Kettering	Putney	Zieman

Hahn	Lundby	Seymour
Hartsuch	McKibben	Ward

Nays, 30:

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

Absent, 2:

Angelo	Mulder
--------	--------

Amendment S-3051 lost.

Senator Zaun offered amendment S-3085, filed by Senator Zaun, et al., from the floor to pages 1 and 4 and to the title page of the bill.

Senator McCoy raised the point of order that amendment S-3085 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3085 out of order.

Senator Ward offered amendment S-3084, filed by her from the floor to page 1 of the bill.

The Senate stood at ease at 11:10 p.m. until the fall of the gavel for the purpose of a Republican party caucus (amendment S-3084 pending).

The Senate resumed session at 11:17 p.m., President Kibbie presiding.

The Senate resumed consideration of amendment S-3084.

Senator Ward moved the adoption of amendment S-3084.

A record roll call was requested.

On the question "Shall amendment S-3084 be adopted?" (S.F. 128), the vote was:

Yeas, 11:

Boettger	Hartsuch	Noble	Ward
Gaskill	Houser	Olive	Wieck
Hahn	Lundby	Putney	

Nays, 37:

Appel	Dvorsky	Kibbie	Seng
Beall	Fraise	Kreiman	Seymour
Behn	Gronstal	McCoy	Stewart
Black	Hancock	McKibben	Warnstadt
Bolkcom	Hatch	McKinley	Wood
Connolly	Heckroth	Quirmbach	Zaun
Courtney	Hogg	Ragan	Zieman
Danielson	Horn	Rielly	
Dearden	Johnson	Schmitz	
Dotzler	Kettering	Schoenjahn	

Absent, 2:

Angelo	Mulder
--------	--------

Amendment S-3084 lost.

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. 128), the vote was:

Yeas, 34:

Appel	Dotzler	Kibbie	Schmitz
Beall	Dvorsky	Lundby	Schoenjahn
Black	Fraise	McCoy	Seng
Boettger	Gaskill	Noble	Stewart
Bolkcom	Gronstal	Olive	Ward
Connolly	Hatch	Putney	Warnstadt
Courtney	Heckroth	Quirmbach	Wood
Danielson	Hogg	Ragan	
Dearden	Horn	Rielly	

Nays, 14:

Behn	Houser	McKibben	Zaun
Hahn	Johnson	McKinley	Zieman

Hancock
Hartsuch

Kettering
Kreiman

Seymour
Wieck

Absent, 2:

Angelo

Mulder

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 128** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 12:21 a.m. until 8:45 a.m., Thursday, March 8, 2007.

APPENDIX—2**INTRODUCTION OF BILLS**

Senate File 408, by committee on State Government, a bill for an act providing a minimum annual salary for a county attorney.

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

Senate File 409, by committee on Economic Growth, a bill for an act relating to the establishment of regional sports authority districts by convention and visitors bureaus in certain cities and making appropriations.

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

Senate File 410, by Zieman, a bill for an act providing for the acquisition of multiple interests in business associations allowed to hold agricultural land, and making penalties applicable.

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

Senate File 411, by committee on State Government, a bill for an act relating to membership on election boards.

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

Senate File 412, by committee on State Government, a bill for an act allowing a county commissioner of elections to appoint certain high school students to serve as precinct election board members.

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

Senate File 413, by committee on Labor and Business Relations, a bill for an act providing for fair share agreements relating to collective bargaining for public employees and providing an effective date.

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

Senate File 414, by committee on State Government, a bill for an act concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans and allowable prizes at annual game nights by certain qualified organizations.

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

Senate File 415, by Johnson, a bill for an act making an appropriation to Iowa state university for purposes of supporting a West Okoboji lake project to preserve, protect, and sustain drinking water supplies.

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

STUDY BILLS RECEIVED

SSB 1322 Labor and Business Relations

Providing for fair share agreements relating to collective bargaining for public employees and providing an effective date.

SSB 1323 State Government

Concerning distribution of revenue from the wine gallonage tax on wine imported into this state.

SSB 1324 Judiciary

Relating to electronically recording an interrogation of a person suspected of a crime.

SSB 1325 Human Resources

Relating to the regulation of unlicensed adoption facilitators.

SUBCOMMITTEE ASSIGNMENTS

Senate File 331

EDUCATION: Connolly, Chair; Boettger and Quirmbach

Senate File 332

EDUCATION: Connolly, Chair; Angelo and Quirnbach

Senate File 355

NATURAL RESOURCES AND ENVIRONMENT: Ragan, Chair; Gaskill and Hogg

Senate File 356

STATE GOVERNMENT: Schmitz, Chair; Behn and Kibbie

Senate File 363

WAYS AND MEANS: Connolly, Chair; Hogg and Wieck

Senate File 364

EDUCATION: Connolly, Chair; Johnson and Schmitz

Senate File 365

EDUCATION: Wood, Chair; Angelo and Beall

Senate File 375

JUDICIARY: Hancock, Chair; Kreiman and Noble

Senate File 376

WAYS AND MEANS: Quirnbach, Chair; Angelo and Connolly

Senate File 378

HUMAN RESOURCES: Bolkcom, Chair; Boettger and Dotzler

Senate File 379

WAYS AND MEANS: Hogg, Chair; Putney and Seng

Senate File 380

JUDICIARY: Kreiman, Chair; Dvorsky and Noble

Senate File 387

STATE GOVERNMENT: Danielson, Chair; Kibbie and Zieman

Senate File 389

NATURAL RESOURCES AND ENVIRONMENT: Behn, Chair; Black and Gaskill

Senate File 392

EDUCATION: Beall, Chair; Wood and Zaun

SSB 1322

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Dearden and Ward

SSB 1323

STATE GOVERNMENT: Appel, Chair; Connolly and Gaskill

SSB 1324

JUDICIARY: Quirnbach, Chair; Kreiman and Noble

SSB 1325

HUMAN RESOURCES: Mulder, Chair; Kreiman and Ragan

FINAL COMMITTEE REPORTS OF BILL ACTION

ECONOMIC GROWTH

Bill Title: *SENATE FILE 409 (SSB 1299), a bill for an act relating to the establishment of regional sports authority districts by convention and visitors bureaus in certain cities and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Stewart, Olive, Houser, Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, 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 409, and they were attached to the committee report.

LABOR AND BUSINESS RELATIONS

Bill Title: SENATE FILE 284, a bill for an act concerning employees subject to unannounced drug or alcohol testing.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Dearden, Courtney, Ward, Dotzler, Dvorsky, Hahn, Hatch, McKinley, Seng, and Wieck. Nays, none. Absent, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 413 (SSB 1322), a bill for an act providing for fair share agreements relating to collective bargaining for public employees and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Dearden, Courtney, Dotzler, Dvorsky, Hatch, and Seng. Nays, 4: Ward, Hahn, McKinley, and Wieck. Absent, 1: Horn.

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 Labor and Business Relations Committee on Senate File 413, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 408 (SSB 1182), a bill for an act providing a minimum annual salary for a county attorney.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Zieman, Appel, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, 2: Horn and Behn. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 411 (SSB 1258), a bill for an act relating to membership on election boards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 412 (SSB 1259), a bill for an act allowing a county commissioner of elections to appoint certain high school students to serve as precinct election board members.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 414 (formerly SF 218), a bill for an act concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans and allowable prizes at annual game nights by certain qualified organizations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, 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 State Government Committee on Senate File 414, 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, 2007:

Senate File 74.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

S-3066	S.F.	128	Matt McCoy
S-3067	S.F.	128	James A. Seymour David Johnson
S-3068	S.F.	128	Larry McKibben
S-3069	S.F.	128	James A. Seymour David Johnson
S-3070	S.F.	128	Mark Zieman

S-3071	S.F.	128	Larry McKibben
S-3072	S.F.	128	Ron Wieck
S-3073	S.F.	128	David Hartsuch
S-3074	S.F.	128	Mark Ziemann
S-3075	S.F.	202	Wally E. Horn
S-3076	S.F.	128	Michael E. Gronstal
S-3077	S.F.	128	Michael E. Gronstal
S-3078	S.F.	128	Larry McKibben
S-3079	S.F.	128	James A. Seymour David Johnson
S-3080	S.F.	128	Larry McKibben
S-3081	S.F.	128	Larry McKibben
S-3082	S.F.	128	Mark Ziemann
S-3083	S.F.	138	Gene Fraise
S-3084	S.F.	128	Pat Ward
S-3085	S.F.	128	Brad Zaun David Hartsuch Jerry Behn Nancy J. Boettger Paul McKinley

JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 8, 2007

The Senate met in regular session at 8:48 a.m., President Kibbie presiding.

Prayer was offered by Dr. Kenneth Arentson of the Westminster United Presbyterian Church in Des Moines, Iowa. He was the guest of Senators Zaun and Ward.

The Journal of Wednesday, March 7, 2007, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 8:55 a.m. until 6:00 p.m.

APPENDIX—1**CERTIFICATES OF RECOGNITION**

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

Sarah Anciaux, Iowa City—For receiving the E. Wayne Cooley Award, the top athletic scholarship given by the Iowa Girls High School Athletic Union. Senator Dvorsky (3/8/07).

Dr. Jerry Arganbright, Iowa City—For being named Secondary Principal of the Year by the School Administrators of Iowa. Senator Dvorsky (3/8/07).

Jennelle Black, Rock Island—For achieving the Girl Scout Gold Award. Senator Schmitz (3/8/07).

Kristina De Rycke, Kewanee, Illinois—For achieving the Girl Scout Gold Award. Senator Schmitz (3/8/07).

Kelly Dunkin, North Liberty—For achieving the Girl Scout Gold Award. Senators Dvorsky and Schmitz (3/8/07).

Michelle Eberhart, Delmar—For achieving the Girl Scout Gold Award. Senators Schmitz and Stewart (3/8/07).

Mary Kay Flannery—Upon her retirement after 36 years of teaching at Clear Creek Amana Schools. Senator Dvorsky (3/8/07).

Sarah Heggen, Milan, Illinois—For achieving the Girl Scout Gold Award. Senator Schmitz (3/8/07).

Amber Heinrich, Maquoketa—For achieving the Girl Scout Gold Award. Senators Schmitz and Stewart (3/8/07).

Al Hiland, North Liberty—For achieving the rank of Eagle Scout, Boy Scout Troop 216. Senator Dvorsky (3/8/07).

Deborah Kinney—Upon her retirement after 34 years of teaching at Clear Creek Amana Schools. Senator Dvorsky (3/8/07).

Ruth Liddy, Des Moines—For celebrating her 100th birthday. Senator Schmitz (3/8/07).

Louisa-Muscatine High School Wrestling Team—For its sixth straight Sectional Championship, for sending five wrestlers to the state tournament, and for qualifying to compete in the State Dual Team Championship. Senator Courtney (3/8/07).

Alex Ludvick, North Liberty—For achieving the rank of Eagle Scout, Boy Scout Troop 216. Senator Dvorsky (3/8/07).

Tempe Mabe, Marion—For achieving the Girl Scout Gold Award. Senator Schmitz (3/8/07).

Barbara McGillin—Upon her retirement after 34 years of teaching at Clear Creek Amana Schools. Senator Dvorsky (3/8/07).

Elizabeth Miller, Bettendorf—For achieving the Girl Scout Gold Award. Senator Schmitz (3/8/07).

Harriett Nielson—Upon her retirement after 39 years of teaching, of which 32 years were at Clear Creek Amana Schools. Senator Dvorsky (3/8/07).

Molissa Owen, Iowa City—For achieving the Girl Scout Gold Award. Senator Schmitz (3/8/07).

Lindsey Powell, Galesburg, Illinois—For achieving the Girl Scout Gold Award. Senator Schmitz (3/8/07).

Kathryn Roberts, Iowa City—For achieving the Girl Scout Gold Award. Senator Schmitz (3/8/07).

Benjamin K. Robinson, North Liberty—For achieving the rank of Eagle Scout, Boy Scout Troop 216. Senator Dvorsky (3/8/07).

Rachel Ruplinger, Iowa City—For achieving the Girl Scout Gold Award. Senator Schmitz (3/8/07).

Michael L. Smith, North Liberty—For achieving the rank of Eagle Scout, Boy Scout Troop 216. Senator Dvorsky (3/8/07).

Corey Woodin, North Liberty—For achieving the rank of Eagle Scout, Boy Scout Troop 216. Senator Dvorsky (3/8/07).

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Wednesday, March 7, 2007, 3:15 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirnbach, and Wood.

Members Absent: Kreiman (excused).

Committee Business: Passed SFs 124 (as amended), 174, 210 (as amended), 217, 316 (as amended), and 342 (as amended). Approved SSBs 1071, 1136, 1152 (as amended), 1195 (as amended), 1222, 1238 (as amended), 1239 (as amended), 1294 (as amended), 1295, and 1325 (as amended).

Recessed: 3:20 p.m.

Reconvened: 3:45 p.m.

Adjourned: 4:30 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, March 7, 2007, 9:30 a.m.

Members Present: Dearden, Chair; Courtney, Vice Chair; Ward, Ranking Member; Dotzler, Dvorsky, Hahn, Hatch (excused in a.m.), Horn (excused in p.m.), McKinley, Seng, and Wieck.

Members Absent: None.

Committee Business: Passed SFs 182 and 284. Approved SSBs 1061, 1158, 1254, 1308, and 1322.

Recessed: 10:30 a.m.

Reconvened: 4:30 p.m.

Adjourned: 5:10 p.m.

AGRICULTURE

Convened: Thursday, March 8, 2007, 11:30 a.m.

Members Present: Fraise, Chair; Rielly, Vice Chair; Johnson, Ranking Member; Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Olive, Putney, and Seng.

Members Absent: Mulder (excused).

Committee Business: Passed SF 329. Approved SSBs 1311 (as amended), 1312, and 1315.

Adjourned: 12:00 p.m.

COMMERCE

Convened: Thursday, March 8, 2007, 1:05 p.m.

Members Present: Warnstadt, Chair; Heckroth, Vice Chair; Wieck, Ranking Member; Angelo, Bolcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward.

Members Absent: None.

Committee Business: Passed SFs 227, 303, and 313. Approved SSBs 1076, 1133, 1197, 1231, 1313, and 1314.

Adjourned: 1:45 p.m.

ECONOMIC GROWTH

Convened: Thursday, March 8, 2007, 10:10 a.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Houser, Ranking Member; Beall, Danielson, Dotzler, Hahn, Hatch, Rielly, Schmitz, Seymour, and Zaun.

Members Absent: Mulder (excused).

Committee Business: Passed SF 29 (as amended). Approved SSBs 1298 (as amended), 1300, 1301 (as amended), and 1306 (as amended).

Adjourned: 11:20 a.m.

LOCAL GOVERNMENT

Convened: Thursday, March 8, 2007, 2:30 p.m.

Members Present: Quirnbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Angelo, Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart.

Members Absent: None.

Committee Business: Passed SF 324 (without recommendation) and approved SSB 1310.

Adjourned: 3:15 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, March 8, 2007, 10:05 a.m.

Members Present: Black, Chair; Hancock, Vice Chair; Gaskill, Ranking Member; Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood.

Members Absent: None.

Committee Business: Passed SFs 230, 291, 328, 355, and 389. Approved SSBs 1226, 1235, and 1244. Subcommittee assignments.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Thursday, March 8, 2007, 12:20 p.m.

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

Members Absent: None.

Committee Business: Discussion of bills.

Adjourned: 1:05 p.m.

INTRODUCTION OF BILLS

Senate File 416, by committee on Local Government, a bill for an act relating to city elections by providing procedures for filling a city council vacancy by special election and by providing satellite absentee voting at certain city elections.

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

Senate File 417, by committee on Labor and Business Relations, a bill for an act providing for the licensure of elevator contractors and elevator mechanics and providing penalties.

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

Senate File 418, 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 419, by committee on State Government, a bill for an act concerning social gambling by religious institutions.

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

Senate File 420, by committee on Labor and Business Relations, a bill for an act providing that employees should be paid based on comparable worth and making penalties applicable.

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

Senate File 421, by committee on Labor and Business Relations, a bill for an act relating to workers' compensation laws by regulating insurance policy exclusions and debt collection practices.

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

Senate File 422, by Bolkcom, a bill for an act providing for the establishment of interconnection standards for customer-generator facilities by the utilities board.

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

Senate File 423, by McKinley, a bill for an act requiring employers to verify employees' legal presence in the state.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

Senate File 424, by committee on Labor and Business Relations, a bill for an act relating to the provision of medical services and evaluation of permanent disabilities of injured employees under workers' compensation laws, and providing an applicability date.

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

Senate File 425, by committee on State Government, a bill for an act establishing an Iowa Abraham Lincoln bicentennial commission and fund and providing for its prospective repeal.

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

Senate File 426, by committee on State Government, a bill for an act relating to requirements for persons seeking election to township office.

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

Senate File 427, by committee on State Government, a bill for an act relating to the Iowa civil rights Act and discrimination based upon a person's sexual orientation or gender identity.

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

Senate File 428, by committee on Natural Resources and Environment, a bill for an act providing for state and local planning for the rescue of support animals in times of public disorder or disaster.

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

Senate File 429, by committee on Judiciary, a bill for an act relating to conciliation proceedings in a dissolution of marriage case and domestic abuse.

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

Senate File 430, by committee on Judiciary, a bill for an act relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision.

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

Senate File 431, by committee on Economic Growth, a bill for an act relating to programs, funds, authority, and duties of the Iowa finance authority.

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

Senate File 432, by committee on State Government, a bill for an act making changes to the conduct of elections and voter registration and including effective and applicability date provisions.

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

Senate File 433, by committee on Transportation, a bill for an act relating to advance notification of the need to renew a driver's license.

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

Senate File 434, by committee on Judiciary, 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 **placed on calendar**.

Senate File 435, by committee on Natural Resources and Environment, a bill for an act relating to youth deer hunting licenses.

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

Senate File 436, by committee on Judiciary, 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 **placed on calendar**.

Senate File 437, by committee on Transportation, a bill for an act providing for the placement of highway signs honoring members of the state patrol killed in the line of duty.

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

Senate File 438, by committee on Natural Resources and Environment, a bill for an act establishing a local government energy innovation competitive grant program, and making an appropriation.

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

Senate File 439, by committee on Human Resources, a bill for an act relating to and making an appropriation for the office of substitute decision maker under the department of elder affairs.

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

Senate File 440, by committee on Local Government, a bill for an act modifying water service requirements for rural water providers.

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

Senate File 441, by committee on Human Resources, a bill for an act relating to elimination of certain duties of the department of elder affairs and the area agencies on aging.

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

Senate File 442, by committee on Commerce, a bill for an act relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses.

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

Senate File 443, by committee on Transportation, a bill for an act relating to special motor vehicle registration plates associated with military service, providing for special gold star plates and distinguished service cross, navy cross, air force cross, soldier's medal, sailor's medal, and airman's medal special plates, establishing fees, and crediting fees from the sale of certain special plates to the veterans license fee fund.

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

Senate File 444, by committee on Local Government, a bill for an act relating to councils of governments by making technical changes and by designating a new council of governments area.

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

Senate File 445, by committee on Judiciary, a bill for an act increasing punitive damages that may be awarded for wrongful retention of certain rental deposits.

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

Senate File 446, by committee on State Government, a bill for an act relating to certain elections regarding city utilities or combined utility systems.

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

Senate File 447, by committee on Education, a bill for an act relating to incentives for school district reorganizations and shared operational functions, and making an appropriation.

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

Senate File 448, by committee on Labor and Business Relations, a bill for an act relating to confidential information regarding unemployment insurance benefits and providing penalties.

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

Senate File 449, by committee on State Government, a bill for an act requiring the legislative services agency to prepare reports regarding nonprofit hospitals and organized health systems.

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

Senate File 450, by committee on Local Government, a bill for an act relating to limitations of actions as applied to county collection of delinquent property taxes.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

COMMERCE

Bill Title: SENATE FILE 442 (SSB 1175), a bill for an act relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 14: Warnstadt, Heckroth, Wieck, Angelo, Bolkcom, Courtney, Kettering, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. Nays, none. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ECONOMIC GROWTH

Bill Title: *SENATE FILE 431 (SSB 1253), a bill for an act relating to programs, funds, authority, and duties of the Iowa finance authority.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Stewart, Olive, Houser, Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, 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 431, and they were attached to the committee report.

EDUCATION

Bill Title: *SENATE FILE 447 (SSB 1117), a bill for an act relating to incentives for school district reorganizations and shared operational functions, and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Schoenjahn, Appel, Mulder, Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Quirmbach, Schmitz, Wood, Zaun, and Ziemann. 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 Education Committee on Senate File 447, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: SENATE FILE 439 (SSB 1222), a bill for an act relating to and making an appropriation for the office of substitute decision maker under the department of elder affairs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirmbach, and Wood. Nays, none. Absent, 1; Kreiman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 441 (SSB 1295), a bill for an act relating to elimination of certain duties of the department of elder affairs and the area agencies on aging.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirmbach, and Wood. Nays, none. Absent, 1; Kreiman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: SENATE FILE 429 (SSB 1282), a bill for an act relating to conciliation proceedings in a dissolution of marriage case and domestic abuse.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Ziemann. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 430 (SSB 1189), a bill for an act relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Kreiman, Hogg, Behn, Dvorsky, Fraise, Hancock, Horn, Noble, Schoenjahn, Ward, Warnstadt, and Ziemann. Nays, 2: McKibben and Hartsuch. Absent, 1: Quirnbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 434 (formerly SF 198), a bill for an act to require a landlord to have good cause to terminate a mobile home space rental agreement.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Kreiman, Hogg, Dvorsky, Fraise, Hancock, Quirnbach, Schoenjahn, and Warnstadt. Nays, 6: McKibben, Behn, Hartsuch, Noble, Ward, and Ziemann. Present, 1: Horn. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 436 (SSB 1283), a bill for an act concerning the employment of unauthorized aliens and human trafficking and providing penalties and other sanctions and an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Schoenjahn, Ward, Warnstadt, and Ziemann. Nays, none. Absent, 1: Quirnbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 445 (formerly SF 119), a bill for an act increasing punitive damages that may be awarded for wrongful retention of certain rental deposits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Kreiman, Hogg, Dvorsky, Fraise, Hancock, Horn, Schoenjahn, and Warnstadt. Nays, 6: McKibben, Behn, Hartsuch, Noble, Ward, and Ziemann. Absent, 1: Quirnbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND BUSINESS RELATIONS

Bill Title: *SENATE FILE 417 (formerly SF 233), a bill for an act providing for the licensure of elevator contractors and elevator mechanics and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Dearden, Courtney, Ward, Dotzler, Dvorsky, Hahn, Hatch, Horn, Seng, and Wieck. Nays, 1: McKinley. 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 Labor and Business Relations Committee on Senate File 417, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 420 (formerly SF 182), a bill for an act providing that employees should be paid based on comparable worth and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Dearden, Courtney, Dotzler, Dvorsky, Horn, and Seng. Nays, 4: Ward, Hahn, McKinley, and Wieck. Absent, 1: Hatch.

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 Labor and Business Relations Committee on Senate File 420, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 421 (SSB 1308), a bill for an act relating to workers' compensation laws by regulating insurance policy exclusions and debt collection practices.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Dearden, Courtney, Ward, Dotzler, Dvorsky, Hahn, Hatch, McKinley, Seng, and Wieck. Nays, none. Absent, 1: Horn

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 Labor and Business Relations Committee on Senate File 421, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 424 (SSB 1158), a bill for an act relating to the provision of medical services and evaluation of permanent disabilities of injured employees under workers' compensation laws, and providing an applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Dearden, Courtney, Dotzler, Dvorsky, Horn, and Seng. Nays, 4: Ward, Hahn, McKinley, and Wieck. Absent, 1: Hatch.

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 Labor and Business Relations Committee on Senate File 424, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 448 (SSB 1061), a bill for an act relating to confidential information regarding unemployment insurance benefits and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Dearden, Courtney, Ward, Dotzler, Dvorsky, Hahn, Horn, McKinley, Seng, and Wieck. Nays, none. Absent, 1: Hatch.

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 Labor and Business Relations Committee on Senate File 448, and they were attached to the committee report.

LOCAL GOVERNMENT

Bill Title: SENATE FILE 324, a bill for an act declaring certain city franchise fees legal, providing a basis for calculation and use of city franchise fees, and providing an effective date.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 11: Quirnbach, Beall, Zaun, Angelo, Heckroth, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart. Nays, 2: Hartsuch and Houser. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 416 (SSB 1278), a bill for an act relating to city elections by providing procedures for filling a city council vacancy by special election and by providing satellite absentee voting at certain city elections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Quirnbach, Beall, Zaun, Angelo, Hartsuch, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, 1: Heckroth.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 440 (SSB 1236), a bill for an act modifying water service requirements for rural water providers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Quirnbach, Beall, Zaun, Angelo, Hartsuch, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, 1: Heckroth.

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 440, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 444 (formerly SF 186), a bill for an act relating to councils of governments by making technical changes and by designating a new council of governments area.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Quirnbach, Beall, Zaun, Angelo, Hartsuch, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, 1: Heckroth.

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 444, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 450 (SSB 1149), a bill for an act relating to limitations of actions as applied to county collection of delinquent property taxes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Quirnbach, Beall, Zaun, Angelo, Hartsuch, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, 1: Heckroth.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: SENATE FILE 355, a bill for an act relating to wind energy by establishing a community-based wind energy program and a community-based energy project study.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3089.

Final Vote: Ayes, 14: Black, Hancock, Gaskill, Bolkcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, 1: Behn. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 428 (formerly SF 312), a bill for an act providing for state and local planning for the rescue of support animals in times of public disorder or disaster.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 435 (formerly SF 280), a bill for an act relating to youth deer hunting licenses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 438 (formerly SF 296), a bill for an act establishing a local government energy innovation competitive grant program, and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Hancock, Gaskill, Bolkcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, 1: Behn. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: SENATE FILE 419 (formerly SF 219), a bill for an act concerning social gambling by religious institutions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 425 (SSB 1296), a bill for an act establishing an Iowa Abraham Lincoln bicentennial commission and fund and providing for its prospective repeal.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 426 (SSB 1257), a bill for an act relating to requirements for persons seeking election to township office.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 427 (formerly SF 224), a bill for an act relating to the Iowa civil rights Act and discrimination based upon a person's sexual orientation or gender identity.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Connolly, Horn, Appel, Black, Danielson, Gaskill, Hatch, Kibbie, Schmitz, and Wood. Nays, 5: Zieman, Behn, Hahn, Kettering, and McKibben. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 432 (SSB 1260), a bill for an act making changes to the conduct of elections and voter registration and including effective and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, 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 State Government Committee on Senate File 432, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 446 (SSB 1268), a bill for an act relating to certain elections regarding city utilities or combined utility systems.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 449 (SSB 1297), a bill for an act requiring the legislative services agency to prepare reports regarding nonprofit hospitals and organized health systems.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Connolly, Horn, Appel, Black, Danielson, Hatch, Kettering, Kibbie, Schmitz, and Wood. Nays, 5: Zieman, Behn, Gaskill, Hahn, and McKibben. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: SENATE FILE 418 (formerly SF 136), a bill for an act relating to registration fees for certain motor trucks and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Rielly, Danielson, Noble, Beall, Dearden, Heckroth, Houser, McCoy, Putney, and Warnstadt. Nays, 3: Hancock, Zaun, and Zieman. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 433 (formerly SF 163), a bill for an act relating to advance notification of the need to renew a driver's license.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rielly, Danielson, Noble, Beall, Dearden, Hancock, Heckroth, Houser, McCoy, Putney, Warnstadt, Zaun, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 437 (formerly SF 371), a bill for an act providing for the placement of highway signs honoring members of the state patrol killed in the line of duty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rielly, Danielson, Noble, Beall, Dearden, Hancock, Heckroth, Houser, McCoy, Putney, Warnstadt, Zaun, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 443 (formerly SF 289), a bill for an act relating to special motor vehicle registration plates associated with military service, providing for special gold star plates and distinguished service cross, navy cross, air force cross, soldier's medal, sailor's medal, and airman's medal special plates, establishing fees, and crediting fees from the sale of certain special plates to the veterans license fee fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rielly, Danielson, Noble, Beall, Dearden, Hancock, Heckroth, Houser, McCoy, Putney, Warnstadt, Zaun, 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 443, and they were attached to the committee report.

EVENING SESSION

The Senate reconvened at 6:25 p.m., President Kibbie presiding.

QUORUM CALL

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

The vote revealed 41 present, 9 absent, and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mulder, for the day, on request of Senator McKibben.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 413.

Senate File 413

On motion of Senator Dotzler, **Senate File 413**, a bill for an act providing for fair share agreements relating to collective bargaining for public employees and providing an effective date, was taken up for consideration.

The Senate stood at ease at 6:39 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 7:32 p.m., President Kibbie presiding.

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. 413), the vote was:

Yeas, 28:

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

Nays, 21:

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

Absent, 1:

Mulder

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 413** be **immediately messaged** to the House.

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following bills be referred from the Senate Calendar to the following committees:

S.F.	250	Ways and Means
S.F.	252	Appropriations
S.F.	349	Appropriations

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:56 p.m. until 1:00 p.m., Monday, March 12, 2007.

APPENDIX—2

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Thursday, March 8, 2007, 4:20 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; McKibben, Ranking Member; Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman.

Members Absent: None.

Committee Business: Passed SFs 20, 96, 180, 226, 288, 315, 330, and 375. Approved SSBs 1079, 1081, 1097, 1098, 1099, 1138, 1144, 1187, 1232, 1274, 1280, 1285, 1286, 1288, 1318, 1324, 1326, 1327, and 1328.

Adjourned: 6:15 p.m.

STATE GOVERNMENT

Convened: Thursday, March 8, 2007, 2:35 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Zieman, Ranking Member; Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood.

Members Absent: None.

Committee Business: Passed SFs 266 and 287 (as amended). Approved SSBs 1089, 1102, 1173 (as amended), 1180 (as amended), 1241, 1269 (as amended), 1290, 1309 (as amended), and 1323.

Recessed: 2:40 p.m.

Reconvened: 2:45 p.m.

Adjourned: 3:50 p.m.

INTRODUCTION OF BILLS

Senate File 451, by committee on Economic Growth, a bill for an act relating to enterprise zones that include the site of a biodiesel or biodiesel blended fuel production facility.

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

Senate File 452, by committee on Agriculture, a bill for an act providing for an Iowa farm-to-school program and providing an appropriation.

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

Senate File 453, by committee on Veterans Affairs, a bill for an act creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, and providing a tax exemption and a penalty.

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

Senate File 454, by committee on Judiciary, a bill for an act relating to judicial branch practices and procedures, including expanding the definition of a seal, eliminating duties of the clerk of the supreme court, making confidential personal information, and obtaining electronic signatures on citations.

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

Senate File 455, by committee on Judiciary, a bill for an act restricting the presence of a registered sex offender on the real property comprising a school or child care facility and providing a penalty.

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

Senate File 456, by committee on Judiciary, a bill for an act relating to the issuance of temporary orders modifying an order of child support or custody.

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

Senate File 457, by committee on Judiciary, a bill for an act relating to the rights of peace officers and public safety and emergency personnel.

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

Senate File 458, by committee on Judiciary, a bill for an act relating to under legal age consumption or possession of an alcoholic beverage on certain property, and providing penalties.

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

Senate File 459, by committee on Human Resources, a bill for an act replacing the interstate compact on the placement of children with the interstate compact for the placement of children, making a penalty applicable, and providing a contingent effective date.

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

Senate File 460, by committee on Human Resources, a bill for an act relating to providing an appeal process for medical assistance providers.

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

Senate File 461, by committee on Veterans Affairs, a bill for an act designating the Sullivan brothers veterans museum as a state of Iowa veterans museum.

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

Senate File 462, by committee on Human Resources, a bill for an act relating to body piercing, body modification, and tattooing, and providing penalties.

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

Senate File 463, by committee on Transportation, a bill for an act concerning the licensing and operations of a manufacturer of ambulances, rescue vehicles, or fire vehicles.

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

Senate File 464, by committee on Education, a bill for an act relating to the physical education requirements for grades nine through twelve under the educational standards for school districts and accredited nonpublic schools.

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

Senate File 465, by committee on State Government, a bill for an act relating to leaves of absence for service in elective office.

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

Senate File 466, by committee on Transportation, a bill for an act allowing certain associations to qualify as self-insurers for purposes of Iowa's motor vehicle financial responsibility laws.

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

Senate File 467, by committee on Human Resources, a bill for an act relating to emergency medical services training.

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

Senate File 468, by committee on Education, a bill for an act relating to establishment and implementation of core content standards and a model core curriculum and making an appropriation.

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

Senate File 469, by committee on Transportation, a bill for an act providing for the sale of motor homes by a manufacturer at a camping rally sponsored by the manufacturer.

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

Senate File 470, by committee on Transportation, a bill for an act providing for an agricultural-biomanufacturing initiative and making an appropriation.

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

STUDY BILLS RECEIVED

SSB 1326 Judiciary

Relating to expunging a record of conviction for theft in the fifth degree offenses.

SSB 1327 Judiciary

Relating to general provisions of the uniform commercial code relating to the construction and application of its subject matter, and providing for a contingent effective date.

SSB 1328 Judiciary

Relating to confinement feeding operations by providing for the review of permits involving construction, and including an applicability provision.

SUBCOMMITTEE ASSIGNMENTS

Senate File 388

JUDICIARY: Kreiman, Chair; Hogg and Noble

SSB 1326

JUDICIARY: Kreiman, Chair; Schoenjahn and Zieman

SSB 1327

JUDICIARY: Kreiman, Chair; McKibben and Warnstadt

SSB 1328

JUDICIARY: Kreiman, Chair; Dvorsky and Zieman

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: *SENATE FILE 452 (formerly SF 209), a bill for an act providing for an Iowa farm-to-school program and providing an appropriation.

Recommendation: APPROVED COMMITTEE BILL

Final Vote: Ayes, 15: Fraise, Reilly, Johnson, Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Mulder, Olive, Putney, and Seng. 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 Agriculture Committee on Senate File 452, and they were attached to the committee report.

ECONOMIC GROWTH

Bill Title: SENATE FILE 451 (formerly SF 234), a bill for an act relating to enterprise zones that include the site of a biodiesel or biodiesel blended fuel production facility.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Stewart, Olive, Houser, Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: *SENATE FILE 464 (formerly SF 93), a bill for an act relating to the physical education requirements for grades nine through twelve under the educational standards for school districts and accredited nonpublic schools.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Schoenjahn, Appel, Mulder, Angelo, Beall, Boettger, Connolly, Heckroth, Kreiman, Quirnbach, Schmitz, Wood, and Zaun. Nays, 2: Johnson 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 Education Committee on Senate File 464, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 468 (SSB 1276), a bill for an act relating to establishment and implementation of core content standards and a model core curriculum and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Schoenjahn, Appel, Mulder, Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirnbach, Schmitz, Wood, Zaun, 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 Education Committee on Senate File 468, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: SENATE FILE 459 (SSB 1136), a bill for an act replacing the interstate compact on the placement of children with the interstate compact for the placement of children, making a penalty applicable, and providing a contingent effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirnbach, and Wood. Nays, none. Absent, 1: Kreiman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 460 (SSB 1071), a bill for an act relating to providing an appeal process for medical assistance providers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirnbach, and Wood. Nays, none. Absent, 1: Kreiman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 462 (formerly SF 174), a bill for an act relating to body piercing, body modification, and tattooing, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirnbach, and Wood. Nays, none. Absent, 1: Kreiman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 467 (formerly SF 217), a bill for an act relating to emergency medical services training.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirnbach, and Wood. Nays, none. Absent, 1: Kreiman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: SENATE FILE 454 (SSB 1109), a bill for an act relating to judicial branch practices and procedures, including expanding the definition of a seal, eliminating duties of the clerk of the supreme court, making confidential personal information, and obtaining electronic signatures on citations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, 1: Quirmbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 455 (SSB 1085), a bill for an act restricting the presence of a registered sex offender on the real property comprising a school or child care facility and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 456 (SSB 1050), a bill for an act relating to the issuance of temporary orders modifying an order of child support or custody.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 457 (SSB 1214), a bill for an act relating to the rights of peace officers and public safety and emergency personnel.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 458 (formerly SF 292), a bill for an act relating to under legal age consumption or possession of an alcoholic beverage on certain property, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Kreiman, Hogg, McKibben, Dvorsky, Fraise, Hancock, Horn, Noble, Quirnbach, Schoenjahn, and Warnstadt. Nays, 2: Behn and Ward. Present, 2: Hartsuch and Zieman. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: *SENATE FILE 465 (SSB 1227), a bill for an act relating to leaves of absence for service in elective office.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Connolly, Horn, Appel, Black, Danielson, Gaskill, Hatch, Kibbie, Schmitz, and Wood. Nays, 5: Zieman, Behn, Hahn, Kettering, and McKibben. 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 465, and they were attached to the committee report.

TRANSPORTATION

Bill Title: *SENATE FILE 463 (formerly SF 102), a bill for an act concerning the licensing and operations of a manufacturer of ambulances, rescue vehicles, or fire vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Rielly, Danielson, Noble, Beall, Dearden, Hancock, Heckroth, Houser, McCoy, Putney, Warnstadt, and Zieman. Nays, 1: 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 Transportation Committee on Senate File 463, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 466 (formerly SF 152), a bill for an act allowing certain associations to qualify as self-insurers for purposes of Iowa's motor vehicle financial responsibility laws.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rielly, Danielson, Noble, Beall, Dearden, Hancock, Heckroth, Houser, McCoy, Putney, Warnstadt, Zaun, and Ziemann. 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 466, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 469 (formerly SF 80), a bill for an act providing for the sale of motor homes by a manufacturer at a camping rally sponsored by the manufacturer.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rielly, Danielson, Noble, Beall, Dearden, Hancock, Heckroth, Houser, McCoy, Putney, Warnstadt, Zaun, and Ziemann. 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 469, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 470 (SSB 1320), a bill for an act providing for an agricultural-biomanufacturing initiative and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rielly, Danielson, Noble, Beall, Dearden, Hancock, Heckroth, Houser, McCoy, Putney, Warnstadt, Zaun, and Ziemann. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

VETERANS AFFAIRS

Bill Title: SENATE FILE 453 (SSB 1317), a bill for an act creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, and providing a tax exemption and a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Beall, Warnstadt, Seymour, Danielson, Hartsuch, Horn, Kibbie, McKibben, McKinley, and Ragan. Nays, none. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 461 (formerly SF 257), a bill for an act designating the Sullivan brothers veterans museum as a state of Iowa veterans museum.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Beall, Warnstadt, Seymour, Danielson, Hartsuch, Horn, Kibbie, McKibben, McKinley, and Ragan. Nays, none. Absent, 1: Black.

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 Veterans Affairs Committee on Senate File 461, and they were attached to the committee report.

AMENDMENTS FILED

S-3086	S.F.	403	Robert E. Dvorsky
S-3087	S.F.	403	Jeff Angelo
S-3088	S.F.	403	Larry McKibben James A. Seymour
S-3089	S.F.	355	Natural Resources and Environment
S-3090	S.F.	403	Jeff Angelo
S-3091	S.F.	417	Dick L. Dearden

JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 12, 2007

The Senate met in regular session at 1:08 p.m., President Kibbie presiding.

Prayer was offered by George Gregory of the Christian Science Church in Iowa City, Iowa. He was the guest of Senator Bolkcom.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Caitlin Copper-Leehey.

The Journal of Thursday, March 8, 2007, was approved.

The Senate stood at ease at 1:25 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:23 p.m., President Kibbie presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Angelo, for the day, on request of Senator Putney; and Senator Danielson, for the day, on request of Senator Dvorsky.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 403.

Senate File 403

On motion of Senator Dvorsky, **Senate File 403**, a bill for an act addressing financial and regulatory matters by making and revising appropriations, providing for properly related matters, and providing effective dates, was taken up for consideration.

Senator Johnson withdrew amendment S-3087, filed by Senator Angelo on March 8, 2007, to page 2 of the bill.

Senator Dvorsky offered amendment S-3086, filed by him on March 8, 2007, to pages 2, 3, 10, 12, and 15-19 of the bill, and moved its adoption.

Amendment S-3086 was adopted by a voice vote.

Senator McKibben offered amendment S-3088, filed by Senators McKibben and Seymour on March 8, 2007, to page 13 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3088 be adopted?" (S.F. 403), the vote was:

Yeas, 19:

Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman
Hartsuch	McKibben	Seymour	

Nays, 29:

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

Absent, 2:

Angelo Danielson

Amendment S–3088 lost.

Senator Johnson offered amendment S–3090, filed by Senator Angelo on March 8, 2007, to page 13 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3090 be adopted?” (S.F. 403), the vote was:

Yeas, 19:

Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman
Hartsuch	McKibben	Seymour	

Nays, 29:

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

Absent, 2:

Angelo Danielson

Amendment S–3090 lost.

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. 403), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Angelo Danielson

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

UNFINISHED BUSINESS (Deferred March 5, 2007)

Senate File 199

The Senate resumed consideration of **Senate File 199**, a bill for an act granting the civil rights commission additional subpoena power to investigate unfair or discriminatory practices and providing an effective date, deferred March 5, 2007.

Senator Appel 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. 199), the vote was:

Yeas, 28:

Appel	Dotzler	Hogg	Rielly
Beall	Dvorsky	Horn	Schmitz
Black	Fraise	Kibbie	Schoenjahn
Bolkcom	Gronstal	Kreiman	Seng
Connolly	Hancock	Olive	Stewart

Courtney Dearden	Hatch Heckroth	Quirnbach Ragan	Warnstadt Wood
---------------------	-------------------	--------------------	-------------------

Nays, 20:

Behn	Houser	McKibben	Seymour
Boettger	Johnson	McKinley	Ward
Gaskill	Kettering	Mulder	Wieck
Hahn	Lundby	Noble	Zaun
Hartsuch	McCoy	Putney	Zieman

Absent, 2:

Angelo	Danielson
--------	-----------

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 202, 260, 272, and 333.

Senate File 202

On motion of Senator Horn, **Senate File 202**, a bill for an act relating to the disposition of certain unclaimed property, was taken up for consideration.

Senator Horn offered amendment S-3075, filed by him on March 7, 2007, to pages 1-3 of the bill, and moved its adoption.

Amendment S-3075 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?" (S.F. 202), the vote was:

Yeas, 48:

Appel	Gaskill	Kibbie	Rielly
Beall	Gronstal	Kreiman	Schmitz
Behn	Hahn	Lundby	Schoenjahn

Black	Hancock	McCoy	Seng
Boettger	Hartsuch	McKibben	Seymour
Bolkcom	Hatch	McKinley	Stewart
Connolly	Heckroth	Mulder	Ward
Courtney	Hogg	Noble	Warnstadt
Dearden	Horn	Olive	Wieck
Dotzler	Houser	Putney	Wood
Dvorsky	Johnson	Quirnbach	Zaun
Fraise	Kettering	Ragan	Zieman

Nays, none.

Absent, 2:

Angelo Danielson

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

Senate File 260

On motion of Senator Seymour, **Senate File 260**, a bill for an act relating to dependent adult abuse, 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. 260), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Angelo Danielson

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

Senate File 272

On motion of Senator Noble, **Senate File 272**, a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions, was taken up for consideration.

Senator Noble 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. 272), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Angelo Danielson

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

Senate File 333

On motion of Senator Ward, **Senate File 333**, 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 Ward offered amendment S-3063, filed by the committee on Judiciary on March 5, 2007, to pages 23, 34, and 49 of the bill, and moved its adoption.

Amendment S-3063 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. 333), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Angelo	Danielson
--------	-----------

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 199, 202, 260, 272, 333, and 403** 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 335, 336, 337, 421, 400, and 383.

Senate File 335

On motion of Senator Schoenjahn, **Senate File 335**, a bill for an act relating to zoning provisions for the premises of home and community-based services waiver providers, 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. 335), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Angelo Danielson

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

Senate File 336

On motion of Senator Beall, **Senate File 336**, a bill for an act allowing certain cities to appoint additional civil service commissioners, 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. 336), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Angelo Danielson

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

Senate File 337

On motion of Senator Olive, **Senate File 337**, a bill for an act relating to information required to be indexed in the records of the county recorder, was taken up for consideration.

Senator Olive 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. 337), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Angelo	Danielson
--------	-----------

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

Senate File 421

On motion of Senator Wieck, **Senate File 421**, a bill for an act relating to workers' compensation laws by regulating insurance policy exclusions and debt collection practices, 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?" (S.F. 421), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Angelo Danielson

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

Senate File 400

On motion of Senator Stewart, **Senate File 400**, a bill for an act relating to mortgage release certificates issued by the Iowa finance authority, 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. 400), the vote was:

Yeas, 48:

Appel	Gaskill	Kibbie	Rielly
Beall	Gronstal	Kreiman	Schmitz
Behn	Hahn	Lundby	Schoenjahn

Black	Hancock	McCoy	Seng
Boettger	Hartsuch	McKibben	Seymour
Bolkcom	Hatch	McKinley	Stewart
Connolly	Heckroth	Mulder	Ward
Courtney	Hogg	Noble	Warnstadt
Dearden	Horn	Olive	Wieck
Dotzler	Houser	Putney	Wood
Dvorsky	Johnson	Quirnbach	Zaun
Fraise	Kettering	Ragan	Zieman

Nays, none.

Absent, 2:

Angelo Danielson

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

Senate File 383

On motion of Senator Quirnbach, **Senate File 383**, a bill for an act prohibiting parent-teacher conferences on the day of a general election, was taken up for consideration.

Senator Hancock asked and received unanimous consent that action on **Senate File 383** be **deferred**.

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that **Senate Files 335, 336, 337, 400, and 421** 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 12, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 314, a bill for an act relating to a peace officer's statements to a person operating a noncommercial motor vehicle and

holding a commercial driver's license who has been requested to submit to a chemical test in an operating-while-intoxicated case.

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

House File 525, a bill for an act establishing an interim study committee to study the impact of unemployment on the recidivism rate of persons who have been committed to the custody of the department of corrections or assigned to the judicial district departments of correctional services.

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

House File 590, a bill for an act relating to the application and enforcement of the state building code and providing an applicability date.

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

House File 610, a bill for an act relating to acquired immune deficiency syndrome and the human immunodeficiency virus.

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:09 p.m. until 8:45 a.m., Tuesday, March 13, 2007.

APPENDIX

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 7–8, 2007, when the votes were taken on Senate Files 128 and 413. Had I been present, I would have voted “Yea” on Senate File 128 and “Nay” on Senate File 413.

DAVE MULDER

CERTIFICATES OF RECOGNITION

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

Alberta Anderson, Council Bluffs—For celebrating her 90th birthday. Senator Gronstal (3/12/07).

Laura Lee Bentley—For celebrating her 90th birthday. Senator Courtney (3/12/07).

Bob and Lois Blair, Council Bluffs—For celebrating their 60th wedding anniversary. Senator Gronstal (3/12/07).

Evan and Jacqueline Clark, Council Bluffs—For celebrating their 65th wedding anniversary. Senator Gronstal (3/12/07).

Gregory R. Hill, M.D.—For being inducted as a Fellow of the American Academy of Orthopaedic Surgeons. Senator Courtney (3/12/07).

Reva Jarosh—For celebrating her 80th birthday. Senator Courtney (3/12/07).

Eva Knopp—For celebrating her 90th birthday. Senator Courtney (3/12/07).

L. Max and Sharon Lawson—For celebrating their 50th wedding anniversary. Senator Courtney (3/12/07).

Lois McKeown—For celebrating her 90th birthday. Senator Courtney (3/12/07).

Joe McPoland, Sherrill Fire Department—For 50 years of service. Senator Hancock (3/12/07).

Stefan Nitzschke, Bettendorf—For achieving the rank of Eagle Scout, Boy Scout Troop 24. Senator Hartsuch (3/12/07).

Mel Raid—For celebrating his 90th birthday. Senator Courtney (3/12/07).

Jeremy Rethamel, New Hampton—For achieving the rank of Eagle Scout. Senator Ziemann (3/12/07).

Gladys Schulz—For celebrating her 85th birthday. Senator Courtney (3/12/07).

Tom Spoerl, Sherrill Fire Department—For being the Firefighter of the Year. Senator Hancock (3/12/07).

Loras Stecher, Sherrill Fire Department—For 41 years of service. Senator Hancock (3/12/07).

Harriet Jackson Jones Stevenson—For celebrating her 90th birthday. Senator Courtney (3/12/07).

John “Jack” and Glenna Voyles—For celebrating their 50th wedding anniversary. Senator Courtney (3/12/07).

INTRODUCTION OF RESOLUTION

Senate Resolution 20, by Ragan and Gaskill, a resolution declaring the trombone Iowa’s premier musical instrument.

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

INTRODUCTION OF BILLS

Senate File 471, by committee on Human Resources, a bill for an act relating to the regulation of adoption facilitators.

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

Senate File 472, by committee on Labor and Business Relations, a bill for an act providing for administrative rules governing close clearance conditions and railroad worker walkways.

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

Senate File 473, by committee on Judiciary, a bill for an act allowing a competent adult to execute a written instrument directing the final disposition of that person’s remains, including coordinating provisions, and providing applicability dates.

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

Senate File 474, 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, including a reporting requirement, and providing a penalty.

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

Senate File 475, by committee on Agriculture, a bill for an act establishing the Iowa retail petroleum unfair sales Act, and providing a penalty.

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

Senate File 476, by committee on Agriculture, a bill for an act relating to motor fuel by establishing standards for the sale of biodiesel fuel, making penalties applicable, and providing for an effective date.

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

Senate File 477, by committee on Natural Resources and Environment, a bill for an act authorizing the issuance of additional special nonresident deer hunting licenses.

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

Senate File 478, by committee on Human Resources, a bill for an act providing for the registration of practitioners of the healing arts, providing remedies, and making an appropriation.

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

Senate File 479, by committee on State Government, a bill for an act making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting.

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

Senate File 480, by committee on Human Resources, a bill for an act relating to children who are subject to a court order for a temporary or permanent out-of-home placement by providing for visitation or ongoing interaction between the children and siblings.

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

Senate File 481, by committee on Human Resources, a bill for an act establishing a program for providing voluntary home visits for all households in the state with a newborn child.

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

Senate File 482, by committee on State Government, a bill for an act relating to the regulation of contributions for a gubernatorial inauguration and providing a penalty.

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

Senate File 483, by committee on State Government, a bill for an act concerning the department of administrative services and providing an effective date.

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

Senate File 484, by committee on Agriculture, a bill for an act relating to maximum size and weight requirements for vehicles hauling crops during the annual period of harvest.

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

Senate File 485, by committee on Natural Resources and Environment, a bill for an act requiring consideration of greenhouse gas emissions in issuing specified air quality permits.

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

Senate File 486, by committee on State Government, a bill for an act concerning distribution of revenue from the wine gallonage tax on wine imported into this state.

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

Senate File 487, by committee on Judiciary, a bill for an act requiring the state fire marshal to assess the practice and impact of selling novelty lighters.

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

Senate File 488, by committee on State Government, a bill for an act concerning assessments for funding of municipal utility retirement systems.

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

Senate File 489, by committee on Human Resources, a bill for an act creating an Alzheimer's disease task force.

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

Senate File 490, by committee on Economic Growth, a bill for an act to support efforts to strengthen education and enrichment programming using the arts and making an appropriation.

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

Senate File 491, by committee on Judiciary, a bill for an act prohibiting a person who is the subject of a protective order or who has been convicted of a misdemeanor crime of domestic violence in violation of federal law from possessing, transferring, or selling firearms or offensive weapons and providing a penalty.

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

Senate File 492, by committee on Judiciary, a bill for an act relating to the Iowa law enforcement academy and minimum entrance requirements.

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

Senate File 493, by committee on Natural Resources and Environment, a bill for an act relating to plans and financial assurance requirements for certain sanitary landfill projects.

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

Senate File 494, by committee on Natural Resources and Environment, a bill for an act relating to statewide greenhouse gas emissions.

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

Senate File 495, by committee on Natural Resources and Environment, a bill for an act relating to water quality.

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

Senate File 496, by Zieman, a bill for an act providing for a commercial property tax credit for proportional increases in the state percent of growth, making an appropriation, and including an applicability date.

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

Senate File 497, by committee on Economic Growth , a bill for an act creating an Iowa advanced renewable fuels technology commercialization program.

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

Senate File 498, by committee on Human Resources, 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 providing a temporary exception to the expenditure and budget targets for children placed in group foster care.

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

Senate File 499, by committee on Natural Resources and Environment, a bill for an act relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions.

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

Senate File 500, by committee on Economic Growth, a bill for an act establishing the office of renewable energy and the Iowa power fund and related provisions, and providing an effective date.

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

Senate File 501, by committee on Judiciary, a bill for an act relating to specified types of business solicitations, providing an exception from applicability of certain requirements for sales conducted by mail, the telephone, or the internet.

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

STUDY BILLS RECEIVED

SSB 1329 Ways and Means

Allowing regions within the state to participate in a pilot project for regional emergency response districts and providing for a district tax levy.

SSB 1330 Ways and Means

Allowing a county board of supervisors to expend moneys from the local emergency management fund for a joint law enforcement communications center.

SUBCOMMITTEE ASSIGNMENTS

Senate File 390

WAYS AND MEANS: McCoy, Chair; Appel and Wieck

Senate File 393

WAYS AND MEANS: Quirnbach, Chair; Connolly and Ward

Senate File 394

WAYS AND MEANS: Hogg, Chair; Schmitz and Ward

Senate File 423

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Dotzler and McKinley

House File 317

EDUCATION: Heckroth, Chair; Connolly and Zaun

SSB 1329

WAYS AND MEANS: Seng, Chair; Putney and Stewart

SSB 1330

WAYS AND MEANS: Hogg, Chair; Bolkom and Noble

FINAL COMMITTEE REPORTS OF BILL ACTION**AGRICULTURE**

Bill Title: SENATE FILE 475 (formerly SF 329), a bill for an act establishing the Iowa retail petroleum unfair sales Act, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Fraise, Rielly, Johnson, Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Olive, Putney, and Seng. Nays, none. Absent, 1: Mulder.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 476 (SSB 1312), a bill for an act relating to motor fuel by establishing standards for the sale of biodiesel fuel, making penalties applicable, and providing for an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Fraise, Rielly, Johnson, Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Olive, Putney, and Seng. Nays, none. Absent, 1: Mulder.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 484 (SSB 1315), a bill for an act relating to maximum size and weight requirements for vehicles hauling crops during the annual period of harvest.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Fraise, Rielly, Johnson, Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Olive, Putney, and Seng. Nays, none. Absent, 1: Mulder.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ECONOMIC GROWTH

Bill Title: *SENATE FILE 490 (SSB 1301), a bill for an act to support efforts to strengthen education and enrichment programming using the arts and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Stewart, Olive, Houser, Beall, Danielson, Dotzler, Hahn, Hatch, Rielly, Schmitz, Seymour, and Zaun. Nays, none. Absent, 1: 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 Economic Growth Committee on Senate File 490, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 497 (SSB 1306), a bill for an act creating an Iowa advanced renewable fuels technology commercialization program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Stewart, Olive, Houser, Beall, Danielson, Dotzler, Hahn, Hatch, Rielly, Schmitz, Seymour, and Zaun. Nays, none. Absent, 1: 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 Economic Growth Committee on Senate File 497, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 500 (SSB 1298), a bill for an act establishing the office of renewable energy and the Iowa power fund and related provisions, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Stewart, Olive, Houser, Beall, Danielson, Dotzler, Hahn, Hatch, Rielly, Schmitz, Seymour, and Zaun. Nays, none. Absent, 1: 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 Economic Growth Committee on Senate File 500, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: SENATE FILE 471 (SSB 1325), a bill for an act relating to the regulation of adoption facilitators.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirnbach, and Wood. Nays, none. Absent, 1: Kreiman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 478 (formerly SF 124), a bill for an act providing for the registration of practitioners of the healing arts, providing remedies, and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Ragan, Schmitz, Boettger, Bolkcom, Dotzler, Hatch, Mulder, Quirnbach, and Wood. Nays, 2: Seymour and Johnson. Present, 1: Behn. Absent, 1: Kreiman.

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 478, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 480 (formerly SF 342), a bill for an act relating to children who are subject to a court order for a temporary or permanent out-of-home placement by providing for visitation or ongoing interaction between the children and siblings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirnbach, and Wood. Nays, none. Absent, 1: Kreiman.

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 480, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 481 (formerly SF 210), a bill for an act establishing a program for providing voluntary home visits for all households in the state with a newborn child.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirmbach, and Wood. Nays, none. Absent, 1: Kreiman.

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 481, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 489 (formerly SF 316), a bill for an act creating an Alzheimer's disease task force.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirmbach, and Wood. Nays, none. Absent, 1: Kreiman.

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 489, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 498 (SSB 1152), 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 providing a temporary exception to the expenditure and budget targets for children placed in group foster care.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirmbach, and Wood. Nays, none. Absent, 1: Kreiman.

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 498, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 473 (SSB 1217), a bill for an act allowing a competent adult to execute a written instrument directing the final disposition of that person's remains, including coordinating provisions, and providing applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Kreiman, Hogg, McKibben, Dvorsky, Fraise, Hancock, Horn, Noble, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, 2: Behn and Hartsuch. Absent, 1: Quirmbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 487 (formerly SF 330), a bill for an act requiring the state fire marshal to assess the practice and impact of selling novelty lighters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 491 (SSB 1234), a bill for an act prohibiting a person who is the subject of a protective order or who has been convicted of a misdemeanor crime of domestic violence in violation of federal law from possessing, transferring, or selling firearms or offensive weapons and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Kreiman, Hogg, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Schoenjahn, Ward, and Warnstadt. Nays, none. Present, 3: McKibben, Behn, and Zieman. Absent, 1: Quirmbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 492 (SSB 1232), a bill for an act relating to the Iowa law enforcement academy and minimum entrance requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kreiman, Hogg, Dvorsky, Fraise, Hancock, Horn, Quirmbach, Schoenjahn, and Warnstadt. Nays, 5: McKibben, Behn, Hartsuch, Noble, and Ward. Present, 1: Zieman. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 501 (SSB 1286), a bill for an act relating to specified types of business solicitations, providing an exception from applicability of certain requirements for sales conducted by mail, the telephone, or the internet.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND BUSINESS RELATIONS

Bill Title: *SENATE FILE 472 (SSB 1254), a bill for an act providing for administrative rules governing close clearance conditions and railroad worker walkways.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Dearden, Courtney, Dotzler, Dvorsky, Horn, and Seng. Nays, 4: Ward, Hahn, McKinley, and Wieck. Absent, 1: Hatch.

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 Labor and Business Relations Committee on Senate File 472, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: SENATE FILE 474 (formerly SF 230), a bill for an act requiring certain Iowa national pollutant discharge elimination system program permit holders to post signs at discharge points, including a reporting requirement, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Black, Hancock, Bolkcom, Dearden, Hogg, Ragan, Schoenjahn, Seng, and Wood. Nays, 5: Gaskill, Behn, Johnson, Kettering, and Noble. Absent, 1: Lundyby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 477 (formerly SF 389), a bill for an act authorizing the issuance of additional special nonresident deer hunting licenses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Hancock, Gaskill, Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, 1: Lundby. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 485 (formerly SF 153), a bill for an act requiring consideration of greenhouse gas emissions in issuing specified air quality permits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Black, Hancock, Bolkcom, Dearden, Hogg, Ragan, Schoenjahn, Seng, and Wood. Nays, 6: Gaskill, Behn, Johnson, Kettering, Lundby, and Noble. 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 485, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 493 (formerly SF 328), a bill for an act relating to plans and financial assurance requirements for certain sanitary landfill projects.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, 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 493, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 494 (formerly SF 262), a bill for an act relating to statewide greenhouse gas emissions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Hancock, Gaskill, Bolkcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, 1: Behn. 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 494, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 495 (SSB 1235), a bill for an act relating to water quality.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 499 (SSB 1226), a bill for an act relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions.

Recommendation: APPROVED COMMITTEE BILL..

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, 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 499, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 479 (SSB 1102), a bill for an act making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 482 (formerly SF 266), a bill for an act relating to the regulation of contributions for a gubernatorial inauguration and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 483 (SSB 1241), a bill for an act concerning the department of administrative services and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 486 (SSB 1323), a bill for an act concerning distribution of revenue from the wine gallonage tax on wine imported into this state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 488 (SSB 1309), a bill for an act concerning assessments for funding of municipal utility retirement systems.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Connolly, Horn, Appel, Black, Danielson, Hatch, Kibbie, Schmitz, and Wood. Nays, none. Present, 6: Zieman, Behn, Gaskill, Hahn, Kettering, and McKibben. 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 488, and they were attached to the committee report.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 9, 2007, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 74 – Renaming health-related examining boards as licensing boards.

AMENDMENTS FILED

S-3092	S.F.	354	Paul McKinley
S-3093	S.F.	412	Frank B. Wood
S-3094	S.F.	443	Steve Warnstadt James A. Seymour
S-3095	S.F.	444	Keith A. Kreiman

JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 13, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by Reverend Dale Batcheler of the First United Methodist Church in Marshalltown, Iowa. He was the guest of Senator McKibben.

The Journal of Monday, March 12, 2007, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Angelo, for the day, on the request of Senator Boettger; Senators McKibben and Putney, until they arrive, on request of Senator Lundby; and Senators Hatch and Hogg, until they arrive, on request of Senator Gronstal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 264 and 480.

Senate File 264

On motion of Senator Mulder, **Senate File 264**, a bill for an act relating to grandparent and great-grandparent visitation, was taken up for consideration.

Senator Mulder offered amendment S-3049, filed by Senator Mulder, et al., on March 1, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3049 was adopted 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?" (S.F. 264), the vote was:

Yeas, 45:

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

Nays, none.

Absent, 5:

Angelo	Hogg	Putney
Hatch	McKibben	

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

Senate File 480

On motion of Senator Kreiman, **Senate File 480**, a bill for an act relating to children who are subject to a court order for a temporary or permanent out-of-home placement by providing for visitation or ongoing interaction between the children and siblings, 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. 480), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Angelo Hatch

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 264** and **480** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:10 a.m. until 3:30 p.m.

APPENDIX—1**EXPLANATION OF VOTES**

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 13, 2007, when the vote was taken on Senate File 264. Had I been present, I would have voted “Yea.”

ROBERT M. HOGG

ALSO:

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 13, 2007, when the votes were taken on Senate Files 264 and 480. Had I been present, I would have voted “Yea” on both.

JOHN PUTNEY

CERTIFICATES OF RECOGNITION

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

Elaine Andersen, Kimballton—For celebrating her 85th birthday. Senator Boettger (3/13/07).

Pinky Galbreath, Onawa—For celebrating her 109th birthday. Senator Seymour (3/13/07).

Fred and Patti Gibson, Blencoe—For celebrating their 50th wedding anniversary. Senator Seymour (3/13/07).

Graettinger-Terril Girls Basketball Team—For being the 2007 Class 1A State Champions. Senator Kibbie (3/13/07).

Fern Hacker, Waterloo—For celebrating her 90th birthday. Senator Dotzler (3/13/07).

Vernal Henriksen, Harlan—For celebrating her 95th birthday. Senator Boettger (3/13/07).

Roger and Edna Johannsen, Arthur—For celebrating their 50th wedding anniversary. Senator Seymour (3/13/07).

Grant and Barbara Mann, Turin—For celebrating their 50th wedding anniversary. Senator Seymour (3/13/07).

Katherine Mitchell, Waterloo—For celebrating her 90th birthday. Senator Dotzler (3/13/07).

Paul and Patricia Petersen, Turin—For celebrating their 50th wedding anniversary. Senator Seymour (3/13/07).

Theresa Petersen, Graettinger—For being selected to the 2007 Iowa Girls Basketball All-Tournament Team. Senator Kibbie (3/13/07).

Glenden Roberts, Waterloo—For celebrating his 90th birthday. Senator Dotzler (3/13/07).

Mabel Trimmer Stahl, Walnut—For celebrating her 90th birthday. Senator Boettger (3/13/07).

Merrill Stolz, Harlan—For celebrating his 90th birthday. Senator Boettger (3/13/07).

John and Patty Stueve, Missouri Valley—For celebrating their 40th wedding anniversary. Senator Seymour (3/13/07).

Megan Torkelson, Graettinger—For being selected to the 2007 Des Moines Register's 2nd Team All-State and for being named the Iowa Girls' Basketball All-Tournament Team, "Pizza Ranch Player of the Game." Senator Kibbie (3/13/07).

REPORTS OF COMMITTEE MEETINGS

GOVERNMENT OVERSIGHT

Convened: Tuesday, March 13, 2007, 10:15 a.m.

Members Present: Connolly, Vice Chair; Lundby and Schmitz.

Members Absent: Courtney, Chair; and Wieck, Ranking Member (both excused).

Committee Business: Subcommittee assignments.

Adjourned: 10:25 a.m.

LABOR AND BUSINESS RELATIONS

Convened: Tuesday, March 13, 2007, 1:05 p.m.

Members Present: Dearden, Chair; Courtney, Vice Chair; Ward, Ranking Member; Dotzler, Dvorsky, Hahn, Horn, McKinley, Seng, and Wieck.

Members Absent: Hatch (excused).

Committee Business: Passed HF 367 and 368.

Adjourned: 1:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Tuesday, March 13, 2007, 10:10 a.m.

Members Present: Dotzler, Chair; Heckroth, Vice Chair; Kettering, Ranking Member; Olive and Ward.

Members Absent: None.

Committee Business: Approved proposed economic development bill, LSB 1128ja (as amended).

Adjourned: 10:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Tuesday, March 13, 2007, 10:25 a.m.

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

Members Absent: None.

Committee Business: Approved LSB 1131ja (as amended).

Adjourned: 11:25 a.m.

PRESENTATION OF VISITORS

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

Foster children, foster parents, and foster grandparents from throughout the state. Senator Kibbie.

INTRODUCTION OF BILLS

Senate File 502, by committee on Commerce, a bill for an act relating to the regulation of savings and loan associations by the division of banking of the department of commerce.

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

Senate File 503, by committee on Human Resources, a bill for an act relating to regulation of children's services by the department of human services by increasing the age for certain children receiving

child care regulated by the department and revising child welfare and juvenile justice service provisions.

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

Senate File 504, 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 505, by committee on Judiciary, a bill for an act relating to civil liability for damages relating to the use of an automated external defibrillator in sudden cardiac arrest emergencies.

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

Senate File 506, by committee on Economic Growth, a bill for an act relating to certain distress criteria under the enterprise zone program.

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

Senate File 507, by committee on Judiciary, a bill for an act relating to joint physical care of children in dissolution cases and establishing a rebuttable presumption that a request for joint physical care is in the best interest of the child.

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

Senate File 508, 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 509, by committee on Judiciary, a bill for an act relating to a revised uniform anatomical gift Act, and providing penalties.

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

Senate File 510, by committee on State Government, a bill for an act concerning electrical and mechanical amusement devices and providing penalties.

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

Senate File 511, 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 512, by committee on State Government, a bill for an act relating to the regulation of pharmacy benefits managers and providing penalties.

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

Senate File 513, by committee on Local Government, a bill for an act relating to the construction bidding procedures Act by modifying procedures and requirements for letting public improvement contracts, and making corrections.

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

Senate File 514, by committee on Commerce, a bill for an act requiring insurers offering certain individual or group health insurance contracts, policies, or plans to provide coverage for vaccinations for human papilloma virus.

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

Senate File 515, by committee on Commerce, a bill for an act permitting rate-regulated gas and electric utilities to aggregate energy efficiency program funding, administration, and delivery, and to utilize a third party for such administration and delivery secured through a competitive bidding process.

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

Senate File 516, by committee on State Government, a bill for an act relating to the sales of beer kegs by requiring an identification number on each keg of beer, recording of the purchase of beer by the keg, and providing penalties.

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

Senate File 517, by committee on Judiciary, a bill for an act relating to the state building code by providing for training, administration, and enforcement of energy conservation requirements.

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

Senate File 518, by committee on Commerce, a bill for an act reorganizing Code chapter provisions relating to the authority to engage in the business of insurance other than life insurance by transferring provisions, eliminating outdated provisions, and amending corresponding provisions, as necessary.

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

Senate File 519, by committee on State Government, a bill for an act providing for energy performance-based contracts for certain public entities.

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

Senate File 520, by committee on Judiciary, a bill for an act creating a private cause of action for certain consumer fraud violations.

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

Senate File 521, by committee on Judiciary, a bill for an act relating to judicial branch practices and procedures including but not limited to adoption petitions, clerk of the district court duties and recordkeeping affecting real estate, the confidentiality of arrest

warrants, and notices by the department of corrections to the clerk of the district court.

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

Senate File 522, by committee on Judiciary, a bill for an act relating to communications made in professional confidence concerning health care, patient access to the patient's medical file, and health care records and providing for fees.

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

Senate File 523, by committee on Judiciary, a bill for an act relating to a person under legal age submitting to a preliminary screening test for the detection of the presence of alcohol, and providing a penalty.

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

Senate File 524, by committee on Judiciary, 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 **placed on calendar.**

Senate File 525, by committee on Judiciary, a bill for an act relating to electronically recording an interrogation of a person suspected of a crime.

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

Senate File 526, by committee on Judiciary, a bill for an act relating to issuing subpoenas for an investigation or prosecution of a simple misdemeanor.

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

Senate File 527, by committee on Commerce, a bill for an act relating to agreements to pay compensation to recover or assist in the recovery of certain unclaimed property.

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

Senate File 528, by committee on Judiciary, a bill for an act prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates.

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

Senate File 529, by committee on Judiciary, a bill for an act expanding the criminal offense of possessing contraband in correctional institutions to include possessing contraband in a secure facility for the detention or custody of juveniles, a detention facility, or a jail, and providing a penalty.

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

Senate File 530, by committee on Commerce, a bill for an act relating to prohibited business practices by a real estate broker or salesperson.

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

Senate File 531, by committee on Judiciary, a bill for an act relating to expunging a record of conviction for theft in the fifth degree offenses.

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

Senate File 532, by committee on Judiciary, a bill for an act relating to condemnation of property by consent of the property owner.

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

Senate File 533, by committee on Judiciary, a bill for an act relating to a debtor's exempt personal injury payments in state court debt collection and federal bankruptcy actions.

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

Senate File 534, by committee on Judiciary, a bill for an act relating to civil protective orders and criminal no-contact orders.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: *SENATE FILE 504 (SSB 1001), 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, 15: Fraise, Rielly, Johnson, Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Mulder, Olive, Putney, and Seng. 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 Agriculture Committee on Senate File 504, and they were attached to the committee report.

COMMERCE

Bill Title: SENATE FILE 502 (SSB 1314), a bill for an act relating to the regulation of savings and loan associations by the division of banking of the department of commerce.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Warnstadt, Heckroth, Wieck, Angelo, Bolkom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 508 (SSB 1076), 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, 14: Warnstadt, Heckroth, Wieck, Angelo, Bolkcom, Courtney, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. Nays, 1: Kettering. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 514 (SSB 1231), a bill for an act requiring insurers offering certain individual or group health insurance contracts, policies, or plans to provide coverage for vaccinations for human papilloma virus.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Warnstadt, Heckroth, Wieck, Angelo, Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 515 (formerly SF 303), a bill for an act permitting rate-regulated gas and electric utilities to aggregate energy efficiency program funding, administration, and delivery, and to utilize a third party for such administration and delivery secured through a competitive bidding process.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Warnstadt, Heckroth, Wieck, Angelo, Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 518 (SSB 1313), a bill for an act reorganizing Code chapter provisions relating to the authority to engage in the business of insurance other than life insurance by transferring provisions, eliminating outdated provisions, and amending corresponding provisions, as necessary.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Warnstadt, Heckroth, Wieck, Angelo, Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 527 (formerly SF 227), a bill for an act relating to agreements to pay compensation to recover or assist in the recovery of certain unclaimed property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Warnstadt, Heckroth, Wieck, Angelo, Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. 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 Commerce Committee on Senate File 527, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 530 (SSB 1133), a bill for an act relating to prohibited business practices by a real estate broker or salesperson.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Warnstadt, Heckroth, Bolkcom, Courtney, Kettering, McCoy, Olive, Rielly, Schoenjahn, and Stewart. Nays, 5: Wieck, Angelo, McKibben, Putney, and Ward. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ECONOMIC GROWTH

Bill Title: SENATE FILE 506 (SSB 1300), a bill for an act relating to certain distress criteria under the enterprise zone program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Stewart, Olive, Houser, Beall, Danielson, Dotzler, Hahn, Hatch, Rielly, Schmitz, Seymour, and Zaun. Nays, none. Absent, 1: Mulder.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: *SENATE FILE 503 (SSB 1238), a bill for an act relating to regulation of children's services by the department of human services by increasing the age for certain children receiving child care regulated by the department and revising child welfare and juvenile justice service provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirnbach, and Wood. Nays, none. Absent, 1: Kreiman.

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 503, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 505 (SSB 1318), a bill for an act relating to civil liability for damages relating to the use of an automated external defibrillator in sudden cardiac arrest emergencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 507 (formerly SF 315), a bill for an act relating to joint physical care of children in dissolution cases and establishing a rebuttable presumption that a request for joint physical care is in the best interest of the child.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 509 (SSB 1288), a bill for an act relating to a revised uniform anatomical gift Act, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 517 (formerly SF 288), a bill for an act relating to the state building code by providing for training, administration, and enforcement of energy conservation requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kreiman, Hogg, Dvorsky, Fraise, Hancock, Horn, Quirnbach, Schoenjahn, and Warnstadt. Nays, 6: McKibben, Behn, Hartsuch, Noble, Ward, and Zieman. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 520 (SSB 1081), a bill for an act creating a private cause of action for certain consumer fraud violations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kreiman, Hogg, Dvorsky, Fraise, Hancock, Horn, Quirnbach, Schoenjahn, and Warnstadt. Nays, none. Present, 6: McKibben, Behn, Hartsuch, Noble, Ward, and Zieman. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 521 (SSB 1187), a bill for an act relating to judicial branch practices and procedures including but not limited to adoption petitions, clerk of the district court duties and recordkeeping affecting real estate, the confidentiality of arrest warrants, and notices by the department of corrections to the clerk of the district court.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 522 (SSB 1097), a bill for an act relating to communications made in professional confidence concerning health care, patient access to the patient's medical file, and health care records and providing for fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Kreiman, Hogg, Dvorsky, Fraise, Hancock, Horn, Quirnbach, and Warnstadt. Nays, 7: McKibben, Behn, Hartsuch, Noble, Schoenjahn, Ward, and Zieman. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 523 (formerly SF 375), a bill for an act relating to a person under legal age submitting to a preliminary screening test for the detection of the presence of alcohol, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Noble, Schoenjahn, Ward, Warnstadt, and Ziemann. Nays, 3: Hartsuch, Horn, and Quirnbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 524 (formerly SF 180), 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: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Ziemann. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 525 (SSB 1324), a bill for an act relating to electronically recording an interrogation of a person suspected of a crime.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Ziemann. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 526 (formerly SF 226), a bill for an act relating to issuing subpoenas for an investigation or prosecution of a simple misdemeanor.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 528 (formerly SF 96), a bill for an act prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 529 (SSB 1285), a bill for an act expanding the criminal offense of possessing contraband in correctional institutions to include possessing contraband in a secure facility for the detention or custody of juveniles, a detention facility, or a jail, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 531 (SSB 1326), a bill for an act relating to expunging a record of conviction for theft in the fifth degree offenses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 532 (formerly SF 20), a bill for an act relating to condemnation of property by consent of the property owner.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 533 (SSB 1099), a bill for an act relating to a debtor's exempt personal injury payments in state court debt collection and federal bankruptcy actions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND BUSINESS RELATIONS

Bill Title: HOUSE FILE 367, a bill for an act relating to wage payment collection of direct deposit wages as administered by the division of labor services of the department of workforce development.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Dearden, Courtney, Ward, Dotzler, Dvorsky, Hahn, Horn, McKinley, Seng, and Wieck. Nays, none. Absent, 1: Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 368, a bill for an act relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Dearden, Courtney, Ward, Dotzler, Dvorsky, Hahn, Horn, McKinley, Seng, and Wieck. Nays, none. Absent, 1: Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: SENATE FILE 513 (SSB 1310), a bill for an act relating to the construction bidding procedures Act by modifying procedures and requirements for letting public improvement contracts, and making corrections.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 11: Quirmbach, Beall, Zaun, Angelo, Heckroth, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart. Nays, 2: Hartsuch and Houser. 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 513, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *SENATE FILE 511 (formerly SF 135), 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, 15: Black, Hancock, Gaskill, Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, 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 511, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: *SENATE FILE 510 (SSB 1180), a bill for an act concerning electrical and mechanical amusement devices and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, 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 State Government Committee on Senate File 510, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 512 (SSB 1089), a bill for an act relating to the regulation of pharmacy benefits managers and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 516 (formerly SF 297), a bill for an act relating to the sales of beer kegs by requiring an identification number on each keg of beer, recording of the purchase of beer by the keg, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, 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 State Government Committee on Senate File 516, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 519 (SSB 1269), a bill for an act providing for energy performance-based contracts for certain public entities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Connolly, Horn, Appel, Black, Danielson, Hatch, Kibbie, Schmitz, and Wood. Nays, 6: Zieman, Behn, Gaskill, Hahn, Kettering, and McKibben. 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 519, and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 3:47 p.m., President Kibbie presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 13, 2007, **passed** the following bills in which the concurrence of the House was asked:

Senate File 67, a bill for an act relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license.

Senate File 272, a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

Senate File 319, a bill for an act relating to cooperative associations, by providing for documentation, including certificates and statements.

ALSO: That the House has on March 13, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 78, a bill for an act relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, and making penalties applicable. (S-3108)

ALSO: That the House has on March 13, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 528, a bill for an act relating to the regulation of hospitals and health care facilities by the department of inspections and appeals, including investigations of complaints against health care facilities and rules relating to authentication of certain orders by practitioners, and providing an immediate effective date.

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

House File 587, a bill for an act relating to advisory boards created pursuant to emergency services agreements and providing an effective date.

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

House File 588, a bill for an act relating to requirements for persons seeking election to township office.

Read first time and **attached to companion Senate File 426**.

House File 591, a bill for an act providing procedures to increase the number of city council members in certain cities.

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

House File 608, a bill for an act relating to notice of meetings of the board of township trustees.

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

BILLS REFERRED TO COMMITTEES

Senator Gronstal asked and received unanimous consent under Senate Rule 38 that the following bills on the Senate Calendar be referred to the following committees:

Agriculture

S.F. 470

Appropriations

S.F. 251 (attached to H.F. 397)	S.F. 425
S.F. 259	S.F. 433
S.F. 309	S.F. 438
S.F. 324	S.F. 439
S.F. 353	S.F. 447
S.F. 359	S.F. 452
S.F. 367	S.F. 453
S.F. 396	S.F. 464
S.F. 397	H.F. 397 (attached to S.F. 251)
S.F. 409	

Ways and Means

S.F. 273	S.F. 386
S.F. 334	S.F. 395
S.F. 368	S.F. 443
S.F. 370	S.F. 451

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 270 and 407.

Senate File 270

On motion of Senator Danielson, **Senate File 270**, a bill for an act relating to the military code by amending the powers of the adjutant general and by allowing the armory board to enter into design-build contracts for the construction of certain national guard facilities, 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. 270), the vote was:

Yeas, 48:

Appel	Fraise	Kettering	Rielly
Beall	Gaskill	Kibbie	Schmitz
Behn	Gronstal	Kreiman	Schoenjahn
Black	Hahn	Lundby	Seng
Boettger	Hancock	McKibben	Seymour
Bolkcom	Hartsuch	McKinley	Stewart
Connolly	Hatch	Mulder	Ward
Courtney	Heckroth	Noble	Warnstadt
Danielson	Hogg	Olive	Wieck
Dearden	Horn	Putney	Wood

Dotzler	Houser	Quirnbach	Zaun
Dvorsky	Johnson	Ragan	Zieman

Nays, none.

Absent, 2:

Angelo	McCoy
--------	-------

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

Senate File 407

On motion of Senator Warnstadt, **Senate File 407**, a bill for an act relating to the home ownership assistance program for Iowa residents who are eligible members of the armed forces of the United States, 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. 407), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Angelo	McCoy
--------	-------

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 270** and **407** be **immediately messaged** to the House.

The Senate stood at ease at 4:07 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:55 p.m., President Kibbie presiding.

SPECIAL GUEST

Senator Hartsuch welcomed to the Senate chamber the Honorable Maggie Tinsman, former senator from Scott County.

The Senate rose and expressed its welcome.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 450.

Senate File 450

On motion of Senator Kreiman, **Senate File 450**, a bill for an act relating to limitations of actions as applied to county collection of delinquent property taxes, was taken up for consideration.

Senator Kreiman asked and received unanimous consent that action on **Senate File 450** be **deferred**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 236.

Senate File 236

On motion of Senator Quirnbach, **Senate File 236**, a bill for an act relating to local regulation of smoking, was taken up for consideration.

Senator Zaun asked and received unanimous consent that action on **Senate File 236** be **deferred**.

BUSINESS PENDING

Senate File 450

The Senate resumed consideration of **Senate File 450**, a bill for an act relating to limitations of actions as applied to county collection of delinquent property taxes, previously deferred.

Senator Kreiman offered amendment S-3110, filed by Senators Kreiman and Hartsuch from the floor to page 1 and to the title page of the bill, and moved its adoption.

Amendment S-3110 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. 450), the vote was:

Yeas, 49:

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

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.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 340, 310, 308, 304, and 249.

Senate File 340

On motion of Senator Kreiman, **Senate File 340**, a bill for an act relating to the consideration of inherited or gifted property in dissolution-of-marriage property division proceedings and including an effective date and an applicability provision, 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. 340), the vote was:

Yeas, 49:

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

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.

Senate File 310

On motion of Senator Hancock, **Senate File 310**, a bill for an act relating to civil damages payable for unlawful taking of certain animals and fish, 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. 310), the vote was:

Yeas, 49:

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

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.

Senate File 308

On motion of Senator Hogg, **Senate File 308**, a bill for an act authorizing the governor to designate April of each year as Aldo Leopold month, was taken up for consideration.

Senator Hogg 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. 308), the vote was:

Yeas, 44:

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

Nays, 5:

Behn	McKinley	Zaun
Hartsuch	Wieck	

Absent, 1:

Angelo

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

Senate File 304

On motion of Senator Black, **Senate File 304**, a bill for an act relating to the exercise of regulatory authority by the department of natural resources and the natural resource commission within the boundaries of the Sac and Fox tribe settlement in Tama county, and providing for applicability and effective dates, was taken up for consideration.

Senator Black 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. 304), the vote was:

Yeas, 49:

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

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.

Senate File 249

On motion of Senator Kreiman, **Senate File 249**, a bill for an act relating to the conference of eligibility on and conditions of eligibility for individuals for certain programs under the purview of the department of human services, 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. 249), the vote was:

Yeas, 49:

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

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.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 249, 304, 308, 310, 340, and 450** 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 354, 358, 381, and 405.

Senate File 354

On motion of Senator Olive, **Senate File 354**, a bill for an act relating to certain overpayments of moneys to a county, was taken up for consideration.

Senator McKinley offered amendment S-3092, filed by him on March 12, 2007, to page 1 and to the title page of the bill, and moved its adoption.

Amendment S-3092 lost by a voice vote.

Senator Olive 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. 354), the vote was:

Yeas, 49:

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

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.

Senate File 358

On motion of Senator Danielson, **Senate File 358**, a bill for an act establishing preclicensing and continuing education requirements for used motor vehicle dealers, 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. 358), the vote was:

Yeas, 43:

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

Nays, 6:

Behn	Kettering	McKinley
Johnson	Kreiman	Zieman

Absent, 1:

Angelo

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 Appel, until she returns, on request of Senator Gronstal.

Senate File 381

On motion of Senator Kreiman, **Senate File 381**, a bill for an act relating to judicial branch procedures, including appointments of court of appeals judges, district judges, district associate judges, associate juvenile judges, associate probate judges, magistrates, and patient advocates, and compensation to judges and other court personnel serving as fiduciaries, 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. 381), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Angelo Appel

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

Senate File 405

On motion of Senator Hancock, **Senate File 405**, a bill for an act relating to national pollutant discharge elimination system permits for disposal systems, 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. 405), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Angelo	McCoy
--------	-------

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 354, 358, 381, and 405** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:00 p.m. until 8:45 a.m., Wednesday, March 14, 2007.

APPENDIX—2**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS**

Convened: Tuesday, March 13, 2007, 3:05 p.m.

Members Present: Dvorsky, Chair; Behn, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood.

Members Absent: McCoy, Vice Chair; Angelo, Ranking Member; and Black (all excused).

Committee Business: Approved SSB 1305.

Recessed: 3:10 p.m.

Reconvened: 3:30 p.m.

Adjourned: 3:40 p.m.

HUMAN RESOURCES

Convened: Tuesday, March 13, 2007, 2:05 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirnbach, and Wood.

Members Absent: Kreiman (excused).

Committee Business: Passed HF 396.

Adjourned: 2:10 p.m.

TRANSPORTATION

Convened: Tuesday, March 13, 2007, 2:05 p.m.

Members Present: Rielly, Chair; Danielson, Vice Chair; Noble, Ranking Member; Beall, Dearden, Heckroth, Houser, Putney, Warnstadt, and Ziemann.

Members Absent: Hancock, McCoy, and Zaun (all excused).

Committee Business: Presentation by the Department of Transportation.

Adjourned: 2:45 p.m.

INTRODUCTION OF BILLS

Senate File 535, by committee on Judiciary, a bill for an act relating to general provisions of the uniform commercial code relating to the construction and application of its subject matter, and providing for a contingent effective date.

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

Senate File 536, by committee on Human Resources, a bill for an act relating to entities and activities regulated by the Iowa department of public health, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees.

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

Senate File 537, by committee on Transportation, a bill for an act requiring the department of administrative services to convert state-owned vehicles under the department's control to alternative fuel vehicles.

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

Senate File 538, by committee on Judiciary, a bill for an act 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 and including an applicability date provision.

Read first time under Rule 28 and **placed on calendar**.

Senate File 539, by committee on State Government, a bill for an act establishing uniform finance procedures for obligations issued by the state.

Read first time under Rule 28 and **placed on calendar**.

Senate File 540, by committee on Judiciary, a bill for an act relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions.

Read first time under Rule 28 and **placed on calendar.**

Senate File 541, by committee on Commerce, a bill for an act relating to consumer protection in specified home loans.

Read first time under Rule 28 and **placed on calendar.**

Senate File 542, by committee on Natural Resources and Environment, a bill for an act relating to a pharmaceutical collection and disposal pilot project.

Read first time under Rule 28 and **placed on calendar.**

Senate File 543, by committee on Agriculture, a bill for an act relating to the state interagency Missouri river authority, by providing for the participation in or withdrawal from interstate associations, providing for the appointment of a vice chairperson, and providing for duties of member agencies.

Read first time under Rule 28 and **placed on calendar.**

SUBCOMMITTEE ASSIGNMENTS

Senate File 250

WAYS AND MEANS: Seng, Chair; Dotzler and Putney

Senate File 410

AGRICULTURE: Rielly, Chair; Gaskill and Olive

Senate File 496

WAYS AND MEANS: Quirnbach, Chair; Angelo and Stewart

House File 525

JUDICIARY: Hancock, Chair; Dvorsky and Noble

House File 610

HUMAN RESOURCES: Schmitz, Chair; Dotzler and Johnson

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: *SENATE FILE 543 (SSB 1311), a bill for an act relating to the state interagency Missouri river authority, by providing for the participation in or withdrawal from interstate associations, providing for the appointment of a vice chairperson, and providing for duties of member agencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Fraise, Rielly, Johnson, Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Olive, Putney, and Seng. Nays, none. Absent, 1: 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 Agriculture Committee on Senate File 543, and they were attached to the committee report.

COMMERCE

Bill Title: *SENATE FILE 541 (formerly SF 313), a bill for an act relating to consumer protection in specified home loans.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Warnstadt, Heckroth, Wieck, Angelo, Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. 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 Commerce Committee on Senate File 541, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: *SENATE FILE 536 (SSB 1195), a bill for an act relating to entities and activities regulated by the Iowa department of public health, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirnbach, and Wood. Nays, none. Absent, 1: Kreiman.

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 536, and they were attached to the committee report.

ALSO:

Bill Title: HOUSE FILE 396, a bill for an act expanding the scope of services under an existing appropriation for the community empowerment initiative involving preschool services and providing effective date and applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirmbach, and Wood. Nays, none. Absent, 1: Kreiman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY:

Bill Title: SENATE FILE 534 (SSB 1280), a bill for an act relating to civil protective orders and criminal no-contact orders.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 535 (SSB 1327), a bill for an act relating to general provisions of the uniform commercial code relating to the construction and application of its subject matter, and providing for a contingent effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 538 (SSB 1138), a bill for an act 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 and including an applicability date provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kreiman, Hogg, Dvorsky, Fraise, Hancock, Horn, Quirnbach, Schoenjahn, and Warnstadt. Nays, 5: McKibben, Behn, Hartsuch, Noble, and Zieman. Present, 1: Ward. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 540 (SSB 1274), a bill for an act relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *SENATE FILE 542 (formerly SF 291), a bill for an act relating to a pharmaceutical collection and disposal pilot project.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 13: Black, Hancock, Gaskill, Bolkcom, Dearden, Hogg, Johnson, Kettering, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, 1: Behn. Absent, 1: Lundby.

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 542, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 539 (SSB 1290), a bill for an act establishing uniform finance procedures for obligations issued by the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: *SENATE FILE 537 (formerly SF 343), a bill for an act requiring the department of administrative services to convert state-owned vehicles under the department's control to alternative fuel vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rielly, Danielson, Noble, Beall, Dearden, Hancock, Heckroth, Houser, McCoy, Putney, Warnstadt, Zaun, 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 537, 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 13th day of March, 2007:

Senate File 39.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

S-3096	S.F.	383	David Johnson
S-3097	S.F.	383	David Johnson
S-3098	S.F.	383	David Johnson
S-3099	S.F.	383	David Johnson
S-3100	S.F.	383	David Johnson
S-3101	S.F.	383	David Johnson
S-3102	S.F.	383	David Johnson
S-3103	S.F.	200	Brian Schoenjahn
S-3104	S.F.	488	Michael Connolly
S-3105	S.F.	236	Herman C. Quirmbach
S-3106	S.F.	426	Nancy J. Boettger
S-3107	S.F.	426	Brad Zaun
S-3108	S.F.	78	House
S-3109	S.F.	467	William A. Dotzler, Jr.

S-3110	S.F.	450	Keith A. Kreiman David Hartsuch
S-3111	S.F.	446	Jack Hatch
S-3112	S.F.	236	Brad Zaun
S-3113	S.F.	236	Brad Zaun
S-3114	S.F.	236	Brad Zaun
S-3115	S.F.	236	Pat Ward Mary A. Lundby
S-3116	S.F.	236	Brad Zaun
S-3117	S.F.	236	Brad Zaun
S-3118	S.F.	431	James F. Hahn

JOURNAL OF THE SENATE

SIXTY-SIXTH CALENDAR DAY
THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 14, 2007

The Senate met in regular session at 8:45 a.m., President Pro Tempore Danielson presiding.

Prayer was offered by Father Clem Currans of the Emmetsburg Holy Family Parish in Emmetsburg, Iowa. He was the guest of Senator Kibbie.

The Journal of Tuesday, March 13, 2007, 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 13, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 128, a bill for an act relating to an increase in the taxes on cigarettes and tobacco products, imposing an inventory tax on tobacco products, creating a health care trust fund, and providing an effective date and providing an applicability provision.

SPECIAL GUESTS

Senator Kibbie introduced to the Senate chamber Tony Dempsey, a Fianna Fail member of the Irish Parliament, and his wife Gemma. He will represent the Republic of Ireland at the annual St. Patrick's Day celebration in Emmetsburg. As a politician, his main interests center around foreign affairs, enterprise, and education.

Mr. Dempsey addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

Senator Kibbie introduced the 2007 Miss Shamrock, Jerri Sadler, daughter of Paul Sadler and Kay Hofstad. Jerri is a junior at Emmetsburg High School.

The Senate rose and expressed its welcome.

The Senate stood at ease at 9:16 a.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 10:03 a.m., President Kibbie presiding.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 429, 431, 437, 441, and 463.

Senate File 429

On motion of Senator Quirnbach, **Senate File 429**, a bill for an act relating to conciliation proceedings in a dissolution of marriage case and domestic abuse, was taken up for consideration.

Senator Quirnbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 429), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck

Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 431

On motion of Senator Danielson, **Senate File 431**, a bill for an act relating to programs, funds, authority, and duties of the Iowa finance authority, was taken up for consideration.

Senator Hahn offered amendment S-3118, filed by him on March 13, 2007, to page 24 and to the title page of the bill.

Senator Danielson raised the point of order that amendment S-3118 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3118 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. 431), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun

Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 437

On motion of Senator Noble, **Senate File 437**, a bill for an act providing for the placement of highway signs honoring members of the state patrol killed in the line of duty, was taken up for consideration.

Senator Noble 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. 437), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 441

On motion of Senator Bolkcom, **Senate File 441**, a bill for an act relating to elimination of certain duties of the department of elder affairs and the area agencies on aging, was taken up for consideration.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 441), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 463

On motion of Senator Heckroth, **Senate File 463**, a bill for an act concerning the licensing and operations of a manufacturer of ambulances, rescue vehicles, or fire vehicles, was taken up for consideration.

Senator Heckroth 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. 463), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 429, 431, 437, 441, and 463** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred March 13, 2007)

Senate File 236

The Senate resumed consideration of **Senate File 236**, a bill for an act relating to local regulation of smoking, deferred March 13, 2007.

Senator Ward offered amendment S-3115, filed by Senators Ward and Lundby on March 13, 2007, to pages 1 and 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3115 be adopted?" (S.F. 236), the vote was:

Yeas, 24:

Angelo	Hahn	Kettering	Putney
Behn	Hancock	Lundby	Seymour
Black	Hartsuch	McKibben	Ward
Boettger	Horn	McKinley	Wieck
Dotzler	Houser	Mulder	Zaun
Gaskill	Johnson	Noble	Zieman

Nays, 26:

Appel	Dvorsky	Kreiman	Schoenjahn
Beall	Fraise	McCoy	Seng
Bolkcom	Gronstal	Olive	Stewart
Connolly	Hatch	Quirnbach	Warnstadt
Courtney	Heckroth	Ragan	Wood
Danielson	Hogg	Rielly	
Dearden	Kibbie	Schmitz	

Absent, none.

Amendment S-3115 lost.

Senator Zaun offered amendment S-3116, filed by him on March 13, 2007, to pages 1 and 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3116 be adopted?" (S.F. 236), the vote was:

Yeas, 23:

Angelo	Hartsuch	McKibben	Seymour
Behn	Horn	McKinley	Ward
Boettger	Houser	Mulder	Wieck
Gaskill	Johnson	Noble	Zaun
Hahn	Kettering	Putney	Zieman
Hancock	Lundby	Seng	

Nays, 27:

Appel	Dearden	Hogg	Rielly
Beall	Dotzler	Kibbie	Schmitz
Black	Dvorsky	Kreiman	Schoenjahn
Bolkcom	Fraise	McCoy	Stewart

Connolly	Gronstal	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	

Absent, none.

Amendment S–3116 lost.

Senator Zaun offered amendment S–3114, filed by him on March 13, 2007, to pages 1 and 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3114 be adopted?” (S.F. 236), the vote was:

Yeas, 21:

Angelo	Houser	Mulder	Wieck
Behn	Johnson	Noble	Zaun
Boettger	Kettering	Putney	Zieman
Gaskill	Lundby	Rielly	
Hahn	McKibben	Seymour	
Hartsuch	McKinley	Ward	

Nays, 29:

Appel	Dotzler	Horn	Schoenjahn
Beall	Dvorsky	Kibbie	Seng
Black	Fraise	Kreiman	Stewart
Bolkcom	Gronstal	McCoy	Warnstadt
Connolly	Hancock	Olive	Wood
Courtney	Hatch	Quirnbach	
Danielson	Heckroth	Ragan	
Dearden	Hogg	Schmitz	

Absent, none.

Amendment S–3114 lost.

Senator Quirnbach offered amendment S–3105, filed by him on March 13, 2007, to pages 1 and 2 of the bill, and moved its adoption.

Amendment S–3105 was adopted by a voice vote.

Senator Zaun withdrew amendment S–3113, filed by him on March 13, 2007, to pages 1 and 2 of the bill.

Senator Ziemann offered amendment S-3119, filed by him from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3119 be adopted?" (S.F. 236), the vote was:

Yeas, 31:

Angelo	Hancock	McKibben	Seng
Behn	Hartsuch	McKinley	Seymour
Boettger	Horn	Mulder	Stewart
Cannolly	Houser	Noble	Ward
Danielson	Johnson	Putney	Wieck
Dotzler	Kettering	Quirnbach	Zaun
Gaskill	Kreiman	Rielly	Ziemann
Hahn	Lundby	Schoenjahn	

Nays, 19:

Appel	Dearden	Heckroth	Ragan
Beall	Dvorsky	Hogg	Schmitz
Black	Fraise	Kibbie	Warnstadt
Bolkcom	Gronstal	McCoy	Wood
Courtney	Hatch	Olive	

Absent, none.

Amendment S-3119 was adopted.

Senator Zaun withdrew amendment S-3112, filed by him on March 13, 2007, to page 2 and to the title page of the bill.

Senator Zaun offered amendment S-3117, filed by him on March 13, 2007, to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3117 be adopted?" (S.F. 236), the vote was:

Yeas, 40:

Angelo	Hartsuch	McCoy	Schoenjahn
Appel	Hatch	McKibben	Seng
Beall	Heckroth	McKinley	Seymour

Behn	Horn	Mulder	Stewart
Black	Houser	Noble	Ward
Boettger	Johnson	Olive	Warnstadt
Danielson	Kettering	Putney	Wieck
Gaskill	Kibbie	Quirnbach	Wood
Hahn	Kreiman	Rielly	Zaun
Hancock	Lundby	Schmitz	Zieman

Nays, 10:

Bolkcom	Dearden	Fraise	Ragan
Connolly	Dotzler	Gronstal	
Courtney	Dvorsky	Hogg	

Absent, none.

Amendment S-3117 was adopted.

MOTION TO RECONSIDER

Senator Connolly 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-3119 to S.F. 236 was adopted by the Senate on March 14, 2007.

Senator Connolly withdrew the motion to reconsider amendment S-3119.

Senator Quirnbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 236), the vote was:

Yeas, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Nays, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

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 236** be **immediately messaged** to the House.

SPECIAL GUEST

Senator Hahn welcomed to the Senate chamber the Honorable Merlin Hulse, former senator from Clarence, Iowa.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Gronstal, the Senate recessed at 12:19 p.m. until 4:00 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Tony Dempsey, T.D., and Gemma Dempsey—As honorary Iowans and honorary Iowa senators. Senator Beall (3/14/07).

Woody Millett, West Branch—For celebrating his 90th birthday. Senator Johnson (3/14/07).

Lorene Rute, Milford—For celebrating her 100th birthday. Senator Johnson (3/14/07).

Mathew Zumdka, Dubuque—For receiving 1st place and being awarded the Governor's Iowa High School Water Summit Scholarship of \$5,000. Senator Connolly (3/14/07).

REPORT OF COMMITTEE MEETING

STATE GOVERNMENT

Convened: Wednesday, March 14, 2007, 1:00 p.m.

Members Present: Connolly, Chair; Appel, Behn, Hahn, Kettering, Kibbie, McKibben, and Schmitz.

Members Absent: Horn, Vice Chair; Zieman, Ranking Member; Black, Danielson, Gaskill, Hatch, and Wood (all excused).

Committee Business: Approved HJR 3.

Adjourned: 1:15 p.m.

INTRODUCTION OF BILLS

Senate File 544, by committee on Natural Resources and Environment, a bill for an act relating to the development, management, and efficient use of energy resources in the state and including effective and retroactive applicability date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 545, by committee on Judiciary, a bill for an act relating to the department of corrections by increasing penalties for

engaging in sex acts with offenders under the supervision of the department of corrections or a judicial district department of correctional services, and eliminating certain reporting requirements.

Read first time under Rule 28 and **placed on calendar.**

Senate File 546, by committee on Judiciary, a bill for an act relating to a hospital lien and providing an effective date.

Read first time under Rule 28 and **placed on calendar.**

Senate File 547, by Connolly, a bill for an act relating to the taxation of deposits made into accounts of foreign trusts and shell corporations, requiring the reporting of the establishment of such accounts, and including effective and applicability date provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means.**

Senate File 548, by committee on Human Resources, a bill for an act creating a hemophilia advisory committee and providing a contingent effective date.

Read first time under Rule 28 and **placed on calendar.**

Senate File 549, by committee on Judiciary, a bill for an act relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, ordering hearings for forcible entry and detainer actions, and forfeiting bail for failure to appear.

Read first time under Rule 28 and **placed on calendar.**

Senate File 550, by committee on Judiciary, a bill for an act relating to confinement feeding operations by providing for the review of permits involving construction, and including an applicability provision.

Read first time under Rule 28 and **placed on calendar.**

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: *SENATE FILE 548 (SSB 1294), a bill for an act creating a hemophilia advisory committee and providing a contingent effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirmbach, and Wood. Nays, none. Absent, 1: Kreiman.

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 548, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 545 (SSB 1052), a bill for an act relating to the department of corrections by increasing penalties for engaging in sex acts with offenders under the supervision of the department of corrections or a judicial district department of correctional services, and eliminating certain reporting requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Ziemann. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 546 (SSB 1144), a bill for an act relating to a hospital lien and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Kreiman, Hogg, Dvorsky, Fraise, Hancock, Horn, Quirmbach, and Warnstadt. Nays, 1: Hartsuch. Present, 6: McKibben, Behn, Noble, Schoenjahn, Ward, and Ziemann. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 549 (SSB 1079), a bill for an act relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, ordering hearings for forcible entry and detainer actions, and forfeiting bail for failure to appear.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Ziemann. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 550 (SSB 1328), a bill for an act relating to confinement feeding operations by providing for the review of permits involving construction, and including an applicability provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Kreiman, Hogg, Dvorsky, Fraise, Horn, Quirnbach, Schoenjahn, and Warnstadt. Nays, 7: McKibben, Behn, Hancock, Hartsuch, Noble, Ward, and Ziemann. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *SENATE FILE 544 (SSB 1244), a bill for an act relating to the development, management, and efficient use of energy resources in the state and including effective and retroactive applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolckcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, 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 544, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: HOUSE JOINT RESOLUTION 3, 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, 8: Connolly, Appel, Behn, Hahn, Kettering, Kibbie, McKibben, and Schmitz. Nays, none. Absent, 7: Horn, Zieman, Black, Danielson, Gaskill, Hatch, and Wood.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:05 p.m., President Kibbie presiding.

The Senate stood at ease at 4:07 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 4:21 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 14, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 130, a bill for an act relating to commissions that oversee memorial buildings and monuments.

ALSO: That the House has on March 14, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 309, a bill for an act requiring development of a uniform cost report for certain services reimbursed through the department of human services and counties.

Read first time and referred to committee on **Human Resources**.

House File 547, a bill for an act relating to animal pounds, by authorizing pounds to provide for temporary placement, to refer to themselves as animal shelters, and providing penalties.

Read first time and referred to committee on **Agriculture**.

House File 579, a bill for an act relating to judicial branch practices and procedures, including expanding the definition of a seal, involving the duties of the clerk of the supreme court, and obtaining electronic signatures on citations.

Read first time and **attached to similar Senate File 454**.

House File 617, a bill for an act creating a generation Iowa commission.

Read first time and referred to committee on **Economic Growth**.

House File 716, a bill for an act relating to revising the uniform commercial code, by providing for warehouse receipts, bills of lading, and other documents of title.

Read first time and **attached to companion Senate File 404**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Angelo, for the remainder of day, on request of Senator Lundby.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 467 and 469.

Senate File 467

On motion of Senator Dotzler, **Senate File 467**, a bill for an act relating to emergency medical services training, was taken up for consideration.

Senator Dotzler offered amendment S-3109, filed by him on March 13, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3109 was adopted by a voice vote.

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. 467), the vote was:

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

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.

Senate File 469

On motion of Senator Warnstadt, **Senate File 469**, a bill for an act providing for the sale of motor homes by a manufacturer at a camping rally sponsored by the manufacturer, 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. 469), the vote was:

Yeas, 46:

Appel	Gaskill	Kibbie	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun

Dotzler	Houser	Quirnbach	Zieman
Dvorsky	Johnson	Ragan	
Fraise	Kettering	Rielly	

Nays, 3:

Dearden	Kreiman	Schmitz
---------	---------	---------

Absent, 1:

Angelo

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 199.

House File 199

On motion of Senator Schoenjahn, **House File 199**, a bill for an act relating to the payment of costs of reasonable attorney fees related to certain paternity proceedings, 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. 199), the vote was:

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	

Dvorsky
Fraise

Kettering
Kibbie

Rielly
Schmitz

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hatch, until he returns, on request of Senator Gronstal.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Joint Resolution 2.

Senate Joint Resolution 2

On motion of Senator Ragan, **Senate Joint Resolution 2**, 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 Ragan 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 2, 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. 2), the vote was:

Yeas, 48:

Appel	Fraise	Kibbie	Rielly
Beall	Gaskill	Kreiman	Schmitz
Behn	Gronstal	Lundby	Schoenjahn

Black	Hahn	McCoy	Seng
Boettger	Hancock	McKibben	Seymour
Bolkcom	Hartsuch	McKinley	Stewart
Connolly	Heckroth	Mulder	Ward
Courtney	Hogg	Noble	Warnstadt
Danielson	Horn	Olive	Wieck
Dearden	Houser	Putney	Wood
Dotzler	Johnson	Quirnbach	Zaun
Dvorsky	Kettering	Ragan	Zieman

Nays, none.

Absent, 2:

Angelo Hatch

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 448.

Senate File 448

On motion of Senator Dotzler, **Senate File 448**, a bill for an act relating to confidential information regarding unemployment insurance benefits and providing penalties, 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. 448), the vote was:

Yeas, 48:

Appel	Fraise	Kibbie	Rielly
Beall	Gaskill	Kreiman	Schmitz
Behn	Gronstal	Lundby	Schoenjahn
Black	Hahn	McCoy	Seng
Boettger	Hancock	McKibben	Seymour
Bolkcom	Hartsuch	McKinley	Stewart
Connolly	Heckroth	Mulder	Ward

Courtney	Hogg	Noble	Warnstadt
Danielson	Horn	Olive	Wieck
Dearden	Houser	Putney	Wood
Dotzler	Johnson	Quirnbach	Zaun
Dvorsky	Kettering	Ragan	Zieman

Nays, none.

Absent, 2:

Angelo Hatch

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 2, Senate Files 448, 467, and 469 and House File 199** 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 444, 442, 435, 426, 404, and 339.

Senate File 444

On motion of Senator Kreiman, **Senate File 444**, a bill for an act relating to councils of governments by making technical changes and by designating a new council of governments area, was taken up for consideration.

Senator Kreiman offered amendment S-3095, filed by him on March 12, 2007, to the title page of the bill, and moved its adoption.

Amendment S-3095 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. 444), the vote was:

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

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.

Senate File 442

On motion of Senator Olive, **Senate File 442**, a bill for an act relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses, was taken up for consideration.

Senator Olive 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. 442), the vote was:

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt

Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

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.

Senate File 435

On motion of Senator Hancock, **Senate File 435**, a bill for an act relating to youth deer hunting licenses, 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. 435), the vote was:

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

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.

President Pro Tempore Danielson took the chair at 5:07 p.m.

Senate File 426

On motion of Senator Kibbie, **Senate File 426**, a bill for an act relating to requirements for persons seeking election to township office, was taken up for consideration.

Senator Boettger withdrew amendment S-3106, filed by her on March 13, 2007, to page 1 and to the title page of the bill.

Senator Zaun withdrew amendment S-3107, filed by him on March 13, 2007, to page 1 and to the title page of the bill.

Senator Kibbie asked and received unanimous consent that **House File 588** be **substituted** for **Senate File 426**.

House File 588

On motion of Senator Kibbie, **House File 588**, a bill for an act relating to requirements for persons seeking election to township office, 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?" (H.F. 588), the vote was:

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt

Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

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

President Kibbie asked and received unanimous consent that **Senate File 426** be **withdrawn** from further consideration of the Senate.

Senate File 404

On motion of Senator Schoenjahn, **Senate File 404**, a bill for an act relating to revising the uniform commercial code, by providing for warehouse receipts, bills of lading, and other documents of title, was taken up for consideration.

Senator Schoenjahn asked and received unanimous consent that **House File 716** be **substituted** for **Senate File 404**.

House File 716

On motion of Senator Schoenjahn, **House File 716**, a bill for an act relating to revising the uniform commercial code, by providing for warehouse receipts, bills of lading, and other documents of title, 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. 716), the vote was:

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

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 Schoenjahn asked and received unanimous consent that **Senate File 404** be **withdrawn** from further consideration of the Senate.

Senate File 339

On motion of Senator Olive, **Senate File 339**, a bill for an act relating to county general obligation bonds by modifying the definition of essential county purpose and by changing the requirements under which a county may issue general county purpose bonds without an election, was taken up for consideration.

Senator Olive 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. 339), the vote was:

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

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.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 339, 435, 442, and 444** and **House Files 588 and 716** 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 200, 466, 446, and 417.

Senate File 200

On motion of Senator Schoenjahn, **Senate File 200**, a bill for an act providing for the liability of a landowner of land where livestock are kept or an owner of adjoining land for erecting and maintaining a fence, and providing for the assessment of property taxes, was taken up for consideration.

Senator Schoenjahn offered amendment S–3103, filed by him on March 13, 2007, to pages 1 and 2 of the bill, and moved its adoption.

Amendment S–3103 was adopted by a voice vote.

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. 200), the vote was:

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

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.

President Kibbie took the chair at 5:35 p.m.

Senate File 466

On motion of Senator Danielson, **Senate File 466**, a bill for an act allowing certain associations to qualify as self-insurers for purposes of Iowa’s motor vehicle financial responsibility laws, 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. 466), the vote was:

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

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.

Senate File 446

On motion of Senator Hatch, **Senate File 446**, a bill for an act relating to certain elections regarding city utilities or combined utility systems, was taken up for consideration.

Senator Hatch offered amendment S-3111, filed by him on March 13, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3111 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. 446), the vote was:

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

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.

Senate File 417

On motion of Senator Dearden, **Senate File 417**, a bill for an act providing for the licensure of elevator contractors and elevator mechanics and providing penalties, was taken up for consideration.

Senator Dearden offered amendment S-3091, filed by him on March 8, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3091 was adopted by a voice vote.

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?" (S.F. 417), the vote was:

Yeas, 28:

Appel	Dotzler	Kibbie	Schmitz
Beall	Dvorsky	Kreiman	Schoenjahn
Black	Fraise	McCoy	Seng
Bolkcom	Gronstal	Olive	Seymour
Connolly	Hatch	Quirnbach	Stewart
Courtney	Hogg	Ragan	Warnstadt
Dearden	Horn	Rielly	Wood

Nays, 21:

Behn	Hartsuch	McKibben	Wieck
Boettger	Heckroth	McKinley	Zaun
Danielson	Houser	Mulder	Zieman
Gaskill	Johnson	Noble	
Hahn	Kettering	Putney	
Hancock	Lundby	Ward	

Absent, 1:

Angelo

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 200, 417, 446, and 466** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:48 p.m. until 8:45 a.m., Thursday, March 15, 2007.

APPENDIX—2**REPORTS OF COMMITTEE MEETINGS****COMMERCE**

Convened: Wednesday, March 14, 2007, 2:05 p.m.

Members Present: Warnstadt, Chair; Heckroth, Vice Chair; Wieck, Ranking Member; Angelo, Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward.

Members Absent: None.

Committee Business: Passed HF 5.

Adjourned: 3:15 p.m.

WAYS AND MEANS

Convened: Wednesday, March 14, 2007, 3:25 p.m.

Members Present: Bolkcom, Chair; McCoy, Vice Chair; McKibben, Ranking Member; Angelo, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck.

Members Absent: None.

Committee Business: Passed SFs 255 (as amended), 368, and 370.

Adjourned: 3:40 p.m.

INTRODUCTION OF BILLS

Senate File 551, by committee on Appropriations, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 552, by committee on Judiciary, a bill for an act concerning limitations on actions for civil liability related to the dramshop Act.

Read first time under Rule 28 and **placed on calendar.**

STUDY BILLS RECEIVED

SSB 1331 Appropriations

Relating to and making appropriations to certain state departments, agencies, funds, and certain other entities and providing an effective date.

SSB 1332 Appropriations

Relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates.

SSB 1333 Appropriations

Relating to financial and regulatory matters by making and revising appropriations for the fiscal year beginning July 1, 2006, and providing an effective date.

SSB 1334 Appropriations

Directing the department of education to develop an Iowa senior year plus program and making related appropriations.

SSB 1335 Appropriations

Relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, environment first fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, the technology reinvestment fund, and the endowment for Iowa's health account and providing an immediate effective date.

SUBCOMMITTEE ASSIGNMENTS

Senate File 273

WAYS AND MEANS: Dotzler, Chair; Hogg and Wieck

Senate File 318

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 326

APPROPRIATIONS: Ragan, Chair; Dvorsky and Ward

Senate File 334

WAYS AND MEANS: Appel, Chair; Connolly and Ward

Senate File 357

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 362

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 368

WAYS AND MEANS: Stewart, Chair; Hogg and Putney

Senate File 370

WAYS AND MEANS: McCoy, Chair; Putney and Stewart

Senate File 386

WAYS AND MEANS: Dotzler, Chair; Noble and Seng

Senate File 395

WAYS AND MEANS: Seng, Chair; Noble and Schmitz

Senate File 402

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 415

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 443

WAYS AND MEANS: McCoy, Chair; Appel and Putney

Senate File 451

WAYS AND MEANS: Bolkcom, Chair; Quirmbach and Wieck

Senate File 470

AGRICULTURE: Rielly, Chair; Hancock and Johnson

House File 528

HUMAN RESOURCES: Dotzler, Chair; Seymour and Wood

House File 590

LOCAL GOVERNMENT: Heckroth, Chair; Schoenjahn and Zaun

SSB 1331

APPROPRIATIONS: Danielson, Chair; Dvorsky and Hahn

SSB 1332

APPROPRIATIONS: Wood, Chair; Boettger and Dvorsky

SSB 1333

APPROPRIATIONS: Dvorsky, Chair; Angelo and Ragan

SSB 1334

APPROPRIATIONS: Dvorsky, Chair; and Angelo

SSB 1335

APPROPRIATIONS: Dvorsky, Chair; and Angelo

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 551 (SSB 1305), a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 22: Dvorsky, Behn, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, 3: McCoy, Angelo, and Black.

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 551, and they were attached to the committee report.

COMMERCE

Bill Title: HOUSE FILE 5, 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: DO PASS.

Final Vote: Ayes, 8: Warnstadt, Heckroth, Bolkcom, Courtney, Olive, Rielly, Schoenjahn, and Stewart. Nays, 6: Wieck, Angelo, Kettering, McKibben, Putney, and Ward. Present, 1: McCoy. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: SENATE FILE 552 (SSB 1098), a bill for an act concerning limitations on actions for civil liability related to the dramshop Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Kreiman, Hogg, Dvorsky, Fraise, Horn, Quirnbach, Schoenjahn, and Warnstadt. Nays, 2: McKibben and Behn. Present, 4: Hancock, Noble, Ward, and Ziemann. Absent, 1: Hartsuch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

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 14th day of March, 2007:

Senate File 128.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

S-3119	S.F.	236	Mark Ziemann
S-3120	S.F.	468	Brian Schoenjahn
S-3121	S.F.	361	Michael Connolly

JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 15, 2007

The Senate met in regular session at 8:47 a.m., President Pro Tempore Danielson presiding.

Prayer was offered by Pastor Ron Burcham of the Gloria Dei Lutheran Church in Des Moines, Iowa. He was the guest of Senator Zaun.

The Journal of Wednesday, March 14, 2007, 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, 2007, **passed** the following bills in which the concurrence of the House was asked:

Senate File 58, a bill for an act relating to the number of signatures required on nomination papers for the office of mayor in certain cities.

Senate File 75, a bill for an act relating to the registration of pharmacy technicians.

ALSO: That the House has on March 14, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 451, 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**.

House File 546, a bill for an act relating to membership on election boards.

Read first time and referred to committee on **State Government**.

House File 585, a bill for an act relating to the selection of board members by area agencies on aging.

Read first time and referred to committee on **Human Resources**.

House File 648, a bill for an act relating to distress criteria for enterprise zones.

Read first time and referred to committee on **Economic Growth**.

House File 742, a bill for an act relating to the regulation of snowmobiles and all-terrain vehicles, and providing fees and penalties.

Read first time and referred to committee on **Natural Resources and Environment**.

RECESS

On motion of Senator Courtney, the Senate recessed at 8:54 a.m. until the fall of the gavel.

RECONVENED

The Senate reconvened at 11:12 a.m., President Kibbie presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Zaun, until he returns, on request of Senator McKinley; and Senator Putney, until he returns, on request of Senator Gaskill.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Dotzler asked and received unanimous consent to take up for consideration Senate Files 351, 348, and 477.

Senate File 351

On motion of Senator Appel, **Senate File 351**, a bill for an act requiring a political committee expressly advocating the passage or defeat of a ballot issue to file five disclosure reports in an election year, was taken up for consideration.

Senator Appel 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. 351), the vote was:

Yeas, 48:

Angelo	Dvorsky	Johnson	Ragan
Appel	Fraise	Kettering	Rielly
Beall	Gaskill	Kibbie	Schmitz
Behn	Gronstal	Kreiman	Schoenjahn
Black	Hahn	Lundby	Seng
Boettger	Hancock	McCoy	Seymour
Bolkcom	Hartsuch	McKibben	Stewart
Cannolly	Hatch	McKinley	Ward
Courtney	Heckroth	Mulder	Warnstadt
Danielson	Hogg	Noble	Wieck
Dearden	Horn	Olive	Wood
Dotzler	Houser	Quirmbach	Zieman

Nays, none.

Absent, 2:

Putney Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 348

On motion of Senator Black, **Senate File 348**, a bill for an act relating to conducting county gambling elections and including an effective date and applicability provision, was taken up for consideration.

Senator Black 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. 348), the vote was:

Yeas, 42:

Angelo	Dvorsky	Kettering	Schoenjahn
Appel	Fraise	Kibbie	Seng
Beall	Gaskill	Lundby	Seymour
Behn	Gronstal	McCoy	Stewart
Black	Hahn	McKibben	Ward
Boettger	Hancock	Noble	Warnstadt
Connolly	Hatch	Olive	Wieck
Courtney	Heckroth	Quirnbach	Wood
Danielson	Hogg	Ragan	Zieman
Dearden	Horn	Rielly	
Dotzler	Houser	Schmitz	

Nays, 6:

Bolkcom	Johnson	McKinley
Hartsuch	Kreiman	Mulder

Absent, 2:

Putney	Zaun
--------	------

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 477

On motion of Senator Behn, **Senate File 477**, a bill for an act authorizing the issuance of additional special nonresident deer hunting licenses, was taken up for consideration.

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?" (S.F. 477), the vote was:

Yeas, 48:

Angelo	Dvorsky	Johnson	Ragan
Appel	Fraise	Kettering	Rielly
Beall	Gaskill	Kibbie	Schmitz
Behn	Gronstal	Kreiman	Schoenjahn
Black	Hahn	Lundby	Seng
Boettger	Hancock	McCoy	Seymour
Bolkcom	Hartsuch	McKibben	Stewart
Connolly	Hatch	McKinley	Ward
Courtney	Heckroth	Mulder	Warnstadt
Danielson	Hogg	Noble	Wieck
Dearden	Horn	Olive	Wood
Dotzler	Houser	Quirnbach	Zieman

Nays, none.

Absent, 2:

Putney Zaun

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 348, 351, and 477** 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 489 and 373.

Senate File 489

On motion of Senator Boettger, **Senate File 489**, a bill for an act creating an Alzheimer's disease task force, 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. 489), the vote was:

Yeas, 48:

Angelo	Dvorsky	Johnson	Ragan
Appel	Fraise	Kettering	Rielly
Beall	Gaskill	Kibbie	Schmitz
Behn	Gronstal	Kreiman	Schoenjahn
Black	Hahn	Lundby	Seng
Boettger	Hancock	McCoy	Seymour
Bolkcom	Hartsuch	McKibben	Stewart
Connolly	Hatch	McKinley	Ward
Courtney	Heckroth	Mulder	Warnstadt
Danielson	Hogg	Noble	Wieck
Dearden	Horn	Olive	Wood
Dotzler	Houser	Quirnbach	Zieman

Nays, none.

Absent, 2:

Putney Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 373

On motion of Senator Quirnbach, **Senate File 373**, a bill for an act relating to the postsecondary education subsidy, was taken up for consideration.

Senator Quirnbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 373), the vote was:

Yeas, 47:

Angelo	Dvorsky	Kettering	Rielly
Appel	Fraise	Kibbie	Schmitz
Beall	Gaskill	Kreiman	Schoenjahn
Behn	Gronstal	Lundby	Seng
Black	Hahn	McCoy	Seymour
Boettger	Hancock	McKibben	Stewart
Bolkcom	Hatch	McKinley	Ward
Connolly	Heckroth	Mulder	Warnstadt

Courtney	Hogg	Noble	Wieck
Danielson	Horn	Olive	Wood
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	

Nays, 1:

Hartsuch

Absent, 2:

Putney Zaun

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 373** and **489** be **immediately messaged** to the House.

BILLS REFERRED TO COMMITTEES

Senator Gronstal asked and received unanimous consent under Senate Rule 38 that the following bills on the Senate Calendar be referred to the following committees:

Appropriations

S.F. 481	S.F. 494	S.F. 500
S.F. 490	S.F. 498	S.F. 542

Ways and Means

S.F. 511	S.F. 536
----------	----------

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Gronstal asked and received unanimous consent under Joint Rule 20 that the following bills be placed on the Unfinished Business Calendar:

H.J.R. 3	H.F. 367	H.F. 396
H.F. 5	H.F. 368	

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 11:52 a.m. until 1:00 p.m., Monday, March 19, 2007.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Luke Rauen, Farley—For outstanding achievement in career and technical education. Senator Hancock (3/15/07).

REPORT OF COMMITTEE MEETING

AGRICULTURE

Convened: Thursday, March 15, 2007, 1:05 p.m.

Members Present: Fraise, Chair; Rielly, Vice Chair; Johnson, Ranking Member; Appel, Boettger, Gaskill, Hancock, Kibbie, Mulder, Olive, and Seng.

Members Absent: Black, Courtney, Houser, and Putney (all excused).

Committee Business: Presentation by the Department of Agriculture.

Adjourned: 1:15 p.m.

INTRODUCTION OF BILLS

Senate File 553, by committee on State Government, a bill for an act relating to campaign finance by requiring electronic filing of certain reports and by establishing a voter-owned Iowa clean elections Act, providing for funding of the Act, including an income tax checkoff, and providing an income tax exemption, penalties, and an effective date.

Read first time under Rule 28 and **placed on calendar.**

Senate File 554, by committee on Ways and Means, 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 Ways and Means calendar.**

Senate File 555, by Angelo, Boettger, Behn, Seymour, McKinley, Zaun, Putney, McKibben, Ward, Hahn, Johnson, and Wieck, 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 556, by committee on Economic Growth, a bill for an act relating to economic development activities, making appropriations, providing tax exemptions, credits, and refunds, providing penalties, and providing applicability dates.

Read first time under Rule 28 and **placed on calendar**.

Senate File 557, by committee on Ways and Means, a bill for an act relating to the regulation of credit unions by revising and reorganizing the Iowa credit union Act, making conforming changes, and providing for taxes, fees, and penalties.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 558, 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 a game bird habitat development program.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 559, by committee on Commerce, a bill for an act relating to cemetery and funeral merchandise, funeral services, and cemeteries and providing fees and penalties.

Read first time under Rule 28 and **placed on calendar**.

SUBCOMMITTEE ASSIGNMENTS

Senate File 374

LOCAL GOVERNMENT: Quirmbach, Chair; Kreiman and Zaun

House File 309

HUMAN RESOURCES: Wood, Chair; Boettger and Hatch

House File 547

AGRICULTURE: Seng, Chair; Courtney and Mulder

House File 617

ECONOMIC GROWTH: Rielly, Chair; Danielson and Mulder

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: SENATE FILE 470 (SSB 1320), a bill for an act providing for an agricultural-biomanufacturing initiative and making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Fraise, Rielly, Johnson, Appel, Boettger, Gaskill, Hancock, Kibbie, Mulder, Olive, and Seng. Nays, none. Absent, 4: Black, Courtney, Houser, and Putney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Bill Title: *SENATE FILE 559 (SSB 1197), a bill for an act relating to cemetery and funeral merchandise, funeral services, and cemeteries and providing fees and penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Warnstadt, Heckroth, Wieck, Angelo, Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. 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 Commerce Committee on Senate File 559, and they were attached to the committee report.

ECONOMIC GROWTH

Bill Title: *SENATE FILE 556 (formerly SF 29), a bill for an act relating to economic development activities, making appropriations, providing tax exemptions, credits, and refunds, providing penalties, and providing applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Stewart, Olive, Beall, Danielson, Dotzler, Rielly, and Schmitz. Nays, 4: Houser, Hahn, Seymour, and Zaun. Present, 1: Hatch. Absent, 1: 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 Economic Growth Committee on Senate File 556, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: *SENATE FILE 553 (SSB 1173), a bill for an act relating to campaign finance by requiring electronic filing of certain reports and by establishing a voter-owned Iowa clean elections Act, providing for funding of the Act, including an income tax checkoff, and providing an income tax exemption, penalties, and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Connolly, Horn, Appel, Black, Danielson, Hatch, Kibbie, Schmitz, and Wood. Nays, 5: Ziemann, Behn, Gaskill, Hahn, and Kettering. Present, 1: McKibben. 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 553, and they were attached to the committee report.

WAYS AND MEANS

Bill Title: SENATE FILE 554 (formerly SF 368), 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: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 557 (formerly SF 370), a bill for an act relating to the regulation of credit unions by revising and reorganizing the Iowa credit union Act, making conforming changes, and providing for taxes, fees, and penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 558 (formerly SF 255), a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, Ward, 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 Ways and Means Committee on Senate File 558, and they were attached to the committee report.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 14, 2007, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 39 – Relating to campaign contributions, the filing of disclosure reports, the posting of statements and reports on the internet, the posting of signs on private property, and the escheat of funds from an unknown or unidentifiable source.

ALSO:

A communication was received announcing that on March 15, 2007, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 128 – Relating to an increase in the taxes on cigarettes and tobacco products, imposing an inventory tax on tobacco products, creating a health care trust fund, providing for a standing appropriation, and providing an effective date and providing an applicability provision.

AMENDMENT FILED

S-3122 S.F. 541 Steve Warnstadt

PROOF

STATE OF IOWA

Senate Journal

MONDAY, MARCH 19, 2007

Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
FORTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 19, 2007

The Senate met in regular session at 1:00 p.m., President Kibbie presiding.

Prayer was offered by Reverend John Poe of the First United Methodist Church in Chariton, Iowa. He was the guest of Senator Boettger.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Shanon Kreiman.

The Journal of Thursday, March 15, 2007, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:15 p.m. until fall of the gavel.

RECONVENED

The Senate reconvened at 2:15 p.m., President Kibbie presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Ward, for the day, on request of Senator Putney; Senators McKinley and Zaun, until they arrive, on request of Senator Ziemann; Senator Courtney, until he arrives, on request of Senator Gronstal; and Senator Kettering, until he arrives, on request of Senator Johnson.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Connolly asked and received unanimous consent to take up for consideration Senate File 541.

Senate File 541

On motion of Senator Bolkcom, **Senate File 541**, a bill for an act relating to consumer protection in specified home loans, was taken up for consideration.

Senator Warnstadt offered amendment S-3122, filed by him on March 15, 2007, to pages 2 and 3 of the bill, and moved its adoption.

Amendment S-3122 was adopted by a voice vote.

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. 541), the vote was:

Yeas, 45:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	Mulder	Warnstadt
Bolkcom	Hatch	Noble	Wieck
Connolly	Heckroth	Olive	Wood
Danielson	Hogg	Putney	Zieman
Dearden	Horn	Quirmbach	
Dotzler	Houser	Ragan	
Dvorsky	Johnson	Rielly	

Nays, none.

Absent, 5:

Courtney	McKinley	Zaun
Kettering	Ward	

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:

Treylla Lee-Chavis – Commission on the Status of African-Americans

Kimberly Setzer – Board of Cosmetology Arts and Sciences Examiners

Ruth Krueger – Iowa Empowerment Board

John White – Iowa Empowerment Board

David Johnson – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question “Shall the appointees be confirmed?” the vote was:

Yeas, 45:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	Mulder	Warnstadt
Bolkcom	Hatch	Noble	Wieck
Connolly	Heckroth	Olive	Wood
Danielson	Hogg	Putney	Zieman
Dearden	Horn	Quirnbach	
Dotzler	Houser	Ragan	
Dvorsky	Johnson	Rielly	

Nays, none.

Absent, 5:

Courtney	McKinley	Zaun
Kettering	Ward	

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 537 and 503.

Senate File 537

On motion of Senator Warnstadt, **Senate File 537**, a bill for an act requiring the department of administrative services to convert state-owned vehicles under the department's control to alternative fuel vehicles, 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. 537), the vote was:

Yeas, 46:

Angelo	Fraise	Kettering	Rielly
Appel	Gaskill	Kibbie	Schmitz
Beall	Gronstal	Kreiman	Schoenjahn
Behn	Hahn	Lundby	Seng
Black	Hancock	McCoy	Seymour
Boettger	Hartsuch	McKibben	Stewart
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Danielson	Hogg	Olive	Wood
Dearden	Horn	Putney	Zieman
Dotzler	Houser	Quirnbach	
Dvorsky	Johnson	Ragan	

Nays, none.

Absent, 4:

Courtney	McKinley	Ward	Zaun
----------	----------	------	------

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 503

On motion of Senator Schmitz, **Senate File 503**, a bill for an act relating to regulation of children's services by the department of human services by increasing the age for certain children receiving child care regulated by the department and revising child welfare and juvenile justice service provisions, was taken up for consideration.

Senator Schmitz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 503), the vote was:

Yeas, 46:

Angelo	Fraise	Kettering	Rielly
Appel	Gaskill	Kibbie	Schmitz
Beall	Gronstal	Kreiman	Schoenjahn
Behn	Hahn	Lundby	Seng
Black	Hancock	McCoy	Seymour
Boettger	Hartsuch	McKibben	Stewart
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Danielson	Hogg	Olive	Wood
Dearden	Horn	Putney	Zieman
Dotzler	Houser	Quirnbach	
Dvorsky	Johnson	Ragan	

Nays, none.

Absent, 4:

Courtney	McKinley	Ward	Zaun
----------	----------	------	------

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 503, 537, and 541** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 2:37 p.m. until 3:30 p.m.

APPENDIX—1

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 GOVERNORTERM

ACCOUNTANCY EXAMINING BOARD (Sec. 542.4)

Linda Schmitt, Lohrville	05/01/2007 – 04/30/2010
Carol Schuster, De Witt	05/01/2007 – 04/30/2010
Donald Timmins, Altoona	05/01/2007 – 04/30/2010

DIRECTOR OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES
(Sec. 8A.102)

Mollie Anderson, Indianola	05/01/2007 – Pleasure of Governor
----------------------------	-----------------------------------

ALCOHOLIC BEVERAGES COMMISSION (Sec. 123.5-6)

Mary Hunter, Clive	05/01/2007 – 04/30/2012
--------------------	-------------------------

ARCHITECTURAL EXAMINING BOARD (Sec. 544A.1)

Dale McKinney, Sioux City	05/01/2007 – 04/30/2010
Susan McKinney, Colo	05/01/2007 – 04/30/2010

BOARD OF EXAMINERS FOR ATHLETIC TRAINING (Sec. 147.14(18))

Troy Kleese, Des Moines	05/01/2007 – 04/30/2010
Shaun McCarthy, Iowa City	05/01/2007 – 04/30/2010

BOARD OF BARBER EXAMINERS (Sec. 147.14(1))

Charles Wubbena, Waterloo	05/01/2007 – 04/30/2010
---------------------------	-------------------------

BOARD OF BEHAVIORAL SCIENCE EXAMINERS (Sec. 147.14(13))

James Anastasi, Clear Lake	05/01/2007 – 04/30/2010
Kenneth Fann, Atlantic	05/01/2007 – 04/30/2010
Brenda Langstraat-Janisch, Sioux Center	05/01/2007 – 04/30/2010

COMMISSION FOR THE BLIND (Sec. 216B.2)

Michael Hoenig, Davenport	05/01/2007 – 04/30/2010
---------------------------	-------------------------

BOILER AND PRESSURE VESSEL BOARD (Sec. 89.14)	
Susan Oltrogge, Des Moines	05/01/2007 – 04/30/2010
Keith Taeger, West Burlington	05/01/2007 – 04/30/2010
IOWA CAPITAL INVESTMENT BOARD (Sec. 15E.63)	
Suzanna de Baca, Maxwell	05/01/2007 – 04/30/2012
CHILD ADVOCACY BOARD (Sec. 237.16)	
Lionel Foster, Mason City	05/01/2007 – 04/30/2011
Roberta Payne, Iowa City	05/01/2007 – 04/30/2010
BOARD OF CHIROPRACTIC EXAMINERS (Sec. 147.14(8))	
Rod Rebarcak, Ames	05/01/2007 – 04/30/2010
IOWA STATE CIVIL RIGHTS COMMISSION (Sec. 216.3)	
Alicia Claypool, West Des Moines	05/01/2007 – 04/30/2011
Rich Eychaner, Des Moines	05/01/2007 – 04/30/2011
Debbie Gitchell, Ames	05/01/2007 – 04/30/2011
ADMINISTRATOR OF THE DIVISION OF COMMUNITY ACTION AGENCIES (Sec. 216A.91)	
Bill Brand, Indianola	05/01/2007 – Pleasure of Governor
COMMISSION ON COMMUNITY ACTION AGENCIES (Sec. 216A.92A)	
G. Kevin Middleswart, Indianola	05/01/2007 – 04/30/2010
Rhonda Newman, Des Moines	05/01/2007 – 04/30/2010
Robert Tyson, Waterloo	05/01/2007 – 04/30/2010
BOARD OF CORRECTIONS (Sec. 904.104)	
Michael Coleman, Waterloo	05/01/2007 – 04/30/2011
Robyn Mills, Johnston	05/01/2007 – 04/30/2011
Arthur Neu, Carroll	05/01/2007 – 04/30/2011
Michael Sadler, Urbandale	05/01/2007 – 04/30/2011
BOARD OF COSMETOLOGY ARTS AND SCIENCES EXAMINERS (Sec. 147.14(14))	
Jack Morlan, Des Moines	05/01/2007 – 04/30/2010
COUNTY FINANCE COMMITTEE (Sec. 333A.2)	
Patrick Gill, Sioux City	05/01/2007 – 04/30/2011
Ben Lacey, Ankeny	05/01/2007 – 04/30/2011
Suzanne Ruble, Corydon	05/01/2007 – 04/30/2011
Dale Sunderman, Atlantic	05/01/2007 – 04/30/2011
CREDIT UNION REVIEW BOARD (Sec. 533.53)	
Paul Becker, Fort Dodge	05/01/2007 – 04/30/2010
Becky Hansen, De Witt	05/01/2007 – 04/30/2010
Carl Martin, Des Moines	05/01/2007 – 04/30/2010
DIRECTOR OF THE DEPARTMENT OF CULTURAL AFFAIRS (Sec. 303.1)	
Cyndi Pederson, Des Moines	02/23/2007 – Pleasure of Governor

COMMISSION ON THE DEAF (Sec. 216A.112)

Muhammad Chowdhry, Independence	05/01/2007 – 04/30/2010
Rachel Nemmers, Ankeny	05/01/2007 – 04/30/2010

BOARD OF DENTAL EXAMINERS (Sec. 147.14(4))

Lynn Curry, Carroll	05/01/2007 – 04/30/2010
Deena Kuempel, Cedar Rapids	05/01/2007 – 04/30/2010
Michael Rovner, West Des Moines	05/01/2007 – 04/30/2010

BOARD OF DIETETIC EXAMINERS (Sec. 147.14(11))

Mary Sand, Ames	05/01/2007 – 04/30/2010
-----------------	-------------------------

IOWA DRUG POLICY ADVISORY COUNCIL (Sec. 80E.2)

John Garringer, Van Horne	05/01/2007 – 04/30/2011
Jane Larkin, Ames	05/01/2007 – 04/30/2011

DRUG CONTROL POLICY COORDINATOR (Sec.80E.1)

Gary Kendell, Des Moines	01/12/2007 – Pleasure of Governor
--------------------------	-----------------------------------

BOARD OF EDUCATIONAL EXAMINERS (Sec. 272.3)

Bradley Dirks, Cherokee	05/01/2007 – 04/30/2011
Judy Jeffrey, Polk City	05/01/2007 – 04/30/2011
Merle Johnson, Ankeny	05/01/2007 – 04/30/2011
Greg Robinson, Urbandale	05/01/2007 – 04/30/2011

DIRECTOR OF THE DEPARTMENT OF ELDER AFFAIRS (Sec. 231.22)

John McCalley, Des Moines	02/19/07 – Pleasure of Governor
---------------------------	---------------------------------

COMMISSION OF ELDER AFFAIRS (Sec. 231.11)

Dava James, Nevada	05/01/2007 – 04/30/2011
Nancy Nichols, West Des Moines	05/01/2007 – 04/30/2011

ELEVATOR SAFETY BOARD (Sec. 89A.13)

Marvin Schumacher, Denver	05/01/2007 – 04/30/2010
---------------------------	-------------------------

IOWA EMPOWERMENT BOARD (Sec. 28.3)

Darshini Jayawardena, Mason City	05/01/2007 – 04/30/2010
Sara Monroy-Huddleston, Storm Lake	05/01/2007 – 04/30/2010
John White, Davenport	05/01/2007 – 04/30/2010

ENGINEERING AND LAND SURVEYING EXAMINING BOARD (Sec. 542B.3)

Patricia Heagel, Sioux City	05/01/2007 – 04/30/2010
Craig Johnstone, Grinnell	05/01/2007 – 04/30/2010

ENVIRONMENTAL PROTECTION COMMISSION (Sec. 455A.6)

Dale Cochran, Urbandale	05/01/2007 – 04/30/2011
Susan Heathcote, Des Moines	05/01/2007 – 04/30/2011
Charlotte Hubbell, Des Moines	05/01/2007 – 04/30/2011
Ralph Klemme, Le Mars	05/01/2007 – 04/30/2011

IOWA FINANCE AUTHORITY (Sec. 16.2)

Roger Caudron, Sioux City	05/01/2007 – 04/30/2013
David Erickson, West Des Moines	05/01/2007 – 04/30/2013
Heather Kramer, Marion	05/01/2007 – 04/30/2013

IOWA GRAIN INDEMNITY FUND BOARD (Sec. 203D.4)

Edwin Hershberger, Kalona	05/01/2007 – 04/30/2010
Thomas Kaldenberg, Albia	05/01/2007 – 04/30/2010

IOWA GREAT PLACES ADVISORY BOARD (Sec. 303.3C(2a))

Robin Anderson, Mason City	05/01/2007 – 04/30/2010
Samantha Erickson, Pleasant Hill	05/01/2007 – 04/30/2010
Mark Ginsberg, Iowa City	05/01/2007 – 04/30/2010
Theresa Lynch, Marion	05/01/2007 – 04/30/2010

HEALTH FACILITIES COUNCIL (Sec. 135.62)

Susan Cell, Mount Vernon	05/01/2007 – 04/30/2013
Marc Elcock, Des Moines	05/01/2007 – 04/30/2013

HEALTHY AND WELL KIDS IN IOWA BOARD (HAWK-I) (Sec. 214I.5)

Susan Salter, Mount Vernon	05/01/2007 – 04/30/2009
Seldon Spencer, Huxley	05/01/2007 – 04/30/2009

BOARD OF EXAMINERS FOR THE LICENSING AND REGULATION OF HEARING AID DISPENSERS (Sec. 154A.2-3)

Gregory Hoyman, Emmetsburg	05/01/2007 – 04/30/2010
Gregory Moore, Ottumwa	05/01/2007 – 04/30/2010

DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES (Sec. 217.5)

Kevin Concannon, Urbandale	05/01/2007 – Pleasure of Governor
----------------------------	-----------------------------------

COUNCIL ON HUMAN SERVICES (Sec. 217.2)

Roger Hartman, Clarinda	05/01/2007 – 04/30/2013
James Miller, Dubuque	05/01/2007 – 04/30/2013

DIRECTOR OF THE DEPARTMENT OF INSPECTIONS AND APPEALS

(Sec. 10A.102)

Dean Lerner, Des Moines	02/09/2007 – Pleasure of Governor
-------------------------	-----------------------------------

INTERIOR DESIGN EXAMINING BOARD (Sec. 544C.2)

Cigdem Akkurt, Ames	05/01/2007 – 04/30/2010
H. Scott Sankey, Ankeny	05/01/2007 – 04/30/2010

BOARD OF INTERPRETERS FOR THE HEARING IMPAIRED EXAMINERS

(Sec. 147.14(21))

Judy Gouldsmith, Council Bluffs	05/01/2007 – 04/30/2010
David Moorman-Rice, Gilbert	05/01/2007 – 04/30/2010

IOWACCESS ADVISORY COUNCIL (Sec. 8A.221)

Daniel McGinn, Council Bluffs	05/01/2007 – 04/30/2011
Terrence Neuzil, Iowa City	05/01/2007 – 04/30/2011
Teresa Selberg, Urbandale	05/01/2007 – 04/30/2011

INVESTMENT BOARD OF THE IPERS (Sec. 97B.8A)

Michael Beary, Lovilia	05/01/2007 – 04/30/2013
------------------------	-------------------------

STATE JUDICIAL NOMINATING COMMISSION (Sec. 46.1)

David Cochran, Dubuque	05/01/2007 – 04/30/2013
Mary Beth Lawler, Iowa Falls	05/01/2007 – 04/30/2013
Madalin Williams, Iowa City	05/01/2007 – 04/30/2013

COMMISSION ON JUDICIAL QUALIFICATIONS (Sec. 602.2102)

Shelly French, Council Bluffs	05/01/2007 – 04/30/2013
-------------------------------	-------------------------

LANDSCAPE ARCHITECTURAL EXAMINING BOARD (Sec. 544B.3)

Helen Kimes, Osceola	05/01/2007 – 04/30/2010
Christopher Seeger, Roland	05/01/2007 – 04/30/2010

IOWA LAW ENFORCEMENT ACADEMY COUNCIL (Sec. 80B.6)

James Romar, West Des Moines	05/01/2007 – 04/30/2011
------------------------------	-------------------------

IOWA LOTTERY AUTHORITY BOARD OF DIRECTORS (Sec. 99G.8)

Elaine Baxter, Burlington	05/01/2007 – 04/30/2011
Thomas Rial, Des Moines	05/01/2007 – 04/30/2011

DIRECTOR OF THE DEPARTMENT OF MANAGEMENT (Sec. 8.4)

Charles Krogmeier, Ankeny	01/12/2007 – Pleasure of Governor
---------------------------	-----------------------------------

BOARD OF EXAMINERS FOR MASSAGE THERAPY (Sec. 147.14(17))

Mary Belieu, Bondurant	05/01/2007 – 04/30/2010
Doug Carlson, Marion	05/01/2007 – 04/30/2010
Kimberly Eaton, Ankeny	05/01/2007 – 04/30/2010

BOARD OF MEDICAL EXAMINERS (Sec. 147.14(2))

Tom Drew, Des Moines	05/01/2007 – 04/30/2010
Shahid Habib, West Des Moines	05/01/2007 – 04/30/2010
Blaine Houmes, Cedar Rapids	05/01/2007 – 04/30/2010
Yasyn Lee, Dubuque	05/01/2007 – 04/30/2010

MENTAL HEALTH, MENTAL RETARDATION, DEVELOPMENTAL DISABILITIES,
AND BRAIN INJURY COMMISSION (Sec. 225C.5(1))

Lynn Crannell, Slater	05/01/2007 – 04/30/2010
Richard Heitmann, Manchester	05/01/2007 – 04/30/2010
David Johnson, Pleasant Hill	05/01/2007 – 04/30/2010
Carl Smith, West Des Moines	05/01/2007 – 04/30/2010
Raymond Todd, Cedar Rapids	05/01/2007 – 04/30/2010
Gano Whetstone, Des Moines	05/01/2007 – 04/30/2010

MENTAL HEALTH RISK POOL BOARD (Sec. 426B.5(2))

Wayne Clinton, Ames	05/01/2007 – 04/30/2010
Marjorie Pitts, Spencer	05/01/2007 – 04/30/2010

BOARD OF MORTUARY SCIENCE EXAMINERS (Sec. 147.14(16))

Margaret Eicher, West Des Moines	05/01/2007 – 04/30/2010
LuJean Welander, Mason City	05/01/2007 – 04/30/2010

DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES (Sec. 455A.3)

Richard Leopold, Huxley	01/12/2007 – Pleasure of Governor
-------------------------	-----------------------------------

NATURAL RESOURCE COMMISSION (Sec. 455A.5)

William Bird, Lehigh	03/15/2007 – 04/30/2009
Gregory Drees, Arnolds Park	05/01/2007 – 04/30/2013
Janelle Rettig, Iowa City	05/01/2007 – 04/30/2013

BOARD OF NURSING EXAMINERS (Sec. 147.14(3))

Clyde Bradley, Clinton	05/01/2007 – 04/30/2010
Jane Hasek, Reinbeck	05/01/2007 – 04/30/2010
Mark Hilliard, Johnston	05/01/2007 – 04/30/2010

STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS

(Sec. 155.2)

Margaret Beaty, Winfield	05/01/2007 – 04/30/2010
Jan Reis, West Des Moines	05/01/2007 – 04/30/2010

BOARD OF OPTOMETRY EXAMINERS (Sec. 147.14(6))

Connie Connolly, De Witt	05/01/2007 – 04/30/2010
Christopher Olson, Mount Pleasant	05/01/2007 – 04/30/2010

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND

BOARD (Sec. 455G.4)

Jacqueline Johnson, Edgewood	05/01/2007 – 04/30/2011
Nancy Lincoln, Glenwood	05/01/2007 – 04/30/2011

BOARD OF PHARMACY EXAMINERS (Sec. 147.14(5))

DeeAnn Wedemeyer-Oleson, Guthrie Center	05/01/2007 – 04/30/2010
Margaret Whitworth, Cedar Rapids	05/01/2007 – 04/30/2010

BOARD OF PHYSICAL AND OCCUPATIONAL THERAPY EXAMINERS

(Sec. 147.14(10))

Denise Behrends, West Des Moines	05/01/2007 – 04/30/2010
Susan Callanan, Mason City	05/01/2007 – 04/30/2010
Martin Unga, Urbandale	05/01/2007 – 04/30/2010

BOARD OF PHYSICIAN ASSISTANT EXAMINERS (Sec. 147.14(12))

Edward Friedmann, Redfield	05/01/2007 – 04/30/2010
Anila Khan, West Des Moines	05/01/2007 – 04/30/2010

BOARD OF PODIATRY EXAMINERS (Sec. 147.14(19))

Eric Barp, Johnston	05/01/2007 – 04/30/2010
Denise Mandi, Winterset	05/01/2007 – 04/30/2010
Jill Scholz, Iowa City	05/01/2007 – 04/30/2010

PREVENTION OF DISABILITIES POLICY COUNCIL (Sec. 225B.3)

Claibourne Dungy, Iowa City	05/01/2007 – 04/30/2010
Scott Lindgren, Solon	05/01/2007 – 04/30/2010
Maggie Tinsman, Bettendorf	05/01/2007 – 04/30/2010

BOARD OF PSYCHOLOGY EXAMINERS (Sec. 147.14(7))

Mary Johnson, Dubuque	05/01/2007 – 04/30/2010
James Moody, North Liberty	05/01/2007 – 04/30/2010

COMMISSIONER OF THE DEPARTMENT OF PUBLIC SAFETY (Sec. 80.2)

Eugene Meyer, West Des Moines	01/12/2007 – Pleasure of Governor
-------------------------------	-----------------------------------

STATE RACING AND GAMING COMMISSION (Sec. 99D.5)

Gregory Seyfer, Cedar Rapids	05/01/2007 – 04/30/2010
------------------------------	-------------------------

REAL ESTATE APPRAISER EXAMINING BOARD (Sec. 543D.4)

James Kesterson, Fort Dodge	05/01/2007 – 04/30/2010
Gregory Morehead, Albia	05/01/2007 – 04/30/2010

REAL ESTATE COMMISSION (Sec. 543B.8)

Judith Stevens, Cedar Rapids	05/01/2007 – 04/30/2010
------------------------------	-------------------------

STATE BOARD OF REGENTS (Sec. 262.1-2)

Bonnie Campbell, Des Moines	03/15/2007 – 04/30/2011
Jack Evans, Cedar Rapids	05/01/2007 – 04/30/2013
Craig Lang, Brooklyn	05/01/2007 – 04/30/2013
David Miles, West Des Moines	05/01/2007 – 04/30/2013

STATE BOARD FOR RESPIRATORY CARE (Sec. 147.14(15))

Kerry George, Ankeny	05/01/2007 – 04/30/2010
----------------------	-------------------------

SCHOOL BUDGET REVIEW COMMITTEE (Sec. 257.30)

Leland Tack, Johnston	05/01/2007 – 04/30/2010
-----------------------	-------------------------

SMALL BUSINESS ADVISORY COUNCIL (Sec. 15.108(7)(h))

Timothy Neugent, Des Moines	05/01/2007 – 04/30/2011
Nikita Rainey, Waterloo	05/01/2007 – 04/30/2011
Loretta Sieman, West Des Moines	05/01/2007 – 04/30/2011

BOARD OF SOCIAL WORK EXAMINERS (Sec. 147.14(20))

Christine Hoffman, Ottumwa	05/01/2007 – 04/30/2010
Katinka Keith, Waterloo	05/01/2007 – 04/30/2010
Ken Zimmerman, Mason City	05/01/2007 – 04/30/2010

STATE SOIL CONSERVATION COMMITTEE (Sec. 161A.4)

Susan Ammons, Albia	05/01/2007 – 04/30/2013
---------------------	-------------------------

BOARD OF SPEECH PATHOLOGY AND AUDIOLOGY EXAMINERS (Sec. 147.14(9))		
Jason Aird, Iowa City		05/01/2007 – 04/30/2010
Coral Jud, Knierim		05/01/2007 – 04/30/2010
DIRECTOR OF THE OFFICE FOR STATE-FEDERAL RELATIONS (Sec. 7F.1)		
Jon Murphy, Washington, D.C.		04/02/2007 – Pleasure of Governor
STATE BOARD OF TAX REVIEW (Sec. 421.1)		
Kathleen Koenig, Des Moines		05/01/2007 – 04/30/2013
TECHNOLOGY GOVERNANCE BOARD (Sec. 8A.204)		
Atul Gupta, Grimes		03/15/2007 – 04/30/2008
Terri Pitcher, West Des Moines		05/01/2007 – 04/30/2009
IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION (Sec. 8D.3)		
Michael Mahaffey, Montezuma		05/01/2007 – 04/30/2013
TITLE GUARANTY DIVISION BOARD (Sec. 16.2)		
Patricia Schneider, Des Moines		05/01/2007 – 04/30/2013
COMMISSION ON TOBACCO USE PREVENTION AND CONTROL (Sec. 142A.3)		
Cathryn Callaway, Des Moines		05/01/2007 – 04/30/2010
Gary Streit, Cedar Rapids		05/01/2007 – 04/30/2010
STATE TRANSPORTATION COMMISSION (Sec. 307.3)		
Wayne Sawtelle, Marshalltown		05/01/2007 – 04/30/2011
CHAIR OF UTILITIES BOARD (Sec. 474.1)		
John Norris, Ames		05/01/2007 – 04/30/2009
UTILITIES BOARD (Sec. 474.1)		
Curtis Stamp, Des Moines		05/01/2007 – 04/30/2013
Krista Tanner, Clive		03/15/2007 – 04/30/2009
COMMISSION OF VETERANS AFFAIRS (Sec. 35A.2)		
Donald Delamore, Cedar Falls		05/01/2007 – 04/30/2011
Steven Mulcahy, Ottumwa		05/01/2007 – 04/30/2011
Rosetta Waychus, Rockford		05/01/2007 – 04/30/2011
IOWA BOARD OF VETERINARY MEDICINE (Sec. 169.5)		
Dean Upton, Des Moines		05/01/2007 – 04/30/2010
VISION IOWA BOARD (Sec. 15F.102)		
Melanie Cloud Gross, Coralville		03/15/2007 – 04/30/2008
Fred Diehl, Osceola		05/01/2007 – 04/30/2010
Terry Lutz, Fort Dodge		05/01/2007 – 04/30/2010
Marilyn Monroe, Johnston		05/01/2007 – 04/30/2010
IOWA WORKFORCE DEVELOPMENT BOARD (Sec. 84A.1A)		
Jerome Amos, Jr., Waterloo		05/01/2007 – 04/30/2011
Kimberline Ingram, Des Moines		05/01/2007 – 04/30/2011

BY THE IOWA DEPARTMENT OF JUSTICE

CONSUMER ADVOCATE (Sec. 475A.1(1))

John R. Perkins, Des Moines

05/01/2007 – 04/30/2011

BY THE IOWA TELECOMMUNICATIONS
AND TECHNOLOGY COMMISSION

EXECUTIVE DIRECTOR OF THE IOWA TELECOMMUNICATIONS AND
TECHNOLOGY COMMISSION (Sec. 2.32(1))

John P. Gillispie, Johnston

12/10/2006 – 12/09/2010

BY THE IOWA DEPARTMENT OF
AGRICULTURE AND LAND STEWARDSHIP

GRAPE AND WINE DEVELOPMENT COMMISSION (Sec. 175A.2)

Ron Mark, Indianola

05/01/2007 – 04/30/2010

Paul Tabor, Baldwin

05/01/2007 – 04/30/2010

The appointments were referred to the committee on **Rules and Administration.**

GOVERNOR'S DEFERRAL LETTERS

The following letters from the Governor were received in the office of the Secretary of the Senate on March 15, 2007:

Pursuant to Iowa Code section 89A.13, the appointment to the Elevator Safety Board is being deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 30.2, the appointment to the Iowa Emergency Response Commission is being deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 8A.221, the appointment to the Iowa Access Advisory Council is being deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 97B.8A, the appointment to the IPERS Investment Board is being deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 161A.4, the appointment to the State Soil Conservation Committee is being deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 16.2, the appointment to the Title Guarantee Division Board is being deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 216A.51, the appointment of the Administrator of the Division on the Status of Women of the Department of Human Rights is being deferred because our Administration just received notice of the retirement of the Administrator. Our Administration will initiate a selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 84A.1, the appointment of the Director of Iowa Workforce Development is being deferred because our Administration has initiated, but not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Sincerely,
CHESTER J. CULVER
Governor

RECONVENED

The Senate reconvened at 3:45 p.m., President Kibbie presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 78

Senator Hancock called up for consideration **Senate File 78**, a bill for an act relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, and making penalties applicable, amended by the House in House amendment S-3108, filed March 13, 2007.

Senator Hancock 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 Hancock 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. 78), the vote was:

Yeas, 48:

Angelo	Fraise	Kettering	Ragan
Appel	Gaskill	Kibbie	Rielly
Beall	Gronstal	Kreiman	Schmitz
Behn	Hahn	Lundby	Schoenjahn
Black	Hancock	McCoy	Seng
Boettger	Hartsuch	McKibben	Seymour
Bolkcom	Hatch	McKinley	Stewart
Connolly	Heckroth	Mulder	Warnstadt
Danielson	Hogg	Noble	Wieck
Dearden	Horn	Olive	Wood
Dotzler	Houser	Putney	Zaun
Dvorsky	Johnson	Quirmbach	Zieman

Nays, none.

Absent, 2:

Courtney Ward

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 529 and 548.

Senate File 529

On motion of Senator Hancock, **Senate File 529**, a bill for an act expanding the criminal offense of possessing contraband in correctional institutions to include possessing contraband in a secure facility for the detention or custody of juveniles, a detention facility, or a jail, and providing a penalty, 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. 529), the vote was:

Yeas, 48:

Angelo	Fraise	Kettering	Ragan
Appel	Gaskill	Kibbie	Rielly
Beall	Gronstal	Kreiman	Schmitz
Behn	Hahn	Lundby	Schoenjahn
Black	Hancock	McCoy	Seng
Boettger	Hartsuch	McKibben	Seymour
Bolkcom	Hatch	McKinley	Stewart
Connolly	Heckroth	Mulder	Warnstadt
Danielson	Hogg	Noble	Wieck
Dearden	Horn	Olive	Wood
Dotzler	Houser	Putney	Zaun
Dvorsky	Johnson	Quirnbach	Zieman

Nays, none.

Absent, 2:

Courtney Ward

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 Heckroth, for the remainder of the day, on request of Senator Gronstal.

Senate File 548

On motion of Senator Johnson, **Senate File 548**, a bill for an act creating a hemophilia advisory committee 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. 548), the vote was:

Yeas, 47:

Angelo	Fraise	Kibbie	Rielly
Appel	Gaskill	Kreiman	Schmitz
Beall	Gronstal	Lundby	Schoenjahn
Behn	Hahn	McCoy	Seng
Black	Hancock	McKibben	Seymour
Boettger	Hartsuch	McKinley	Stewart
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Hogg	Noble	Wieck
Danielson	Horn	Olive	Wood
Dearden	Houser	Putney	Zaun
Dotzler	Johnson	Quirnbach	Zieman
Dvorsky	Kettering	Ragan	

Nays, none.

Absent, 3:

Courtney Heckroth Ward

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 557.

Senate File 557

On motion of Senator McCoy, **Senate File 557**, a bill for an act relating to the regulation of credit unions by revising and reorganizing the Iowa credit union Act, making conforming changes, and providing for taxes, fees, and penalties, 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. 557), the vote was:

Yeas, 47:

Angelo	Fraise	Kibbie	Rielly
Appel	Gaskill	Kreiman	Schmitz
Beall	Gronstal	Lundby	Schoenjahn
Behn	Hahn	McCoy	Seng
Black	Hancock	McKibben	Seymour
Boettger	Hartsuch	McKinley	Stewart
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Hogg	Noble	Wieck
Danielson	Horn	Olive	Wood
Dearden	Houser	Putney	Zaun
Dotzler	Johnson	Quirnbach	Zieman
Dvorsky	Kettering	Ragan	

Nays, none.

Absent, 3:

Courtney	Heckroth	Ward
----------	----------	------

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator McCoy asked and received unanimous consent that **Senate Files 78, 529, 548, and 557** 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 344, 528, and 505.

Senate File 344

On motion of Senator Bolkcom, **Senate File 344**, a bill for an act relating to enforcement of certain solid waste disposal requirements and providing civil penalties, was taken up for consideration.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 344), the vote was:

Yeas, 47:

Angelo	Fraise	Kibbie	Rielly
Appel	Gaskill	Kreiman	Schmitz
Beall	Gronstal	Lundby	Schoenjahn
Behn	Hahn	McCoy	Seng
Black	Hancock	McKibben	Seymour
Boettger	Hartsuch	McKinley	Stewart
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Hogg	Noble	Wieck
Danielson	Horn	Olive	Wood
Dearden	Houser	Putney	Zaun
Dotzler	Johnson	Quirnbach	Zieman
Dvorsky	Kettering	Ragan	

Nays, none.

Absent, 3:

Courtney	Heckroth	Ward
----------	----------	------

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 528

On motion of Senator Fraise, **Senate File 528**, a bill for an act prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates, 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. 528), the vote was:

Yeas, 28:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Kibbie	Schmitz
Black	Fraise	Kreiman	Schoenjahn
Bolkcom	Gronstal	McCoy	Seng
Connolly	Hancock	Olive	Stewart
Danielson	Hatch	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wood

Nays, 19:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Wieck
Boettger	Johnson	Mulder	Zaun
Gaskill	Kettering	Noble	Zieman
Hahn	Lundby	Putney	

Absent, 3:

Courtney	Heckroth	Ward
----------	----------	------

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 505

On motion of Senator Kreiman, **Senate File 505**, a bill for an act relating to civil liability for damages relating to the use of an

automated external defibrillator in sudden cardiac arrest emergencies, was taken up for consideration.

Senator Kreiman offered amendment S-3128, filed by him from the floor to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-3128 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. 505), the vote was:

Yeas, 47:

Angelo	Fraise	Kibbie	Rielly
Appel	Gaskill	Kreiman	Schmitz
Beall	Gronstal	Lundby	Schoenjahn
Behn	Hahn	McCoy	Seng
Black	Hancock	McKibben	Seymour
Boettger	Hartsuch	McKinley	Stewart
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Hogg	Noble	Wieck
Danielson	Horn	Olive	Wood
Dearden	Houser	Putney	Zaun
Dotzler	Johnson	Quirnbach	Zieman
Dvorsky	Kettering	Ragan	

Nays, none.

Absent, 3:

Courtney	Heckroth	Ward
----------	----------	------

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 344, 505, and 528** 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 493.

Senate File 493

On motion of Senator Bolkcom, **Senate File 493**, a bill for an act relating to plans and financial assurance requirements for certain sanitary landfill projects, was taken up for consideration.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 493), the vote was:

Yeas, 47:

Angelo	Fraise	Kibbie	Rielly
Appel	Gaskill	Kreiman	Schmitz
Beall	Gronstal	Lundby	Schoenjahn
Behn	Hahn	McCoy	Seng
Black	Hancock	McKibben	Seymour
Boettger	Hartsuch	McKinley	Stewart
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Hogg	Noble	Wieck
Danielson	Horn	Olive	Wood
Dearden	Houser	Putney	Zaun
Dotzler	Johnson	Quirnbach	Zieman
Dvorsky	Kettering	Ragan	

Nays, none.

Absent, 3:

Courtney	Heckroth	Ward
----------	----------	------

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 493** be **immediately messaged** to the House.

The Senate stood at ease at 4:30 p.m. until the fall of the gavel.

The Senate resumed session at 5:05 p.m., President Kibbie presiding.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 5.

House File 5

On motion of Senator Bolkcom, **House File 5**, 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, placed on the Unfinished Business Calendar on March 15, 2007, with report of committee recommending passage, was taken up for consideration.

Senator McCoy offered amendment S-3129, filed by Senators McCoy and Wieck from the floor striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3129 be adopted?" (H.F. 5), the vote was:

Yeas, 21:

Angelo	Horn	McKibben	Wieck
Behn	Houser	McKinley	Zaun
Black	Johnson	Mulder	Zieman
Boettger	Kettering	Noble	
Gaskill	Lundby	Putney	
Hahn	McCoy	Seymour	

Nays, 27:

Appel	Dotzler	Hogg	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Bolkcom	Fraise	Kreiman	Seng
Connolly	Gronstal	Olive	Stewart

Courtney	Hancock	Quirnbach	Warnstadt
Danielson	Hartsuch	Ragan	Wood
Dearden	Hatch	Rielly	

Absent, 2:

Heckroth	Ward
----------	------

Amendment S-3129 lost.

Senator Wieck asked and received unanimous consent that action on **House File 5** be **deferred**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 527 and 482.

Senate File 527

On motion of Senator Stewart, **Senate File 527**, a bill for an act relating to agreements to pay compensation to recover or assist in the recovery of certain unclaimed property, 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. 527), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kettering	Ragan
Appel	Fraise	Kibbie	Rielly
Beall	Gaskill	Kreiman	Schmitz
Behn	Gronstal	Lundby	Schoenjahn
Black	Hahn	McCoy	Seng
Boettger	Hancock	McKibben	Seymour
Bolkcom	Hartsuch	McKinley	Stewart
Cannolly	Hatch	Mulder	Warnstadt
Courtney	Hogg	Noble	Wieck
Danielson	Horn	Olive	Wood
Dearden	Houser	Putney	Zaun
Dotzler	Johnson	Quirnbach	Zieman

Nays, none.

Absent, 2:

Heckroth Ward

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 482

On motion of Senator Danielson, **Senate File 482**, a bill for an act relating to the regulation of contributions for a gubernatorial inauguration and providing a penalty, 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. 482), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kettering	Ragan
Appel	Fraise	Kibbie	Rielly
Beall	Gaskill	Kreiman	Schmitz
Behn	Gronstal	Lundby	Schoenjahn
Black	Hahn	McCoy	Seng
Boettger	Hancock	McKibben	Seymour
Bolkcom	Hartsuch	McKinley	Stewart
Connolly	Hatch	Mulder	Warnstadt
Courtney	Hogg	Noble	Wieck
Danielson	Horn	Olive	Wood
Dearden	Houser	Putney	Zaun
Dotzler	Johnson	Quirmbach	Zieman

Nays, none.

Absent, 2:

Heckroth Ward

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 5

The Senate resumed consideration of **House File 5**, 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 Kettering offered amendment S-3130, filed by Senators Kettering and McCoy from the floor to page 2 and to the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3130 be adopted?" (H.F. 5), the vote was:

Yeas, 21:

Angelo	Horn	McKibben	Wieck
Behn	Houser	McKinley	Zaun
Boettger	Johnson	Mulder	Zieman
Gaskill	Kettering	Noble	
Hahn	Lundby	Putney	
Hartsuch	McCoy	Seymour	

Nays, 27:

Appel	Dearden	Hogg	Schmitz
Beall	Dotzler	Kibbie	Schoenjahn
Black	Dvorsky	Kreiman	Seng
Bolkcom	Fraise	Olive	Stewart
Connolly	Gronstal	Quirnbach	Warnstadt
Courtney	Hancock	Ragan	Wood
Danielson	Hatch	Rielly	

Absent, 2:

Heckroth	Ward
----------	------

Amendment S-3130 lost.

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?" (H.F. 5), the vote was:

Yeas, 32:

Appel	Dotzler	Houser	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Seymour
Connolly	Hancock	Olive	Stewart
Courtney	Hartsuch	Quirnbach	Warnstadt
Danielson	Hatch	Ragan	Wood
Dearden	Hogg	Rielly	Zaun

Nays, 16:

Angelo	Hahn	Lundby	Noble
Behn	Horn	McKibben	Putney
Boettger	Johnson	McKinley	Wieck
Gaskill	Kettering	Mulder	Zieman

Absent, 2:

Heckroth	Ward
----------	------

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 482** and **527** and **House File 5** be **immediately messaged** to the House.

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate File 470** be referred from the Regular Calendar to the committee on **Appropriations** and **Senate File 556** be referred from the Regular Calendar to the committee on **Ways and Means**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:30 p.m. until 8:45 a.m., Tuesday, March 20, 2007.

APPENDIX—2

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 15, 2007, when the votes were taken on Senate Files 348, 351, 373, 477, and 489. Had I been present, I would have voted “Yea” on all.

JOHN PUTNEY

ALSO:

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 19, 2007, when the votes were taken on Senate File 541 and the En Bloc Confirmations. Had I been present, I would have voted “Yea” on both.

STEVE KETTERING

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Russell Clark, Council Bluffs—For celebrating his 80th birthday. Senator Gronstal (3/19/07).

Joseph Kutin, Waterloo—For celebrating his 100th birthday. Senator Dotzler (3/19/07).

Mary McGee, Council Bluffs—For celebrating her 90th birthday. Senator Gronstal (3/19/07).

Albert and Dolores Schabacker—For celebrating their 60th wedding anniversary. Senator Schoenjahn (3/19/07).

Kendal Warne—For 50 years of outstanding dedication to Iowa’s volunteer fire service. Senator Hancock (3/19/07).

Western Christian Coach Jim Eekhoff and the Wolfpack Boys’ Basketball Team—For winning the 2007 Class 2A State Championship. Senator Mulder (3/19/07).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Monday, March 19, 2007, 2:35 p.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Mulder, Ranking Member; Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirmbach, Schmitz, Wood, and Ziemann.

Members Absent: Zaun (excused).

Committee Business: Passed HFs 317 and 468.

Adjourned: 2:50 p.m.

LOCAL GOVERNMENT

Convened: Monday, March 19, 2007, 2:40 p.m.

Members Present: Quirmbach, Chair; Beall, Vice Chair; Hartsuch, Heckroth, Olive, Rielly, and Stewart.

Members Absent: Zaun, Ranking Member; Angelo, Houser, Kreiman, McKinley, and Schoenjahn (all excused).

Committee Business: Subcommittee assignments.

Adjourned: 2:45 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 4, by Gronstal, Lundby, and Kibbie, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol, and the temporary display of ceremonial banners, 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 Concurrent Resolution 4, by Johnson and Fraise, a concurrent resolution relating to recommendations proposed by the United States Department of Agriculture for the federal farm bill of 2007.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 21, by Bolkcom, a resolution urging the United States Congress and the President of the United States to take action on global warming.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 22, by Hahn, a resolution commemorating the sesquicentennial of the Constitution of the State of Iowa.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 560, by Beall, Boettger, Black, Mulder, Angelo, Hahn, Gaskill, Hatch, Fraise, Ragan, Seng, Rielly, Appel, Warnstadt, Schmitz, Dotzler, Bolkom, and Danielson, a bill for an act providing appropriations to support establishing and implementing a United States center for citizen diplomacy in the state and providing an effective date.

Read first time under Rule 28 and referred to committee on **Appropriations**.

Senate File 561, by committee on Human Resources, a bill for an act relating to support including child support provisions relating to passport sanctions for nonpayment of child support and mandatory review and adjustment of child support orders, medical support, and support payments, providing effective dates, and providing for nullification of an administrative rule and retroactive applicability.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILL RECEIVED

SSB 1336 Appropriations

Relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters.

SUBCOMMITTEE ASSIGNMENTS

Senate File 511

WAYS AND MEANS: Seng, Chair; Dotzler and Noble

Senate File 536

WAYS AND MEANS: Schmitz, Chair; Dotzler and Noble

Senate File 547

WAYS AND MEANS: Connolly, Chair; Appel and Ward

Senate File 555

WAYS AND MEANS: Quirnbach, Chair; Angelo and Bolkcom

House File 451

HUMAN RESOURCES: Bolkcom, Chair; Ragan and Seymour

House File 546

STATE GOVERNMENT: Kibbie, Chair; Appel and Gaskill

House File 587

LOCAL GOVERNMENT: Heckroth, Chair; Angelo and Stewart

House File 591

LOCAL GOVERNMENT: Rielly, Chair; Beall and McKinley

House File 608

LOCAL GOVERNMENT: Beall, Chair; Hartsuch and Olive

House File 648

ECONOMIC GROWTH: Olive, Chair; Beall and Hahn

SSB 1336

APPROPRIATIONS: Dotzler, Chair; Dvorsky and Wood

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: HOUSE FILE 317, a bill for an act relating to an on-site fiscal review to be conducted under phase II of the accreditation process upon recommendation by the school budget review committee.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Schoenjahn, Appel, Mulder, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirnbach, Schmitz, Wood, and Zieman. Nays, none. Absent, 2: Angelo and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 468, a bill for an act requiring a study by the department of education relating to implementation of a statewide student information system.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Schoenjahn, Appel, Mulder, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirnbach, Schmitz, Wood, and Zieman. Nays, none. Absent, 2: Angelo and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: *SENATE FILE 561 (SSB 1239), a bill for an act relating to support including child support provisions relating to passport sanctions for nonpayment of child support and mandatory review and adjustment of child support orders, medical support, and support payments, providing effective dates, and providing for nullification of an administrative rule and retroactive applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirnbach, and Wood. Nays, none. Absent, 1: Kreiman.

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 561, and they were attached to the committee report.

AMENDMENTS FILED

S-3123	S.F.	551	Jeff Angelo Robert E. Dvorsky
S-3124	S.F.	554	Steve Warnstadt
S-3125	S.F.	412	John P. Kibbie
S-3126	S.F.	554	Jeff Danielson Frank B. Wood
S-3127	S.F.	347	Joe Bolkom
S-3128	S.F.	505	Keith A. Kreiman
S-3129	H.F.	5	Matt McCoy Ron Wieck
S-3130	H.F.	5	Steve Kettering Matt McCoy

JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
FORTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 20, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa, and the Honorable Dwayne Alons, member of the House of Representatives from Sioux County, Hull, Iowa.

The Journal of Monday, March 19, 2007, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:05 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:08 a.m., President Kibbie presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:10 a.m. until 1:00 p.m.

APPENDIX—1**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 20, 2007:

AGRICULTURE

Edwin Hershberger – Iowa Grain Indemnity Fund Board
Thomas Kaldenberg – Iowa Grain Indemnity Fund Board

Ron Mark – Grape and Wine Development Commission
Paul Tabor – Grape and Wine Development Commission

Susan Ammons – State Soil Conservation Committee

COMMERCE

John R. Perkins – Consumer Advocate

Paul Becker – Credit Union Review Board
Becky Hansen – Credit Union Review Board
Carl Martin – Credit Union Review Board

John P. Gillispie – Executive Director of the Iowa Telecommunications and Technology Commission

Michael Mahaffey – Iowa Telecommunications and Technology Commission

Patricia Schneider – Title Guaranty Division Board

John Norris – Chair of Utilities Board

Curtis Stamp – Utilities Board
Krista Tanner – Utilities Board

ECONOMIC GROWTH

Suzanna de Baca – Iowa Capital Investment Board

Robin Anderson – Iowa Great Places Advisory Board
Samantha Erickson – Iowa Great Places Advisory Board
Mark Ginsberg – Iowa Great Places Advisory Board
Theresa Lynch – Iowa Great Places Advisory Board

Timothy Neugent – Small Business Advisory Council
 Nikita Rainey – Small Business Advisory Council
 Loretta Sieman – Small Business Advisory Council

EDUCATION

Cyndi Pederson – Director of the Department of Cultural Affairs

Bradley Dirks – Board of Educational Examiners
 Judy Jeffrey – Board of Educational Examiners
 Merle Johnson – Board of Educational Examiners
 Greg Robinson – Board of Educational Examiners

Bonnie Campbell – State Board of Regents
 Jack Evans – State Board of Regents
 Craig Lang – State Board of Regents
 David Miles – State Board of Regents

Leland Tack – School Budget Review Committee

Atul Gupta – Technology Governance Board
 Terri Pitcher – Technology Governance Board

HUMAN RESOURCES

Troy Kleese – Board of Athletic Training Examiners
 Shaun McCarthy – Board of Athletic Training Examiners

James Anastasi – Board of Behavioral Science Examiners
 Kenneth Fann – Board of Behavioral Science Examiners
 Brenda Langstraat-Janisch – Board of Behavioral Science Examiners

Michael Hoenig – Commission for the Blind

Lionel Foster – Child Advocacy Board
 Roberta Payne – Child Advocacy Board

William Brand – Administrator of the Division of Community Action Agencies

G. Kevin Middleswart – Commission on Community Action Agencies
 Rhonda Newman – Commission on Community Action Agencies
 Robert Tyson – Commission on Community Action Agencies

Muhammad Chowdhry – Commission on the Deaf
 Rachel Nemmers – Commission on the Deaf

John McCalley – Director of the Department of Elder Affairs

Dava James – Commission of Elder Affairs
 Nancy Nichols – Commission of Elder Affairs

Darshini Jayawardena – Iowa Empowerment Board
Sara Monroy-Huddleston – Iowa Empowerment Board
John White – Iowa Empowerment Board

Susan Salter – Healthy and Well Kids in Iowa (HAWK-I) Board
Seldon Spencer – Healthy and Well Kids in Iowa (HAWK-I) Board

Susan Cell – Health Facilities Council
Marc Elcock – Health Facilities Council

Roger Hartman – Council on Human Services
James Miller – Council on Human Services

Kevin Concannon – Director of the Department of Human Services

Judy Gouldsmith – Board of Interpreters for the Hearing Impaired Examiners
David Moorman-Rice – Board of Interpreters for the Hearing Impaired Examiners

Lynn Crannell – Mental Health, Mental Retardation, Developmental Disabilities,
and Brain Injury Commission

Richard Heitmann – Mental Health, Mental Retardation, Developmental
Disabilities, and Brain Injury Commission

David Johnson – Mental Health, Mental Retardation, Developmental Disabilities,
and Brain Injury Commission

Carl Smith – Mental Health, Mental Retardation, Developmental Disabilities, and
Brain Injury Commission

Raymond Todd – Mental Health, Mental Retardation, Developmental Disabilities,
and Brain Injury Commission

Gano Whetstone – Mental Health, Mental Retardation, Developmental Disabilities,
and Brain Injury Commission

Edward Friedmann – Board of Physician Assistant Examiners
Anila Khan – Board of Physician Assistant Examiners

Claibourne Dundy – Prevention of Disabilities Policy Council
Scott Lindgren – Prevention of Disabilities Policy Council
Maggie Tinsman – Prevention of Disabilities Policy Council

Cathryn Callaway – Commission on Tobacco Use Prevention and Control
Gary Streit – Commission on Tobacco Use Prevention and Control

JUDICIARY

Alicia Claypool – Iowa State Civil Rights Commission
Rich Eychaner – Iowa State Civil Rights Commission
Debbie Gitchell – Iowa State Civil Rights Commission

Michael Coleman – Board of Corrections
Robyn Mills – Board of Corrections
Arthur Neu – Board of Corrections
Michael Sadler – Board of Corrections

Gary Kendell – Drug Control Policy Coordinator

John Garringer – Iowa Drug Policy Advisory Council
Jane Larkin – Iowa Drug Policy Advisory Council

David Cochran – State Judicial Nominating Commission
Mary Beth Lawler – State Judicial Nominating Commission
Madalin Williams – State Judicial Nominating Commission

Shelly French – Commission on Judicial Qualifications

LABOR AND BUSINESS RELATIONS

Jerome Amos, Jr. – Iowa Workforce Development Board
Kimberline Ingram – Iowa Workforce Development Board

LOCAL GOVERNMENT

Patrick Gill – County Finance Committee
Ben Lacey – County Finance Committee
Suzanne Ruble – County Finance Committee
Dale Sunderman – County Finance Committee

Wayne Clinton – Mental Health Risk Pool Board
Marjorie Pitts – Mental Health Risk Pool Board

NATURAL RESOURCES AND ENVIRONMENT

Dale Cochran – Environmental Protection Commission
Susan Heathcote – Environmental Protection Commission
Charlotte Hubbell – Environmental Protection Commission
Ralph Klemme – Environmental Protection Commission

Richard Leopold – Director of the Department of Natural Resources

William Bird – Natural Resource Commission
Gregory Drees – Natural Resource Commission
Janelle Rettig – Natural Resource Commission

Jacqueline Johnson – Iowa Comprehensive Petroleum Underground Storage Tank Fund Board
Nancy Lincoln – Iowa Comprehensive Petroleum Underground Storage Tank Fund Board

STATE GOVERNMENT

Linda Schmitt – Accountancy Examining Board
Carol Schuster – Accountancy Examining Board
Donald Timmins – Accountancy Examining Board

Mollie Anderson – Director of the Department of Administrative Services

Mary Hunter – Alcoholic Beverages Commission

Dale McKinney – Architectural Examining Board
Susan McKinney – Architectural Examining Board

Charles Wubbena – Board of Barber Examiners

Susan Oltrogge – Boiler and Pressure Vessel Board
Keith Taeger – Boiler and Pressure Vessel Board

Rod Rebarcak – Board of Chiropractic Examiners

Jack Morlan – Board of Cosmetology Arts and Sciences Examiners

Lynn Curry – Board of Dental Examiners
Deena Kuempel – Board of Dental Examiners
Michael Rovner – Board of Dental Examiners

Mary Sand – Board of Dietetic Examiners

Marvin Schumacher – Elevator Safety Board

Patricia Heagel – Engineering and Land Surveying Examining Board
Craig Johnstone – Engineering and Land Surveying Examining Board

Gregory Hoyman – Board for the Licensing and Regulation of Hearing Aid Dispensers
Gregory Moore – Board for the Licensing and Regulation of Hearing Aid Dispensers

Dean Lerner – Director of the Department of Inspections and Appeals

Cigdem Akkurt – Interior Design Examining Board
H. Scott Sankey – Interior Design Examining Board

Daniel McGinn – IOWAccess Advisory Council
Terrence Neuzil – IOWAccess Advisory Council
Teresa Selberg – IOWAccess Advisory Council

Michael Beary – Investment Board of the IPERS

Helen Kimes – Landscape Architectural Examining Board
Christopher Seeger – Landscape Architectural Examining Board

Elaine Baxter – Iowa Lottery Authority Board of Directors
Thomas Rial – Iowa Lottery Authority Board of Directors

Mary Belieu – Board of Massage Therapy Examiners
Doug Carlson – Board of Massage Therapy Examiners
Kimberly Eaton – Board of Massage Therapy Examiners

Tom Drew – Board of Medical Examiners
Shahid Habib – Board of Medical Examiners
Blaine Houmes – Board of Medical Examiners
Yasyn Lee – Board of Medical Examiners

Charles Krogmeier – Director of the Department of Management

Margaret Eicher – Board of Mortuary Science Examiners
LuJean Welander – Board of Mortuary Science Examiners

Clyde Bradley – Board of Nursing Examiners
Jane Hasek – Board of Nursing Examiners
Mark Hilliard – Board of Nursing Examiners

Margaret Beaty – State Board of Examiners for Nursing Home Administrators
Jan Reis – State Board of Examiners for Nursing Home Administrators

Connie Connolly – Board of Optometry Examiners
Christopher Olson – Board of Optometry Examiners

DeeAnn Wedemeyer-Oleson – Board of Pharmacy Examiners
Margaret Whitworth – Board of Pharmacy Examiners

Denise Behrends – Board of Physical and Occupational Therapy Examiners
Susan Callanan – Board of Physical and Occupational Therapy Examiners
Martin Ungs – Board of Physical and Occupational Therapy Examiners

Eric Barp – Board of Podiatry Examiners
Denise Mandi – Board of Podiatry Examiners
Jill Scholz – Board of Podiatry Examiners

Mary Johnson – Board of Psychology Examiners
James Moody – Board of Psychology Examiners

Gregory Seyfer – State Racing and Gaming Commission

James Kesterson – Real Estate Appraiser Examining Board
Gregory Morehead – Real Estate Appraiser Examining Board

Judith Stevens – Real Estate Commission

Kerry George – State Board for Respiratory Care

Christine Hoffman – Board of Social Work Examiners
Katinka Keith – Board of Social Work Examiners
Ken Zimmerman – Board of Social Work Examiners

Jason Aird – Board of Speech Pathology and Audiology Examiners
Coral Jud – Board of Speech Pathology and Audiology Examiners

Jon Murphy – Director of the Office for State-Federal Relations

Dean Upton – Iowa Board of Veterinary Medicine

Fred Diehl – Vision Iowa Board

Melanie Cloud Gross – Vision Iowa Board

Terry Lutz – Vision Iowa Board

Marilyn Monroe – Vision Iowa Board

TRANSPORTATION

James Romar – Iowa Law Enforcement Academy Council

Eugene Meyer – Commissioner of Public Safety

Wayne Sawtelle – State Transportation Commission

VETERANS AFFAIRS

Donald Delamore – Commission of Veterans Affairs

Steven Mulcahy – Commission of Veterans Affairs

Rosetta Waychus – Commission of Veterans Affairs

WAYS AND MEANS

Roger Caudron – Iowa Finance Authority

David Erickson – Iowa Finance Authority

Heather Kramer – Iowa Finance Authority

Kathleen Koenig – State Board of Tax Review

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 20, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 749, a bill for an act concerning existing and new special motor vehicle registration plates associated with military service, crediting fees from the sale of certain special motor vehicle registration plates to the emergency medical services fund and the veterans license fee fund, and providing effective dates.

Read first time and referred to committee on **Veterans Affairs**.

House File 793, a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to the placement of advertising devices along primary highways, qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, the maximum length limitation for single trucks, requirements for operation of certain self-propelled implements of husbandry on secondary roads, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates.

Read first time and **attached to similar Senate File 401**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:07 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 1:09 p.m., President Kibbie presiding.

The Senate stood at ease at 1:10 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:02 p.m., President Kibbie presiding.

CONSIDERATION OF RESOLUTION
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Joint Resolution 3.

House Joint Resolution 3

On motion of Senator Connolly, **House Joint Resolution 3**, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualification of electors, placed on the Unfinished Business Calendar on March 15, 2007, with report of committee recommending passage, was taken up for consideration.

Senator Connolly 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 3, 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. RATIFICATION. The foregoing proposed amendment to the Constitution of the State of Iowa, having been adopted and agreed to by the Eighty-first General Assembly, 2006 Session, thereafter duly published, and now adopted and agreed to by the Eighty-second General Assembly in this joint resolution, shall be submitted to the people of the State of Iowa at the general election in November of the year 2008 in the manner required by the Constitution of the State of Iowa and the laws of the State of Iowa.

On the question "Shall the resolution be adopted?" (H.J.R. 3), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

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.

HOUSE AMENDMENT CONSIDERED

Senate File 70

Senator Schoenjahn called up for consideration **Senate File 70**, a bill for an act relating to crime victim compensation, amended by the House in House amendment S-3050, filed March 5, 2007.

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. 70), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 558.

Senate File 558

On motion of Senator Dearden, **Senate File 558**, a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program, 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?" (S.F. 558), the vote was:

Yeas, 46:

Angelo	Dvorsky	Kibbie	Schmitz
Appel	Fraise	Kreiman	Schoenjahn
Beall	Gaskill	Lundby	Seng
Behn	Gronstal	McCoy	Seymour
Black	Hahn	McKibben	Stewart
Boettger	Hancock	Mulder	Ward
Bolkcom	Hatch	Noble	Warnstadt
Connolly	Heckroth	Olive	Wieck
Courtney	Hogg	Putney	Wood
Danielson	Horn	Quirmbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	

Nays, 4:

Hartsuch	Kettering	McKinley	Zaun
----------	-----------	----------	------

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 539 and 534.

Senate File 539

On motion of Senator Connolly, **Senate File 539**, a bill for an act establishing uniform finance procedures for obligations issued by the state, 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. 539), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 534

On motion of Senator Hancock, **Senate File 534**, a bill for an act relating to civil protective orders and criminal no-contact orders, 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. 534), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 70, 534, 539, and 558** and **House Joint Resolution 3** 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 518, 515, and 504.

Senate File 518

On motion of Senator McCoy, **Senate File 518**, a bill for an act reorganizing Code chapter provisions relating to the authority to engage in the business of insurance other than life insurance by

transferring provisions, eliminating outdated provisions, and amending corresponding provisions, as necessary, was taken up for consideration.

Senator McCoy asked and received unanimous consent that action on **Senate File 518** be **deferred**.

President Pro Tempore Danielson took the chair at 2:32 p.m.

Senate File 515

On motion of Senator McCoy, **Senate File 515**, a bill for an act permitting rate-regulated gas and electric utilities to aggregate energy efficiency program funding, administration, and delivery, and to utilize a third party for such administration and delivery secured through a competitive bidding process, 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. 515), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 504

On motion of Senator Kibbie, **Senate File 504**, a bill for an act providing for the regulation of packers and the purchase of swine from producers, and providing for penalties, was taken up for consideration.

Senator Kibbie withdrew amendment S-3133, filed by him from the floor to pages 1-7 of the bill.

Senator Kibbie offered amendment S-3134, filed by him from the floor to pages 1-7 of the bill, and moved its adoption.

Amendment S-3134 was adopted 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?" (S.F. 504), the vote was:

Yeas, 34:

Appel	Dvorsky	Houser	Rielly
Beall	Fraise	Kibbie	Schmitz
Black	Gaskill	Kreiman	Schoenjahn
Bolkcom	Gronstal	Lundby	Seng
Connolly	Hancock	McCoy	Stewart
Courtney	Hatch	Mulder	Warnstadt
Danielson	Heckroth	Olive	Wood
Dearden	Hogg	Quirmbach	
Dotzler	Horn	Ragan	

Nays, 16:

Angelo	Hartsuch	McKinley	Ward
Behn	Johnson	Noble	Wieck
Boettger	Kettering	Putney	Zaun
Hahn	McKibben	Seymour	Zieman

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 3:55 p.m.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 554.

Senate File 554

On motion of Senator Warnstadt, **Senate File 554**, 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, was taken up for consideration.

Senator Warnstadt offered amendment S-3124, filed by him on March 19, 2007, to pages 2, 4-6, 8, and 13 of the bill, and moved its adoption.

Amendment S-3124 was adopted by a voice vote.

Senator Danielson asked and received unanimous consent to withdraw amendment S-3126, filed by Senators Danielson and Wood on March 19, 2007, to pages 3 and 8 of the bill.

Senator Danielson offered amendment S-3137, filed by Senator Danielson, et al., from the floor to pages 3, 8, 12, and 13 of the bill, and moved its adoption.

A nonrecord roll call was requested.

The ayes were 8, nays 35.

Amendment S-3137 lost.

Senator Dvorsky took the chair at 4:17 p.m.

Senator Warnstadt offered amendment S-3135, filed by him from the floor to page 10 of the bill, and moved its adoption.

Amendment S-3135 was adopted by a voice vote.

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. 554), the vote was:

Yeas, 44:

Angelo	Fraise	Kibbie	Rielly
Appel	Gaskill	Kreiman	Schmitz
Beall	Gronstal	Lundby	Seng
Behn	Hancock	McCoy	Seymour
Black	Hartsuch	McKibben	Stewart
Boettger	Hatch	McKinley	Ward
Bolkcom	Heckroth	Mulder	Warnstadt
Connolly	Hogg	Noble	Wieck
Courtney	Horn	Putney	Wood
Dearden	Houser	Quirmbach	Zaun
Dotzler	Kettering	Ragan	Zieman

Nays, 6:

Danielson	Hahn	Olive
Dvorsky	Johnson	Schoenjahn

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 504, 515, and 554** be **immediately messaged** to the House.

President Kibbie took the chair at 4:30 p.m.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 502, 487, 479, and 360.

Senate File 502

On motion of Senator Heckroth, **Senate File 502**, a bill for an act relating to the regulation of savings and loan associations by the division of banking of the department of commerce, was taken up for consideration.

Senator Heckroth 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. 502), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 487

On motion of Senator Kreiman, **Senate File 487**, a bill for an act requiring the state fire marshal to assess the practice and impact of selling novelty lighters, was taken up for consideration.

Senator Zaun asked and received unanimous consent that action on **Senate File 487** be **deferred**.

Senate File 479

On motion of Senator Connolly, **Senate File 479**, a bill for an act making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting, 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. 479), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 360

On motion of Senator Stewart, **Senate File 360**, a bill for an act relating to the regulatory duties of the division of banking of the department of commerce regarding banking, debt management, mortgage banking, industrial loan companies, and professional licensing, 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. 360), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 360, 479, and 502** 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 347 and 138.

Senate File 347

On motion of Senator Bolkcom, **Senate File 347**, a bill for an act relating to the authority of creditors and credit unions in consumer credit or credit union transactions, was taken up for consideration.

Senator Bolkcom offered amendment S-3127, filed by him on March 19, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3127 was adopted by a voice vote.

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. 347), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 138

On motion of Senator Fraise, **Senate File 138**, a bill for an act relating to jury service compensation, reimbursement, and confidentiality and exempting certain governmental employees from jury service compensation, was taken up for consideration.

Senator Fraise offered amendment S-3083, filed by him on March 7, 2007, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-3083 was adopted by a voice vote.

The Chair ruled the following amendment out of order:

S-3028, filed by Senators Fraise and Behn on February 13, 2007, to page 1 of the bill.

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. 138), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 367.

House File 367

On motion of Senator Ward, **House File 367**, a bill for an act relating to wage payment collection of direct deposit wages as administered by the division of labor services of the department of workforce development, placed on the Unfinished Business Calendar

on March 15, 2007, 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. 367), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 138** and **347** and **House File 367** 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, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 353, a bill for an act relating to public safety communications by establishing an Iowa statewide interoperable communications system board.

Read first time and referred to committee on **Judiciary**.

House File 566, a bill for an act relating to the definition of a free clinic for the purposes of the volunteer health care provider program.

Read first time and referred to committee on **Human Resources**.

House File 615, a bill for an act relating to the membership of the board of educational examiners.

Read first time and referred to committee on **Education**.

House File 653, a bill for an act allowing a voter to register to vote and to vote after regular registration and prior to voting in an election and making a penalty applicable and providing an applicability date.

Read first time and **attached to similar Senate File 352**.

House File 752, a bill for an act relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

Read first time and referred to committee on **Appropriations**.

House File 780, a bill for an act relating to the issuance of temporary orders modifying an order of child support.

Read first time and referred to committee on **Judiciary**.

House File 787, 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**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:27 p.m. until 8:45 a.m., Wednesday, March 21, 2007.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Gary and Nola Antidel, Atlantic—For celebrating their 50th wedding anniversary. Senator Boettger (3/20/07).

Robert Bergmann, Frederika—For celebrating his 80th birthday. Senator Heckroth (3/20/07).

Chris de Regnier—For achieving the rank of Eagle Scout, Boy Scout Troop 121. Senator Appel (3/20/07).

Marie Heller, Dunlap—For celebrating her 90th birthday. Senators Boettger and Seymour (3/20/07).

Vern Jacobs—For celebrating his 80th birthday. Senator Heckroth (3/20/07).

Dale and Connie Jensen, Anita—For celebrating their 50th wedding anniversary. Senator Boettger (3/20/07).

Frances Kirchhoff, Tripoli—For celebrating her 80th birthday. Senator Heckroth (3/20/07).

Robert and Lilly Kuster, Persia—For celebrating their 50th wedding anniversary. Senator Boettger (3/20/07).

Josephine Kwapiszeski, Harlan—For celebrating her 95th birthday. Senator Boettger (3/20/07).

Betty and John Lusk, Sioux City—For celebrating their 40th wedding anniversary. Senator Boettger (3/20/07).

Isabelle Bruhl Martin—For celebrating her 80th birthday. Senator Heckroth (3/20/07).

Bonnie McCaskey, Anita—For celebrating her 90th birthday. Senator Boettger (3/20/07).

Oran Nathanael Perkins, Atlantic—For achieving the rank of Eagle Scout, Boy Scout Troop 54. Senator Boettger (3/20/07).

Edna Schilling—For celebrating her 90th birthday. Senator Heckroth (3/20/07).

Jennie Schipper, Aplington—For celebrating her 90th birthday. Senator Heckroth (3/20/07).

Merlin and Donna Schult, Oelwein—For celebrating their 50th wedding anniversary. Senator Heckroth (3/20/07).

Berdine Seehase—For celebrating her 80th birthday. Senator Heckroth (3/20/07).

George and Bernice Seehusen—For celebrating their 60th wedding anniversary. Senator Heckroth (3/20/07).

Vern Tech, Jr.—For celebrating his 80th birthday. Senator Seymour (3/20/07).

Lois Winter, West Union—For celebrating her 80th birthday. Senator Heckroth (3/20/07).

REPORTS OF COMMITTEE MEETINGS

STATE GOVERNMENT

Convended: Monday, March 19, 2007, 3:05 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Zieman, Ranking Member; Appel, Behn, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood.

Members Absent: Black (excused).

Committee Business: Discussed Governor's appointments. Subcommittee assignments.

Adjourned: 3:20 p.m.

APPROPRIATIONS

Convended: Tuesday, March 20, 2007, 11:10 a.m.

Members Present: Dvorsky, Chair; Angelo, Ranking Member; Behn, Black, Boettger, Bolkom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Warnstadt, and Wood.

Members Absent: McCoy, Vice Chair; Seymour and Ward (all excused).

Committee Business: Approved SSB 1336.

Recessed: 11:15 a.m.

Reconvened: 11:45 a.m.

Adjourned: 11:50 a.m.

RULES AND ADMINISTRATION

Convened: Tuesday, March 20, 2007, 9:05 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved Governor's appointments to standing committees.

Adjourned: 9:08 a.m.

ALSO:

Convened: Tuesday, March 20, 2007, 1:07 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SCR 4.

Adjourned: 1:09 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 23, by Warnstadt, a resolution declaring May 2007 Amyotrophic Lateral Sclerosis (ALS) Awareness Month.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 24, by Rielly, Angelo, Appel, Beall, Behn, Black, Boettger, Bolkcom, Connolly, Courtney, Danielson, Dearden, Dotzler, Dvorsky, Fraise, Gaskill, Gronstal, Hahn, Hancock, Hartsuch, Hatch, Heckroth, Hogg, Horn, Houser, Johnson, Kettering, Kibbie, Kreiman, Lundby, McCoy, McKibben, McKinley, Mulder, Noble, Olive, Putney, Quirmbach, Ragan, Schmitz, Schoenjahn, Seng, Seymour, Stewart, Ward, Warnstadt, Wieck, Wood, Zaun, and Zieman, a resolution honoring Iowan Eugene Ely, a pioneer in Naval aviation.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 25, by Ragan and Seymour, a resolution to declare November 2007 Iowa Diabetes Awareness Month.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

STUDY BILLS RECEIVED

SSB 1337 Appropriations

Relating to and making appropriations to the judicial branch.

SSB 1338 Appropriations

Relating to and making appropriations to the justice system.

SSB 1339 Appropriations

Relating to mental health, mental retardation, developmental disabilities, and brain injury services by revising and making appropriations, addressing county and state responsibilities for such services, revising property tax relief payment provisions, allowed growth, and other funding distribution requirements, revising county levy authority provisions for such services, and providing effective and applicability dates.

SSB 1340 Ways and Means

Creating a provisional driver's permit for the purpose of licensing an applicant for a driver's license who does not possess or is ineligible to receive a social security number.

SUBCOMMITTEE ASSIGNMENTS

Senate File 447

APPROPRIATIONS: Wood, Chair; Angelo, Boettger, Connolly, and Dvorsky

Senate File 556

WAYS AND MEANS: Dotzler, Chair; Stewart and Wieck

SSB 1337

APPROPRIATIONS: Hogg, Chair; Angelo and Dvorsky

SSB 1338

APPROPRIATIONS: Hancock, Chair; Angelo and Dvorsky

SSB 1339

APPROPRIATIONS: Hatch, Chair; Dvorsky and Johnson

SSB 1340

WAYS AND MEANS: Bolkcom, Chair; McCoy and Noble

FINAL COMMITTEE REPORT OF BILL ACTION**RULES AND ADMINISTRATION**

Bill Title: SENATE CONCURRENT RESOLUTION 4, a concurrent resolution relating to recommendations proposed by the United States Department of Agriculture for the federal farm bill of 2007.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. 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 20th day of March, 2007:

Senate Files 58, 67, 75, 130, 272, and 319.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

S-3131	S.F.	535	Keith A. Kreiman
S-3132	S.F.	345	Thomas Rielly
S-3133	S.F.	504	John P. Kibbie
S-3134	S.F.	504	John P. Kibbie
S-3135	S.F.	554	Steve Warnstadt
S-3136	S.F.	445	Robert E. Dvorsky Keith A. Kreiman
S-3137	S.F.	554	Jeff Danielson William A. Dotzler, Jr. Jack Hatch Frank B. Wood Robert E. Dvorsky Brain Schoenjahn
S-3138	H.F.	368	Thomas G. Courtney
S-3139	S.F.	535	Keith A. Kreiman Larry McKibben
S-3140	S.F.	545	Keith A. Kreiman
S-3141	S.F.	517	Robert M. Hogg

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
FORTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 21, 2007

The Senate met in regular session at 8:43 a.m., President Kibbie presiding.

Prayer was offered by Father Ken Gehling of Mercy Hospital in Mason City, Iowa. He was the guest of Senator Ragan.

The Journal of Tuesday, March 20, 2007, was approved.

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 10:47 a.m., President Kibbie presiding.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 4.

Senate Concurrent Resolution 4

On motion of Senator Johnson, **Senate Concurrent Resolution 4**, a concurrent resolution relating to recommendations proposed by the United States Department of Agriculture for the federal farm bill of 2007, with report of committee recommending passage, was taken up for consideration.

Senator Johnson offered amendment S-3143, filed by Senator Johnson, et al., from the floor to page 3 of the resolution, and moved its adoption.

Amendment S-3143 was adopted by a voice vote.

Senator Johnson moved the adoption of Senate Concurrent Resolution 4, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Concurrent Resolution 4** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zaun, until he arrives, on request of Senator Kettering.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 261.

Senate File 261

On motion of Senator Bolkcom, **Senate File 261**, a bill for an act requiring certain private sewage disposal system-related inspections to be conducted when certain property is sold or transferred and including an effective date provision, was taken up for consideration.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 261), the vote was:

Yeas, 34:

Appel	Dotzler	Johnson	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Boettger	Gronstal	Lundby	Stewart

Bolkcom	Hancock	McCoy	Warnstadt
Connolly	Hatch	Olive	Wieck
Courtney	Heckroth	Quirmbach	Wood
Danielson	Hogg	Ragan	
Dearden	Horn	Rielly	

Nays, 15:

Angelo	Hartsuch	McKinley	Seymour
Behn	Houser	Mulder	Ward
Gaskill	Kettering	Noble	Zieman
Hahn	McKibben	Putney	

Absent, 1:

Zaun

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 261** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:10 a.m. until 2:00 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 21, 2007, to investigate the appointment and reappointment of the following appointees:

AGRICULTURE

As members of the Iowa Grain Indemnity Fund Board:

EDWIN HERSHBERGER – Rielly, Chair; Hancock and Gaskill
THOMAS KALDENBERG – Kibbie, Chair; Olive and Johnson

As members of the Grape and Wine Development Commission:

RON MARK – Appel, Chair; Black and Houser
PAUL TABOR – Hancock, Chair; Seng and Houser

As a member of the State Soil Conservation Committee:

SUSAN AMMONS – Black, Chair; Courtney and Gaskill

COMMERCE

As the Consumer Advocate:

JOHN R. PERKINS – Bolkcom, Chair; Warnstadt and Putney

As members of the Credit Union Review Board:

PAUL BECKER – Beall, Chair; Bolkcom and Ward
BECKY HANSEN – Stewart, Chair; Schoenjahn and Angelo
CARL MARTIN – McCoy, Chair; Bolkcom and Putney

As Executive Director of the Iowa Telecommunications and Technology Commission:

JOHN P. GILLISPIE – Heckroth, Chair; Warnstadt and Angelo

As a member of the Iowa Telecommunications and Technology Commission:

MICHAEL MAHAFFEY – Rielly, Chair; Warnstadt and Ward

As a member of the Title Guaranty Division Board:

PATRICIA SCHNEIDER – McCoy, Chair; Stewart and Ward

As Chair of the Utilities Board:

JOHN NORRIS – Warnstadt, Chair; Heckroth and Kettering

As members of the Utilities Board:

CURTIS STAMP – McCoy, Chair; Warnstadt and Kettering

KRISTA TANNER – Warnstadt, Chair; Heckroth and Kettering

ECONOMIC GROWTH

As a member of the Iowa Capital Investment Board:

SUZANNA DE BACA – Hatch, Chair; Schmitz and Zaun

As members of the Iowa Great Places Advisory Board:

ROBIN ANDERSON – Schmitz, Chair; Beall and Hahn

SAMANTHA ERICKSON – Stewart, Chair; Rielly and Mulder

MARK GINSBERG – Olive, Chair; Danielson and Zaun

THERESA LYNCH – Dotzler, Chair; Hatch and Seymour

As members of the Small Business Advisory Council:

TIMOTHY NEUGENT – Rielly, Chair; Stewart and Zaun

NIKITA RAINEY – Danielson, Chair; Dotzler and Houser

LORETTA SIEMAN – Beall, Chair; Mulder and Hatch

EDUCATION

As Director of the Department of Cultural Affairs:

CYNDI PEDERSON – Appel, Chair; Beall and Zieman

As members of the Board of Educational Examiners:

BRADLEY DIRKS – Beal, Chair; Kreiman and Angelo

JUDY JEFFREY – Schoenjahn, Chair; Appel and Boettger

MERLE JOHNSON – Schmitz, Chair; Wood and Mulder

GREG ROBINSON – Connolly, Chair; Heckroth and Johnson

As members of the State Board of Regents:

BONNIE CAMPBELL – Wood, Chair; Quirmbach and Angelo

JACK EVANS – Heckroth, Chair; Connolly and Boettger

CRAIG LANG – Schoenjahn, Chair; Kreiman and Mulder

DAVID MILES – Appel, Chair; Beall and Zaun

As a member of the School Budget Review Committee:

LELAND TACK – Heckroth, Chair; Kreiman and Zieman

As members of the Technology Governance Board:

ATUL GUPTA – Wood, Chair; Appel and Johnson
TERRI PITCHER – Quirmbach, Chair; Schmitz and Zaun

HUMAN RESOURCES

As members of the Board of Athletic Training Examiners:

TROY KLEESE – Quirmbach, Chair; Schmitz and Boettger
SHAUN MCCARTHY – Johnson, Chair; Schmitz and Quirmbach

As members of the Board of Behavioral Science Examiners:

JAMES ANASTASI – Wood, Chair; Dotzler and Johnson
KENNETH FANN – Wood, Chair; Dotzler and Mulder
BRENDA LANGSTRAAT-JANISCH – Behn, Chair; Dotzler and Wood

As a member of the Commission for the Blind:

MICHAEL HOENIG – Boettger, Chair; Quirmbach and Schmitz

As members of the Child Advocacy Board:

LIONEL FOSTER – Dotzler, Chair; Hatch and Mulder
ROBERTA PAYNE – Dotzler, Chair; Hatch and Behn

As Administrator of the Division of Community Action Agencies:

WILLIAM BRAND – Kreiman, Chair; Wood and Johnson

As members of the Commission on Community Action Agencies:

G. KEVIN MIDDLESWART – Kreiman, Chair; Wood and Mulder
RHONDA NEWMAN – Kreiman, Chair; Wood and Behn
ROBERT TYSON – Kreiman, Chair; Wood and Boettger

As members of the Commission on the Deaf:

MUHAMMAD CHOWDHRY – Boettger, Chair; Dotzler and Hatch
RACHEL NEMMERS – Johnson, Chair; Dotzler and Hatch

As Director of the Department of Elder Affairs:

JOHN MCCALLEY – Ragan, Chair; Bolkcom and Johnson

As members of the Commission of Elder Affairs:

DAVA JAMES – Ragan, Chair; Bolkcom and Mulder
NANCY NICHOLS – Ragan, Chair; Bolkcom and Behn

As members of the Iowa Empowerment Board:

DARSHINI JAYAWARDENA – Schmitz, Chair; Ragan and Mulder
SARA MONROY-HUDDLESTON – Behn, Chair; Schmitz and Ragan
JOHN WHITE – Boettger, Chair; Schmitz and Ragan

As members of the Healthy and Well Kids in Iowa (HAWK-I) Board:

SUSAN SALTER – Hatch, Chair; Ragan and Seymour
SELDON SPENCER – Hatch, Chair; Ragan and Johnson

As members of the Health Facilities Council:

SUSAN CELL – Quirnbach, Chair; Schmitz and Behn
MARC ELCOCK – Boettger, Chair; Quirnbach and Schmitz

As members of the Council on Human Services:

ROGER HARTMAN – Johnson, Chair; Dotzler and Hatch
JAMES MILLER – Mulder, Chair; Dotzler and Hatch

As Director of the Department of Human Services:

KEVIN CONCANNON – Hatch, Chair; Wood and Seymour

As members of the Board of Interpreters for the Hearing Impaired Examiners:

JUDY GOULDSMITH – Schmitz, Chair; Ragan and Behn
DAVID MOORMAN-RICE – Ragan, Chair; Schmitz and Boettger

As members of the Mental Health, Mental Retardation, Developmental Disabilities,
and Brain Injury Commission:

LYNN CRANNELL – Bolkcom, Chair; Kreiman and Johnson
RICHARD HEITMANN – Bolkcom, Chair; Kreiman and Mulder
DAVID JOHNSON – Behn, Chair; Bolkcom and Kreiman
CARL SMITH – Bolkcom, Chair; Kreiman and Boettger
RAYMOND TODD – Kreiman, Chair; Bolkcom and Johnson
GANO WHETSTONE – Mulder, Chair; Kreiman and Bolkcom

As members of the Board of Physician Assistant Examiners:

EDWARD FRIEDMANN – Seymour, Chair; Wood and Dotzler
ANILA KHAN – Seymour, Chair; Wood and Dotzler

As members of the Prevention of Disabilities Policy Council:

CLAIBOURNE DUNGY – Mulder, Chair; Ragan and Dotzler
SCOTT LINDGREN – Hatch, Chair; Schmitz and Behn
MAGGIE TINSMAN – Seymour, Chair; Hatch and Schmitz

As members of the Commission on Tobacco Use Prevention and Control:

CATHRYN CALLAWAY – Schmitz, Chair; Quirmbach and Boettger
GARY STREIT – Schmitz, Chair; Quirmbach and Johnson

JUDICIARY

As members of the Iowa State Civil Rights Commission:

ALICIA CLAYPOOL – Dvorsky, Chair; Fraise and Ward
RICH EYCHANER – Kreiman, Chair; Dvorsky and McKibben
DEBBIE GITCHELL – Quirmbach, Chair; Horn and Zieman

As members of the Board of Corrections:

MICHAEL COLEMAN – Hancock, Chair; Horn and Zieman
ROBYN MILLS – Dvorsky, Chair; Kreiman and Noble
ARTHUR NEU – Warnstadt, Chair; Hancock and Behn
MICHAEL SADLER – Fraise, Chair; Schoenjahn and Noble

As Drug Control Policy Coordinator:

GARY KENDELL – Hogg, Chair; Kreiman and Hartsuch

As members of the Iowa Drug Policy Advisory Council:

JOHN GARRINGER – Schoenjahn, Chair; Kreiman and Behn
JANE LARKIN – Quirmbach, Chair; Kreiman and McKibben

As members of the State Judicial Nominating Commission:

DAVID COCHRAN – Schoenjahn, Chair; Hogg and Zieman
MARY BETH LAWLER – Hogg, Chair; Horn and McKibben
MADALIN WILLIAMS – Horn, Chair; Dvorsky and Ward

As a member of the Commission on Judicial Qualifications:

SHELLY FRENCH – Warnstadt, Chair; Hogg and Noble

LABOR AND BUSINESS RELATIONS

As members of the Iowa Workforce Development Board:

JEROME AMOS, JR. – Courtney, Chair; Seng and Wieck
KIMBERLINE INGRAM – Dotzler, Chair; Horn and Ward

LOCAL GOVERNMENT

As members of the County Finance Committee:

PATRICK GILL – Beall, Chair; Heckroth and Hartsuch
 BEN LACEY – Beal, Chair; Heckroth and Hartsuch
 SUZANNE RUBLE – Beall, Chair; Heckroth and Hartsuch
 DALE SUNDERMAN – Beall, Chair; Heckroth and Hartsuch

As members of the Mental Health Risk Pool Board:

WAYNE CLINTON – Reilly, Chair; Quirmbach and McKinley
 MARJORIE PITTS – Reilly, Chair; Quirmbach and McKinley

NATURAL RESOURCES AND ENVIRONMENT

As members of the Environmental Protection Commission:

DALE COCHRAN – Dearden, Chair; Seng and Gaskill
 SUSAN HEATHCOTE – Hogg, Chair; Bolkcom and Noble
 CHARLOTTE HUBBELL – Ragan, Chair; Dearden and Noble
 RALPH KLEMME – Gaskill, Chair; Behn and Black

As Director of the Department of Natural Resources:

RICHARD LEOPOLD – Black, Chair; Lundby and Hogg

As members of the Natural Resource Commission:

WILLIAM BIRD – Wood, Chair; Ragan and Behn
 GREGORY DREES – Johnson, Chair; Black and Dearden
 JANELLE RETTIG – Bolkcom, Chair; Schoenjahn and Lundby

As members of the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board:

JACQUELINE JOHNSON – Hancock, Chair; Wood and Gaskill
 NANCY LINCOLN – Wood, Chair; Hogg and Kettering

STATE GOVERNMENT

As members of the Accountancy Examining Board:

LINDA SCHMITT – Wood, Chair; Schmitz and Kettering
 CAROL SCHUSTER – Wood, Chair; Schmitz and Kettering
 DONALD TIMMINS – Wood, Chair; Schmitz and Kettering

As Director of the Department of Administrative Services:

MOLLIE ANDERSON – Appel, Chair; Connolly and Zieman

As a member of the Alcoholic Beverages Commission:

MARY HUNTER – Hatch, Chair; Connolly and Behn

As members of the Architectural Examining Board:

DALE MCKINNEY – Kibbie, Chair; Hatch and Gaskill

SUSAN MCKINNEY – Hatch, Chair; Black and Behn

As a member of the Board of Barber Examiners:

CHARLES WUBBENA – Danielson, Chair; Black and McKibben

As members of the Boiler and Pressure Vessel Board:

SUSAN OLTROGGE – Schmitz, Chair; Appel and Hahn

KEITH TAEGER – Wood, Chair; Danielson and Hahn

As a member of the Board of Chiropractic Examiners:

ROD REBARCAK – Horn, Chair; Wood and Behn

As a member of the Board of Cosmetology Arts and Sciences Examiners:

JACK MORLAN – Schmitz, Chair; Appel and McKibben

As members of the Board of Dental Examiners:

LYNN CURRY – Wood, Chair; Horn and Hahn

DEENA KUEMPEL – Wood, Chair; Horn and Hahn

MICHAEL ROVNER – Wood, Chair; Horn and Hahn

As a member of the Board of Dietetic Examiners:

MARY SAND – Danielson, Chair; Wood and Behn

As a member of the Elevator Safety Board:

MARVIN SCHUMACHER – Kibbie, Chair; Danielson and Zieman

As members of the Engineering and Land Surveying Examining Board:

PATRICIA HEAGEL – Black, Chair; Horn and Gaskill

CRAIG JOHNSTONE – Black, Chair; Horn and Gaskill

As members of the Board for the Licensing and Regulation of Hearing Aid Dispensers:

GREGORY HOYMAN – Schmitz, Chair; Danielson and Behn

GREGORY MOORE – Schmitz, Chair; Danielson and Behn

As Director of the Department of Inspections and Appeals:

DEAN LERNER – Danielson, Chair; Black and Hahn

As members of the Interior Design Examining Board:

CIGDEM AKKURT – Hatch, Chair; Appel and Kettering
H. SCOTT SANKEY – Hatch, Chair; Appel and Kettering

As members of the IOWAccess Advisory Council:

DANIEL MCGINN – Horn, Chair; Wood and McKibben
TERRENCE NEUZIL – Horn, Chair; Wood and McKibben
TERESA SELBERG – Horn, Chair; Wood and McKibben

As a member of the Investment Board of the IPERS:

MICHAEL BEARY – Connolly, Chair; Kibbie and Zieman

As members of the Landscape Architectural Examining Board:

HELEN KIMES – Black, Chair; Hatch and Zieman
CHRISTOPHER SEEGER – Black, Chair; Hatch and Zieman

As members of the Iowa Lottery Authority Board of Directors:

ELAINE BAXTER – Kibbie, Chair; Connolly and Gaskill
THOMAS RIAL – Kibbie, Chair; Connolly and Gaskill

As members of the Board of Massage Therapy Examiners:

MARY BELIEU – Black, Chair; Horn and Hahn
DOUG CARLSON – Black, Chair; Horn and Hahn
KIMBERLY EATON – Black, Chair; Horn and Hahn

As members of the Board of Medical Examiners:

TOM DREW – Appel, Chair; Connolly and Zieman
SHAHID HABIB – Appel, Chair; Connolly and Zieman
BLAINE HOUMES – Appel, Chair; Connolly and Zieman
YASYN LEE – Appel, Chair; Connolly and Zieman

As Director of the Department of Management:

CHARLES KROGMEIER – Connolly, Chair; Schmitz and Gaskill

As members of the Board of Mortuary Science Examiners:

MARGARET EICHER – Black, Chair; Kibbie and Gaskill
LUJEAN WELANDER – Black, Chair; Kibbie and Gaskill

As members of the Board of Nursing Examiners:

CLYDE BRADLEY – Schmitz, Chair; Danielson and Behn
JANE HASEK – Schmitz, Chair; Danielson and Behn
MARK HILLIARD – Schmitz, Chair; Danielson and Behn

As members of the State Board of Examiners for Nursing Home Administrators:

MARGARET BEATY – Wood, Chair; Schmitz and McKibben
JAN REIS – Wood, Chair; Schmitz and McKibben

As members of the Board of Optometry Examiners:

CONNIE CONNOLLY – Wood, Chair; Schmitz and McKibben
CHRISTOPHER OLSON – Wood, Chair; Schmitz and McKibben

As members of the Board of Pharmacy Examiners:

DEEANN WEDEMEYER-OLESON – Horn, Chair; Connolly and Gaskill
MARGARET WHITWORTH – Horn, Chair; Connolly and Gaskill

As members of the Board of Physical and Occupational Therapy Examiners:

DENISE BEHRENDTS – Schmitz, Chair; Danielson and Gaskill
SUSAN CALLANAN – Schmitz, Chair; Danielson and Gaskill
MARTIN UNGS – Schmitz, Chair; Danielson and Gaskill

As members of the Board of Podiatry Examiners:

ERIC BARP – Black, Chair; Hatch and Kettering
DENISE MANDI – Black, Chair; Hatch and Kettering
JILL SCHOLZ – Black, Chair; Hatch and Kettering

As members of the Board of Psychology Examiners:

MARY JOHNSON – Connolly, Chair; Horn and Ziemann
JAMES MOODY – Connolly, Chair; Horn and Ziemann

As a member of the State Racing and Gaming Commission:

GREGORY SEYFER – Horn, Chair; Connolly and Gaskill

As members of the Real Estate Appraiser Examining Board:

JAMES KESTERSON – Wood, Chair; Hatch and Gaskill
GREGORY MOREHEAD – Wood, Chair; Hatch and Gaskill

As a member of the Real Estate Commission:

JUDITH STEVENS – Wood, Chair; Hatch and Gaskill

As a member of the State Board for Respiratory Care:

KERRY GEORGE – Appel, Chair; Hatch and Hahn

As members of the Board of Social Work Examiners:

CHRISTINE HOFFMAN – Schmitz, Chair; Kibbie and Kettering

KATINKA KEITH – Schmitz, Chair; Danielson and Kettering

KEN ZIMMERMAN – Schmitz, Chair; Kibbie and Gaskill

As members of the Board of Speech Pathology and Audiology Examiners:

JASON AIRD – Schmitz, Chair; Wood and Hahn

CORAL JUD – Schmitz, Chair; Wood and Gaskill

As Director of the Office for State-Federal Relations:

JON MURPHY – Wood, Chair; Connolly and Zieman

As a member of the Iowa Board of Veterinary Medicine:

DEAN UPTON – Appel, Chair; Kibbie and Behn

As a member of the Vision Iowa Board:

FRED DIEHL – Danielson, Chair; Horn and McKibben

MELANIE CLOUD GROSS – Danielson, Chair; Horn and McKibben

TERRY LUTZ – Danielson, Chair; Horn and McKibben

MARILYN MONROE – Danielson, Chair; Horn and McKibben

TRANSPORTATION

As a member of the Iowa Law Enforcement Academy Council:

JAMES ROMAR – Warnstadt, Chair; Beall and Noble

As Commissioner of Public Safety:

EUGENE MEYER – Reilly, Chair; Dearden and Noble

As a member of the State Transportation Commission:

WAYNE SAWTELLE – Danielson, Chair; Hancock and Noble

VETERANS AFFAIRS

As members of the Commission of Veterans Affairs:

DONALD DELAMORE – Danielson, Chair; Kibbie and McKibben

STEVEN MULCAHY – Warnstadt, Chair; Beall and Seymour

ROSETTA WAYCHUS – Ragan, Chair; Black and Hartsuch

WAYS AND MEANS

As members of the Iowa Finance Authority:

ROGER CAUDRON – Seng, Chair; Schmitz and Wieck

DAVID ERICKSON – Appel, Chair; Seng and Ward

HEATHER KRAMER – Hogg, Chair; Stewart and Lundby

As a member of the State Board of Tax Review:

KATHLEEN KOENIG – Schmitz, Chair; Connolly and Noble

AFTERNOON SESSION

The Senate reconvened at 2:05 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, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 641, a bill for an act relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, and reporting requirements in pending conservatorships, guardianships, estates, or trusts, and providing an effective date.

Read first time and **attached to similar Senate File 549**.

House File 650, a bill for an act relating to the sales of beer kegs by requiring an identification number on each keg of beer, recording of the purchase of beer by the keg, and providing penalties.

Read first time and **attached to similar Senate File 516**.

House File 651, a bill for an act relating to business corporations, by providing for information required to be filed with the secretary of state and providing for shareholder voting.

Read first time and referred to committee on **Judiciary**.

House File 773, a bill for an act establishing an energy city designation program.

Read first time and referred to committee on **Natural Resources and Environment**.

House File 774, a bill for an act relating to mechanics' liens.

Read first time and referred to committee on **Judiciary**.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 540, 535, and 517.

Senate File 540

On motion of Senator Noble, **Senate File 540**, a bill for an act relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions, was taken up for consideration.

Senator Noble offered amendment S-3142, filed by him from the floor to page 14 of the bill, and moved its adoption.

Amendment S-3142 was adopted by a voice vote.

Senator Noble offered amendment S-3145, filed by him from the floor to page 14 of the bill, and moved its adoption.

Amendment S-3145 was adopted by a voice vote.

Senator Noble 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. 540), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 535

On motion of Senator Kreiman, **Senate File 535**, a bill for an act relating to general provisions of the uniform commercial code relating to the construction and application of its subject matter, and providing for a contingent effective date, was taken up for consideration.

Senator Kreiman withdrew amendment S-3131, filed by him on March 20, 2007, to pages 2, 19, 20, 30, and 33 of the bill.

Senator Kreiman offered amendment S-3139, filed by Senators Kreiman and McKibben on March 20, 2007, to pages 2-4, 19, 20, 30, 31, and 33 of the bill, and moved its adoption.

Amendment S-3139 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. 535), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 517

On motion of Senator Hogg, **Senate File 517**, a bill for an act relating to the state building code by providing for training, administration, and enforcement of energy conservation requirements, was taken up for consideration.

Senator Hogg offered amendment S-3141, filed by him on March 20, 2007, to page 2 of the bill, and moved its adoption.

Amendment S-3141 was adopted by a voice vote.

Senator Hogg 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. 517), the vote was:

Yeas, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Cannolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Nays, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

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 517, 535, and 540** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Quirmbach, until he returns, on request of Senator Gronstal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 465 and 406.

Senate File 465

On motion of Senator Danielson, **Senate File 465**, a bill for an act relating to leaves of absence for service in elective office, 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. 465), the vote was:

Yeas, 31:

Appel	Dotzler	Hogg	Rielly
Beall	Dvorsky	Horn	Schmitz
Black	Fraise	Kibbie	Schoenjahn
Bolkcom	Gaskill	Kreiman	Seng
Connolly	Gronstal	McCoy	Stewart
Courtney	Hancock	Olive	Warnstadt
Danielson	Hatch	Putney	Wood
Dearden	Heckroth	Ragan	

Nays, 18:

Angelo	Houser	McKinley	Wieck
Behn	Johnson	Mulder	Zaun
Boettger	Kettering	Noble	Zieman
Hahn	Lundby	Seymour	
Hartsuch	McKibben	Ward	

Absent, 1:

Quirnbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 406

On motion of Senator Kreiman, **Senate File 406**, 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 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. 406), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 368.

House File 368

On motion of Senator Dearden, **House File 368**, a bill for an act relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development, placed on the Unfinished Business Calendar on March 15, 2007, was taken up for consideration.

Senator Courtney offered amendment S–3138, filed by him on March 20, 2007, to page 1 of the bill, and moved its adoption.

Amendment S–3138 was adopted by a voice vote.

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. 368), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 406** and **465** and **House File 368** 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 384, 530, 427, and 361.

Senate File 384

On motion of Senator Schoenjahn, **Senate File 384**, a bill for an act relating to statute of limitations provisions relating to minors and persons with mental illness and tort claims against a municipality and providing an applicability date, 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. 384), the vote was:

Yeas, 31:

Angelo	Dearden	Hogg	Rielly
Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirmbach	Wood
Danielson	Heckroth	Ragan	

Nays, 19:

Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck

Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman
Hartsuch	McKibben	Seymour	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 530

On motion of Senator Stewart, **Senate File 530**, a bill for an act relating to prohibited business practices by a real estate broker or salesperson, was taken up for consideration.

Senator Ward offered amendment S-3149, filed by her from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3149 be adopted?" (S.F. 530), the vote was:

Yeas, 10:

Angelo	Johnson	Mulder	Wieck
Hartsuch	Lundby	Putney	
Houser	McKibben	Ward	

Nays, 40:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Kettering	Schmitz
Behn	Fraise	Kibbie	Schoenjahn
Black	Gaskill	Kreiman	Seng
Boettger	Gronstal	McCoy	Seymour
Bolkcom	Hahn	McKinley	Stewart
Connolly	Hancock	Noble	Warnstadt
Courtney	Hatch	Olive	Wood
Danielson	Heckroth	Quirnbach	Zaun
Dearden	Hogg	Ragan	Zieman

Absent, none.

Amendment S-3149 lost.

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. 530), the vote was:

Yeas, 46:

Angelo	Dvorsky	Kettering	Schmitz
Appel	Fraise	Kibbie	Schoenjahn
Beall	Gaskill	Kreiman	Seng
Behn	Gronstal	Lundby	Seymour
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKinley	Warnstadt
Bolkcom	Hatch	Mulder	Wieck
Connolly	Heckroth	Olive	Wood
Courtney	Hogg	Putney	Zaun
Danielson	Horn	Quirmbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	

Nays, 4:

Hartsuch	McKibben	Noble	Ward
----------	----------	-------	------

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 427

On motion of Senator Gronstal, **Senate File 427**, a bill for an act relating to the Iowa civil rights Act and discrimination based upon a person's sexual orientation or gender identity, was taken up for consideration.

Senator Hartsuch asked and received unanimous consent that action on **Senate File 427** be **deferred**.

Senate File 361

On motion of Senator Connolly, **Senate File 361**, a bill for an act concerning investment of certain public funds in companies doing business in Sudan by the treasurer of state, public retirement

systems in Iowa, and the state board of regents, was taken up for consideration.

Senator Connolly offered amendment S–3121, filed by him on March 14, 2007, to page 7 of the bill, and moved its adoption.

Amendment S–3121 was adopted by a voice vote.

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. 361), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 361, 384, and 530** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 3:55 p.m. until 8:45 a.m., Thursday, March 22, 2007.

APPENDIX—2

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Gerald and Leah Mattox—For celebrating their 50th wedding anniversary. Senator Courtney (3/21/07).

Tyler James Metcalf, Dubuque—For achieving the rank of Eagle Scout, Boy Scout Troop 11. Senator Connolly (3/21/07).

Donald and Winona Vollmer—For celebrating their 60th wedding anniversary. Senator Courtney (3/21/07).

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 PUBLIC HEALTH

Hepatitis C Veterans Awareness Report, pursuant to 2005 Iowa Acts, Chapter 115. Report received on March 21, 2007.

AGENCY ICN REPORT

Iowa Communications Network (ICN) usage report for FY 2006, pursuant to Iowa Code section 8D.10, was received from the following agency:

DEPARTMENT OF PUBLIC HEALTH – Report received on March 21, 2007.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Wednesday, March 21, 2007, 12:20 p.m.

Members Present: Dvorsky, Chair; McCoy, Vice Chair; Angelo, Ranking Member; Behn, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood.

Members Absent: Black (excused).

Committee Business: Passed SF 447 and approved SSB 1337 (as amended).

Recessed: 12:25 p.m.

Reconvened: 12:40 p.m.

Adjourned: 12:45 p.m.

HUMAN RESOURCES

Convened: Wednesday, March 21, 2007, 11:20 a.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirmbach, and Wood.

Members Absent: None.

Committee Business: Presentation by H.H.S. regional director.

Adjourned: 12:35 p.m.

WAYS AND MEANS

Convened: Wednesday, March 21, 2007, 1:10 p.m.

Members Present: Bolkcom, Chair; McCoy, Vice Chair; McKibben, Ranking Member; Angelo, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, Ward, and Wieck.

Members Absent: None.

Committee Business: Passed SFs 98 (as amended) and 511. Approved SSB 1250.

Adjourned: 1:50 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 26, by Ragan, a resolution commemorating the life and service of Command Sergeant Major Galen Kittleson of Toeterville, Iowa.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 562, by committee on Appropriations, a bill for an act relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters.

Read first time under Rule 28 and **placed on Appropriations calendar**.

Senate File 563, by committee on Appropriations, a bill for an act relating to and making appropriations to the judicial branch.

Read first time under Rule 28 and **placed on Appropriations calendar**.

STUDY BILL RECEIVED

SSB 1341 Ways and Means

Relating to certain tax incentives by requiring data collection, modifying requirements for city and county budgets, and creating a reporting committee.

SUBCOMMITTEE ASSIGNMENTS

House File 566

HUMAN RESOURCES: Quirnbach, Chair; Boettger and Schmitz

House File 615

EDUCATION: Mulder, Chair; Beall and Schmitz

House File 742

NATURAL RESOURCES AND ENVIRONMENT: Hancock, Chair; Gaskill and Schoenjahn

House File 780

JUDICIARY: Kreiman, Chair; Behn and Hogg

SSB 1341

WAYS AND MEANS: Bolkcom, Chair; Dotzler and Putney

FINAL COMMITTEE REPORTS OF BILL ACTION**APPROPRIATIONS**

Bill Title: SENATE FILE 447 (SSB 1117), a bill for an act relating to incentives for school district reorganizations and shared operational functions, and making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 24: Dvorsky, McCoy, Angelo, Behn, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 562 (SSB 1336), a bill for an act relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 22: Dvorsky, Angelo, Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Warnstadt, and Wood. Nays, none. Absent, 3: McCoy, Seymour, 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 Appropriations Committee on Senate File 562, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 563 (SSB 1337), a bill for an act relating to and making appropriations to the judicial branch.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 24: Dvorsky, McCoy, Angelo, Behn, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, 1: Black.

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 563, and they were attached to the committee report.

AMENDMENTS FILED

S-3142	S.F.	540	Larry Noble
S-3143	S.C.R.	4	David Johnson Gene Fraise John P. Kibbie E. Thurman Gaskill
S-3144	S.F.	520	Keith A. Kreiman
S-3145	S.F.	540	Larry Noble
S-3146	S.F.	518	Matt McCoy
S-3147	S.F.	516	Matt McCoy
S-3148	S.F.	207	Thomas Rielly David Hartsuch
S-3149	S.F.	530	Pat Ward

JOURNAL OF THE SENATE

SEVENTY-FOURTH CALENDAR DAY
FORTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 22, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by Pastor Tom VandeBerg of the Adventure Life Church in Altoona, Iowa. He was the guest of Senator Black.

The Journal of Wednesday, March 21, 2007, 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, 2007, **adopted** the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 4, a concurrent resolution relating to recommendations proposed by the United States Department of Agriculture for the federal farm bill of 2007.

ALSO: That the House has on March 21, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 671, a bill for an act prohibiting remote control or internet hunting of wild animals, or game birds or ungulates or preserve whitetail kept on hunting preserves, and providing penalties.

Read first time and referred to committee on **Natural Resources and Environment**.

House File 801, a bill for an act relating to the duties and powers of the state entomologist, and making penalties applicable.

Read first time and referred to committee on **Agriculture**.

House File 803, a bill for an act relating to civil service for deputy county sheriffs by allowing a county to appeal certain decisions of the civil service commission.

Read first time and referred to committee on **Judiciary**.

House File 827, a bill for an act relating to technical assistance for certain recipients of moneys from the grow Iowa values fund.

Read first time and referred to committee on **Economic Growth**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:16 a.m. until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:00 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 22, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 556, a bill for an act establishing the Iowa propane education and research council, providing for the development of programs and projects related to propane, providing for an assessment on the sale of odorized propane, providing criminal penalties, and providing for effective dates.

Read first time and referred to committee on **Commerce**.

House File 767, a bill for an act relating to eligible veterans for purposes of the injured veterans grant program.

Read first time and referred to committee on **Veterans Affairs**.

ADJOURNMENT

On motion of Senator Bolkcom, the Senate adjourned at 1:02 p.m. until 1:00 p.m., Monday, March 26, 2007.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Jim Bellamy—Upon his retirement after 37 years as the Mount Vernon High School varsity football coach. Senator Dvorsky (3/22/07).

Henry and Velda Mehmen—For celebrating their 60th wedding anniversary. Senator Heckroth (3/22/07).

Charlotte Nelson—Upon her retirement as the executive director of the Iowa Commission on the Status of Women after 22 years of service. Senator Appel (3/22/07).

Lawrence and Wanda (Roever) Steffen—For celebrating their 50th wedding anniversary. Senator Heckroth (3/22/07).

Ethan Wagner—For achieving the rank of Eagle Scout, Boy Scout Troop 301. Senator Appel (3/22/07).

REPORTS OF COMMITTEE MEETINGS

ECONOMIC GROWTH

Convened: Thursday, March 22, 2007, 1:40 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Beall, Danielson, Dotzler, Hahn, Mulder, Rielly, Schmitz, Seymour, and Zaun.

Members Absent: Houser, Ranking Member (excused); and Hatch.

Committee Business: Passed HF's 617 and 648.

Adjourned: 2:35 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, March 22, 2007, 1:40 p.m.

Members Present: Black, Chair; Hancock, Vice Chair; Behn, Bolkcom, Hogg, Johnson, Kettering, Ragan, and Seng.

Members Absent: Gaskill, Ranking Member; Dearden, Lundby, Noble, Schoenjahn, and Wood (all excused).

Committee Business: Subcommittee assignments. Presentation by Des Moines Mayor Frank Cownie.

Adjourned: 2:40 p.m.

INTRODUCTION OF BILLS

Senate File 564, by committee on Ways and Means, 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 Ways and Means calendar.**

Senate File 565, by committee on Ways and Means, a bill for an act relating to the disposition of certain real estate transfer tax receipts by the treasurer of state to certain funds.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

STUDY BILL RECEIVED**SSB 1342 Ways and Means**

Allowing a sales tax exemption for the operation of nonprofit private performing arts centers, allowing a sales tax refund for construction of such centers, and including a retroactive applicability date.

SUBCOMMITTEE ASSIGNMENTS

House File 353

JUDICIARY: Hancock, Chair; Fraise and Noble

House File 556

COMMERCE: Bolkcom, Chair; Kettering and Stewart

House File 651

JUDICIARY: Quirnbach, Chair; Hartsuch and Kreiman

House File 671

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Kettering

House File 773

NATURAL RESOURCES AND ENVIRONMENT: Hogg, Chair; Behn and Ragan

House File 774

JUDICIARY: Fraise, Chair; Horn and Zieman

House File 801

AGRICULTURE: Fraise, Chair; Courtney and Mulder

SSB 1342

WAYS AND MEANS: Schmitz, Chair; Seng and Ward

FINAL COMMITTEE REPORTS OF BILL ACTION

ECONOMIC GROWTH

Bill Title: HOUSE FILE 617, a bill for an act creating a generation Iowa commission.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Stewart, Olive, Beall, Danielson, Dotzler, Hahn, Mulder, Rielly, Schmitz, Seymour, and Zaun. Nays, none. Absent, 2: Houser and Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 648, a bill for an act relating to distress criteria for enterprise zones.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Stewart, Olive, Beall, Danielson, Dotzler, Hahn, Mulder, Rielly, Schmitz, Seymour, and Zaun. Nays, none. Absent, 2: Houser and Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: SENATE FILE 564 (formerly SF 511), 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, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 565 (SSB 1250), a bill for an act relating to the disposition of certain real estate transfer tax receipts by the treasurer of state to certain funds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. 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 standing committee for investigation, was placed on the En Bloc Calendar with recommendation for confirmation:

ECONOMIC GROWTH

Mark Ginsberg – Iowa Great Places Advisory Board

AMENDMENTS FILED

S-3150	S.F.	546	Robert M. Hogg
S-3151	S.F.	90	Thomas Rielly David Hartsuch
S-3152	S.F.	544	Robert M. Hogg

JOURNAL OF THE SENATE

SEVENTY-EIGHTH CALENDAR DAY
FORTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 26, 2007

The Senate met in regular session at 1:00 p.m., President Kibbie presiding.

Prayer was offered by Pastor William Horn of the Trinity Lutheran Church in Hawkeye, Iowa. He was the guest of Senator Heckroth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Felica Shunk.

The Journal of Thursday, March 22, 2007, 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, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 413, a bill for an act relating to electronic filing of campaign finance organizational statements, dissolution reports, and disclosure reports by candidates for statewide office or for the general assembly, establishing a filing deadline for all statements and reports, providing a penalty, and providing applicability dates.

Read first time and referred to committee on **State Government**.

House File 580, a bill for an act regulating electioneering communications for campaign finance and disclosure purposes and making civil remedies applicable.

Read first time and referred to committee on **State Government**.

House File 783, a bill for an act relating to certain city utilities or city enterprises by making changes to procedures for notice and collection of delinquent charges and by making changes to billing notifications for water service and other services provided to certain residential rental property.

Read first time and referred to committee on **Commerce**.

House File 790, a bill for an act allowing certain association group health care plans and wellness initiatives, and providing an effective date.

Read first time and **attached to similar Senate File 345**.

House File 836, a bill for an act providing for an equine industry promotional commission and related fund.

Read first time and referred to committee on **Agriculture**.

House File 846, a bill for an act providing for an Iowa farmers' market nutrition program.

Read first time and referred to committee on **Agriculture**.

House File 849, a bill for an act concerning the department of administrative services and providing an effective date.

Read first time and **attached to similar Senate File 483**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gaskill, until he arrives, on request of Senator Putney.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate File 561** be referred from the Senate Calendar to the committee on **Appropriations**.

The Senate stood at ease at 1:28 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:26 p.m., President Kibbie presiding.

UNFINISHED BUSINESS
(Deferred March 21, 2007)**Senate File 427**

The Senate resumed consideration of **Senate File 427**, a bill for an act relating to the Iowa civil rights Act and discrimination based upon a person's sexual orientation or gender identity, deferred March 21, 2007.

Senator Lundby asked and received unanimous consent that action on **Senate File 427** be **deferred**.

UNFINISHED BUSINESS
(Deferred March 20, 2007)**Senate File 518**

The Senate resumed consideration of **Senate File 518**, a bill for an act reorganizing Code chapter provisions relating to the authority to engage in the business of insurance other than life insurance by transferring provisions, eliminating outdated provisions, and amending corresponding provisions, as necessary, deferred March 20, 2007.

Senator McCoy offered amendment S-3146, filed by him on March 21, 2007, to pages 5 and 11 of the bill, and moved its adoption.

Amendment S-3146 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. 518), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirnbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Gaskill

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, 2007)

Senate File 487

The Senate resumed consideration of **Senate File 487**, a bill for an act requiring the state fire marshal to assess the practice and impact of selling novelty lighters, deferred March 20, 2007.

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. 487), the vote was:

Yeas, 37:

Appel	Fraise	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Black	Hancock	McCoy	Seymour
Bolkcom	Hatch	Mulder	Stewart
Connolly	Heckroth	Noble	Ward
Courtney	Hogg	Olive	Warnstadt
Danielson	Horn	Quirnbach	Wood
Dearden	Houser	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, 12:

Angelo	Hahn	McKibben	Wieck
Behn	Hartsuch	McKinley	Zaun
Boettger	Johnson	Putney	Zieman

Absent, 1:

Gaskill

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 90.

Senate File 90

On motion of Senator Rielly, **Senate File 90**, a bill for an act concerning local emergency management commission communications, with report of committee recommending passage, was taken up for consideration.

Senator Rielly offered amendment S-3151, filed by Senators Rielly and Hartsuch on March 22, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3151 was adopted by a voice vote.

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. 90), the vote was:

Yeas, 47:

Angelo	Fraise	Kreiman	Schmitz
Appel	Gronstal	Lundby	Schoenjahn
Beall	Hahn	McCoy	Seng
Black	Hancock	McKibben	Seymour
Boettger	Hartsuch	McKinley	Stewart
Bolkcom	Hatch	Mulder	Ward
Connolly	Heckroth	Noble	Warnstadt
Courtney	Hogg	Olive	Wieck
Danielson	Horn	Putney	Wood
Dearden	Johnson	Quirnbach	Zaun
Dotzler	Kettering	Ragan	Zieman
Dvorsky	Kibbie	Rielly	

Nays, 2:

Behn	Houser
------	--------

Absent, 1:

Gaskill

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 90, 487, and 518** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 563.

Senate File 563

On motion of Senator Hogg, **Senate File 563**, a bill for an act relating to and making appropriations to the judicial branch, was taken up for consideration.

Senator Hogg 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. 563), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kettering	Rielly
Appel	Fraise	Kibbie	Schmitz
Beall	Gronstal	Lundby	Schoenjahn
Behn	Hahn	McCoy	Seng
Black	Hancock	McKibben	Seymour
Boettger	Hartsuch	McKinley	Stewart
Bolkcom	Hatch	Mulder	Ward
Connolly	Heckroth	Noble	Warnstadt
Courtney	Hogg	Olive	Wieck
Danielson	Horn	Putney	Wood
Dearden	Houser	Quirmbach	Zaun
Dotzler	Johnson	Ragan	Zieman

Nays, 1:

Kreiman

Absent, 1:

Gaskill

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 546.

Senate File 546

On motion of Senator Hogg, **Senate File 546**, a bill for an act relating to a hospital lien and providing an effective date, was taken up for consideration.

Senator Hogg offered amendment S-3150, filed by him on March 22, 2007, to page 3 and to the title page of the bill, and moved its adoption.

Amendment S-3150 was adopted by a voice vote.

Senator Hogg 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. 546), the vote was:

Yeas, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Nays, 19:

Angelo	Houser	McKinley	Ward
Behn	Johnson	Mulder	Wieck
Boettger	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman
Hartsuch	McKibben	Seymour	

Absent, 1:

Gaskill

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 546** and **563** be **immediately messaged** to the House.

The Senate stood at ease at 4:10 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 4:30 p.m., President Kibbie presiding.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 516.

Senate File 516

On motion of Senator McCoy, **Senate File 516**, a bill for an act relating to the sales of beer kegs by requiring an identification number on each keg of beer, recording of the purchase of beer by the keg, and providing penalties, was taken up for consideration.

Senator McCoy offered amendment S-3147, filed by him on March 21, 2007, to pages 2-3 of the bill, and moved its adoption.

Amendment S-3147 was adopted by a voice vote.

Senator McCoy asked and received unanimous consent that **House File 650** be **substituted** for **Senate File 516**.

House File 650

On motion of Senator McCoy, **House File 650**, a bill for an act relating to the sales of beer kegs by requiring an identification number on each keg of beer, recording of the purchase of beer by the keg, and providing penalties, 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?" (H.F. 650), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirnbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Gaskill

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator McCoy asked and received unanimous consent that **Senate File 516** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 454.

Senate File 454

On motion of Senator Kreiman, **Senate File 454**, a bill for an act relating to judicial branch practices and procedures, including expanding the definition of a seal, eliminating duties of the clerk of the supreme court, making confidential personal information, and obtaining electronic signatures on citations, was taken up for consideration.

Senator Kreiman offered amendment S-3156, filed by him from the floor striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-3156 was adopted by a voice vote.

Senator Kreiman asked and received unanimous consent that **House File 579** be substituted for **Senate File 454**.

House File 579

On motion of Senator Kreiman, **House File 579**, a bill for an act relating to judicial branch practices and procedures, including expanding the definition of a seal, eliminating duties of the clerk of the supreme court, making confidential personal information, and obtaining electronic signatures on citations, 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. 579), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun

Danielson	Houser	Quirnbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Gaskill

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 454** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 579** and **650** 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 447 and 445 and House Files 617, 468, and 317.

Senate File 447

On motion of Senator Wood, **Senate File 447**, a bill for an act relating to incentives for school district reorganizations and shared operational functions, and making an appropriation, with reports of committees on Appropriations and Education, was taken up for consideration.

Senator Kreiman offered amendment S-3161, filed by him from the floor to page 6 of the bill, and moved its adoption.

Amendment S-3161 lost.

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. 447), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kettering	Rielly
Appel	Fraise	Kibbie	Schmitz
Beall	Gronstal	Lundby	Schoenjahn
Behn	Hahn	McCoy	Seng
Black	Hancock	McKibben	Seymour
Boettger	Hartsuch	McKinley	Stewart
Bolkcom	Hatch	Mulder	Ward
Connolly	Heckroth	Noble	Warnstadt
Courtney	Hogg	Olive	Wieck
Danielson	Horn	Putney	Wood
Dearden	Houser	Quirmbach	Zaun
Dotzler	Johnson	Ragan	Zieman

Nays, 1:

Kreiman

Absent, 1:

Gaskill

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 445

On motion of Senator Dvorsky, **Senate File 445**, a bill for an act increasing punitive damages that may be awarded for wrongful retention of certain rental deposits, was taken up for consideration.

Senator Dvorsky offered amendment S-3136, filed by Senators Dvorsky and Kreiman on March 20, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3136 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. 445), the vote was:

Yeas, 35:

Appel	Dvorsky	Kreiman	Schoenjahn
Beall	Fraise	Lundby	Seng
Black	Gronstal	McCoy	Seymour
Bolkcom	Hancock	Noble	Stewart
Connolly	Hatch	Olive	Ward
Courtney	Heckroth	Quirmbach	Warnstadt
Danielson	Hogg	Ragan	Wieck
Dearden	Horn	Rielly	Wood
Dotzler	Kibbie	Schmitz	

Nays, 14:

Angelo	Hartsuch	McKibben	Zaun
Behn	Houser	McKinley	Zieman
Boettger	Johnson	Mulder	
Hahn	Kettering	Putney	

Absent, 1:

Gaskill

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 617

On motion of Senator Rielly, **House File 617**, a bill for an act creating a generation Iowa commission, with report of committee recommending passage, 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?” (H.F. 617), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirnbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Gaskill

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 427

The Senate resumed consideration of **Senate File 427**, a bill for an act relating to the Iowa civil rights Act and discrimination based upon a person’s sexual orientation or gender identity, previously deferred.

Senator McKinley offered amendment S–3168, filed by Senator McKinley, et al., from the floor to pages 1 and 8 and to the title page of the bill, and moved its adoption.

Senator Gronstal raised the point of order that amendment S–3168 was not germane to the bill.

The Chair ruled the point well-taken and amendment S–3168, out of order.

Senator Hartsuch offered amendment S-3166, filed by Senator Hartsuch, et al., from the floor to page 8 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3166 be adopted?" (S.F. 427), the vote was:

Yeas, 22:

Angelo	Houser	Mulder	Ward
Behn	Johnson	Noble	Wieck
Boettger	Kettering	Putney	Zaun
Hahn	Lundby	Rielly	Zieman
Hancock	McKibben	Schoenjahn	
Hartsuch	McKinley	Seymour	

Nays, 27:

Appel	Dearden	Hogg	Ragan
Beall	Dotzler	Horn	Schmitz
Black	Dvorsky	Kibbie	Seng
Bolkcom	Fraise	Kreiman	Stewart
Connolly	Gronstal	McCoy	Warnstadt
Courtney	Hatch	Olive	Wood
Danielson	Heckroth	Quirmbach	

Absent, 1:

Gaskill

Amendment S-3166 lost.

Senator McKinley offered amendment S-3167, filed by Senator McKinley, et al., from the floor to page 8 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3167 be adopted?" (S.F. 427), the vote was:

Yeas, 19:

Angelo	Houser	McKinley	Ward
Behn	Johnson	Mulder	Wieck

Boettger	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman
Hartsuch	McKibben	Seymour	

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, 1:

Gaskill

Amendment S–3167 lost.

Senator Hartsuch asked and received unanimous consent that action on amendment S–3169 be deferred.

Senator Boettger offered amendment S–3171, filed by Senator Boettger, et al., from the floor to page 8 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3171 be adopted?” (S.F.427), the vote was:

Yeas, 22:

Angelo	Houser	Mulder	Ward
Behn	Johnson	Noble	Wieck
Boettger	Kettering	Putney	Zaun
Hahn	Lundby	Rielly	Zieman
Hancock	McKibben	Schoenjahn	
Hartsuch	McKinley	Seymour	

Nays, 27:

Appel	Dearden	Hogg	Ragan
Beall	Dotzler	Horn	Schmitz
Black	Dvorsky	Kibbie	Seng
Bolkcom	Fraise	Kreiman	Stewart
Connolly	Gronstal	McCoy	Warnstadt

Courtney Danielson	Hatch Heckroth	Olive Quirnbach	Wood
-----------------------	-------------------	--------------------	------

Absent, 1:

Gaskill

Amendment S-3171 lost.

Senator Hartsuch offered amendment S-3172, filed by Senator Hartsuch, et al., from the floor to page 8 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3172 be adopted?" (S.F. 427), the vote was:

Yeas, 22:

Angelo	Houser	Mulder	Ward
Behn	Johnson	Noble	Wieck
Boettger	Kettering	Putney	Zaun
Hahn	Lundby	Rielly	Zieman
Hancock	McKibben	Schoenjahn	
Hartsuch	McKinley	Seymour	

Nays, 27:

Appel	Dearden	Hogg	Ragan
Beall	Dotzler	Horn	Schmitz
Black	Dvorsky	Kibbie	Seng
Bolkcom	Fraise	Kreiman	Stewart
Cannolly	Gronstal	McCoy	Warnstadt
Courtney	Hatch	Olive	Wood
Danielson	Heckroth	Quirnbach	

Absent, 1:

Gaskill

Amendment S-3172 lost.

Senator Hartsuch asked and received unanimous consent to withdraw amendment S-3169, filed by Senator Hartsuch, et al., from the floor to page 8 of the bill.

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. 427), the vote was:

Yeas, 32:

Angelo	Dearden	Horn	Rielly
Appel	Dotzler	Kibbie	Schmitz
Beall	Dvorsky	Kreiman	Schoenjahn
Black	Fraise	Lundby	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hatch	Olive	Ward
Courtney	Heckroth	Quirnbach	Warnstadt
Danielson	Hogg	Ragan	Wood

Nays, 17:

Behn	Houser	Mulder	Zaun
Boettger	Johnson	Noble	Zieman
Hahn	Kettering	Putney	
Hancock	McKibben	Seymour	
Hartsuch	McKinley	Wieck	

Absent, 1:

Gaskill

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 427, 445, and 447** and **House File 617** 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 26, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 548, a bill for an act creating a hemophilia advisory committee and providing a contingent effective date.

ALSO: That the House has on March 26, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 618, a bill for an act allowing a county commissioner of elections to appoint certain high school students to serve as precinct election board members.

Read first time and **attached to similar Senate File 412**.

House File 844, a bill for an act relating to inspection of absentee ballot affidavit envelopes by the county commissioner of elections.

Read first time and referred to committee on **State Government**.

House File 848, a bill for an act relating to the conduct of elections and voter registration and including effective and applicability date provisions.

Read first time and **attached to companion Senate File 432**.

House File 851, a bill for an act relating to expenditure approval requirements applicable to the purchase of telecommunications equipment or services by the Iowa communications network.

Read first time and referred to committee on **State Government**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:52 p.m. until 8:45 a.m., Tuesday, March 27, 2007.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Rosaline Jane Campbell—For celebrating her 84th birthday. Senator Heckroth (3/26/07).

Gordon and Ruth Foster—For celebrating their 60th wedding anniversary. Senator Heckroth (3/26/07).

Maxine E. Lindner, Shell Rock—For celebrating her 90th birthday. Senator Heckroth (3/26/07).

Tyler Metcalf—For achieving the rank of Eagle Scout, Boy Scout Troop 11. Senator Hancock (3/26/07).

Edmund and Marion Petersen—For celebrating their 60th wedding anniversary. Senator Seymour (3/26/07).

Zac Pothast—For achieving the rank of Eagle Scout, Boy Scout Troop 69. Senator Heckroth (3/26/07).

Clark and Marjorie Ruffcorn—For celebrating their 60th wedding anniversary. Senator Seymour (3/26/07).

Louise Scherff—For celebrating her 85th birthday. Senator Seymour (3/26/07).

LaVerne Thomsen—For celebrating her 70th birthday. Senator Seymour (3/26/07).

Vern and Lavon Wedeking—For celebrating their 60th wedding anniversary. Senator Heckroth (3/26/07).

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 REVENUE

Tax Gap Compliance Project annual report for fiscal year 2006, pursuant to Iowa Code section 421.17(23). Report received on March 26, 2007.

INTRODUCTION OF BILLS

Senate File 566, by committee on Ways and Means, a bill for an act relating to historic preservation and cultural and entertainment district tax credits, making appropriations, and providing applicability date provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

Senate File 567, by Angelo, a bill for an act making appropriations to reimburse local jurisdictions for certain property tax credits and including an effective date.

Read first time under Rule 28 and referred to committee on **Appropriations.**

SUBCOMMITTEE ASSIGNMENTS

House File 783

COMMERCE: Olive, Chair; Kettering and Stewart

House File 803

JUDICIARY: Quirnbach, Chair; Horn and Noble

House File 827

ECONOMIC GROWTH: Schmitz, Chair; Beall and Hahn

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: *SENATE FILE 566 (formerly SF 98), a bill for an act relating to historic preservation and cultural and entertainment district tax credits, making appropriations, and providing applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, 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 Ways and Means Committee on Senate File 566, and they were attached to the committee report.

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on March 22, 2007:

I submitted the name of Ms. Jan A. Reis to serve as a member of the Iowa State Board of Examiners for Nursing Home Administrators on March 15, 2007. I am withdrawing her name from further consideration by the Senate.

Sincerely,
CHESTER J. CULVER
Governor

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 26th day of March, 2007:

Senate Files 70 and 78.

MICHAEL E. MARSHALL
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 23, 2007, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 58 – Relating to the number of signatures on nomination papers for the office of mayor in certain cities.

Senate File 67 – Relating to the regulation and practice of pharmacy, including the providing for the establishment of a limited drug and device distributor license.

Senate File 75 – Relating to the registration of pharmacy technicians.

Senate File 130 – Relating to commissions that oversee memorial buildings and monuments.

Senate File 272 – Relating to nonsubstantive code corrections and including effective and retroactive applicability date provisions.

Senate File 319 – Relating to cooperative associations, by providing for documentation, including certificates and statements.

AMENDMENTS FILED

S-3153	S.F.	352	Staci Appel
S-3154	S.F.	418	Gene Fraise
S-3155	S.F.	401	Tom Rielly
S-3156	S.F.	454	Keith A. Kreiman
S-3157	S.F.	512	Jeff Danielson
S-3158	S.F.	513	Herman C. Quirmbach
S-3159	S.F.	369	Michael Connolly
S-3160	S.F.	559	Brian Schoenjahn
S-3161	S.F.	447	Keith A. Kreiman
S-3162	S.F.	564	Larry McKibben Joe M. Seng
S-3163	S.F.	355	John P. Kibbie
S-3164	S.F.	355	John P. Kibbie
S-3165	S.F.	484	Gene Fraise
S-3166	S.F.	427	David Hartsuch Jeff Angelo Mary A. Lundby Ron Wieck Jerry Behn David Johnson Larry McKibben James F. Hahn John Putney Mark Zieman Steve Kettering Nancy J. Boettger Dave Mulder Pat Ward Paul McKinley Larry Noble James A. Seymour
S-3167	S.F.	427	Paul McKinley Jerry Behn Mary A. Lundby Jeff Angelo

			David Johnson
			Larry McKibben
			Mark Zieman
			John Putney
			Ron Wieck
			Nancy J. Boettger
			Steve Kettering
			Dave Mulder
			Pat Ward
			Larry Noble
			James A. Seymour
S-3168	S.F.	427	Paul McKinley
			Jerry Behn
			David Johnson
			Jeff Angelo
			Pat Ward
			Larry McKibben
			James F. Hahn
			John Putney
			Mark Zieman
			Ron Wieck
			James A. Seymour
			Nancy J. Boettger
			Brad Zaun
			Larry Noble
			Dave Mulder
S-3169	S.F.	427	David Hartsuch
			David Johnson
			Dave Mulder
			Jerry Behn
			Mary A. Lundby
			Jeff Angelo
			Ron Wieck
			Nancy J. Boettger
			James F. Hahn
			Steve Kettering
			Mark Zieman
			Larry McKibben
			John Putney
			Paul McKinley

			James A. Seymour
			Larry Noble
S-3170	S.F.	520	Keith A. Kreiman
S-3171	S.F.	427	Nancy J. Boettger
			Brad Zaun
			Dave Mulder
			David Johnson
			Pat Ward
			David Hartsuch
			Mark Zieman
			James F. Hahn
			Larry McKibben
			John Putney
			Jerry Behn
			Ron Wieck
			Steve Kettering
			Larry Noble
			James A. Seymour
S-3172	S.F.	427	David Hartsuch
			Paul McKinley
			Nancy J. Boettger
			Mark Zieman
			Larry McKibben
			Ron Wieck
			Jeff Angelo
			Jerry Behn
			John Putney
			Dave Mulder
			David Johnson
			Pat Ward
			Steve Kettering
			James F. Hahn
			Brad Zaun
			Larry Noble
			James A. Seymour
S-3173	S.F.	473	Wally E. Horn

JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 27, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by Rabbi David Kaufman of the Temple B'Nai Jeshurun in Des Moines. Rabbi Kaufman lives in West Des Moines and is also a West Des Moines police chaplain. He was the guest of Senator Hatch.

The Journal of Monday, March 26, 2007, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:15 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:20 a.m., President Kibbie presiding.

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 10:40 a.m., President Kibbie presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 24, a resolution honoring Iowan Eugene Ely, a pioneer in Naval aviation.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. 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 24.

Senate Resolution 24

On motion of Senator Rielly, **Senate Resolution 24**, a resolution honoring Iowan Eugene Ely, a pioneer in Naval aviation, with report of committee recommending passage, was taken up for consideration.

Senator Rielly moved the adoption of Senate Resolution 24, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 484, 284, and 432.

Senate File 484

On motion of Senator Fraise, **Senate File 484**, a bill for an act relating to maximum size and weight requirements for vehicles hauling crops during the annual period of harvest, was taken up for consideration.

Senator Fraise offered amendment S-3165, filed by him on March 26, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3165 was adopted by a voice vote.

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. 484), the vote was:

Yeas, 49:

Angelo	Gaskill	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

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.

Senate File 284

On motion of Senator McKinley, **Senate File 284**, a bill for an act concerning employees subject to unannounced drug or alcohol testing, 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?” (S.F. 284), the vote was:

Yeas, 49:

Angelo	Gaskill	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

Nays, 1:

Courtney

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 432

On motion of Senator Appel, **Senate File 432**, a bill for an act making changes to the conduct of elections and voter registration and including effective and applicability date provisions, was taken up for consideration.

Senator Appel offered amendment S–3174, filed by her from the floor to the title page of the bill, and moved its adoption.

Amendment S–3174 was adopted by a voice vote.

Senator Appel asked and received unanimous consent that **House File 848** be **substituted** for **Senate File 432**.

House File 848

On motion of Senator Appel, **House File 848**, a bill for an act making changes to the conduct of elections and voter registration and

including effective and applicability date provisions, was taken up for consideration.

Senator Putney asked and received unanimous consent that action on **House File 848** be **deferred**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 284** and **484** 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 369, 416, 401, and 411.

Senate File 369

On motion of Senator Connolly, **Senate File 369**, a bill for an act relating to voting machines and optical scan voting systems, was taken up for consideration.

Senator Connolly offered amendment S-3159, filed by him on March 26, 2007, to pages 2, 6, and 7 of the bill, and moved its adoption.

Amendment S-3159 was adopted by a voice vote.

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. 369), the vote was:

Yeas, 45:

Appel	Gaskill	McCoy	Seng
Beall	Gronstal	McKibben	Seymour
Black	Hancock	McKinley	Stewart
Boettger	Hartsuch	Mulder	Ward
Bolkcom	Hatch	Noble	Warnstadt
Connolly	Heckroth	Olive	Wieck

Courtney	Hogg	Putney	Wood
Danielson	Horn	Quirnbach	Zaun
Dearden	Johnson	Ragan	Zieman
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	
Fraise	Kreiman	Schoenjahn	

Nays, 5:

Angelo	Hahn	Lundby
Behn	Houser	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 416

On motion of Senator Quirnbach, **Senate File 416**, a bill for an act relating to city elections by providing procedures for filling a city council vacancy by special election and by providing satellite absentee voting at certain city elections, was taken up for consideration.

Senator Quirnbach offered amendment S-3178, filed by him from the floor to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-3178 was adopted by a voice vote.

Senator Quirnbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 416), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun

Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 401.

Senate File 401

On motion of Senator Rielly, **Senate File 401**, a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates and fees, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, the maximum length limitation for single trucks, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates, was taken up for consideration.

Senator Rielly offered amendment S-3155, filed by him on March 26, 2007, to pages 1, 7, 14, and 15 and to the title page of the bill, and moved its adoption.

Amendment S-3155 was adopted by a voice vote.

Senator Rielly asked and received unanimous consent that **House File 793** be substituted for **Senate File 401**.

House File 793

On motion of Senator Rielly, **House File 793**, a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates and fees, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, the maximum length limitation for single trucks, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates, was taken up for consideration.

Senator Behn asked and received unanimous consent that action on **House File 793** be **deferred**.

President Pro Tempore Danielson took the chair at 11:31 a.m.

Senate File 411

On motion of Senator Kibbie, **Senate File 411**, a bill for an act relating to membership on election boards, 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. 411), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood

Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 369, 411, and 416** 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 352, 559, and House File 468.

Senate File 352

On motion of Senator Appel, **Senate File 352**, a bill for an act allowing a voter to register to vote and to vote after regular registration and prior to voting in an election, was taken up for consideration.

Senator Appel offered amendment S-3153, filed by her on March 26, 2007, to pages 1, 2, and 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3153 be adopted?" (S.F. 352), the vote was:

Yeas, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart

Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Nays, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Absent, none.

Amendment S-3153 was adopted.

Senator Appel asked and received unanimous consent that **House File 653** be substituted for **Senate File 352**.

House File 653

On motion of Senator Appel, **House File 653**, a bill for an act allowing a voter to register to vote and to vote after regular registration and prior to voting in an election, was taken up for consideration.

Senator Lundby asked and received unanimous consent that action on **House File 653** be deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hatch, until he returns, on request of Senator Dotzler.

Senate File 559

On motion of Senator Schoenjahn, **Senate File 559**, a bill for an act relating to cemetery and funeral merchandise, funeral services, and cemeteries and providing fees and penalties, was taken up for consideration.

Senator Schoenjahn offered amendment S-3160, filed by him on March 26, 2007, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-3160 was adopted by a voice vote.

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. 559), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gaskill	Lundby	Seng
Beall	Gronstal	McCoy	Seymour
Behn	Hahn	McKibben	Stewart
Black	Hancock	McKinley	Ward
Boettger	Hartsuch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirmbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Hatch

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 468

On motion of Senator Wood, **House File 468**, a bill for an act requiring a study by the department of education relating to implementation of a statewide student information system, 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. 468), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gaskill	Lundby	Seng
Beall	Gronstal	McCoy	Seymour
Behn	Hahn	McKibben	Stewart
Black	Hancock	McKinley	Ward
Boettger	Hartsuch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirmbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Hatch

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 559** and **House File 468** be **immediately messaged** to the House.

BUSINESS PENDING

House File 848

The Senate resumed consideration of **House File 848**, a bill for an act relating to the conduct of elections and voter registration and including effective and applicability date provisions, previously deferred.

The Senate stood at ease at 12:10 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 12:38 p.m., President Pro Tempore Danielson presiding.

QUORUM CALL

Senator Gronstal requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 36 present, 14 absent, and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Dearden and Horn, until they return, on request of Senator Gronstal.

Senator Putney offered amendment S-3181, filed by him from the floor to page 6 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3181 be adopted?" (H.F. 848), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 27:

Appel	Dotzler	Kibbie	Schmitz
Beall	Dvorsky	Kreiman	Schoenjahn
Black	Fraise	McCoy	Seng
Bolkcom	Gronstal	Olive	Stewart
Connolly	Hancock	Quirnbach	Warnstadt
Courtney	Heckroth	Ragan	Wood
Danielson	Hogg	Rielly	

Absent, 3:

Dearden Hatch Horn

Amendment S—3181 lost.

Senator Appel 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. 848), the vote was:

Yeas, 47:

Angelo	Fraise	Kreiman	Schmitz
Appel	Gaskill	Lundby	Schoenjahn
Beall	Gronstal	McCoy	Seng
Behn	Hahn	McKibben	Seymour
Black	Hancock	McKinley	Stewart
Boettger	Hartsuch	Mulder	Ward
Bolkcom	Heckroth	Noble	Warnstadt
Connolly	Hogg	Olive	Wieck
Courtney	Houser	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dotzler	Kettering	Ragan	Zieman
Dvorsky	Kibbie	Rielly	

Nays, none.

Absent, 3:

Dearden Hatch Horn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Appel asked and received unanimous consent that **Senate File 432** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 317 and Senate File 430.

House File 317

On motion of Senator Heckroth, **House File 317**, a bill for an act relating to an on-site fiscal review to be conducted under phase II of the accreditation process upon recommendation by the school budget review committee, was taken up for consideration.

Senator Heckroth 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. 317), the vote was:

Yeas, 48:

Angelo	Fraise	Kibbie	Rielly
Appel	Gaskill	Kreiman	Schmitz
Beall	Gronstal	Lundby	Schoenjahn
Behn	Hahn	McCoy	Seng
Black	Hancock	McKibben	Seymour
Boettger	Hartsuch	McKinley	Stewart
Bolkcom	Hatch	Mulder	Ward
Connolly	Heckroth	Noble	Warnstadt
Courtney	Hogg	Olive	Wieck
Danielson	Houser	Putney	Wood
Dotzler	Johnson	Quirmbach	Zaun
Dvorsky	Kettering	Ragan	Zieman

Nays, none.

Absent, 2:

Dearden Horn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 430

On motion of Senator Kreiman, **Senate File 430**, a bill for an act relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision, was taken up for consideration.

Senator Kreiman offered amendment S-3185, filed by him from the floor striking and replacing everything after the enacting clause of the bill.

Senator Kreiman asked and received unanimous consent that action on amendment S-3185 be deferred.

Senator Putney withdrew amendment S-3184, filed by him from the floor to page 1 and to the title page of the bill.

The Senate resumed consideration of amendment S-3185, previously deferred.

Senator McKibben asked and received unanimous consent that action on amendment S-3185 and **Senate File 430** be **deferred**.

The Senate stood at ease at 1:30 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 1:58 p.m., Senator Dvorsky presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:59 p.m. until 3:00 p.m.

RECONVENED

The Senate reconvened at 3:07 p.m., President Kibbie presiding.

The Senate stood at ease at 3:08 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 3:50 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 27, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 535, a bill for an act relating to general provisions of the uniform commercial code relating to the construction and application of its subject matter, and providing for a contingent effective date.

ALSO: That the House has on March 27, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 559, a bill for an act relating to the midwest interstate passenger rail compact and providing an effective date.

Read first time and referred to committee on **Transportation**.

House File 765, a bill for an act relating to animal feeding operations, by providing for the enforcement of regulatory provisions.

Read first time and referred to committee on **Agriculture**.

House File 826, a bill for an act establishing an Iowa Abraham Lincoln bicentennial commission and fund and providing for its prospective repeal.

Read first time and referred to committee on **Human Resources**.

House File 759, a bill for an act specifying the functions of the Clarinda correctional facility.

Read first time and referred to committee on **Judiciary**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 317 and 848** be **immediately messaged** to the House.

BUSINESS PENDING

The Senate resumed consideration of amendment S-3185 to **Senate File 430**, previously deferred.

Senator McKibben asked and received unanimous consent that action on amendment S-3185 and **Senate File 430** be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zaun, until he returns, on request of Senator McKinley.

BUSINESS PENDING

House File 653

The Senate resumed consideration of **House File 653**, a bill for an act allowing a voter to register to vote and to vote after regular registration and prior to voting in an election and making a penalty applicable and providing an applicability date, previously deferred.

Senator Zieman offered amendment S-3192, filed by Senator Zieman, et al., from the floor to pages 1, 3, and 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3192 be adopted?" (H.F. 653), the vote was:

Yeas, 19:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zieman
Hahn	Lundby	Putney	

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt

Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, 1:

Zaun

Amendment S–3192 lost.

Senator Zieman offered amendment S–3187, filed by Senator Zieman, et al., from the floor to page 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3187 be adopted?” (H.F. 653), the vote was:

Yeas, 19:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zieman
Hahn	Lundby	Putney	

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, 1:

Zaun

Amendment S–3187 lost.

Senator Zieman offered amendment S–3189, filed by Senator Zieman, et al., from the floor to page 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3189 be adopted?" (H.F. 653), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Cannolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S-3189 lost.

Senator Zieman offered amendment S-3191, filed by Senator Zieman, et al., from the floor to pages 4-6 and to the title page of the bill.

Senator Appel raised the point of order that amendment S-3191 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3191 out of order.

Senator Zieman offered amendment S-3188, filed by Senator Zieman, et al., from the floor to pages 4 and 5 of the bill.

Senator Zieman asked and received unanimous consent that action on amendment S-3188 be deferred.

Senator Zieman offered amendment S–3190, filed by Senator Zieman, et al., from the floor to page 6 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3190 be adopted?” (H.F. 653), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Cannolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S–3190 lost.

The Senate resumed consideration of amendment S–3188, previously deferred.

Senator Zieman moved the adoption of amendment S–3188, which motion prevailed by a voice vote.

Amendment S–3188 lost by a voice vote.

Senator Appel 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. 653), the vote was:

Yeas, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Nays, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Appel asked and received unanimous consent that **Senate File 352** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 653** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 430

The Senate resumed consideration of **Senate File 430**, a bill for an act relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision, previously deferred.

The Senate resumed consideration of amendment S-3185, previously deferred.

Senator McKibben offered amendment S-3194, filed by Senators McKibben, Ward, and Putney from the floor to pages 1-3 of amendment S-3185, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3194 be adopted?" (S.F. 430), Rule 23, requiring all Senators present to vote except those that express a conflict of interest, was invoked.

The vote was:

Yeas, 23:

Angelo	Hartsuch	Lundby	Seymour
Behn	Hogg	McKibben	Ward
Boettger	Horn	McKinley	Wieck
Fraise	Houser	Mulder	Zaun
Gaskill	Johnson	Noble	Zieman
Hahn	Kettering	Putney	

Nays, 26:

Appel	Dearden	Kibbie	Schoenjahn
Beall	Dotzler	Kreiman	Seng
Black	Dvorsky	Olive	Stewart
Bolkcom	Gronstal	Quirnbach	Warnstadt
Connolly	Hancock	Ragan	Wood
Courtney	Hatch	Rielly	
Danielson	Heckroth	Schmitz	

Absent, 1:

McCoy

Amendment S-3194 lost.

The Senate resumed consideration of amendment S-3185, previously deferred.

Senator McKibben asked and received unanimous consent that action on amendment S-3185 and **Senate File 430** be **deferred**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:48 p.m. until 8:00 a.m., Wednesday, March 28, 2007.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Coach Tom Bardal and the Waverly–Shell Rock High School Class 3A Boys' 2007 State Championship Basketball Team. Senator Heckroth (3/27/07).

Jenna Caffrey—For breaking the Iowa State University record in the shuttle hurdle relay and for qualifying for the 100 meter hurdles. Senator Courtney (3/27/07).

Kristin M. Crawford, Monticello—For being named a National Honor Student Award winner. Senator Hancock (3/27/07).

Elaine Crouse—For being named AEA 267 Outstanding Paraeducator of the Year. Senator McKibben (3/27/07).

Louis and Shirley Curoe—For celebrating their 50th wedding anniversary. Senator Hancock (3/27/07).

Bill and Ann Hummel—For celebrating their 50th wedding anniversary. Senator Courtney (3/27/07).

John and Juanita Johnson—For celebrating their 60th wedding anniversary. Senator Courtney (3/27/07).

Julia Mulder—For celebrating her 100th birthday. Senator Mulder (3/27/07).

Herbert and Eleanor Murphy—For celebrating their 60th wedding anniversary. Senator Courtney (3/27/07).

Al and Virginia Nellor—For celebrating their 60th wedding anniversary. Senator Courtney (3/27/07).

St. John's Catholic School, Independence—For receiving the United States flag flown at the U.S. Capitol on July 4, 2006, and their work in honoring 1969 Vietnam Veterans. Senator Schoenjahn (3/27/07).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Tuesday, March 27, 2007, 2:10 p.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Mulder, Ranking Member; Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirnbach, Schmitz, Wood, Zaun, and Ziemann.

Members Absent: None.

Committee Business: Approved Governor's appointments.

Adjourned: 3:10 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Tuesday, March 27, 2007, 2:00 p.m.

Members Present: Dearden, Chair; Courtney, Vice Chair; Ward, Ranking Member; Dotzler, Dvorsky, Hahn, Hatch, Horn, McKinley, Seng, and Wieck.

Members Absent: None.

Committee Business: Approved Governor's appointments.

Adjourned: 2:10 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, March 27, 2007, 9:15 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SJR 4 and SR 24.

Adjourned: 9:20 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 27, by Hahn, a resolution honoring the city of Lowden on its sesquicentennial.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 28, by Gronstal and Lundby, a resolution to thank the men and women who worked so long and so hard to restore electricity to Iowans throughout the state.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

STUDY BILLS RECEIVED

SSB 1343 Ways and Means

Relating to a sales tax exemption for the operation of nonprofit private performing arts centers, allowing a sales tax refund for construction of such centers, and including a retroactive applicability date.

SSB 1344 Ways and Means

Relating to the providing of income tax, premium tax, and moneys and credits tax credits for employers paying part of their employees' student loans and including a retroactive applicability date provision.

SSB 1345 Appropriations

Relating to the compensation and benefits for public officials and employees, providing for related matters, and making appropriations.

SSB 1346 Government Oversight

Relating to administration of provisions involving violations of the state's noncompetition by government law.

SUBCOMMITTEE ASSIGNMENTS

Senate File 251

APPROPRIATIONS: Ragan, Chair; Dvorsky and Johnson

Senate File 252

APPROPRIATIONS: Ragan, Chair; Dvorsky and Seymour

Senate File 259

APPROPRIATIONS: Hatch, Chair; Boettger and Ragan

Senate File 282

APPROPRIATIONS: Ragan, Chair; Boettger and Dvorsky

Senate File 309

APPROPRIATIONS: Dvorsky, Chair; Angelo, Black, Bolkom, and Gaskill

Senate File 324

APPROPRIATIONS: Danielson, Chair; Dotzler and Gaskill

Senate File 353

APPROPRIATIONS: Dvorsky, Chair; McCoy and Putney

Senate File 359

APPROPRIATIONS: Ragan, Chair; Dvorsky and Johnson

Senate File 367

APPROPRIATIONS: Hatch, Chair; Dvorsky, Johnson, Seymour, and Warnstadt

Senate File 409

APPROPRIATIONS: Dotzler, Chair; Dvorsky and Hahn

Senate File 425

APPROPRIATIONS: Connolly, Chair; Boettger and Wood

Senate File 433

APPROPRIATIONS: Warnstadt, Chair; Behn and Danielson

Senate File 452

APPROPRIATIONS: Fraise, Chair; Boettger and Seng

Senate File 453

APPROPRIATIONS: Warnstadt, Chair; Danielson and Seymour

Senate File 494

APPROPRIATIONS: Bolkom, Chair; Behn and Hogg

Senate File 498

APPROPRIATIONS: Ragan, Chair; Hatch and Johnson

Senate File 500

APPROPRIATIONS: Dotzler, Chair; Boettger, Hancock, Hogg, and Johnson

Senate File 542

APPROPRIATIONS: Bolkcom, Chair; Gaskill and Hogg

Senate File 560

APPROPRIATIONS: Dotzler, Chair; Boettger and Dvorsky

House File 397

APPROPRIATIONS: Ragan, Chair; Dvorsky and Seymour

House File 413

STATE GOVERNMENT: Schmitz, Chair; Wood and Zieman

House File 580

STATE GOVERNMENT: Schmitz, Chair; Wood and Zieman

House File 752

APPROPRIATIONS: McCoy, Chair; Putney and Warnstadt

House File 759

JUDICIARY: Hancock, Chair; Behn and Fraise

House File 765

AGRICULTURE: Black, Chair; Houser and Olive

House File 787

APPROPRIATIONS: Ragan, Chair; Dvorsky and Kettering

House File 826

HUMAN RESOURCES: Wood, Chair; Boettger and Hatch

House File 836

AGRICULTURE: Courtney, Chair; Hancock and Putney

House File 844

STATE GOVERNMENT: Wood, Chair; Schmitz and Zieman

House File 846

AGRICULTURE: Appel, Chair; Johnson and Seng

House File 851

STATE GOVERNMENT: Wood, Chair; Behn and Schmitz

SSB 1343

WAYS AND MEANS: Schmitz, Chair; Seng and Ward

SSB 1344

WAYS AND MEANS: Quirmbach, Chair; Connolly and Noble

SSB 1345

APPROPRIATIONS: Dvorsky, Chair; Angelo, Danielson, Gaskill, and Ragan

SSB 1346

GOVERNMENT OVERSIGHT: Lundby, Chair; Connolly, Courtney, Schmitz, and Wieck

FINAL COMMITTEE REPORT OF BILL ACTION**RULES AND ADMINISTRATION**

Bill Title: SENATE JOINT RESOLUTION 4, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol, and the temporary display of ceremonial banners, in conjunction with the awards ceremony of the World Food Prize Foundation.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3174	S.F.	432	Staci Appel
S-3175	S.F.	412	John P. Kibbie
S-3176	S.F.	564	Joe M. Seng
S-3177	S.F.	522	Brian Schoenjahn
S-3178	S.F.	416	Herman C. Quirmbach

S-3179	S.F.	449	Michael Connolly
S-3180	S.F.	544	Robert M. Hogg
S-3181	H.F.	848	John Putney
S-3182	H.F.	793	Jerry Behn
S-3183	H.F.	793	Thomas G. Courtney
S-3184	S.F.	430	John Putney
S-3185	S.F.	430	Keith A. Kreiman
S-3186	H.F.	793	Jerry Behn
S-3187	H.F.	653	Mark Zieman
			Ron Wieck
			David Hartsuch
			John Putney
			Jerry Behn
			Dave Mulder
			Nancy J. Boettger
			Paul McKinley
			David Johnson
			Brad Zaun
			James A. Seymour
			E. Thurman Gaskill
			Pat Ward
			Larry McKibben
			Jeff Angelo
			James F. Hahn
			Steve Kettering
S-3188	H.F.	653	Mark Zieman
			David Hartsuch
			John Putney
			Ron Wieck
			Jerry Behn
			Dave Mulder
			Nancy J. Boettger
			Paul McKinley
			David Johnson
			Brad Zaun
			James A. Seymour
			E. Thurman Gaskill
			Pat Ward
			Larry McKibben
			Jeff Angelo
			Steve Kettering

S-3189	H.F.	653	James F. Hahn Mary A. Lundby Mark Zieman David Hartsuch John Putney Jerry Behn Ron Wieck Larry Noble Dave Mulder Larry McKibben Nancy J. Boettger Paul McKinley David Johnson Brad Zaun James A. Seymour E. Thurman Gaskill Pat Ward
S-3190	H.F.	653	James F. Hahn Steve Kettering Jeff Angelo Mary A. Lundby Mark Zieman Larry Noble Ron Wieck David Hartsuch John Putney Jerry Behn Dave Mulder Nancy J. Boettger Paul McKinley David Johnson Brad Zaun James A. Seymour E. Thurman Gaskill Jeff Angelo Pat Ward
S-3191	H.F.	653	Mary A. Lundby Mark Zieman John Putney Jerry Behn Dave Mulder

			Larry Noble
			Ron Wieck
			E. Thurman Gaskill
			James F. Hahn
			Mary A. Lundby
			Nancy J. Boettger
			Paul McKinley
			David Johnson
			Brad Zaun
			James A. Seymour
			Pat Ward
			Larry McKibben
			Steve Kettering
			Jeff Angelo
S-3192	H.F.	653	Mark Zieman
			John Putney
			Jerry Behn
			Dave Mulder
			Nancy J. Boettger
			Larry Noble
			Paul McKinley
			Ron Wieck
			David Johnson
			Brad Zaun
			Pat Ward
			E. Thurman Gaskill
			Larry McKibben
			James F. Hahn
			Steve Kettering
			Mary A. Lundby
			Jeff Angelo
S-3193	S.F.	382	Becky Schmitz
S-3194	S.F.	430	Larry McKibben
			Pat Ward
			John Putney
S-3195	S.F.	509	Keith A. Kreiman
S-3196	H.F.	793	Jerry Behn
			Gene Fraise
S-3197	H.F.	793	Gene Fraise
			Jerry Behn

JOURNAL OF THE SENATE

EIGHTIETH CALENDAR DAY
FORTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 28, 2007

The Senate met in regular session at 8:00 a.m., President Kibbie presiding.

Prayer was offered by the Honorable Dave Mulder, member of the Senate from Sioux County, Sioux Center, Iowa.

The Journal of Tuesday, March 27, 2007, 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 27, 2007, **passed** the following bills in which the concurrence of the House was asked:

Senate File 116, a bill for an act relating to the labor commissioner's regulation of fire fighter clothing and personal protection equipment.

Senate File 139, a bill for an act relating to a criminal defendant filing an application for postconviction relief.

Senate File 202, a bill for an act relating to the disposition of certain unclaimed property.

Senate File 204, a bill for an act relating to the department of public safety practices and procedures.

Senate File 358, a bill for an act establishing prelicensing and continuing education requirements for used motor vehicle dealers.

Senate File 361, a bill for an act concerning investment of certain public funds in companies doing business in Sudan by the treasurer of state, public retirement systems in Iowa, and the state board of regents.

Senate File 431, a bill for an act relating to programs, funds, authority, and duties of the Iowa finance authority.

Senate File 450, a bill for an act relating to limitations of actions as applied to county collection of delinquent property taxes.

Senate File 480, a bill for an act relating to children who are subject to a court order for a temporary or permanent out-of-home placement by providing for visitation or ongoing interaction between the children and siblings.

ALSO: That the House has on March 27, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 158, a bill for an act relating to a requirement that children receive a blood lead test by age six or prior to enrollment in an elementary school.

Read first time and referred to committee on **Human Resources**.

House File 344, a bill for an act relating to publishing notice of examination and testing of voting machines and voting system tabulating devices.

Read first time and **attached to companion Senate File 399**.

House File 647, a bill for an act relating to the designation of Iowa great places and financial and technical assistance to projects in Iowa great places.

Read first time and **attached to companion Senate File 306**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 8:11 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 8:15 a.m., President Kibbie presiding.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 509.

Senate File 509

On motion of Senator Hancock, **Senate File 509**, a bill for an act relating to a revised uniform anatomical gift Act, and providing penalties, was taken up for consideration.

Senator Kreiman offered amendment S-3195, filed by him on March 27, 2007, striking and replacing everything after the enacting clause of the bill.

Senator Kreiman asked and received unanimous consent that action on amendment S-3195 and **Senate File 509** be **deferred**.

President Pro Tempore Danielson took the chair at 8:24 a.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zieman, until he arrives, on request of Senator Lundby.

UNFINISHED BUSINESS
(Deferred March 27, 2007)

House File 793

The Senate resumed consideration of **House File 793**, a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to the placement of advertising devices along primary highways, qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, the maximum length limitation for single trucks, requirements for operation of certain self-propelled implements of husbandry on secondary roads, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates, deferred March 27, 2007.

Senator Fraise offered amendment S-3197, filed by Senators Fraise and Behn on March 27, 2007, to pages 7-9, 17, and 18 and to the title page of the bill, and moved its adoption.

Amendment S-3197 lost by a voice vote.

Senator Behn offered amendment S-3182, filed by him on March 27, 2007, to page 9 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3182 be adopted?" (H.F. 793), the vote was:

Yeas, 24:

Angelo	Hahn	Lundby	Seng
Beall	Hancock	McKibben	Seymour
Behn	Hartsuch	McKinley	Ward
Boettger	Houser	Mulder	Wieck
Fraise	Johnson	Noble	Wood
Gaskill	Kettering	Putney	Zaun

Nays, 25:

Appel	Dotzler	Kibbie	Schmitz
Black	Dvorsky	Kreiman	Schoenjahn
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hatch	Olive	Warnstadt
Courtney	Heckroth	Quirmbach	
Danielson	Hogg	Ragan	
Dearden	Horn	Rielly	

Absent, 1:

Zieman

Amendment S–3182 lost.

Senator Courtney withdrew amendment S–3183, filed by him on March 27, 2007, to page 9 of the bill.

Senator Behn withdrew amendment S–3186, filed by him on March 27, 2007, to page 9 of the bill.

Senator Behn offered amendment S–3196, filed by Senators Behn and Fraise on March 27, 2007, to page 9 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3196 be adopted?” (H.F. 793), the vote was:

Yeas, 34:

Angelo	Hatch	McKibben	Seng
Beall	Heckroth	McKinley	Seymour
Behn	Horn	Mulder	Stewart
Boettger	Houser	Noble	Ward
Fraise	Johnson	Olive	Wieck
Gaskill	Kettering	Putney	Wood
Hahn	Kibbie	Ragan	Zaun
Hancock	Kreiman	Schmitz	
Hartsuch	Lundby	Schoenjahn	

Nays, 15:

Appel	Courtney	Dvorsky	Quirmbach
Black	Danielson	Gronstal	Rielly
Bolkcom	Dearden	Hogg	Warnstadt
Connolly	Dotzler	McCoy	

Absent, 1:

Zieman

Amendment S–3196 was adopted.

Senator Gronstal asked and received unanimous consent that action on **House File 793** be **deferred**.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 28, a resolution to thank the men and women who worked so long and so hard to restore electricity to Iowans throughout the state.

Recommendation: DO PASS

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, Wieck. 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 28.

Senate Resolution 28

On motion of Senator Gronstal, **Senate Resolution 28**, a resolution to thank the men and women who worked so long and so hard to restore electricity to Iowans throughout the state, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Resolution 28, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Gronstal welcomed to the Senate chamber men and women who labored to restore electricity to Iowans throughout the state during the recent winter storms. Their tireless efforts brought light, heat, and comfort back to hundreds of Iowans.

The Senate rose and expressed their gratitude and thanks.

The Senate stood at ease at 9:06 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 Danielson presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zaun, until he returns, on request of Senator McKinley.

BUSINESS PENDING

Senate File 509

The Senate resumed consideration of **Senate File 509**, a bill for an act relating to a revised uniform anatomical gift Act, and providing penalties, and amendment S-3195, previously deferred.

Senator Kreiman offered amendment S-3198, filed by him from the floor to page 17 of amendment S-3195, and moved its adoption.

Amendment S-3198 was adopted by a voice vote.

The Senate resumed consideration of amendment S-3195.

Senator Kreiman moved the adoption of amendment S-3195.

Amendment S-3195 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. 509), the vote was:

Yeas, 48:

Angelo	Dvorsky	Johnson	Quirnbach
Appel	Fraise	Kettering	Ragan
Beall	Gaskill	Kibbie	Rielly
Behn	Gronstal	Kreiman	Schmitz
Black	Hahn	Lundby	Schoenjahn
Boettger	Hancock	McCoy	Seng
Bolkcom	Hartsuch	McKibben	Seymour
Connolly	Hatch	McKinley	Stewart
Courtney	Heckroth	Mulder	Ward
Danielson	Hogg	Noble	Warnstadt
Dearden	Horn	Olive	Wieck
Dotzler	Houser	Putney	Wood

Nays, none.

Absent, 2:

Zaun	Zieman
------	--------

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 412.

Senate File 412

On motion of Senator Kibbie, **Senate File 412**, a bill for an act allowing a county commissioner of elections to appoint certain high school students to serve as precinct election board members, was taken up for consideration.

Senator Wood withdrew amendment S-3093, filed by him on March 12, 2007, to page 1 of the bill.

Senator Kibbie offered amendment S-3175, filed by him on March 27, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3175 was adopted by a voice vote.

With the adoption of amendment S-3175, the Chair ruled amendment S-3125, filed by Senator Kibbie on March 19, 2007, to page 1 of the bill, out of order.

Senator Kibbie asked and received unanimous consent that **House File 618** be substituted for **Senate File 412**.

House File 618

On motion of Senator Kibbie, **House File 618**, a bill for an act allowing a county commissioner of elections to appoint certain high school students to serve as precinct election board members, 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?" (H.F. 618), the vote was:

Yeas, 34:

Appel	Dvorsky	Kibbie	Schmitz
Beall	Fraise	Kreiman	Schoenjahn
Black	Gronstal	Lundby	Seng
Bolkcom	Hancock	McCoy	Seymour
Connolly	Hatch	Mulder	Stewart
Courtney	Heckroth	Olive	Warnstadt
Danielson	Hogg	Quirmbach	Wood
Dearden	Horn	Ragan	
Dotzler	Houser	Rielly	

Nays, 14:

Angelo	Hahn	McKibben	Ward
Behn	Hartsuch	McKinley	Wieck
Boettger	Johnson	Noble	
Gaskill	Kettering	Putney	

Absent, 2:

Zaun	Zieman
------	--------

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 412** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 509** and **House File 618** be **immediately messaged** to the House.

President Kibbie took the chair at 10:38 a.m.

UNFINISHED BUSINESS
(Deferred March 27, 2007)**Senate File 430**

The Senate resumed consideration of **Senate File 430**, a bill for an act relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision, and amendment S-3185, deferred March 27, 2007.

Senator McKibben offered amendment S-3202, filed by Senators McKibben, Ward, and Putney from the floor to page 2 of amendment S-3185, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3202 be adopted?" (S.F. 430), the vote was:

Yeas, 18:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	
Hahn	Lundby	Putney	

Nays, 29:

Appel	Dotzler	Horn	Schoenjahn
Beall	Dvorsky	Kibbie	Seng
Black	Fraise	Kreiman	Stewart
Bolkcom	Gronstal	Olive	Warnstadt
Connolly	Hancock	Quirnbach	Wood
Courtney	Hatch	Ragan	
Danielson	Heckroth	Rielly	
Dearden	Hogg	Schmitz	

Absent, 3:

McCoy	Zaun	Zieman
-------	------	--------

Amendment S–3202 lost.

Senator Kreiman moved the adoption of amendment S–3185.

Amendment S–3185 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Houser, until he returns, on request of Senator Wieck.

BUSINESS PENDING

Senate File 430

The Senate resumed consideration of **Senate File 430**.

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. 430), the vote was:

Yeas, 27:

Appel	Dearden	Horn	Schmitz
Beall	Dotzler	Kibbie	Schoenjahn
Black	Dvorsky	Kreiman	Seng
Bolkcom	Gronstal	Olive	Stewart
Connolly	Hancock	Quirnbach	Warnstadt
Courtney	Hatch	Ragan	Wood
Danielson	Heckroth	Rielly	

Nays, 20:

Angelo	Hahn	Lundby	Noble
Behn	Hartsuch	McCoy	Putney
Boettger	Hogg	McKibben	Seymour
Fraise	Johnson	McKinley	Ward
Gaskill	Kettering	Mulder	Wieck

Absent, 3:

Houser	Zaun	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 430** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Angelo, until he returns, on request of Senator Wieck.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 306 and 385.

Senate File 306

On motion of Senator Rielly, **Senate File 306**, a bill for an act relating to the designation of Iowa great places and financial and technical assistance to projects in Iowa great places, was taken up for consideration.

Senator Rielly asked and received unanimous consent that **House File 647** be **substituted** for **Senate File 306**.

House File 647

On motion of Senator Rielly, **House File 647**, a bill for an act relating to the designation of Iowa great places and financial and technical assistance to projects in Iowa great places, 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?" (H.F. 647), the vote was:

Yeas, 44:

Appel	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Rielly
Behn	Gaskill	Lundby	Schmitz
Black	Gronstal	McCoy	Schoenjahn
Boettger	Hahn	McKibben	Seng
Bolkcom	Hancock	McKinley	Seymour
Connolly	Hatch	Mulder	Stewart
Courtney	Heckroth	Noble	Ward
Danielson	Hogg	Olive	Warnstadt
Dearden	Horn	Putney	Wieck
Dotzler	Johnson	Quirnbach	Wood

Nays, 2:

Hartsuch	Kettering
----------	-----------

Absent, 4:

Angelo	Houser	Zaun	Zieman
--------	--------	------	--------

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 306** be **withdrawn** from further consideration of the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Connolly, until he returns, on request of Senator Gronstal.

Senate File 385

On motion of Senator Dotzler, **Senate File 385**, a bill for an act excluding unarmed combat fighting from boxing and wrestling regulation, 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. 385), the vote was:

Yeas, 35:

Appel	Dvorsky	Johnson	Rielly
Beall	Fraise	Kettering	Schmitz
Black	Gronstal	Kibbie	Schoenjahn
Boettger	Hancock	Kreiman	Seng
Bolkcom	Hatch	McKinley	Stewart
Courtney	Heckroth	Mulder	Warnstadt
Danielson	Hogg	Noble	Wood
Dearden	Horn	Olive	Zaun
Dotzler	Houser	Ragan	

Nays, 12:

Behn	Hartsuch	McKibben	Seymour
Gaskill	Lundby	Putney	Ward
Hahn	McCoy	Quirmbach	Wieck

Absent, 3:

Angelo	Connolly	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 385** and **House File 647** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 11:45 a.m. until 8:45 a.m., Thursday, March 29, 2007.

APPENDIX

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 15, 2007, when the votes were taken on Senate Files 351, 373, 477, and 489. Had I been present, I would have voted "Yea" on all. Also, I was necessarily absent from the Senate chamber on March 15, 2007, when the vote was taken on Senate File 348. Had I been present, I would have voted "Nay" on Senate File 348.

ALSO:

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 28, 2007, when the votes were taken on Senate File 509, amendment S-3202 (to Senate File 430), and House File 647. Had I been present, I would have voted "Yea" on all. Also, I was necessarily absent from the Senate chamber on March 28, 2007, when the votes were taken on Senate File 430 and House File 618. Had I been present, I would have voted "Nay" on both.

BRAD ZAUN

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Wednesday, March 28, 2007, 3:05 p.m.

Members Present: Warnstadt, Chair; Heckroth, Vice Chair; Wieck, Ranking Member; Angelo, Bolkcom, Courtney, Kettering, McCoy, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward.

Members Absent: McKibben (excused).

Committee Business: Passed HF 556. Approved Governor's appointments.

Adjourned: 3:20 p.m.

HUMAN RESOURCES

Convened: Wednesday, March 28, 2007, 12:05 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood.

Members Absent: Behn (excused).

Committee Business: Passed HF's 309, 451 (as amended), 528, and 610. Approved Governor's appointments.

Adjourned: 12:55 p.m.

LOCAL GOVERNMENT

Convened: Wednesday, March 28, 2007, 2:00 p.m.

Members Present: Quirnbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Angelo, Heckroth, Houser, Kreiman, Olive, Rielly, Schoenjahn, and Stewart.

Members Absent: Hartsuch and McKinley (both excused).

Committee Business: Passed HF's 587, 590, 591 and 608. Approved Governor's appointments.

Adjourned: 2:30 p.m.

RULES AND ADMINISTRATION

Convened: Wednesday, March 28, 2007, 8:11 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SR 28.

Adjourned: 8:15 a.m.

TRANSPORTATION

Convened: Wednesday, March 28, 2007, 1:05 p.m.

Members Present: Rielly, Chair; Danielson, Vice Chair; Noble, Ranking Member; Beall, Dearden, Hancock, Heckroth, Houser, Putney, and Zaun.

Members Absent: McCoy, Warnstadt, and Zieman (all excused).

Committee Business: Approved Governor's appointments.

Adjourned: 1:15 p.m.

STUDY BILL RECEIVED

SSB 1347 Ways and Means

Relating to the power of the local board of review to accept certain claims for property tax exemption and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS

Senate File 164

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 285

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 349

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 396

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 397

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 438

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 439

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 464

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 481

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 470

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 490

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 561

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 567

APPROPRIATIONS: Dvorsky, Chair; and Gaskill

House File 158

HUMAN RESOURCES: Dotzler, Chair; Boettger and Ragan

SSB 1347

WAYS AND MEANS: Connolly, Chair; Schmitz and Wieck

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: HOUSE FILE 556, a bill for an act establishing the Iowa propane education and research council, providing for the development of programs and projects related to propane, providing for an assessment on the sale of odorized propane, providing criminal penalties, and providing for effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Warnstadt, Heckroth, Wieck, Angelo, Bolkom, Courtney, Kettering, McCoy, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. Nays, none. Absent, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: HOUSE FILE 309, a bill for an act requiring development of a uniform cost report for certain services reimbursed through the department of human services and counties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Boettger, Bolkom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. Nays, none. Absent, 1: Behn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 451, a bill for an act relating to a single point of entry long-term living resources system.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3210.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. Nays, none. Absent, 1: Behn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 528, a bill for an act relating to the regulation of hospitals and health care facilities by the department of inspections and appeals, including investigations of complaints against health care facilities and rules relating to authentication of certain orders by practitioners, and providing an immediate effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. Nays, none. Absent, 1: Behn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 610, a bill for an act relating to acquired immune deficiency syndrome and the human immunodeficiency virus.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. Nays, none. Absent, 1: Behn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: HOUSE FILE 587, a bill for an act relating to advisory boards created pursuant to emergency services agreements and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Quirnbach, Beall, Zaun, Angelo, Heckroth, Houser, Kreiman, Olive, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, 2: Hartsuch and McKinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 590, a bill for an act relating to the application and enforcement of the state building code and providing an applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Quirnbach, Beall, Zaun, Heckroth, Houser, Kreiman, Olive, Rielly, Schoenjahn, and Stewart. Nays, 1: Angelo. Absent, 2: Hartsuch and McKinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 591, a bill for an act providing procedures to increase the number of city council members in certain cities.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Quirnbach, Beall, Zaun, Angelo, Heckroth, Houser, Kreiman, Olive, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, 2: Hartsuch and McKinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 608, a bill for an act relating to notice of meetings of the board of township trustees.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Quirnbach, Beall, Zaun, Angelo, Heckroth, Houser, Olive, Rielly, Schoenjahn, and Stewart. Nays, 1: Kreiman. Absent, 2: Hartsuch and McKinley.

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 recommendations for confirmation:

COMMERCE

John R. Perkins – Consumer Advocate

John P. Gillispie – Executive Director of the Iowa Telecommunications and Technology Commission

John R. Norris – Chair of the Utilities Board

Curtis Stamp – Utilities Board

Krista Tanner – Utilities Board

EDUCATION

Bonnie Campbell – State Board of Regents

Jack Evans – State Board of Regents

David Miles – State Board of Regents

TRANSPORTATION

Eugene Meyer – Commissioner of Public Safety

**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 recommendations for confirmation:

COMMERCE

Paul Becker – Credit Union Review Board

Becky Hansen – Credit Union Review Board

Carl Martin – Credit Union Review Board

Michael Mahaffey – Iowa Telecommunications and Technology Commission

Patricia Schneider – Title Guaranty Division Board

EDUCATION

Merle Johnson – Board of Educational Examiners

Greg Robinson – Board of Educational Examiners

Leland Tack – School Budget Review Committee

Atul Gupta – Technology Governance Board

Terri Pitcher – Technology Governance Board

LABOR AND BUSINESS RELATIONS

Jerome Amos, Jr. – Iowa Workforce Development Board
 Kimberline Ingram – Iowa Workforce Development Board

TRANSPORTATION

Wayne Sawtelle – State Transportation Commission

AMENDMENTS FILED

S-3198	S.F.	509	Keith A. Kreiman
S-3199	S.F.	519	Jeff Danielson
S-3200	S.F.	498	Keith A. Kreiman Amanda Ragan
S-3201	S.F.	513	Herman C. Quirnbach
S-3202	S.F.	430	Larry McKibben Pat Ward John Putney
S-3203	S.F.	483	Jeff Danielson
S-3204	S.F.	544	Robert M. Hogg
S-3205	S.F.	473	Keith A. Kreiman Wally E. Horn
S-3206	S.F.	520	Rich Olive
S-3207	S.F.	513	Rich Olive
S-3208	S.F.	508	Tom Rielly
S-3209	S.F.	460	Keith A. Kreiman
S-3210	H.F.	451	Human Resources

JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FORTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 29, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Anthony Menendez, clerk for Representative Ako Abdul-Samad, sang the opening prayer. He was the guest of President Kibbie.

The Journal of Wednesday, March 28, 2007, 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, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 509, a bill for an act relating to a revised uniform anatomical gift Act, and providing penalties.

ALSO: That the House has on March 28, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 829, a bill for an act relating to the development and commercialization of businesses in the targeted industry areas of advanced manufacturing, bioscience, and information technology and including a contingent effective date provision.

Read first time and referred to committee on **Economic Growth**.

House File 874, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities and providing an effective date.

Read first time and referred to committee on **Appropriations**.

House File 877, a bill for an act creating a statewide voluntary preschool program for four-year-old children and making appropriations.

Read first time and **attached to similar Senate File 350**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:05 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:09 a.m., President Kibbie presiding.

BILLS REFERRED TO COMMITTEES

Senator Gronstal asked and received unanimous consent under Senate Rule 38 that the following bills on the Senate Calendar be referred to the following committees:

S.F.	355	Ways and Means
S.F.	398	Education
S.F.	506	Ways and Means
S.F.	553	Appropriations

The Senate stood at ease at 9:15 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:50 a.m., President Kibbie presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Zieman, for the day, on request of Senator Lundby; and Senator Noble, until he arrives, on request of Senator McKibben.

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:

Paul Becker – Credit Union Review Board
 Becky Hansen – Credit Union Review Board
 Carl Martin – Credit Union Review Board

Merle Johnson – Board of Educational Examiners
 Greg Robinson – Board of Educational Examiners

Atul Gupta – Technology Governance Board
 Terri Pitcher – Technology Governance Board

Jerome Amos, Jr. – Iowa Workforce Development Board
 Kimberline Ingram – 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, 48:

Angelo	Dvorsky	Johnson	Ragan
Appel	Fraise	Kettering	Rielly
Beall	Gaskill	Kibbie	Schmitz
Behn	Gronstal	Kreiman	Schoenjahn
Black	Hahn	Lundby	Seng
Boettger	Hancock	McCoy	Seymour
Bolkcom	Hartsuch	McKibben	Stewart
Connolly	Hatch	McKinley	Ward
Courtney	Heckroth	Mulder	Warnstadt
Danielson	Hogg	Olive	Wieck
Dearden	Horn	Putney	Wood
Dotzler	Houser	Quirnbach	Zaun

Nays, none.

Absent, 2:

Noble Zieman

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

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 29, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 740, a bill for an act regulating the administration of drugs to wildlife under the jurisdiction of the department of natural resources and providing a penalty.

Read first time and **attached to similar Senate File 253**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 346 and 345.

Senate File 346

On motion of Senator Rielly, **Senate File 346**, a bill for an act providing for the development of a uniform health insurance application form for use by small employers, 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. 346), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, 1:

Zieman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 345

On motion of Senator Rielly, **Senate File 345**, a bill for an act allowing certain association group health care plans and wellness initiatives, and providing an effective date, was taken up for consideration.

Senator Rielly offered amendment S–3132, filed by him on March 20, 2007, to page 4 of the bill, and moved its adoption.

Amendment S–3132 was adopted by a voice vote.

Senator Rielly asked and received unanimous consent that **House File 790** be substituted for **Senate File 345**.

House File 790

On motion of Senator Rielly, **House File 790**, a bill for an act allowing certain association group health care plans and wellness

initiatives, and providing an effective date, 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?" (H.F. 790), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, 1:

Zieman

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 345** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 346** and **House File 790** 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 473.

Senate File 473

On motion of Senator Horn, **Senate File 473**, a bill for an act allowing a competent adult to execute a written instrument directing the final disposition of that person's remains, including coordinating provisions, and providing applicability dates, was taken up for consideration.

Senator Kreiman offered amendment S-3215, filed by Senators Kreiman, Horn, and Heckroth from the floor to pages 1, 2, 5, 6, 8, 10, and 11 of the bill.

Senator Lundby asked and received unanimous consent that action on amendment S-3215 and **Senate File 473** be **deferred**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:15 a.m. until 2:00 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Russell Clark—For celebrating his 80th birthday. Senator Gronstal (3/29/07).

Cub Scout Pack 203, Clear Lake and Ventura—For celebrating its 50th anniversary. Senator Gaskill (3/29/07).

Pat Erskins—For celebrating her 80th birthday. Senator Gronstal (3/29/07).

Glenn Brantzel Martin—For achieving the rank of Eagle Scout, Boy Scout Troop 140. Senator Quirnbach (3/29/07).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Wednesday, March 28, 2007, 4:10 p.m.

Members Present: Dvorsky, Chair; McCoy, Vice Chair; Angelo, Ranking Member; Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood.

Members Absent: None.

Committee Business: Passed SFs 367 and 494. Approved SSB 1338.

Recessed: 4:15 p.m.

Reconvened: 4:50 p.m.

Adjourned: 5:20 p.m.

HUMAN RESOURCES

Convened: Wednesday, March 28, 2007, 1:05 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood.

Members Absent: None.

Committee Business: Joint meeting with the House with a presentation by the Annapolis Coalition regarding mental health.

Adjourned: 1:50 p.m.

STATE GOVERNMENT

Convened: Wednesday, March 28, 2007, 2:05 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, Schmitz, and Wood.

Members Absent: Zieman, Ranking Member; and McKibben (both excused).

Committee Business: Discussed Governor's appointments.

Adjourned: 3:00 p.m.

VETERANS AFFAIRS

Convened: Wednesday, March 28, 2007, 3:35 p.m.

Members Present: Beall, Chair; Warnstadt, Vice Chair; Seymour, Ranking Member; Black, Danielson, Hartsuch, Horn, Kibbie, and Ragan.

Members Absent: McKibben and McKinley (both excused).

Committee Business: Discussed Governor's appointments. Subcommittee assignments.

Adjourned: 3:50 p.m.

WAYS AND MEANS

Convened: Wednesday, March 28, 2007, 5:20 p.m.

Members Present: Bolcom, Chair; McCoy, Vice Chair; Angelo, Appel, Connolly, Dotzler, Hogg, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, and Ward.

Members Absent: McKibben, Ranking Member; Lundby and Wieck (all excused).

Committee Business: Passed SFs 237, 295, 334, 443, and 536. Approved Governor's appointments.

Adjourned: 5:45 p.m.

ECONOMIC GROWTH

Convened: Thursday, March 29, 2007, 1:10 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Houser, Ranking Member; Beall, Danielson, Dotzler, Hahn, Mulder, Rielly, Schmitz, and Seymour.

Members Absent: Zaun (excused) and Hatch.

Committee Business: Passed HF 827. Approved Governor's appointments.

Adjourned: 1:20 p.m.

RULES AND ADMINISTRATION

Convened: Thursday, March 29, 2007, 9:05 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SR 23.

Adjourned: 9:09 a.m.

INTRODUCTION OF BILLS

Senate File 568, by committee on Ways and Means, a bill for an act concerning the sales tax on the operation of bingo games.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

Senate File 569, by committee on Ways and Means, a bill for an act relating to entities and activities regulated by the Iowa department of public health, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

Senate File 570, by committee on Ways and Means, a bill for an act modifying the fee structure relating to amusement ride safety inspections conducted by the division of labor services of the department of workforce development, and providing an effective date.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

Senate File 571, by committee on Ways and Means, a bill for an act relating to special motor vehicle registration plates associated with military service, providing for special gold star plates and distinguished service cross, navy cross, air force cross, soldier's medal, sailor's medal, and airman's medal special plates, establishing fees, and crediting fees from the sale of certain special plates to the veterans license fee fund.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

Senate File 572, by committee on Ways and Means, a bill for an act extending state tax benefits for use of soy-based transformer fluid by electric utilities and including effective and applicability date provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

Senate File 573, by committee on Appropriations, a bill for an act creating an interim commission on affordable health care plans for small businesses and families and a health care data research advisory council, and providing an effective date.

Read first time under Rule 28 and **placed on Appropriations calendar.**

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 573 (formerly SF 367), a bill for an act creating an interim commission on affordable health care plans for small businesses and families and a health care data research advisory council, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 25: Dvorsky, McCoy, Angelo, Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, 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 Appropriations Committee on Senate File 573, and they were attached to the committee report.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 23, a resolution declaring May 2007 Amyotrophic Lateral Sclerosis (ALS) Awareness Month.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: SENATE FILE 568 (formerly SF 237), a bill for an act concerning the sales tax on the operation of bingo games.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bolkcom, McCoy, Angelo, Appel, Connolly, Dotzler, Hogg, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, and Ward. Nays, none. Absent, 3: McKibben, Lundby, and Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 569 (formerly SF 536), a bill for an act relating to entities and activities regulated by the Iowa department of public health, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bolkcom, McCoy, Angelo, Appel, Connolly, Dotzler, Hogg, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, and Ward. Nays, none. Absent, 3: McKibben, Lundby, and Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 570 (formerly SF 334), a bill for an act modifying the fee structure relating to amusement ride safety inspections conducted by the division of labor services of the department of workforce development, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bolkcom, McCoy, Angelo, Appel, Connolly, Dotzler, Hogg, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, and Ward. Nays, none. Absent, 3: McKibben, Lundby, and Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 571 (formerly SF 443), a bill for an act relating to special motor vehicle registration plates associated with military service, providing for special gold star plates and distinguished service cross, navy cross, air force cross, soldier's medal, sailor's medal, and airman's medal special plates, establishing fees, and crediting fees from the sale of certain special plates to the veterans license fee fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bolkcom, McCoy, Angelo, Appel, Connolly, Dotzler, Hogg, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, and Ward. Nays, none. Absent, 3: McKibben, Lundby, and Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 572 (formerly SF 295), a bill for an act extending state tax benefits for use of soy-based transformer fluid by electric utilities and including effective and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bolkcom, McCoy, Angelo, Appel, Connolly, Dotzler, Hogg, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, and Ward. Nays, none. Absent, 3: McKibben, Lundby, and Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 2:04 p.m., President Kibbie presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy, until he returns, on request of Senator Courtney.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration Senate Joint Resolution 4.

Senate Joint Resolution 4

On motion of Senator Dearden, **Senate Joint Resolution 4**, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol, and the temporary display of ceremonial banners, in conjunction with the awards ceremony of the World Food Prize Foundation, with report of committee recommending passage, was taken up for consideration.

Senator Dearden 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 authorizing the temporary use and consumption of wine in the State Capitol, and the temporary display of ceremonial banners, 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, the placement of ceremonial banners signifying the awards ceremony is an appropriate way to announce and commemorate the event; 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 18, 2007, 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.

Sec. 2. Three ceremonial banners may be temporarily displayed either inside or outside the state capitol commemorating the ceremony.

On the question "Shall the resolution be adopted?" (S.J.R. 4), the vote was:

Yeas, 43:

Angelo	Dotzler	Houser	Ragan
Appel	Dvorsky	Johnson	Rielly
Beall	Fraise	Kettering	Schoenjahn
Behn	Gaskill	Kibbie	Seng
Black	Gronstal	Lundby	Seymour
Boettger	Hahn	McKibben	Stewart
Bolkcom	Hancock	McKinley	Ward
Connolly	Hartsuch	Noble	Wieck
Courtney	Hatch	Olive	Wood
Danielson	Heckroth	Putney	Zaun
Dearden	Horn	Quirnbach	

Nays, 5:

Hogg	Mulder	Warnstadt
Kreiman	Schmitz	

Absent, 2:

McCoy	Zieman
-------	--------

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 Courtney asked and received unanimous consent to take up for consideration Senate File 544.

Senate File 544

On motion of Senator Hogg, **Senate File 544**, a bill for an act relating to the development, management, and efficient use of energy resources in the state and including effective and retroactive applicability date provisions, was taken up for consideration.

Senator Hogg offered amendment S–3152, filed by him on March 22, 2007, striking and replacing everything after the enacting clause of the bill.

Senator Hogg offered amendment S–3180, filed by him on March 27, 2007, to pages 9, 10, and 15 of amendment S–3152, and moved its adoption.

Amendment S–3180 was adopted by a voice vote.

Senator Hogg offered amendment S–3204, filed by him on March 28, 2007, to pages 14 and 15 of amendment S–3152, and moved its adoption.

Amendment S–3204 was adopted by a voice vote.

Senator Hogg moved the adoption of S–3152, as amended.

Amendment S–3152, as amended, was adopted by a voice vote.

Senator Hogg 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. 544), the vote was:

Yeas, 48:

Angelo	Dvorsky	Johnson	Ragan
Appel	Fraise	Kettering	Rielly
Beall	Gaskill	Kibbie	Schmitz
Behn	Gronstal	Kreiman	Schoenjahn
Black	Hahn	Lundby	Seng
Boettger	Hancock	McKibben	Seymour
Bolkcom	Hartsuch	McKinley	Stewart
Connolly	Hatch	Mulder	Ward
Courtney	Heckroth	Noble	Warnstadt
Danielson	Hogg	Olive	Wieck
Dearden	Horn	Putney	Wood
Dotzler	Houser	Quirmbach	Zaun

Nays, none.

Absent, 2:

McCoy Zieman

The bill, having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that **Senate Joint Resolution 4** and **Senate File 544** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 473

The Senate resumed consideration of **Senate File 473**, a bill for an act allowing a competent adult to execute a written instrument directing the final disposition of that person’s remains, and amendment S–3215, previously deferred.

Senator Kreiman asked and received unanimous consent that action on amendment S-3215 be deferred.

Senator Kreiman asked and received unanimous consent to withdraw amendment S-3205, filed by Senators Kreiman and Horn on March 28, 2007, to pages 5, 6, 8, 10, and 11 of the bill.

Senator Heckroth withdrew amendment S-3211, filed by him from the floor to pages 7, 8, 10, and 18 of the bill.

The Senate resumed consideration of amendment S-3215, previously deferred.

Senator Kreiman moved the adoption of amendment S-3215.

Amendment S-3215 was adopted by a voice vote.

With the adoption of amendment S-3215, the Chair ruled amendment S-3173, filed by Senator Horn on March 26, 2007, to page 8 of the bill, out of order.

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?" (S.F. 473), the vote was:

Yeas, 42:

Appel	Fraise	Kibbie	Schoenjahn
Beall	Gaskill	Kreiman	Seng
Black	Gronstal	Lundby	Seymour
Boettger	Hancock	McKibben	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Connolly	Hatch	Noble	Warnstadt
Courtney	Heckroth	Olive	Wieck
Danielson	Hogg	Quirmbach	Wood
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, 6:

Angelo	Hahn	Mulder
Behn	Johnson	Putney

Absent, 2:

McCoy

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 Courtney asked and received unanimous consent to take up for consideration Senate Files 486 and 514.

Senate File 486

On motion of Senator Appel, **Senate File 486**, a bill for an act concerning distribution of revenue from the wine gallonage tax on wine imported into this state, was taken up for consideration.

Senator Appel 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. 486), the vote was:

Yeas, 48:

Angelo	Dvorsky	Johnson	Ragan
Appel	Fraise	Kettering	Rielly
Beall	Gaskill	Kibbie	Schmitz
Behn	Gronstal	Kreiman	Schoenjahn
Black	Hahn	Lundby	Seng
Boettger	Hancock	McKibben	Seymour
Bolkcom	Hartsuch	McKinley	Stewart
Connolly	Hatch	Mulder	Ward
Courtney	Heckroth	Noble	Warnstadt
Danielson	Hogg	Olive	Wieck
Dearden	Horn	Putney	Wood
Dotzler	Houser	Quirnbach	Zaun

Nays, none.

Absent, 2:

McCoy

Zieman

The bill, having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 514

On motion of Senator Rielly, **Senate File 514**, a bill for an act requiring insurers offering certain individual or group health insurance contracts, policies, or plans to provide coverage for vaccinations for human papilloma virus, was taken up for consideration.

Senator Wieck offered amendment S-3220, filed by Senator Wieck, et al., from the floor to page 2 of the bill, and moved its adoption.

Amendment S-3220 was adopted by a voice vote.

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. 514), the vote was:

Yeas, 44:

Angelo	Gaskill	Kibbie	Rielly
Appel	Gronstal	Kreiman	Schmitz
Beall	Hahn	Lundby	Schoenjahn
Black	Hancock	McKibben	Seng
Bolkcom	Hatch	McKinley	Seymour
Connolly	Heckroth	Mulder	Stewart
Courtney	Hogg	Noble	Ward
Danielson	Horn	Olive	Warnstadt
Dotzler	Houser	Putney	Wieck
Dvorsky	Johnson	Quirmbach	Wood
Fraise	Kettering	Ragan	Zaun

Nays, 4:

Behn	Boettger	Dearden	Hartsuch
------	----------	---------	----------

Absent, 2:

McCoy	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 Files 473 and 486** be **immediately messaged** to the House.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which S.F. 514 passed the Senate on March 29, 2007.

JACK HATCH

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 472.

Senate File 472

On motion of Senator Dearden, **Senate File 472**, a bill for an act providing for administrative rules governing close clearance conditions and railroad worker walkways, was taken up for consideration.

Senator Dearden offered amendment S-3216, filed by him from the floor striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-3216 was adopted by a voice vote.

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?" (S.F. 472), the vote was:

Yeas, 48:

Angelo	Dvorsky	Johnson	Ragan
Appel	Fraise	Kettering	Rielly
Beall	Gaskill	Kibbie	Schmitz
Behn	Gronstal	Kreiman	Schoenjahn
Black	Hahn	Lundby	Seng

Boettger	Hancock	McKibben	Seymour
Bolkcom	Hartsuch	McKinley	Stewart
Connolly	Hatch	Mulder	Ward
Courtney	Heckroth	Noble	Warnstadt
Danielson	Hogg	Olive	Wieck
Dearden	Horn	Putney	Wood
Dotzler	Houser	Quirmbach	Zaun

Nays, none.

Absent, 2:

McCoy Zieman

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 472** be **immediately messaged** to the House.

MOTION TO RECONSIDER WITHDRAWN

Senator Hatch withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which S.F. 514 passed the Senate on March 29, 2007.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 514** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 566.

Senate File 566

On motion of Senator Dotzler, **Senate File 566**, a bill for an act relating to historic preservation and cultural and entertainment district tax credits, making appropriations, and providing applicability date provisions, was taken up for consideration.

Senator Dotzler offered amendment S-3213, filed by him from the floor to pages 2 and 3 and to the title page of the bill, and moved its adoption.

Amendment S-3213 was adopted by a voice vote.

Senator Dvorsky took the chair at 3:04 p.m.

Senator Angelo offered amendment S-3214, filed by Senator Angelo, et al., from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3214 be adopted?" (S.F. 566), the vote was:

Yeas, 19:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	

Nays, 28:

Appel	Dearden	Hogg	Rielly
Beall	Dotzler	Horn	Schmitz
Black	Dvorsky	Kibbie	Schoenjahn
Bolkcom	Fraise	Kreiman	Seng
Connolly	Gronstal	Olive	Stewart
Courtney	Hancock	Quirmbach	Warnstadt
Danielson	Heckroth	Ragan	Wood

Present, 1:

Hatch

Absent, 2:

McCoy Zieman

Amendment S-3214 lost.

Senator Zaun offered amendment S-3218, filed by him from the floor to page 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3218 be adopted?" (S.F. 566), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Wood
Hahn	Lundby	Putney	Zaun

Nays, 28:

Appel	Dearden	Hogg	Ragan
Beall	Dotzler	Horn	Rielly
Black	Dvorsky	Kibbie	Schmitz
Bolkcom	Fraise	Kreiman	Schoenjahn
Connolly	Gronstal	McCoy	Seng
Courtney	Hancock	Olive	Stewart
Danielson	Heckroth	Quirmbach	Warnstadt

Present, 1:

Hatch

Absent, 1:

Zieman

Amendment S-3218 lost.

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. 566), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kettering	Ragan
Appel	Fraise	Kibbie	Rielly
Beall	Gaskill	Kreiman	Schmitz
Behn	Gronstal	Lundby	Schoenjahn
Black	Hahn	McCoy	Seng
Boettger	Hancock	McKibben	Seymour
Bolkcom	Hartsuch	McKinley	Stewart
Connolly	Heckroth	Mulder	Ward
Courtney	Hogg	Noble	Warnstadt
Danielson	Horn	Olive	Wieck
Dearden	Houser	Putney	Wood
Dotzler	Johnson	Quirmbach	Zaun

Nays, none.

Present, 1:

Hatch

Absent, 1:

Zieman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that **Senate File 566** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration Senate Files 525, 414, and 341.

Senate File 525

On motion of Senator Quirmbach, **Senate File 525**, a bill for an act relating to electronically recording an interrogation of a person suspected of a crime, was taken up for consideration.

Senator Quirmbach offered amendment S-3219, filed by Senators Quirmbach and Kreiman from the floor striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-3219 was adopted by a voice vote.

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. 525), the vote was:

Yeas, 37:

Angelo	Dvorsky	Kibbie	Schoenjahn
Appel	Fraise	Kreiman	Seng
Beall	Gronstal	McCoy	Seymour
Black	Hancock	Mulder	Stewart
Bolkcom	Hartsuch	Noble	Warnstadt
Connolly	Hatch	Olive	Wieck
Courtney	Heckroth	Quirmbach	Wood
Danielson	Hogg	Ragan	
Dearden	Horn	Rielly	
Dotzler	Houser	Schmitz	

Nays, 12:

Behn	Hahn	Lundby	Putney
Boettger	Johnson	McKibben	Ward
Gaskill	Kettering	McKinley	Zaun

Absent, 1:

Zieman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 414

On motion of Senator Danielson, **Senate File 414**, a bill for an act concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans and allowable prizes at annual game nights by certain qualified organizations, was taken up for consideration.

Senator Danielson offered amendment S-3221, filed by him from the floor to pages 2 and 4 and to the title page of the bill of the bill, and moved its adoption.

Amendment S-3221 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. 414), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, 1:

Zieman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

Senate File 341

On motion of Senator Dotzler, **Senate File 341**, a bill for an act concerning work-related injuries suffered and claims made outside of this state, was taken up for consideration.

President Kibbie took the chair at 4:00 p.m.

Senator Dotzler offered amendment S-3222, filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment S-3222 was adopted by a voice vote.

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. 341), the vote was:

Yeas, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Nays, 19:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	

Absent, 1:

Zieman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that **Senate Files 341, 414, and 525** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Courtney, the Senate adjourned at 4:21 p.m. until 12:30 p.m., Monday, April 2, 2007.

APPENDIX—2

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 28, 2007, when the vote was taken on Senate File 385. Had I been present, I would have voted “Yea.”

MICHAEL CONNOLLY

CERTIFICATES OF RECOGNITION

Lawrence Dirks, Ocheyedan—For celebrating his 80th birthday. Senator Johnson (3/29/07).

Iowa Mennonite School Boys’ Basketball Team—For being the runner-up at the 2007 Boys’ State Basketball Tournament. Senator Schmitz (3/29/07).

Mid-Prairie High School Boys’ Basketball Team, Wellman—For being the runner-up at the 2007 Boys’ State Basketball Tournament. Senator Schmitz (3/29/07).

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Thursday, March 29, 2007, 11:25 a.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; McKibben, Ranking Member; Behn, Dvorsky, Fraise, Hancock, Horn, Noble, Quirnbach, Schoenjahn, Ward, and Warnstadt.

Members Absent: Hartsuch and Zieman (both excused).

Committee Business: Passed HF’s 298, 353, 525, 774, and 803. Approved Governor’s appointments.

Adjourned: 11:50 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, March 29, 2007, 1:15 p.m.

Members Present: Black, Chair; Hancock, Vice Chair; Gaskill, Ranking Member; Behn, Bolkcom, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood.

Members Absent: Dearden.

Committee Business: Passed HF’s 742 and 773. Discussed Governor’s appointments.

Adjourned: 2:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, March 29, 2007, 12:10 p.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Approved LSB 1130ja (as amended).

Recessed: 12:15 p.m.

Reconvened: 12:35 p.m.

Adjourned: 1:10 p.m.

SUBCOMMITTEE ASSIGNMENT

Senate File 398

EDUCATION: Schoenjahn, Chair; Mulder and Wood

FINAL COMMITTEE REPORTS OF BILL ACTION

ECONOMIC GROWTH

Bill Title: HOUSE FILE 827, a bill for an act relating to technical assistance for certain recipients of moneys from the grow Iowa values fund.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Stewart, Olive, Houser, Beall, Danielson, Dotzler, Hahn, Mulder, Rielly, Schmitz, and Seymour. Nays, none. Absent, 2: Hatch and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: HOUSE FILE 298, a bill for an act relating to the conveyance or encumbrance of a homestead and providing an effective and applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Horn, Noble, Quirmbach, Schoenjahn, Ward, and Warnstadt. Nays, none. Absent, 2: Hartsuch and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 353, a bill for an act relating to public safety communications by establishing an Iowa statewide interoperable communications system board.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Horn, Noble, Quirmbach, Schoenjahn, Ward, and Warnstadt. Nays, none. Absent, 2: Hartsuch and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 525, a bill for an act establishing an interim study committee to study the impact of unemployment on the recidivism rate of persons who have been committed to the custody of the department of corrections or assigned to the judicial district departments of correctional services.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Horn, Noble, Quirmbach, Schoenjahn, Ward, and Warnstadt. Nays, none. Absent, 2: Hartsuch and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 774, a bill for an act relating to mechanics' liens.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Horn, Noble, Quirmbach, Schoenjahn, Ward, and Warnstadt. Nays, none. Absent, 2: Hartsuch and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 803, a bill for an act relating to civil service for deputy county sheriffs by allowing a county to appeal certain decisions of the civil service commission.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Horn, Noble, Quirmbach, Schoenjahn, Ward, and Warnstadt. Nays, none. Absent, 2: Hartsuch and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: HOUSE FILE 742, a bill for an act relating to the regulation of snowmobiles and all-terrain vehicles, and providing fees and penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Black, Hancock, Gaskill, Behn, Bolkcom, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Dearden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 773, a bill for an act establishing an energy city designation program.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Black, Hancock, Gaskill, Bolkcom, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, 1: Behn. Absent, 1: Dearden.

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 548, the following corrections were made:

1. Title page, line 2: contingent misspelled — corrected.
2. Page 3, line 9: close space in “not withstanding”

MICHAEL E. MARSHALL
Secretary of the Senate

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 29th day of March, 2007:

Senate File 548.

MICHAEL E. MARSHALL
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 28, 2007, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 70 – Relating to crime victim compensation, excluding certain victim compensation payments from income taxation, and providing a retroactive applicability date.

Senate File 78 – Relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, making penalties applicable, and making an appropriation.

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 recommendations for confirmation:

ECONOMIC GROWTH

Suzanna de Baca – Iowa Capital Investment Board

Robin Anderson – Iowa Great Places Advisory Board
Samantha Erickson – Iowa Great Places Advisory Board
Theresa Lynch – Iowa Great Places Advisory Board

Timothy Neugent – Small Business Advisory Council
Nikita Rainey – Small Business Advisory Council
Loretta Sieman – Small Business Advisory Council

HUMAN RESOURCES

Troy Kleese – Board of Athletic Training Examiners
Shaun McCarthy – Board of Athletic Training Examiners

James Anastasi – Board of Behavioral Sciences Examiners
Kenneth Fann – Board of Behavioral Sciences Examiners

Michael Hoenig – Commission for the Blind

Lionel Foster – Child Advocacy Board
Roberta Payne – Child advocacy Board

G. Kevin Middleswart – Commission on Community Action Agencies
 Robert Tyson – Commission on Community Action Agencies

Muhammad Chowdry – Commission on the Deaf
 Rachel Nemmers – Commission on the Deaf

Dava James – Commission of Elder Affairs
 Nancy Nichols – Commission of Elder Affairs

John White – Iowa Empowerment Board
 Darshini Jayawardena – Iowa Empowerment Board

Susan Cell – Health Facilities Council
 Marc Elcock – Health Facilities Council

Susan Salter – Healthy and Well Kids in Iowa (HAWK-I) Board
 Selden Spencer – Healthy and Well Kids in Iowa (HAWK-I) Board

Roger Hartman – Council on Human Services
 James Miller – Council on Human Services

Judy Gouldsmith – Board of Interpreters for the Hearing Impaired Examiners
 David Moorman-Rice – Board of Interpreters for the Hearing Impaired Examiners

Lynn Crannell – Mental Health, Mental Retardation, Brain Injury, and
 Developmental Disabilities Commission
 Richard Heitmann – Mental Health, Mental Retardation, Brain Injury, and
 Developmental Disabilities Commission
 Carl Smith – Mental Health, Mental Retardation, Brain Injury, and
 Developmental Disabilities Commission
 Raymond Todd – Mental Health, Mental Retardation, Brain Injury, and
 Developmental Disabilities Commission
 Gano Whetstone – Mental Health, Mental Retardation, Brain Injury, and
 Developmental Disabilities Commission

Edward Friedmann – Board of Physician Assistant Examiners
 Anila Khan – Board of Physician Assistant Examiners

Claibourne Dungy – Prevention of Disabilities Policy Council
 Scott Lindgren – Prevention of Disabilities Policy Council
 Maggie Tinsman – Prevention of Disabilities Policy Council

Cathryn Callaway – Commission on Tobacco Use Prevention and Control
 Gary Streit – Commission on Tobacco Use Prevention and Control

JUDICIARY

Alicia Claypool – Iowa State Civil Rights Commission
 Debbie Gitchell – Iowa State Civil Rights Commission

Michael Coleman – Board of Corrections
 Robyn Mills – Board of Corrections

Arthur Neu – Board of Corrections
Michael Sadler – Board of Corrections

John Garringer – Iowa Drug Policy Advisory Council
Jane Larkin – Iowa Drug Policy Advisory Council

David Cochran – State Judicial Nominating Commission
Mary Beth Lawler – State Judicial Nominating Commission
Madalin Williams – State Judicial Nominating Commission

Shelly French – Commission on Judicial Qualifications

LOCAL GOVERNMENT

Patrick Gill – County Finance Committee
Ben Lacey – County Finance Committee
Suzanne Ruble – County Finance Committee
Dale Sunderman – County Finance Committee

Wayne Clinton – Mental Health Risk Pool Board
Marjorie Pitts – Mental Health Risk Pool Board

NATURAL RESOURCES AND ENVIRONMENT

William Bird – Natural Resource Commission
Gregory Drees – Natural Resource Commission
Janelle Rettig – Natural Resource Commission

Jacqueline Johnson – Iowa Comprehensive Petroleum Underground Storage Tank
Fund Board
Nancy Lincoln – Iowa Comprehensive Petroleum Underground Storage Tank Fund
Board

STATE GOVERNMENT

Linda Schmitt – Accountancy Examining Board
Carol Schuster – Accountancy Examining Board
Donald Timmins – Accountancy Examining Board

Mary Hunter – Alcoholic Beverages Commission

Dale McKinney – Architectural Examining Board
Susan McKinney – Architectural Examining Board

Susan Oltrogge – Boiler and Pressure Vessel Board
Keith Taeger – Boiler and Pressure Vessel Board

Rod Rebarcak – Board of Chiropractic Examiners

Jack Morlan – Board of Cosmetology Arts and Sciences Examiners

Lynn Curry – Board of Dental Examiners
Deena Kuempel – Board of Dental Examiners
Michael Rovner – Board of Dental Examiners

Mary Sand – Board of Dietetic Examiners

Marvin Schumacher – Elevator Safety Board

Patricia Heagel – Engineering and Land Surveying Examining Board
Craig Johnstone – Engineering and Land Surveying Examining Board

Gregory Hoyman – Board for the Licensing and Regulation of Hearing Aid Dispensers
Gregory Moore – Board for the Licensing and Regulation of Hearing Aid Dispensers

Cigdem Akkurt – Interior Design Examining Board

Daniel McGinn – IOWAccess Advisory Council
Terrence Neuzil – IOWAccess Advisory Council
Teresa Selberg – IOWAccess Advisory Council

Helen Kimes – Landscape Architectural Examining Board
Christopher Seeger – Landscape Architectural Examining Board

Elaine Baxter – Iowa Lottery Authority Board of Directors
Thomas Rial – Iowa Lottery Authority Board of Directors

Mary Belieu – Board of Massage Therapy Examiners
Doug Carlson – Board of Massage Therapy Examiners
Kimberly Eaton – Board of Massage Therapy Examiners

Tom Drew – Board of Medical Examiners
Shahid Habib – Board of Medical Examiners
Blaine Houmes – Board of Medical Examiners
Yasyn Lee – Board of Medical Examiners

Margaret Eicher – Board of Mortuary Science Examiners
LuJean Welander – Board of Mortuary Science Examiners

Clyde Bradley – Board of Nursing Examiners
Jane Hasek – Board of Nursing Examiners
Mark Hilliard – Board of Nursing Examiners

Margaret Beaty – State Board of Examiners for Nursing Home Administrators

Connie Connolly – Board of Optometry Examiners
Christopher Olson – Board of Optometry Examiners

DeeAnn Wedemeyer-Oleson – Board of Pharmacy Examiners
Margaret Whitworth – Board of Pharmacy Examiners

Denise Behrends – Board of Physical and Occupational Therapy Examiners
Susan Callanan – Board of Physical and Occupational Therapy Examiners
Martin Ungs – Board of Physical and Occupational Therapy Examiners

Eric Barp – Board of Podiatry Examiners
Denise Mandi – Board of Podiatry Examiners
Jill Scholz – Board of Podiatry Examiners

Mary Johnson – Board of Psychology Examiners
James Moody – Board of Psychology Examiners

James Kesterson – Real Estate Appraiser Examining Board
Gregory Morehead – Real Estate Appraiser Examining Board

Judith Stevens – Real Estate Commission

Kerry George – State Board for Respiratory Care

Christine Hoffman – Board of Social Work Examiners
Katinka Keith – Board of Social Work Examiners
Ken Zimmerman – Board of Social Work Examiners

Jason Aird – Board of Speech Pathology and Audiology Examiners
Coral Jud – Board of Speech Pathology and Audiology Examiners

Dean Upton – Iowa Board of Veterinary Medicine

WAYS AND MEANS

Heather Kramer – Iowa Finance Authority
Roger Caudron – Iowa Finance Authority

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, was placed on the Individual Confirmation Calendar with recommendations for confirmation:

HUMAN RESOURCES

John McCalley – Director of the Department of Elder Affairs

Kevin Concannon – Director of the Department of Human Services

JUDICIARY

Rich Eychaner – Iowa State Civil Rights Commission

Gary Kendell – Coordinator of the Office of Drug Control Policy

NATURAL RESOURCES AND ENVIRONMENT

Richard Leopold – Director of the Department of Natural Resources

STATE GOVERNMENT

Mollie Anderson – Director of the Department of Administrative Services

Dean Lerner – Director of the Department of Inspections and Appeals

H. Scott Sankey – Interior Design Examining Board

Michael Beary – Investment Board of the IPERS

Charles Krogmeier – Director of the Department of Management

Gregory Seyfer – State Racing and Gaming Commission

Jon Murphy – Director of the Office for State-Federal Relations

WAYS AND MEANS

David Erickson – Iowa Finance Authority

Kathleen Koenig – State Board of Tax Review

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

MARY A. LUNDBY

AMENDMENTS FILED

S-3211	S.F.	473	William M. Heckroth
S-3212	S.F.	564	William A. Dotzler, Jr. Joe M. Seng Steve Kettering Paul McKinley
S-3213	S.F.	566	William A. Dotzler, Jr.
S-3214	S.F.	566	Jeff Angelo Larry McKibben Mary A. Lundby Jerry Behn

			E. Thurman Gaskill
			John Putney
			Paul McKinley
			Brad Zaun
			David Johnson
			Pat Ward
			Nancy J. Boettger
			Ron Wieck
			James F. Hahn
			Steve Kettering
S-3215	S.F.	473	Keith A. Kreiman
			Wally E. Horn
			William M. Heckroth
S-3216	S.F.	472	Dick L. Dearden
S-3217	S.F.	520	Tom Rielly
			Rich Olive
			Ron Wieck
			Brad Zaun
			Frank B. Wood
			William M. Heckroth
			Tom Hancock
S-3218	S.F.	566	Brad Zaun
S-3219	S.F.	525	Herman C. Quirnbach
			Keith A. Kreiman
S-3220	S.F.	514	Ron Wieck
			Paul McKinley
			Pat Ward
			Dave Mulder
			David Johnson
			James F. Hahn
			James A. Seymour
			E. Thurman Gaskill
			Mary A. Lundby
			Brad Zaun
			Steve Kettering
			Larry Noble
			Jerry Behn
			Hubert Houser
			Nancy J. Boettger
			John Putney

			David Hartsuch
			Jeff Angelo
S-3221	S.F.	414	Jeff Danielson
S-3222	S.F.	341	William A. Dotzler, Jr.
S-3223	S.F.	174	Joe Bolkom
S-3224	S.F.	513	Herman C. Quirmbach

JOURNAL OF THE SENATE

EIGHTY-FIFTH CALENDAR DAY
FORTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 2, 2007

The Senate met in regular session at 12:39 p.m., President Kibbie presiding.

Prayer was offered by Pastor Bill Shewmaker of the Keosauqua Christian Church in Keosauqua, Iowa. He was the guest of Senator Schmitz.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Erin Pettit.

The Journal of Thursday, March 29, 2007, 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, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 169, a bill for an act providing for county eligibility for state payment of certain mental health, mental retardation, and developmental disabilities services funding and providing effective and retroactive applicability dates.

ALSO: That the House has on March 29, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 403, a bill for an act addressing financial and regulatory matters by making and revising appropriations, providing for properly related matters, and providing effective dates. (S-3225)

ALSO: That the House has on March 29, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

House File 611, a bill for an act relating to human growth and development and health education under the educational standards, requiring school districts to provide curricular information to agencies and organizations upon request, and providing related duties for the director of the department of education.

Read first time and referred to committee on **Human Resources**.

SPECIAL GUESTS

Senator Mulder introduced to the Senate chamber the Orange City Tulip Time Queen Rebekah Kuiken and her court: Maggie Achterhof, Julynda Eekhoff, Anna Schiebout, and Emily Muilenburg.

The Queen and her attendants entertained the Senate with a song inviting visitors to Orange City for Tulip Time.

The Senate stood at ease at 1:02 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:02 p.m., President Kibbie presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 2:03 p.m. until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:30 p.m., President Kibbie presiding.

The Senate stood at ease at 3:31 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:52 p.m., President Kibbie presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Fraise, for the day, on request of Senator Courtney.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Connolly asked and received unanimous consent to take up for consideration Senate Files 545, 510, and 488.

Senate File 545

On motion of Senator Kreiman, **Senate File 545**, a bill for an act relating to the department of corrections by increasing penalties for engaging in sex acts with offenders under the supervision of the department of corrections or a judicial district department of correctional services, and eliminating certain reporting requirements, was taken up for consideration.

Senator Kreiman offered amendment S-3140, filed by him on March 20, 2007, to the title page of the bill, and moved its adoption.

Amendment S-3140 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. 545), the vote was:

Yeas, 49:

Angelo	Gaskill	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck

Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirnbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Fraise

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

Senate File 510

On motion of Senator Wood, **Senate File 510**, a bill for an act concerning electrical and mechanical amusement devices and providing penalties, 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. 510), the vote was:

Yeas, 49:

Angelo	Gaskill	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirnbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Fraise

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 488

On motion of Senator Connolly, **Senate File 488**, a bill for an act concerning assessments for funding of municipal utility retirement systems, was taken up for consideration.

Senator Connolly offered amendment S-3104, filed by him on March 13, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3104 was adopted by a voice vote.

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. 488), the vote was:

Yeas, 29:

Appel	Dotzler	Kibbie	Schoenjahn
Beall	Dvorsky	Kreiman	Seng
Black	Gronstal	McCoy	Stewart
Bolkcom	Hancock	Olive	Warnstadt
Connolly	Hatch	Quirnbach	Wood
Courtney	Heckroth	Ragan	
Danielson	Hogg	Rielly	
Dearden	Horn	Schmitz	

Nays, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Absent, 1:

Fraise

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 488, 510, and 545** 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 485, 462, 460, and 499.

Senate File 485

On motion of Senator Bolkcom, **Senate File 485**, a bill for an act requiring consideration of greenhouse gas emissions in issuing specified air quality permits, was taken up for consideration.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 485), the vote was:

Yeas, 29:

Appel	Dotzler	Kibbie	Schoenjahn
Beall	Dvorsky	Kreiman	Seng
Black	Gronstal	McCoy	Stewart
Bolkcom	Hancock	Olive	Warnstadt
Connolly	Hatch	Quirnbach	Wood
Courtney	Heckroth	Ragan	
Danielson	Hogg	Rielly	
Dearden	Horn	Schmitz	

Nays, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Absent, 1:

Fraise

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 462

On motion of Senator Bolkcom, **Senate File 462**, a bill for an act relating to body piercing, body modification, and tattooing, and providing penalties, was taken up for consideration.

Senator Boettger offered amendment S-3229, filed by Senator Boettger, et al., from the floor to page 1 and to the title page of the bill.

Senator Bolkcom raised the point of order that amendment S-3229 was not germane to the bill.

The ruled the point well-taken and amendment S-3229, out of order.

Senator Bolkcom offered amendment S-3227, filed by him from the floor to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-3227 was adopted by a voice vote.

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. 462), the vote was:

Yeas, 47:

Appel	Gaskill	Kibbie	Schmitz
Beall	Gronstal	Kreiman	Schoenjahn
Behn	Hahn	McCoy	Seng

Black	Hancock	McKibben	Seymour
Boettger	Hartsuch	McKinley	Stewart
Bolkcom	Hatch	Mulder	Ward
Connolly	Heckroth	Noble	Warnstadt
Courtney	Hogg	Olive	Wieck
Danielson	Horn	Putney	Wood
Dearden	Houser	Quirmbach	Zaun
Dotzler	Johnson	Ragan	Zieman
Dvorsky	Kettering	Rielly	

Nays, 2:

Angelo Lundby

Absent, 1:

Fraise

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 460.

Senate File 460

On motion of Senator Kreiman, **Senate File 460**, a bill for an act relating to providing an appeal process for medical assistance providers, was taken up for consideration.

Senator Kreiman offered amendment S-3209, filed by him on March 28, 2007, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-3209 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. 460), the vote was:

Yeas, 49:

Angelo	Gaskill	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirmbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Fraise

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 499

On motion of Senator Wood, **Senate File 499**, a bill for an act relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions, was taken up for consideration.

Senator Wood offered amendment S-3226, filed by him from the floor to pages 9 and 10 of the bill, and moved its adoption.

Amendment S-3226 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. 499), the vote was:

Yeas, 49:

Angelo	Gaskill	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirnbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Fraise

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 460, 462, 485, and 499** 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 440, 533, and 519.

Senate File 440

On motion of Senator Olive, **Senate File 440**, a bill for an act modifying water service requirements for rural water providers, was taken up for consideration.

Senator Black asked and received unanimous consent that action on **Senate File 440** be **deferred**.

Senate File 533

On motion of Senator Hogg, **Senate File 533**, a bill for an act relating to a debtor's exempt personal injury payments in state court debt collection and federal bankruptcy actions, was taken up for consideration.

Senator Hogg asked and received unanimous consent that action on **Senate File 533** be **deferred**.

Senate File 519

On motion of Senator Danielson, **Senate File 519**, a bill for an act providing for energy performance-based contracts for certain public entities, was taken up for consideration.

Senator Danielson offered amendment S-3199, filed by him on March 28, 2007, to pages 3 and 7 of the bill.

Senator Lundby asked and received unanimous consent that action on amendment S-3199 and **Senate File 519** be **deferred**.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 573.

Senate File 573

On motion of Senator Hatch, **Senate File 573**, a bill for an act creating an interim commission on affordable health care plans for small businesses and families and a health care data research advisory council, and providing an effective date, was taken up for consideration.

The Senate stood at ease at 4:55 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 5:07 p.m., President Kibbie presiding.

Senator Hartsuch asked and received unanimous consent that action on **Senate File 573** be **deferred**.

HOUSE AMENDMENT CONSIDERED

Senate File 403

Senator Gronstal called up for consideration **Senate File 403**, a bill for an act addressing financial and regulatory matters by making and revising appropriations, providing for properly related matters, and providing effective dates, amended by the House in House amendment S-3225, filed April 2, 2007.

Senator Angelo 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 Johnson 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. 403), the vote was:

Yeas, 49:

Angelo	Gaskill	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirnbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Fraise

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 403** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:20 p.m. until 8:45 a.m., Tuesday, April 3, 2007.

APPENDIX

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 29, 2007, when the vote was taken on the En Bloc Confirmation Calendar. Had I been present, I would have voted "Yea."

LARRY NOBLE

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 TRANSPORTATION

Quarterly report on the progress of the building project for the Motor Vehicle Division, pursuant to 2005 Iowa Acts, House File 466. Report received on April 2, 2007.

REPORT OF COMMITTEE MEETING

EDUCATION

Convened: Monday, April 2, 2007, 2:05 p.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Mulder, Ranking Member; Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirnbach, Schmitz, Wood, Zaun, and Zieman.

Members Absent: None.

Committee Business: Passed HF 615.

Adjourned: 2:45 p.m.

INTRODUCTION OF BILLS

Senate File 574, by committee on Appropriations, a bill for an act relating to statewide greenhouse gas emissions.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 575, by committee on Appropriations, a bill for an act relating to and making appropriations to the justice system.

Read first time under Rule 28 and **placed on Appropriations calendar.**

STUDY BILL RECEIVED

SSB 1348 Appropriations

Establishing the office of energy independence and the Iowa power fund and related provisions, making appropriations, and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS

Senate File 553

APPROPRIATIONS: Connolly, Chair; Boettger, Dvorsky, Johnson, and Wood

House File 611

HUMAN RESOURCES: Bolkcom, Chair; Boettger and Hatch

House File 829

ECONOMIC GROWTH: Stewart, Chair; Hahn, Hatch, Houser, and Olive

House File 874

APPROPRIATIONS: Danielson, Chair; Dvorsky and Hahn

SSB 1348

APPROPRIATIONS: Dotzler, Chair; Angelo, Hancock, Hogg, and Johnson

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 574 (formerly SF 494), a bill for an act relating to statewide greenhouse gas emissions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Dvorsky, McCoy, Black, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Hancock, Hatch, Hogg, Ragan, Seng, Warnstadt, and Wood. Nays, 10: Angelo,

Behn, Boettger, Gaskill, Hahn, Johnson, Kettering, Putney, Seymour, and Ward.
Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 574, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 575 (SSB 1338), a bill for an act relating to and making appropriations to the justice system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 25: Dvorsky, McCoy, Angelo, Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, 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 Appropriations Committee on Senate File 575, and they were attached to the committee report.

EDUCATION

Bill Title: HOUSE FILE 615, a bill for an act relating to the membership of the board of educational examiners.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Schoenjahn, Appel, Mulder, Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirnbach, Schmitz, Wood, Zaun, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 30, 2007, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 548 – Creating a hemophilia advisory committee and providing a contingent effective date.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 361, the following corrections were made:

1. Page 7, line 19: change “public funds” to “public fund’s”
2. Page 9, line 4: change “section” to “sections”

MICHAEL E. MARSHALL
Secretary of the Senate

GOVERNOR’S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees, assigned to standing committee for investigation, were placed on the Individual Confirmation Calendar with recommendations for confirmation:

EDUCATION

Cyndi Pederson – Director of the Department of Cultural Affairs

Judy Jeffrey – Board of Educational Examiners

Craig Lang – State Board of Regents

GOVERNOR’S APPOINTEE PLACED ON EN BLOC CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the En Bloc Calendar with recommendation for confirmation:

EDUCATION

Bradley Dirks – Board of Educational Examiners

WITHDRAWAL AND DEFERRAL OF GOVERNOR’S APPOINTEES

The following letters from the Governor were received in the office of the Secretary of the Senate on April 2, 2007:

I am withdrawing the name of Rhonda Newman to serve as a Commission on Community Action Agencies member from further consideration by the Senate.

Pursuant to Iowa Code sections 2.32(1a) and 216A.92A, please accept this letter as the notice of deferment of the appointment to the Commission on Community Action Agencies, formerly held by Rhonda Newman. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

I am withdrawing the name of Christopher Seeger to serve as a Landscape Architecture Examining Board member from further consideration by the Senate.

Pursuant to Iowa Code sections 2.32(1a) and 554B.3, please accept this letter as the notice of deferment of the appointment to the Landscape Architecture Examining Board, formerly held by Christopher Seeger. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

I am withdrawing the name of Shahid Habib to serve as a Board of Medical Examiners member from further consideration by the Senate.

Pursuant to Iowa Code sections 2.32(1a) and 147.14, please accept this letter as the notice of deferment of the appointment to the Board of Medical Examiners, formerly held by Shahid Habib. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

I am withdrawing the name of Susan Ammons to serve as a State Soil Conservation Committee member from further consideration by the Senate.

Pursuant to Iowa Code sections 2.32(1a) and 161A.4, please accept this letter as the notice of deferment of the appointment to the State Soil Conservation Committee, formerly held by Susan Ammons. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

I am withdrawing the name of Melanie Cloud Gross to serve as a Vision Iowa Board member from further consideration by the Senate.

Pursuant to Iowa Code sections 2.32(1a) and 15F.102, please accept this letter as the notice of deferment of the appointment to the Vision Iowa Board, formerly held by Melanie Cloud Gross. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

AMENDMENTS FILED

S-3225	S.F.	403	House
S-3226	S.F.	499	Frank B. Wood
S-3227	S.F.	462	Joe Bolkom
S-3228	S.F.	574	Joe Bolkom

S-3229	S.F.	462	Nancy J. Boettger David Johnson Mary A. Lundby Ron Wieck Jerry Behn Paul McKinley Brad Zaun James F. Hahn Larry McKibben David Mulder Steve Kettering Hubert Houser David Hartsuch Mark Zieman James A. Seymour Jeff Angelo John Putney Larry Noble
S-3230	S.F.	564	Tom Rielly

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 3, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by Reverend Jim Howland of the First Presbyterian Church in Winterset, Iowa. He was the guest of Senator Appel.

The Journal of Monday, April 2, 2007, 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 2, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 718, a bill for an act relating to cigarette fire safety standards, and providing penalties.

Read first time and referred to committee on **Human Resources**.

House File 808, a bill for an act concerning accountability requirements for entities, administrators, and boards created for joint exercise of governmental powers and providing effective dates.

Read first time and referred to committee on **Local Government**.

House File 815, a bill for an act requiring the department of transportation to conduct a statewide conference concerning antenna structures affecting aviation safety.

Read first time and referred to committee on **Transportation**.

House File 841, a bill for an act relating to alignment of the kindergarten through postsecondary education systems and providing an effective date.

Read first time and referred to committee on **Education**.

House File 864, a bill for an act providing for candidate physical ability tests for fire fighter applicants under the statewide fire and police retirement system and providing an effective date.

Read first time and referred to committee on **State Government**.

SPECIAL GUEST

Senator Gronstal introduced to the Senate chamber the Honorable Joe Biden, U.S. Senator from the state of Delaware and Democratic presidential candidate.

The Senate rose and expressed its welcome.

The Senate stood at ease at 8:53 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:26 a.m., President Kibbie presiding.

UNFINISHED BUSINESS (Deferred April 2, 2007)

Senate File 573

The Senate resumed consideration of **Senate File 573**, a bill for an act creating an interim commission on affordable health care plans for small businesses and families and a health care data research advisory council, and providing an effective date, deferred April 2, 2007.

Senator Hatch offered amendment S–3234, filed by him from the floor to page 1 of the bill.

Senator Hartsuch asked and received unanimous consent that action on amendment S–3234 and **Senate File 573** be **deferred**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Fraise, until he arrives, on request of Senator Courtney; and Senator Kreiman, until he returns, on request of Senator Ragan.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration Senate File 564.

Senate File 564

On motion of Senator Seng, **Senate File 564**, 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–3231, filed by Senator Seng, et al., from the floor to pages 3, 8–10, and 13 of the bill, and moved its adoption.

Amendment S–3231 was adopted by a voice vote.

With the adoption of amendment S–3231, the Chair ruled amendments S–3176, filed by Senator Seng on March 27, 2007, to pages 8–10, and 13, and S–3212, filed by Senator Dotzler, et al., on March 29, 2007, to page 10 of the bill, out of order.

Senator Rielly offered amendment S–3230, filed by him on April 2, 2007, to pages 2 and 3 of the bill, and moved its adoption.

Amendment S–3230 lost.

Senator McKibben offered amendment S–3162, filed by Senators McKibben and Seng on March 26, 2007, to page 13 of the bill, and moved its adoption.

Amendment S-3162 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. 564), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kettering	Rielly
Appel	Gaskill	Kibbie	Schmitz
Beall	Gronstal	Lundby	Schoenjahn
Behn	Hahn	McCoy	Seng
Black	Hancock	McKibben	Seymour
Boettger	Hartsuch	McKinley	Stewart
Bolkcom	Hatch	Mulder	Ward
Cannolly	Heckroth	Noble	Warnstadt
Courtney	Hogg	Olive	Wieck
Danielson	Horn	Putney	Wood
Dearden	Houser	Quirnbach	Zaun
Dotzler	Johnson	Ragan	Zieman

Nays, none.

Absent, 2:

Fraise Kreiman

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 564** 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 512.

Senate File 512

On motion of Senator Danielson, **Senate File 512**, a bill for an act relating to the regulation of pharmacy benefits managers and providing penalties, was taken up for consideration.

Senator Lundby asked and received unanimous consent that action on **Senate File 512** be **deferred**.

The Senate stood at ease at 11:03 a.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 11:27 a.m., President Kibbie presiding.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 508.

Senate File 508

On motion of Senator Rielly, **Senate File 508**, a bill for an act requiring health care benefit coverage for certain prosthetic devices and providing an applicability date, was taken up for consideration.

Senator Rielly offered amendment S-3208, filed by him on March 28, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3208 was adopted by a voice vote.

Senator Lundby asked and received unanimous consent that action on **Senate File 508** be **deferred**.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 574.

Senate File 574

On motion of Senator Bolkcom, **Senate File 574**, a bill for an act relating to statewide greenhouse gas emissions, was taken up for consideration.

Senator Bolkcom offered amendment S-3237, filed by him from the floor to page 4 of the bill, and moved its adoption.

Amendment S-3237 was adopted by a voice vote.

Senator Bolkcom withdrew amendment S-3228, filed by him on April 2, 2007, 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. 574), the vote was:

Yeas, 28:

Appel	Dearden	Hogg	Rielly
Beall	Dotzler	Horn	Schmitz
Black	Dvorsky	Kibbie	Schoenjahn
Bolkcom	Gronstal	McCoy	Seng
Connolly	Hancock	Olive	Stewart
Courtney	Hatch	Quirmbach	Warnstadt
Danielson	Heckroth	Ragan	Wood

Nays, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Absent, 2:

Fraise	Kreiman
--------	---------

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that **Senate File 574** be **immediately messaged** to the House.

RECESS

On motion of Senator Courtney, the Senate recessed at 11:40 a.m. until 4:30 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Burley and Helen Beam, Burlington—For celebrating their 50th wedding anniversary. Senator Courtney (4/3/07).

Reverends Bill and Sheri Daylong, Jefferson—For being the Pastors of the Day. Senator Beall (4/3/07).

Malory Jane Dreasler—For being awarded a University of Iowa Presidential Scholarship for 2007. Senator McKibben (4/3/07).

Robert A. Jones, Sr., Montrose—For celebrating his 90th birthday. Senator Courtney (4/3/07).

Dr. Thomas Renze—For being named the 2007 Iowa School Communicator of the Year. Senator McKibben (4/3/07).

Scott and Joan Williams, Burlington—For celebrating their 50th wedding anniversary. Senator Courtney (4/3/07).

Manuel and Pattie Valladolid, Sioux City—For celebrating their 50th wedding anniversary. Senator Warnstadt (4/3/07).

Marguerite Williams VanArsdale, Waterloo—For celebrating her 92nd birthday. Senator Dotzler (4/3/07).

REPORT OF COMMITTEE MEETING

GOVERNMENT OVERSIGHT

Convened: Tuesday, April 3, 2007, 12:00 p.m.

Members Present: Courtney, Chair; Wieck, Ranking Member; Lundby and Schmitz.

Members Absent: Connolly, Vice Chair (excused).

Committee Business: Approved SSB 1346.

Adjourned: 12:10 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 29, by Ragan, Gaskill, Connolly, and Beall, a resolution declaring the trombone Iowa's premier musical instrument.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 576, by Gronstal, a bill for an act relating to locally administered human services programs involving county mental health, mental retardation, and developmental disabilities services funding and the decategorization of the child welfare and juvenile justice funding initiative by making an appropriation, authorizing nonreversion of certain funding, and providing effective date and retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Appropriations**.

Senate File 577, by committee on Government Oversight, a bill for an act relating to administration of provisions involving violations of the state's noncompetition by government law.

Read first time under Rule 28 and **placed on calendar**.

FINAL COMMITTEE REPORTS OF BILL ACTION

GOVERNMENT OVERSIGHT

Bill Title: SENATE FILE 577 (SSB 1346), a bill for an act relating to administration of provisions involving violations of the state's noncompetition by government law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 4: Courtney, Wieck, Lundby, and Schmitz. Nays, none. Absent, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., President Kibbie presiding.

The Senate stood at ease at 4:37 p.m. until the fall of the gavel.

The Senate resumed session at 4:48 p.m., President Kibbie presiding.

BUSINESS PENDING

Senate File 573

The Senate resumed consideration of **Senate File 573**, a bill for an act creating an interim commission on affordable health care plans for small businesses and families and a health care data research advisory council, and providing an effective date, and amendment S-3234, previously deferred.

Senator Hartsuch asked and received unanimous consent that action on amendment S-3234 and **Senate File 573** be **deferred**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 543.

Senate File 543

On motion of Senator Mulder, **Senate File 543**, a bill for an act relating to the state interagency Missouri river authority, by providing for the participation in or withdrawal from interstate associations, providing for the appointment of a vice chairperson, and providing for duties of member agencies, was taken up for consideration.

Senator Gronstal offered amendment S-3252, filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment S-3252 was adopted 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?" (S.F. 543), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

House File 777, a bill for an act relating to judicial branch practices and procedures including but not limited to adoption petitions, clerk of the district court duties, and recordkeeping affecting real estate and change of name records.

Read first time and **attached to similar Senate File 521**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 543** 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 538.

Senate File 538

On motion of Senator Hogg, **Senate File 538**, a bill for an act 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 and including an applicability date provision, was taken up for consideration.

Senator Hogg asked and received unanimous consent that action on **Senate File 538** be **deferred**.

The Senate stood at ease at 4:58 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 6:48 p.m., President Kibbie presiding.

BUSINESS PENDING

Senate File 573

The Senate resumed consideration of **Senate File 573**, a bill for an act creating an interim commission on affordable health care plans for small businesses and families and a health care data research advisory council, and providing an effective date, and amendment S-3234, previously deferred.

Senate Hartsuch offered amendment S-3270, filed by him from the floor to pages 1 and 3 and to the title page of the bill, and moved its adoption.

Amendment S-3270 lost.

The Senate resumed consideration of amendment S-3234, previously deferred.

Senator Hatch moved the adoption of amendment S-3234.

Amendment S-3234 was adopted by a voice vote.

With the adoption of amendment S-3234, the Chair ruled amendments S-3263, filed by Senator Hartsuch, et al., from the floor to page 1 of the bill, and S-3271, filed by Senator Hartsuch, et al., from the floor to pages 1 and 2 of the bill, out of order.

Senator Hartsuch offered amendment S-3265, filed by Senator Hartsuch, et al., from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question, "Shall amendment S-3265 be adopted?" (S.F. 573), the vote was:

Yeas, 18:

Angelo	Hartsuch	McKibben	Wieck
Behn	Houser	McKinley	Zaun
Boettger	Johnson	Mulder	Zieman
Gaskill	Kettering	Noble	
Hahn	Lundby	Putney	

Nays, 32:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Seymour
Connolly	Hancock	Olive	Stewart
Courtney	Hatch	Quirnbach	Ward
Danielson	Heckroth	Ragan	Warnstadt
Dearden	Hogg	Rielly	Wood

Absent, none.

Amendment S-3265 lost.

Senator Hartsuch offered amendment S-3264, filed by Senator Hartsuch, et al., from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question, "Shall amendment S-3264 be adopted?" (S.F. 573), the vote was:

Yeas, 16:

Angelo	Hartsuch	Lundby	Noble
Behn	Houser	McKibben	Wieck
Boettger	Johnson	McKinley	Zaun
Hahn	Kettering	Mulder	Zieman

Nays, 34:

Appel	Dvorsky	Kibbie	Schoenjahn
Beall	Fraise	Kreiman	Seng
Black	Gaskill	McCoy	Seymour
Bolkcom	Gronstal	Olive	Stewart
Connolly	Hancock	Putney	Ward
Courtney	Hatch	Quirnbach	Warnstadt
Danielson	Heckroth	Ragan	Wood
Dearden	Hogg	Rielly	
Dotzler	Horn	Schmitz	

Absent, none.

Amendment S-3264 lost.

Senator Hartsuch offered amendment S-3261, filed by Senator Hartsuch, et al., from the floor to page 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question, "Shall amendment S-3261 be adopted?" (S.F. 573), the vote was:

Yeas, 19:

Angelo	Hartsuch	McKibben	Ward
Behn	Houser	McKinley	Wieck
Boettger	Johnson	Mulder	Zaun
Gaskill	Kettering	Noble	Zieman
Hahn	Lundby	Putney	

Nays, 31:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Seymour
Connolly	Hancock	Olive	Stewart
Courtney	Hatch	Quirnbach	Warnstadt
Danielson	Heckroth	Ragan	Wood
Dearden	Hogg	Rielly	

Absent, none.

Amendment S-3261 lost.

Senator Hartsuch offered amendment S-3262, filed by Senator Hartsuch, et al., from the floor to pages 3 and 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question, "Shall amendment S-3262 be adopted?" (S.F. 573), the vote was:

Yeas, 15:

Angelo	Hartsuch	Lundby	Wieck
Behn	Houser	McKibben	Zaun
Boettger	Johnson	McKinley	Zieman
Hahn	Kettering	Noble	

Nays, 35:

Appel	Dvorsky	Kibbie	Schmitz
Beall	Fraise	Kreiman	Schoenjahn
Black	Gaskill	McCoy	Seng
Bolkcom	Gronstal	Mulder	Seymour
Connolly	Hancock	Olive	Stewart
Courtney	Hatch	Putney	Ward
Danielson	Heckroth	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wood
Dotzler	Horn	Rielly	

Absent, none.

Amendment S-3262 lost.

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. 573), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kettering	Rielly
Appel	Fraise	Kibbie	Schmitz
Beall	Gaskill	Kreiman	Schoenjahn
Behn	Gronstal	Lundby	Seng
Black	Hahn	McCoy	Seymour
Boettger	Hancock	McKibben	Stewart
Bolkcom	Hatch	Mulder	Ward
Connolly	Heckroth	Noble	Warnstadt
Courtney	Hogg	Olive	Wieck
Danielson	Horn	Putney	Wood
Dearden	Houser	Quirnbach	Zaun
Dotzler	Johnson	Ragan	Zieman

Nays, 2:

Hartsuch	McKinley
----------	----------

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 573** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 538

The Senate resumed consideration of **Senate File 538**, a bill for an act 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 and including an applicability date provision, previously deferred.

Senator Hogg withdrew amendment S–3236, filed by him from the floor to page 1 of the bill.

Senator Hogg offered amendment S–3266, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S–3266 was adopted by a voice vote.

Senator Hogg 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. 538), the vote was:

Yeas, 37:

Appel	Fraise	Kibbie	Schmitz
Beall	Gaskill	Kreiman	Schoenjahn
Black	Gronstal	Lundby	Seng
Bolkcom	Hancock	McCoy	Seymour
Connolly	Hatch	Mulder	Stewart
Courtney	Heckroth	Noble	Warnstadt
Danielson	Hogg	Olive	Wood
Dearden	Horn	Quirmbach	
Dotzler	Houser	Ragan	
Dvorsky	Kettering	Rielly	

Nays, 13:

Angelo	Hartsuch	Putney	Zieman
Behn	Johnson	Ward	
Boettger	McKibben	Wieck	
Hahn	McKinley	Zaun	

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 April 2, 2007)

Senate File 519

The Senate resumed consideration of **Senate File 519**, a bill for an act providing for energy performance-based contracts for certain public entities, and amendment S–3199, deferred April 2, 2007.

Senator Zieman offered amendment S-3243, filed by Senator Zieman, et al., from the floor to page 1 of the bill, and moved its adoption.

Amendment S-3243 was adopted by a voice vote.

Senator Zieman offered amendment S-3242, filed by Senator Zieman, et al. from the floor to page 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question, "Shall amendment S-3242 be adopted?" (S.F. 519), the vote was:

Yeas, 20:

Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Warnstadt
Gaskill	Kettering	Noble	Wieck
Hahn	Lundby	Putney	Zaun
Hartsuch	McKibben	Seymour	Zieman

Nays, 30:

Angelo	Dearden	Hogg	Rielly
Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Wood
Courtney	Hatch	Quirnbach	
Danielson	Heckroth	Ragan	

Absent, none.

Amendment S-3242 lost.

The Senate resumed consideration of amendment S-3199, previously deferred.

Senator Zieman withdrew amendment S-3253, filed by him from the floor to pages 1 and 3 of amendment S-3199.

Senator Putney offered amendment S-3250, filed by him from the floor to page 1 of amendment S-3199, and moved its adoption.

A record roll call was requested.

On the question, "Shall amendment S-3250 be adopted?" (S.F. 519), the vote was:

Yeas, 19:

Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman
Hartsuch	McKibben	Seymour	

Nays, 31:

Angelo	Dearden	Hogg	Rielly
Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirmbach	Wood
Danielson	Heckroth	Ragan	

Absent, none.

Amendment S-3250 lost.

Senator Danielson moved the adoption of amendment S-3199.

Amendment S-3199 was adopted by a voice vote.

Senator Zieman asked and received unanimous consent to withdraw amendment S-3238, filed by Senator Zieman, et al., from the floor to page 4 of the bill.

Senator Zieman offered amendment S-3274, filed by him from the floor to page 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question, "Shall amendment S-3274 be adopted?" (S.F. 519), the vote was:

Yeas, 19:

Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman
Hartsuch	McKibben	Seymour	

Nays, 31:

Angelo	Dearden	Hogg	Rielly
Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	

Absent, none.

Amendment S-3274 lost.

Senator Zieman offered amendment S-3241, filed by Senator Zieman, et al., from the floor to page 5 of the bill, and moved its adoption.

A record roll call was requested.

On the question, "Shall amendment S-3241 be adopted?" (S.F. 519), the vote was:

Yeas, 20:

Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Warnstadt
Gaskill	Kettering	Noble	Wieck
Hahn	Lundby	Putney	Zaun
Hartsuch	McKibben	Seymour	Zieman

Nays, 30:

Angelo	Dearden	Hogg	Rielly
Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Wood

Courtney	Hatch	Quirnbach
Danielson	Heckroth	Ragan

Absent, none.

Amendment S–3241 lost.

Senator Zieman offered amendment S–3239, filed by Senator Zieman, et al., from the floor to pages 5 and 6 of the bill, and moved its adoption.

Amendment S–3239 lost.

Senator Zieman offered amendment S–3246, filed by Senator Zieman, et al., from the floor to page 7 of the bill, and moved its adoption.

Amendment S–3246 was adopted by a voice vote.

With the adoption of amendment S–3246, the Chair ruled amendment S–3254, filed by Senator Zieman from the floor to page 7 of the bill, out of order.

Senator Zieman offered amendment S–3240, filed by Senator Zieman, et al., from the floor to pages 8 and 9 of the bill, and moved its adoption.

Amendment S–3240 lost.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 519), the vote was:

Yeas, 24:

Appel	Dotzler	Hogg	Rielly
Black	Dvorsky	Horn	Schmitz
Bolkcom	Fraise	Kibbie	Schoenjahn
Courtney	Hancock	Kreiman	Seng
Danielson	Hatch	Quirnbach	Stewart
Dearden	Heckroth	Ragan	Wood

Nays, 26:

Angelo	Hahn	McKibben	Ward
Beall	Hartsuch	McKinley	Warnstadt
Behn	Houser	Mulder	Wieck
Boettger	Johnson	Noble	Zaun
Connolly	Kettering	Olive	Zieman
Gaskill	Lundby	Putney	
Gronstal	McCoy	Seymour	

Absent, none.

The bill, not having received a constitutional majority, was declared to have failed to pass the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 457.

Senate File 457

On motion of Senator Quirmbach, **Senate File 457**, a bill for an act relating to the rights of peace officers and public safety and emergency personnel, was taken up for consideration.

Senator Quirmbach offered amendment S-3235, filed by him from the floor striking and replacing everything after the enacting clause of the bill.

Senator Quirmbach offered amendment S-3251, filed by Senators Quirmbach and Kreiman from the floor to pages 1-3 of amendment S-3235, and moved its adoption.

Amendment S-3251 was adopted by a voice vote.

Senator Quirmbach moved the adoption of amendment S-3235.

A nonrecord roll call was requested.

The ayes were 28, nays 20.

Amendment S-3235 was adopted.

Senator Quirnbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 457), the vote was:

Yeas, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Nays, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

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 457** and **538** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred March 28, 2007)

House File 793

The Senate resumed consideration of **House File 793**, a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to the placement of advertising devices along primary highways,

qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, the maximum length limitation for single trucks, requirements for operation of certain self-propelled implements of husbandry on secondary roads, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates, deferred March 28, 2007.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which amendment S-3196 to House File 793 was adopted by the Senate on March 28, 2007.

JERRY BEHN

MOTION TO RECONSIDER ADOPTED

House File 793

Senator Behn called up the motion to reconsider amendment S-3196 to House File 793, filed by Senator Behn from the floor, and moved its adoption.

The motion to reconsider was adopted by a voice vote.

Senator Behn withdrew amendment S-3196, filed by Senators Behn and Fraise on March 28, 2007, to page 9 of the bill.

Senator Ward offered amendment S-3248, filed by Senator Ward, et al., from the floor to page 7 and to the title page of the bill.

Senator Kreiman raised the point of order that amendment S-3248 was not germane to the bill.

The Chair ruled the point not well-taken and amendment S-3248 in order.

Senator Gronstal asked and received unanimous consent that action on amendment S-3248 and **House File 793** be **deferred**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 492.

Senate File 492

On motion of Senator Horn, **Senate File 492**, a bill for an act relating to the Iowa law enforcement academy and minimum entrance requirements, was taken up for consideration.

Senator Noble asked and received unanimous consent that action on **Senate File 492** be **deferred**.

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:

Linda Schmitt – Accountancy Examining Board
Donald Timmins – Accountancy Examining Board

Mary Hunter – Alcoholic Beverages Commission

Dale McKinney – Architectural Examining Board
Susan McKinney – Architectural Examining Board

Troy Kleese – Board of Athletic Training Examiners
Shaun McCarthy – Board of Athletic Training Examiners

James Anastasi – Board of Behavioral Science Examiners
Kenneth Fann – Board of Behavioral Science Examiners

Michael Hoenig – Commission for the Blind

Judy Gouldsmith – Board of Interpreters for the Hearing Impaired Examiners

Susan Oltrogge – Boiler and Pressure Vessel Board
Keith Taeger – Boiler and Pressure Vessel Board

Suzanna de Baca – Iowa Capital Investment Board

Lionel Foster – Child Advocacy Board
Roberta Payne – Child Advocacy Board

Rod Rebarcak – Board of Chiropractic Examiners

Alicia Claypool – Iowa State Civil Rights Commission
Debbie Gitchell – Iowa State Civil Rights Commission

G. Kevin Middleswart – Commission on Community Action Agencies

Arthur Neu – Board of Corrections
Michael Sadler – Board of Corrections

Jack Morlan – Board of Cosmetology Arts and Sciences Examiners

Patrick Gill – County Finance Committee
Ben Lacey – County Finance Committee
Suzanne Ruble – County Finance Committee
Dale Sunderman – County Finance Committee

Muhammad Chowdhry – Commission on the Deaf
Rachel Nemmers – Commission on the Deaf

Lynn Curry – Board of Dental Examiners
Deena Kuempel – Board of Dental Examiners
Michael Rovner – Board of Dental Examiners

Mary Sand – Board of Dietetic Examiners

John Garringer – Iowa Drug Policy Advisory Council
Jane Larkin – Iowa Drug Policy Advisory Council

Bradley Dirks – Board of Educational Examiners

Nancy Nichols – Commission of Elder Affairs

Marvin Schumacher – Elevator Safety Board

Darshini Jayawardena – Iowa Empowerment Board

Patricia Heagel – Engineering and Land Surveying Examining Board

Craig Johnstone – Engineering and Land Surveying Examining Board

Roger Caudron – Iowa Finance Authority

Heather Kramer – Iowa Finance Authority

Susan Cell – Health Facilities Council

Marc Elcock – Health Facilities Council

Susan Salter – Healthy and Well Kids in Iowa (HAWK-I) Board

Seldon Spencer – Healthy and Well Kids in Iowa (HAWK-I) Board

Gregory Hoyman – Board for the Licensing and Regulation of Hearing Aid Dispensers

Gregory Moore – Board for the Licensing and Regulation of Hearing Aid Dispensers

Roger Hartman – Council on Human Services

James Miller – Council on Human Services

Robin Anderson – Iowa Great Places Advisory Board

Samantha Erickson – Iowa Great Places Advisory Board

Mark Ginsberg – Iowa Great Places Advisory Board

Theresa Lynch – Iowa Great Places Advisory Board

Daniel McGinn – IOWAccess Advisory Council

Terrence Neuzil – IOWAccess Advisory Council

David Cochran – State Judicial Nominating Commission

Mary Beth Lawler – State Judicial Nominating Commission

Madalin Williams – State Judicial Nominating Commission

Shelly French – Commission on Judicial Qualifications

Helen Kimes – Landscape Architectural Examining Board

Elaine Baxter – Iowa Lottery Authority Board of Directors

Thomas Rial – Iowa Lottery Authority Board of Directors

Mary Belieu – Board of Massage Therapy Examiners
Kimberly Eaton – Board of Massage Therapy Examiners

Tom Drew – Board of Medical Examiners
Blaine Houmes – Board of Medical Examiners
Yasyn Lee – Board of Medical Examiners

Richard Heitmann – Mental Health, Mental Retardation,
Developmental Disabilities, and Brain Injury Commission
Raymond Todd – Mental Health, Mental Retardation,
Developmental Disabilities, and Brain Injury Commission
Gano Whetstone – Mental Health, Mental Retardation,
Developmental Disabilities, and Brain Injury Commission

Wayne Clinton – Mental Health Risk Pool Board
Marjorie Pitts – Mental Health Risk Pool Board

Margaret Eicher – Board of Mortuary Science Examiners
LuJean Welander – Board of Mortuary Science Examiners

William Bird – Natural Resource Commission
Gregory Drees – Natural Resource Commission
Janelle Rettig – Natural Resource Commission

Jane Hasek – Board of Nursing Examiners
Mark Hilliard – Board of Nursing Examiners

Connie Connolly – Board of Optometry Examiners
Christopher Olson – Board of Optometry Examiners

Jacqueline Johnson – Iowa Comprehensive Petroleum Underground
Storage Tank Fund Board
Nancy Lincoln – Iowa Comprehensive Petroleum Underground
Storage Tank Fund Board

DeeAnn Wedemeyer-Oleson – Board of Pharmacy Examiners

Denise Behrends – Board of Physical and Occupational Therapy
Examiners

Susan Callanan – Board of Physical and Occupational Therapy
Examiners

Martin Ungs – Board of Physical and Occupational Therapy
Examiners

Edward Friedmann – Board of Physician Assistant Examiners

Anila Khan – Board of Physician Assistant Examiners

Eric Barp – Board of Podiatry Examiners

Denise Mandi – Board of Podiatry Examiners

Jill Scholz – Board of Podiatry Examiners

Claibourne Dungy – Prevention of Disabilities Policy Council

Maggie Tinsman – Prevention of Disabilities Policy Council

Mary Johnson – Board of Psychology Examiners

James Moody – Board of Psychology Examiners

James Kesterson – Real Estate Appraiser Examining Board

Gregory Morehead – Real Estate Appraiser Examining Board

Judith Stevens – Real Estate Commission

Kerry George – State Board for Respiratory Care

Leland Tack – School Budget Review Committee

Timothy Neugent – Small Business Advisory Council

Nikita Rainey – Small Business Advisory Council

Loretta Sieman – Small Business Advisory Council

Christine Hoffman – Board of Social Work Examiners

Ken Zimmerman – Board of Social Work Examiners

Jason Aird – Board of Speech Pathology and Audiology Examiners

Coral Jud – Board of Speech Pathology and Audiology Examiners

Michael Mahaffey – Iowa Telecommunications and Technology
Commission

Patricia Schneider – Title Guaranty Division Board

Cathryn Callaway – Commission on Tobacco Use Prevention and Control

Gary Streit – Commission on Tobacco Use Prevention and Control

Dean Upton – Iowa Board of Veterinary Medicine

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	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 803.

House File 803

On motion of Senator Quirmbach, **House File 803**, a bill for an act relating to civil service for deputy county sheriffs by allowing a

county to appeal certain decisions of the civil service commission, with report of committee recommending passage, was taken up for consideration.

Senator Quirnbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 803), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 803** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:27 p.m. until 8:30 a.m., Wednesday, April 4, 2007.

APPENDIX—2**MOTION TO RECONSIDER FILED**

MR. PRESIDENT: I move to reconsider the vote by which S.F. 519 failed to pass the Senate on April 3, 2007.

MICHAEL W. CONNOLLY

REPORTS OF COMMITTEE MEETINGS**LABOR AND BUSINESS RELATIONS**

Convened: Tuesday, April 3, 2007, 1:00 p.m.

Members Present: Dearden, Chair; Courtney, Vice Chair; Ward, Ranking Member; Dotzler, Dvorsky, Hahn, Hatch, Horn, McKinley, Seng, and Wieck.

Members Absent: None.

Committee Business: Presentation by the interim Workers' Compensation Commissioner.

Adjourned: 2:30 p.m.

TRANSPORTATION

Convened: Tuesday, April 3, 2007, 2:45 p.m.

Members Present: Rielly, Chair; Danielson, Vice Chair; Noble, Ranking Member; Beall, Dearden, Hancock, Heckroth, Houser, Putney, Warnstadt, Zaun, and Ziemann.

Members Absent: McCoy (excused).

Committee Business: Passed HF 559 and approved Governor's appointment.

Adjourned: 2:55 p.m.

VETERANS AFFAIRS

Convened: Tuesday, April 3, 2007, 4:10 p.m.

Members Present: Beall, Chair; Warnstadt, Vice Chair; Seymour, Ranking Member; Black, Danielson, Hartsuch, Horn, Kibbie, McKibben, McKinley, and Ragan.

Members Absent: None

Committee Business: Subcommittee assignments.

Adjourned: 4:25 p.m.

SUBCOMMITTEE ASSIGNMENTS

House File 585

HUMAN RESOURCES: Bolkcom, Chair; Ragan and Seymour

House File 718

HUMAN RESOURCES: Dotzler, Chair; Seymour and Wood

House File 841

EDUCATION: Schoenjahn, Chair; Mulder and Wood

House File 864

STATE GOVERNMENT: Wood, Chair; Black and Hahn

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: HOUSE FILE 158, a bill for an act relating to a requirement that children receive a blood lead test by age six or prior to enrollment in an elementary school.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Ragan, Schmitz, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. Nays, 3: Seymour, Behn, and Boettger. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 566, a bill for an act relating to the definition of a free clinic for the purposes of the volunteer health care provider program.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENTS-3273.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 585, a bill for an act relating to the selection of board members by area agencies on aging.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirmbach, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 718, a bill for an act relating to cigarette fire safety standards, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirmbach, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 826, a bill for an act establishing an Iowa Abraham Lincoln bicentennial commission and fund and providing for its prospective repeal.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirmbach, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: HOUSE FILE 559, a bill for an act relating to the midwest interstate passenger rail compact and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Rielly, Danielson, Noble, Beall, Dearden, Hancock, Heckroth, Houser, Putney, Warnstadt, Zaun, and Zieman. Nays, none. Absent, 1; McCoy.

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 3rd day of April, 2007:

Senate Files 116, 202, 204, 361, 450, and 535.

MICHAEL E. MARSHALL
Secretary of the Senate

GOVERNOR'S APPOINTEE PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation:

HUMAN RESOURCES

William Brand – Administrator of the Division of Community Action Agencies

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 recommendations for confirmation:

HUMAN RESOURCES

Brenda Langstraat-Janisch – Board of Behavioral Science Examiners

Sara Monroy-Huddleston – Iowa Empowerment Board

David Johnson – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission

TRANSPORTATION

James Romar – Iowa Law Enforcement Academy Council

AMENDMENTS FILED

S-3231	S.F.	564	Joe M. Seng William A. Dotzler, Jr. Steve Kettering Paul McKinley
S-3232	S.F.	562	James F. Hahn
S-3233	S.F.	562	Jeff Angelo Steve Kettering
S-3234	S.F.	573	Jack Hatch
S-3235	S.F.	457	Herman C. Quirmbach
S-3236	S.F.	538	Robert M. Hogg

S-3237	S.F.	574	Joe Bolkcom
S-3238	S.F.	519	Mark Ziemann David Johnson David Hartsuch Ron Wieck Paul McKinley James F. Hahn
S-3239	S.F.	519	Mark Ziemann David Johnson David Hartsuch Ron Wieck Paul McKinley Pat Ward James F. Hahn
S-3240	S.F.	519	Mark Ziemann David Johnson David Hartsuch Ron Wieck Paul McKinley James F. Hahn
S-3241	S.F.	519	Mark Ziemann David Johnson David Hartsuch Ron Wieck Paul McKinley James F. Hahn
S-3242	S.F.	519	Mark Ziemann David Hartsuch Paul McKinley David Johnson Ron Wieck James F. Hahn
S-3243	S.F.	519	Mark Ziemann David Hartsuch David Johnson Paul McKinley Ron Wieck James F. Hahn
S-3244	S.F.	562	Becky Schmitz
S-3245	S.F.	562	David Johnson Mary A. Lundby

			Jeff Angelo
			Nancy J. Boettger
			Dave Mulder
			Hubert Houser
			John Putney
			James F. Hahn
			Paul McKinley
			Ron Wieck
			James Seymour
			Larry Noble
			Mark Zieman
			Brad Zaun
			E. Thurman Gaskill
			David Hartsuch
			Jerry Behn
			Larry McKibben
S-3246	S.F.	519	Mark Zieman
			Jeff Angelo
			Larry McKibben
			Ron Wieck
			John Putney
			James F. Hahn
			Hubert Houser
S-3247	S.F.	253	Joe M. Seng
S-3248	H.F.	793	Pat Ward
			Thomas G. Courtney
			Jeff Angelo
			David Johnson
			James F. Hahn
			John Putney
			Ron Wieck
S-3249	H.F.	793	Tom Rielly
			Gene Fraise
			Jerry Behn
			Larry Noble
S-3250	S.F.	519	John Putney
S-3251	S.F.	457	Herman C. Quirmbach
			Keith A. Kreiman
S-3252	S.F.	543	Michael E. Gronstal
S-3253	S.F.	519	Mark Zieman
S-3254	S.F.	519	Mark Zieman

S-3255	S.F.	512	Mark Zieman
S-3256	S.F.	512	Mark Zieman
S-3257	S.F.	512	Mark Zieman
S-3258	S.F.	508	Ron Wieck Rich Olive
S-3259	S.F.	382	Ron Wieck
S-3260	S.F.	382	Ron Wieck
S-3261	S.F.	573	David Hartsuch Mark Zieman Brad Zaun Paul McKinley James F. Hahn David Johnson Nancy J. Boettger Jerry Behn Mary A. Lundby Ron Wieck
S-3262	S.F.	573	Steve Kettering David Hartsuch Mark Zieman Brad Zaun Paul McKinley James F. Hahn David Johnson Nancy J. Boettger Jerry Behn Mary A. Lundby Ron Wieck
S-3263	S.F.	573	Steve Kettering David Hartsuch Brad Zaun Paul McKinley James F. Hahn Jerry Behn Ron Wieck
S-3264	S.F.	573	Steve Kettering David Hartsuch Mark Zieman Brad Zaun Paul McKinley James F. Hahn

			Dave Mulder
			David Johnson
			Nancy J. Boettger
			Jerry Behn
			Mary A. Lundby
			Ron Wieck
			Steve Kettering
S-3265	S.F.	573	David Hartsuch
			Mark Zieman
			Brad Zaun
			Paul McKinley
			James F. Hahn
			David Johnson
			Nancy J. Boettger
			Jerry Behn
			Mary A. Lundby
			Ron Wieck
			Steve Kettering
S-3266	S.F.	538	Robert M. Hogg
S-3267	S.F.	424	Ron Wieck
			Mary A. Lundby
			James A. Seymour
			Paul McKinley
			Hubert Houser
			Jerry Behn
			Jeff Angelo
			Brad Zaun
			E. Thurman Gaskill
			Steve Kettering
			John Putney
			James F. Hahn
			David Hartsuch
			Larry Noble
			Pat Ward
			David Johnson
			Mark Zieman
			Nancy J. Boettger
			Larry McKibben
			Dave Mulder
S-3268	S.F.	424	Ron Wieck
			Mary A. Lundby

			James A. Seymour
			Paul McKinley
			Hubert Houser
			Jerry Behn
			Jeff Angelo
			Brad Zaun
			E. Thurman Gaskill
			Steve Kettering
			John Putney
			James F. Hahn
			David Hartsuch
			Larry Noble
			Pat Ward
			David Johnson
			Mark Zieman
			Nancy J. Boettger
			Larry McKibben
			Dave Mulder
S-3269	S.F.	382	Ron Wieck
S-3270	S.F.	573	David Hartsuch
S-3271	S.F.	573	David Hartsuch
			Brad Zaun
			Paul McKinley
			Ron Wieck
			James F. Hahn
			Steve Kettering
S-3272	S.F.	562	Becky Schmitz
S-3273	H.F.	566	Human Resources
S-3274	S.F.	519	Mark Zieman
S-3275	H.F.	849	Steve Warnstadt
			Daryl Beall
			Jeff Danielson
			Tom Rielly
			Tom Hancock
			Brian Schoenjahn
			John P. Kibbie
			Frank B. Wood
			William M. Heckroth
			Staci Appel
S-3276	S.F.	495	Frank B. Wood

JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 4, 2007

The Senate met in regular session at 8:34 a.m., President Kibbie presiding.

Prayer was offered by Reverends Bill and Sheri Daylong of the First United Methodist Church in Jefferson, Iowa. They were the guests of Senator Beall.

The Journal of Tuesday, April 3, 2007, 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, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 405, a bill for an act relating to national pollutant discharge elimination system permits for disposal systems.

ALSO: That the House has on April 3, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 131, a bill for an act relating to publication of property assessment equalization orders. (S-3277)

ALSO: That the House has on April 3, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

House File 817, a bill for an act concerning the flag and veterans by providing for a study of regional veterans affairs offices, providing for the duties of the department of veterans affairs and the

commission on veterans affairs prohibiting certain acts involving the flag, establishing a counseling program for veterans, and providing a penalty.

Read first time and referred to committee on **Veterans Affairs**.

SPECIAL GUESTS

Senator McKinley welcomed to the Senate chamber Queen Allie Vande Zande and representatives from Pella's Seventy-second Annual Tulip Time Festival. Queen Vande Zande invited the Senate to attend this year's festival on May 3, 4, and 5, 2007.

Queen Vande Zande introduced the following members of her court: Katie Fetterman, Alie Muller, Sarah Slings, and Katie Williamson. President Kibbie gave Queen Vande Zande a kiss, and she, in turn, presented President Kibbie with a package of the famous Pella Dutch pastries.

The Queen, her attendants, and their parents distributed pastries to the senators and staff.

UNFINISHED BUSINESS (Deferred April 3, 2007)

Senate File 508

The Senate resumed consideration of **Senate File 508**, a bill for an act requiring health care benefit coverage for certain prosthetic devices and providing an applicability date, deferred April 3, 2007.

Senator Wieck offered amendment S-3258, filed by Senators Wieck and Olive on April 3, 2007, to pages 1 and 2 of the bill.

Senator Wieck asked and received unanimous consent that action on amendment S-3258 and **Senate File 508** be **deferred**.

The Senate stood at ease at 8:58 a.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 9:37 a.m., President Kibbie presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lundby, until she arrives, on request of Senator Putney.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 253 and House Files 610 and 608.

Senate File 253

On motion of Senator Seng, **Senate File 253**, a bill for an act regulating the administration of drugs to certain noncaptive vertebrate wildlife and providing a penalty, was taken up for consideration.

Senator Seng offered amendment S-3247, filed by him on April 3, 2007, to page 1 and to the title page of the bill, and moved its adoption.

Amendment S-3247 was adopted by a voice vote.

Senator Seng asked and received unanimous consent that **House File 740** be **substituted** for **Senate File 253**.

House File 740

On motion of Senator Seng, **House File 740**, a bill for an act regulating the administration of drugs to certain noncaptive vertebrate wildlife and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Seng moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 740), the vote was:

Yeas, 41:

Angelo	Gaskill	Kibbie	Schoenjahn
Appel	Gronstal	Kreiman	Seng
Beall	Hahn	McCoy	Seymour
Black	Hancock	Mulder	Stewart
Bolkcom	Hartsuch	Noble	Ward
Connolly	Hatch	Olive	Warnstadt
Courtney	Heckroth	Putney	Wood
Danielson	Hogg	Quirnbach	Zaun
Dotzler	Horn	Ragan	
Dvorsky	Houser	Rielly	
Fraise	Kettering	Schmitz	

Nays, 8:

Behn	Dearden	McKibben	Wieck
Boettger	Johnson	McKinley	Zieman

Absent, 1:

Lundby

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Seng asked and received unanimous consent that **Senate File 253** be **withdrawn** from further consideration of the Senate.

House File 610

On motion of Senator Schmitz, **House File 610**, a bill for an act relating to acquired immune deficiency syndrome and the human immunodeficiency virus, with report of committee recommending passage, was taken up for consideration.

Senator Schmitz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 610), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schoenjahn
Appel	Gaskill	Kreiman	Seng
Beall	Gronstal	McCoy	Seymour
Behn	Hahn	McKibben	Stewart
Black	Hancock	McKinley	Ward
Boettger	Hartsuch	Mulder	Warnstadt
Bolkcom	Hatch	Noble	Wieck
Connolly	Heckroth	Olive	Wood
Courtney	Hogg	Putney	Zaun
Danielson	Horn	Quirmbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, none.

Absent, 1:

Lundby

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 608

On motion of Senator Beall, **House File 608**, a bill for an act relating to notice of meetings of the board of township trustees, with report of committee recommending passage, was taken up for consideration.

Senator Stewart asked and received unanimous consent that action on **House File 608** be **deferred**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Houser, until he returns, on request of Senator Putney; and Senator Hatch, until he returns, on request of Senator Gronstal.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 4, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 110, a bill for an act relating to the standardized training and state certification of reserve peace officers.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 451 and 298.

House File 451

On motion of Senator Ragan, **House File 451**, a bill for an act relating to a single point of entry long-term living resources system, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Ragan offered amendment S-3210, filed by the committee on Human Resources on March 28, 2007, to pages 2 and 3 of the bill, and moved its adoption.

Amendment S-3210 was adopted by a voice vote.

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. 451), the vote was:

Yeas, 47:

Angelo	Dvorsky	Kibbie	Schmitz
Appel	Fraise	Kreiman	Schoenjahn
Beall	Gaskill	McCoy	Seng
Behn	Gronstal	McKibben	Seymour
Black	Hahn	McKinley	Stewart
Boettger	Hancock	Mulder	Ward
Bolkcom	Hartsuch	Noble	Warnstadt

Connolly	Heckroth	Olive	Wieck
Courtney	Hogg	Putney	Wood
Danielson	Horn	Quirnbach	Zaun
Dearden	Johnson	Ragan	Zieman
Dotzler	Kettering	Rielly	

Nays, none.

Absent, 3:

Hatch	Houser	Lundby
-------	--------	--------

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 298

On motion of Senator Fraise, **House File 298**, a bill for an act relating to the conveyance or encumbrance of a homestead and providing an effective and applicability date, with report of committee recommending passage, 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?” (H.F. 298), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 298, 451, 610, and 740** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 591.

House File 591

On motion of Senator Rielly, **House File 591**, a bill for an act providing procedures to increase the number of city council members in certain cities, with report of committee recommending passage, 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?" (H.F. 591), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun

Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 591** 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 483.

Senate File 483

On motion of Senator Danielson, **Senate File 483**, a bill for an act concerning the department of administrative services and providing an effective date, was taken up for consideration.

Senator Danielson offered amendment S-3203, filed by him on March 28, 2007, to pages 1-3 of the bill, and moved its adoption.

Amendment S-3203 was adopted by a voice vote.

Senator Danielson asked and received unanimous consent that **House File 849** be **substituted** for **Senate File 483**.

House File 849

On motion of Senator Danielson, **House File 849**, a bill for an act concerning the department of administrative services and providing an effective date, was taken up for consideration.

Senator Warnstadt offered amendment S-3275, filed by Senator Warnstadt, et al., on April 3, 2007, to page 1 and to the title page of the bill, and moved its adoption.

Amendment S-3275 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?" (H.F. 849), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

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 Danielson asked and received unanimous consent that **Senate File 483** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 849** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:05 a.m. until 5:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 5:02 p.m., President Kibbie presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 4, 2007, **passed** the following bills in which the concurrence of the House was asked:

Senate File 129, a bill for an act relating to the racing and gaming commission by modifying provisions regulating horses involved in horse racing and providing an effective date.

Senate File 284, a bill for an act concerning employees subject to unannounced drug or alcohol testing.

Senate File 400, a bill for an act relating to mortgage release certificates issued by the Iowa finance authority.

ALSO: That the House has on April 4, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 339, a bill for an act relating to county general obligation bonds by modifying the definition of essential county purpose and by changing the requirements under which a county may issue general county purpose bonds without an election. (S-3281)

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Mulder and Zaun, until they return, on request of Senator Lundby.

BUSINESS PENDING

Senate File 508

The Senate resumed consideration of **Senate File 508**, a bill for an act requiring health care benefit coverage for certain prosthetic devices and providing an applicability date, and amendment S–3258, previously deferred.

Senator Wieck moved the adoption of amendment S–3258.

Amendment S–3258 lost.

Senator Wieck offered amendment S–3278, filed by Senator Wieck, et al., from the floor to pages 1 and 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3278 be adopted?” (S.F. 508), the vote was:

Yeas, 18:

Angelo	Hartsuch	McKibben	Ward
Behn	Houser	McKinley	Wieck
Boettger	Johnson	Noble	Zieman
Gaskill	Kettering	Putney	
Hahn	Lundby	Seymour	

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Cannolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, 2:

Mulder	Zaun
--------	------

Amendment S-3278 lost.

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. 508), the vote was:

Yeas, 37:

Angelo	Dvorsky	Kibbie	Schmitz
Appel	Fraise	Kreiman	Schoenjahn
Beall	Gaskill	Lundby	Seng
Black	Gronstal	McCoy	Stewart
Bolkcom	Hancock	McKibben	Ward
Connolly	Hatch	Noble	Warnstadt
Courtney	Heckroth	Olive	Wood
Danielson	Hogg	Quirnbach	
Dearden	Horn	Ragan	
Dotzler	Johnson	Rielly	

Nays, 11:

Behn	Hartsuch	McKinley	Wieck
Boettger	Houser	Putney	Zieman
Hahn	Kettering	Seymour	

Absent, 2:

Mulder	Zaun
--------	------

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 508** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:26 p.m. until 9:00 a.m., Thursday, April 5, 2007.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Victor and Catherine Bochmann—For celebrating their 60th wedding anniversary. Senator Heckroth (4/4/07).

Harold Harryman, Douds—For celebrating his 100th birthday. Senator Schmitz (4/4/07).

Helen Kerr—For celebrating her 90th birthday. Senator Heckroth (4/4/07).

Ruth O. Lang— For celebrating her 90th birthday. Senator Heckroth (4/4/07).

Joseph Nagle, Davenport—For achieving the rank of Eagle Scout, Boy Scout Troop 373. Senator Wood (4/4/07).

Lena Perkins— For celebrating her 90th birthday. Senator Heckroth (4/4/07).

Clarence and Adella Strempeke—For celebrating their 60th wedding anniversary. Senator Heckroth (4/4/07).

Alec Sundermann, Waukee—For achieving the rank of Eagle Scout, Boy Scout Troop 178. Senator Behn (4/4/07).

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Tuesday, April 3, 2007, 2:30 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood.

Members Absent: None.

Committee Business: Passed HF's 158, 566, 585, 611, 718, and 826. Approved Governor's appointments.

Recessed: 4:00 p.m.

Reconvened: 9:35 p.m.

Adjourned: 10:00 p.m.

APPROPRIATIONS

Convened: Wednesday, April 4, 2007, 11:15 a.m.

Members Present: Dvorsky, Chair; McCoy, Vice Chair; Angelo, Ranking Member; Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood.

Members Absent: None.

Committee Business: Passed SFs 453 and 542 and HF 787.

Recessed: 11:20 a.m.

Reconvened: 11:35 a.m.

Adjourned: 11:45 a.m.

COMMERCE

Convened: Wednesday, April 4, 2007, 2:30 p.m.

Members Present: Warnstadt, Chair; Heckroth, Vice Chair; Wieck, Ranking Member; Angelo, Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, and Stewart.

Members Absent: Ward (excused).

Committee Business: Passed HFs 499 and 783.

Adjourned: 2:45 p.m.

EDUCATION

Convened: Wednesday, April 4, 2007, 3:15 p.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Mulder, Ranking Member; Angelo, Beall, Boettger, Connolly, Heckroth, Kreiman, Schmitz, Wood, and Zieman.

Members Absent: Johnson, Quirnbach, and Zaun (all excused).

Committee Business: Passed HF 841.

Adjourned: 3:25 p.m.

STATE GOVERNMENT

Convened: Wednesday, April 4, 2007, 1:05 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Zieman, Ranking Member; Appel, Behn, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood.

Members Absent: Black (excused).

Committee Business: Passed HF's 413, 546, 580, 844, 851, and 864. Approved Governor's appointments.

Adjourned: 1:45 p.m.

WAYS AND MEANS

Convened: Wednesday, April 4, 2007, 4:10 p.m.

Members Present: Bolkcom, Chair; McCoy, Vice Chair; McKibben, Ranking Member; Angelo, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck.

Members Absent: None.

Committee Business: Passed SF 323 and approved SSBs 1168, 1341 (as amended), and 1343.

Adjourned: 5:00 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 30, by Dvorsky and Bolkcom, a resolution honoring Willard L. Boyd, President Emeritus of the University of Iowa, on the occasion of his 80th birthday.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 31, by Bolkcom, a resolution requesting the establishment of an interim study committee by the legislative council to conduct an examination of energy efficiency programs under the purview of the Iowa utilities board.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 578, by committee on Appropriations, a bill for an act creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, and providing a tax exemption and a penalty.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 579, by committee on Appropriations, a bill for an act relating to a pharmaceutical collection and disposal pilot project.

Read first time under Rule 28 and **placed on Appropriations calendar.**

STUDY BILLS RECEIVED

SSB 1349 Ways and Means

Providing for individual and corporate income tax credits for the charitable conveyance of real property for conservation purposes and including a retroactive applicability date provision.

SSB 1350 Ways and Means

Relating to tax exemptions for livestock-related pollution-control or recycling property.

SSB 1351 Ways and Means

Concerning native wine manufacturers and permit fees.

SUBCOMMITTEE ASSIGNMENTS

Senate File 355

WAYS AND MEANS: Hogg, Chair; Bolkcom and Noble

Senate File 506

WAYS AND MEANS: Stewart, Chair; Angelo and Seng

Senate File 576

APPROPRIATIONS: Hatch, Chair; Dvorsky, Johnson, Ragan, and Seymour

SSB 1349

WAYS AND MEANS: Connolly, Chair; Bolkcom and Wieck

SSB 1350

WAYS AND MEANS: McCoy, Chair; Putney and Quirmbach

SSB 1351

WAYS AND MEANS: Appel, Chair; Putney and Stewart

FINAL COMMITTEE REPORTS OF BILL ACTION**APPROPRIATIONS**

Bill Title: SENATE FILE 578 (formerly SF 453), a bill for an act creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, and providing a tax exemption and a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 25: Dvorsky, McCoy, Angelo, Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 579 (formerly SF 542), a bill for an act relating to a pharmaceutical collection and disposal pilot project.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 25: Dvorsky, McCoy, Angelo, Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 787, 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, 25: Dvorsky, McCoy, Angelo, Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Bill Title: HOUSE FILE 499, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including workers' compensation self-insurance, premium taxes, the uniform securities Act, powers and duties of the insurance division, regulation of insurance sales to military personnel, domestic insurance companies, life insurance companies, nonprofit health service corporations, external review of health care coverage decisions, investment limitations on insurers other than life insurers, property and casualty insurers' reserves, motor vehicle service contracts, county and state mutual associations, reciprocal or interinsurance contracts, licensing of insurance producers and public adjusters, and life and fire insurance company boards of directors, and providing penalties.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3282.

Final Vote: Ayes, 14: Warnstadt, Heckroth, Wieck, Angelo, Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, and Stewart. Nays, none. Absent, 1: Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 783, a bill for an act relating to certain city utilities or city enterprises by making changes to procedures for notice and collection of delinquent charges and by making changes to billing notifications for water service and other services provided to certain residential rental property.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3283.

Final Vote: Ayes, 13: Warnstadt, Heckroth, Wieck, Angelo, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, and Stewart. Nays, 1: Bolkcom. Absent, 1: Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: HOUSE FILE 841, a bill for an act relating to alignment of the kindergarten through postsecondary education systems and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Schoenjahn, Appel, Mulder, Angelo, Beall, Boettger, Connolly, Heckroth, Kreiman, Schmitz, Wood, and Zieman. Nays, none. Absent, 3: Johnson, Quirnbach, and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: HOUSE FILE 611, a bill for an act relating to human growth and development and health education under the educational standards, requiring school districts to provide curricular information to agencies and organizations upon request, and providing related duties for the director of the department of education.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Ragan, Schmitz, Bolkcom, Dotzler, Hatch, Kreiman, Quirnbach, and Wood. Nays, 5: Seymour, Behn, Boettger, Johnson, and Mulder. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: HOUSE FILE 413, a bill for an act relating to electronic filing of campaign finance organizational statements, dissolution reports, and disclosure reports by candidates for statewide office or for the general assembly, establishing a filing deadline for all statements and reports, providing a penalty, and providing applicability dates.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Connolly, Horn, Appel, Danielson, Gaskill, Hahn, Hatch, Kibbie, McKibben, Schmitz, and Wood. Nays, 3: Zieman, Behn, and Kettering. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 546, a bill for an act relating to membership on election boards.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3284.

Final Vote: Ayes, 14: Connolly, Horn, Zieman, Appel, Behn, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 580, a bill for an act regulating electioneering communications for campaign finance and disclosure purposes and making civil remedies applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Connolly, Horn, Appel, Danielson, Gaskill, Hatch, Kibbie, McKibben, Schmitz, and Wood. Nays, 4: Zieman, Behn, Hahn, and Kettering. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 844, a bill for an act relating to inspection of absentee ballot affidavit envelopes by the county commissioner of elections.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Connolly, Horn, Zieman, Appel, Danielson, Hahn, Hatch, Kettering, McKibben, Schmitz, and Wood. Nays, none. Absent, 4: Behn, Black, Gaskill, and Kibbie.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 851, a bill for an act relating to expenditure approval requirements applicable to the purchase of telecommunications equipment or services by the Iowa communications network.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Connolly, Horn, Zieman, Appel, Behn, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 864, a bill for an act providing for candidate physical ability tests for fire fighter applicants under the statewide fire and police retirement system and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Connolly, Horn, Zieman, Appel, Behn, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

VETERANS AFFAIRS

Bill Title: HOUSE FILE 749, a bill for an act concerning existing and new special motor vehicle registration plates associated with military service, crediting fees from the sale of certain special motor vehicle registration plates to the emergency medical services fund and the veterans license fee fund, and providing effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Beall, Warnstadt, Seymour, Black, Danielson, Hartsuch, Horn, Kibbie, McKibben, McKinley, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 767, a bill for an act relating to eligible veterans for purposes of the injured veterans grant program.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3280.

Final Vote: Ayes, 11: Beall, Warnstadt, Seymour, Black, Danielson, Hartsuch, Horn, Kibbie, McKibben, McKinley, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

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 4th day of April, 2007:

Senate File 509.

MICHAEL E. MARSHALL
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 4, 2007, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 116 – Relating to the labor commissioner's regulation of fire fighter clothing and personal protection equipment.

Senate File 202 – Relating to the disposition of certain unclaimed property.

Senate File 204 – Relating to the department of public safety practices and procedures.

Senate File 361 – Concerning investment of certain public funds in companies doing business in Sudan by the treasurer of state, public retirement systems in Iowa, and the state board of regents.

Senate File 450 – Relating to limitations of actions as applied to county collection of delinquent real property taxes.

Senate File 535 – Relating to general provisions of the uniform commercial code relating to the construction and application of its subject matter, and providing for a contingent effective date.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Three educators from the African country of Uganda: Dr. Colin Sentongo, James Akampumuza, and Dinah Nahabwe, who were representing the Makerere University Business School in Kampala.: They are establishing an exchange program with Drake University. Senator Beall.

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees, assigned to standing committee for investigation, were placed on the Individual Confirmation Calendar with recommendations for confirmation:

STATE GOVERNMENT

Fred Diehl – Vision Iowa Board
Terry Lutz – Vision Iowa Board
Marilyn Monroe – Vision Iowa Board

GOVERNOR'S APPOINTEE PLACED ON EN BLOC CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the En Bloc Calendar with recommendation for confirmation:

STATE GOVERNMENT

Charles Wubbena – Board of Barber Examiners

AMENDMENTS FILED

S-3277	S.F.	131	House
S-3278	S.F.	508	Ron Wieck
			Mary A. Lundby
			Jeff Angelo
			Pat Ward
			Mark Zieman
			Paul McKinley
			E. Thurman Gaskill
			James F. Hahn
			John Putney
			Larry McKibben
			Steve Kettering
			Larry Noble
			David Hartsuch
S-3279	S.F.	521	Tom Hancock
S-3280	H.F.	767	Veterans Affairs
S-3281	S.F.	339	House
S-3282	H.F.	499	Commerce
S-3283	H.F.	783	Commerce
S-3284	H.F.	546	State Government
S-3285	S.F.	551	Joe Seng

JOURNAL OF THE SENATE

EIGHTY-EIGHTH CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 5, 2007

The Senate met in regular session at 9:00 a.m., President Kibbie presiding.

Prayer was offered by Sister Cheryl Demmer, Principal of Bishop Hayes Catholic Elementary School in Muscatine, Iowa. She was the guest of Senator Hahn.

The Journal of Wednesday, April 4, 2007, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lundby, until she arrives, on request of Senator Putney; and Senator Hahn, until he arrives, on request of Senator Zaun.

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:

Carol Schuster – Accountancy Examining Board

Charles Wubbena – Board of Barber Examiners

Brenda Langstraat-Janisch – Board of Behavioral Science Examiners

Michael Coleman – Board of Corrections

Cigdem Akkurt – Interior Design Examining Board

Teresa Selberg – IOWAccess Advisory Council

David Johnson – Mental Health, Mental Retardation,
Developmental Disabilities, and Brain Injury Commission

Katinka Keith – Board of Social Work Examiners

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question “Shall the appointees be confirmed?” the vote was:

Yeas, 48:

Angelo	Dvorsky	Kettering	Rielly
Appel	Fraise	Kibbie	Schmitz
Beall	Gaskill	Kreiman	Schoenjahn
Behn	Gronstal	McCoy	Seng
Black	Hancock	McKibben	Seymour
Boettger	Hartsuch	McKinley	Stewart
Bolkcom	Hatch	Mulder	Ward
Connolly	Heckroth	Noble	Warnstadt
Courtney	Hogg	Olive	Wieck
Danielson	Horn	Putney	Wood
Dearden	Houser	Quirmbach	Zaun
Dotzler	Johnson	Ragan	Zieman

Nays, none.

Absent, 2:

Hahn Lundby

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate

The Senate stood at ease at 9:34 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:37 a.m., President Kibbie presiding.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Black asked and received unanimous consent to take up for consideration Senate File 521.

Senate File 521

On motion of Senator Hancock, **Senate File 521**, a bill for an act relating to judicial branch practices and procedures including but not limited to adoption petitions, clerk of the district court duties and recordkeeping affecting real estate, the confidentiality of arrest warrants, and notices by the department of corrections to the clerk of the district court, was taken up for consideration.

Senator Hancock offered amendment S-3279, filed by him on April 4, 2007, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-3279 was adopted by a voice vote.

Senator Hancock asked and received unanimous consent that **House File 777** be **substituted** for **Senate File 521**.

House File 777

On motion of Senator Hancock, **House File 777**, a bill for an act relating to judicial branch practices and procedures including but not limited to adoption petitions, clerk of the district court duties and recordkeeping affecting real estate, the confidentiality of arrest warrants, and notices by the department of corrections to the clerk of the district court, 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. 777), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schoenjahn
Appel	Gaskill	Kreiman	Seng
Beall	Gronstal	McCoy	Seymour
Behn	Hahn	McKibben	Stewart
Black	Hancock	McKinley	Ward
Boettger	Hartsuch	Mulder	Warnstadt
Bolkcom	Hatch	Noble	Wieck
Connolly	Heckroth	Olive	Wood
Courtney	Hogg	Putney	Zaun
Danielson	Horn	Quirmbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, none.

Absent, 1:

Lundby

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 521** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Black asked and received unanimous consent to take up for consideration Senate File 562.

Senate File 562

On motion of Senator Dotzler, **Senate File 562**, a bill for an act relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of regents institutions, the department of workforce development, the

Iowa finance authority, and the public employment relations board, and related matters, was taken up for consideration.

Senator Dotzler offered amendment S–3288, filed by him from the floor to pages 1, 3, 5, 6, 12, and 14 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3288 be adopted?” (S.F. 562), the vote was:

Yeas, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Nays, 19:

Angelo	Hartsuch	McKinley	Ward
Behn	Houser	Mulder	Wieck
Boettger	Johnson	Noble	Zaun
Gaskill	Kettering	Putney	Zieman
Hahn	McKibben	Seymour	

Absent, 1:

Lundby

Amendment S–3288 was adopted.

Senator Angelo offered amendment S–3233, filed by Senators Angelo and Kettering on April 3, 2007, to page 5 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3233 be adopted?” (S.F. 562), the vote was:

Yeas, 18:

Angelo	Hartsuch	Mulder	Wieck
Behn	Johnson	Noble	Zaun
Boettger	Kettering	Putney	Zieman
Gaskill	McKibben	Seymour	
Hahn	McKinley	Ward	

Nays, 31:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Houser	Schmitz
Black	Fraise	Kibbie	Schoenjahn
Bolkcom	Gronstal	Kreiman	Seng
Connolly	Hancock	McCoy	Stewart
Courtney	Hatch	Olive	Warnstadt
Danielson	Heckroth	Quirnbach	Wood
Dearden	Hogg	Ragan	

Absent, 1:

Lundby

Amendment S–3233 lost.

Senator Johnson offered amendment S–3245, filed by Senator Johnson, et al., on April 3, 2007, to pages 5 and 11 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3245 be adopted?” (S.F. 562), the vote was:

Yeas, 21:

Angelo	Hartsuch	Mulder	Wieck
Behn	Houser	Noble	Zaun
Boettger	Johnson	Putney	Zieman
Gaskill	Kettering	Rielly	
Hahn	McKibben	Seng	
Hancock	McKinley	Seymour	

Nays, 28:

Appel	Dearden	Hogg	Ragan
Beall	Dotzler	Horn	Schmitz
Black	Dvorsky	Kibbie	Schoenjahn
Bolkcom	Fraise	Kreiman	Stewart
Connolly	Gronstal	McCoy	Ward
Courtney	Hatch	Olive	Warnstadt
Danielson	Heckroth	Quirnbach	Wood

Absent, 1:

Lundby

Amendment S–3245 lost.

Senator Hahn offered amendment S–3232, filed by him on April 3, 2007, to page 14 and to the title page of the bill.

Senator Dotzler raised the point of order that amendment S–3232 was not germane to the bill.

The Chair ruled the point well-taken and amendment S–3232 out of order.

Senator Schmitz withdrew amendment S–3244, filed by her on April 3, 2007, to page 14 of the bill.

Senator Schmitz withdrew amendment S–3272, filed by her on April 3, 2007, to page 14 of the bill.

Senator Schmitz offered amendment S–3295, filed by her from the floor to page 14 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3295 be adopted?” (S.F. 562), the vote was:

Rule 23, requiring all Senators present to vote except those expressing a conflict of interest, was invoked.

Yeas, 16:

Appel	Dearden	Horn	Quirnbach
Beall	Dvorsky	Kibbie	Ragan
Bolkcom	Fraise	Kreiman	Schmitz
Connolly	Hogg	McCoy	Warnstadt

Nays, 33:

Angelo	Hahn	McKinley	Stewart
Behn	Hancock	Mulder	Ward
Black	Hartsuch	Noble	Wieck
Boettger	Hatch	Olive	Wood
Courtney	Heckroth	Putney	Zaun
Danielson	Houser	Rielly	Zieman
Dotzler	Johnson	Schoenjahn	
Gaskill	Kettering	Seng	
Gronstal	McKibben	Seymour	

Absent, 1:

Lundby

Amendment S-3295 lost.

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. 562), the vote was:

Yeas, 45:

Angelo	Dvorsky	Kibbie	Schmitz
Appel	Fraise	Kreiman	Schoenjahn
Beall	Gaskill	McCoy	Seng
Behn	Gronstal	McKibben	Seymour
Black	Hahn	McKinley	Stewart
Boettger	Hancock	Mulder	Ward
Bolkcom	Hartsuch	Noble	Warnstadt
Connolly	Hatch	Olive	Wieck
Courtney	Heckroth	Putney	Wood
Danielson	Hogg	Quirnbach	
Dearden	Horn	Ragan	
Dotzler	Johnson	Rielly	

Nays, 4:

Houser

Kettering

Zaun

Zieman

Absent, 1:

Lundby

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 562** and **House File 777** be **immediately messaged** to the House.

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Gronstal asked and received unanimous consent under Joint Rule 20 that the following bills be placed on the Unfinished Business Calendar:

S.F. 350

S.F. 455

S.F. 549

S.F. 399

S.F. 513

S.F. 550

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **House File 525** be referred from the Senate Calendar to the committee on **Rules and Administration**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 12:45 p.m. until 3:30 p.m.

APPENDIX—1**COMMUNICATION RECEIVED**

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DIVISION OF CRIMINAL AND JUVENILE JUSTICE PLANNING

Annual Report of the Juvenile Justice Advisory Council. Report received on April 5, 2007.

REPORTS OF COMMITTEE MEETINGS**AGRICULTURE**

Convened: Thursday, April 5, 2007, 1:35 p.m.

Members Present: Fraise, Chair; Rielly, Vice Chair; Johnson, Ranking Member; Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Mulder, Olive, Putney, and Seng.

Members Absent: None.

Committee Business: Passed HF's 547, 765, and 846. Approved Governor's appointments.

Adjourned: 1:55 p.m.

JUDICIARY

Convened: Thursday, April 5, 2007, 1:05 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Ward, Warnstadt, and Zieman.

Members Absent: McKibben, Ranking Member; and Schoenjahn (both excused).

Committee Business: Passed HF's 432, 651, 759, and 780.

Adjourned: 1:15 p.m.

TRANSPORTATION

Convened: Thursday, April 5, 2007, 12:55 p.m.

Members Present: Rielly, Chair; Danielson, Vice Chair; Noble, Ranking Member; Beall, Dearden, Hancock, Heckroth, Houser, Putney, Warnstadt, Zaun, and Zieman.

Members Absent: McCoy (excused).

Committee Business: Passed HF 314.

Adjourned: 1:00 p.m.

VETERANS AFFAIRS

Convened: Thursday, April 5, 2007, 1:20 p.m.

Members Present: Beall, Chair; Warnstadt, Vice Chair; Seymour, Ranking Member; Black, Danielson, Horn, Kibbie, and Ragan.

Members Absent: Hartsuch, McKibben, and McKinley (all excused).

Committee Business: Passed HF 817.

Adjourned: 1:25 p.m.

INTRODUCTION OF BILLS

Senate File 580, by committee on Ways and Means, a bill for an act relating to a tax amnesty program, making appropriations, and including an effective date provision.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

Senate File 581, by committee on Ways and Means, a bill for an act relating to certain property eligible for an exemption from property taxation, providing a refund of property taxes in certain circumstances, and including effective and retroactive applicability date provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

Senate File 582, by committee on Ways and Means, a bill for an act relating to a sales tax exemption for the operation of nonprofit private performing arts centers, allowing a sales tax refund for construction of such centers, and including a retroactive applicability date.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

FINAL COMMITTEE REPORTS OF BILL ACTION

TRANSPORTATION

Bill Title: HOUSE FILE 314, a bill for an act relating to a peace officer's statements to a person operating a noncommercial motor vehicle and holding a commercial driver's license who has been requested to submit to a chemical test in an operating-while-intoxicated case.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Rielly, Danielson, Noble, Beall, Dearden, Hancock, Heckroth, Houser, Putney, Warnstadt, Zaun, and Zieman. Nays, none. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

VETERANS AFFAIRS

Bill Title: HOUSE FILE 817, a bill for an act concerning the flag and veterans by providing for a study of regional veterans affairs offices, providing for the duties of the department of veterans affairs and the commission on veterans affairs prohibiting certain acts involving the flag, establishing a counseling program for veterans, and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Beall, Warnstadt, Seymour, Black, Danielson, Horn, Kibbie, and Ragan. Nays, none. Absent, 3: Hartsuch, McKibben, and McKinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: SENATE FILE 580 (SSB 1168), a bill for an act relating to a tax amnesty program, making appropriations, and including an effective date provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 581 (formerly SF 323), a bill for an act relating to certain property eligible for an exemption from property taxation, providing a refund of property taxes in certain circumstances, and including effective and retroactive applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 582 (SSB 1343), a bill for an act relating to a sales tax exemption for the operation of nonprofit private performing arts centers, allowing a sales tax refund for construction of such centers, and including a retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 3:47 p.m., President Pro Tempore Danielson 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 April 5, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 277, a bill for an act 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 an administrator quality program, making appropriations, and providing an effective date. (S-3298)

ADJOURNMENT

On motion of Senator Bolkcom, the Senate adjourned at 3:49 p.m. until 1:00 p.m., Monday, April 9, 2007.

APPENDIX—2

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Virgil and Grace Boos—For celebrating their 60th wedding anniversary. Senator Boettger (4/5/07).

Jim Howland, First Presbyterian Church, Winterset—For being Pastor of the Day. Senator Appel (4/5/07).

Lyle and Colleen Jeppesen—For celebrating their 50th wedding anniversary. Senator Boettger (4/5/07).

David and Alice Kramer, Clarksville—For celebrating their 50th wedding anniversary. Senator Heckroth (4/5/07).

Steve and DeeDee Leinen—For being named 2006 Shelby County Citizens of the Year. Senator Boettger (4/5/07).

Elmer Nolte, Dumont—For celebrating his 85th birthday. Senator Heckroth (4/5/07).

Darlene Peters, Readlyn—For celebrating her 80th birthday. Senator Heckroth (4/5/07).

Esther Spangler—For celebrating her 95th birthday. Senator Boettger (4/5/07).

Warren and Marlene Sands—For celebrating their 50th wedding anniversary. Senator Boettger (4/5/07).

Dorothy Willems, Tripoli—For celebrating her 80th birthday. Senator Heckroth (4/5/07).

Herma Wilson—For celebrating her 90th birthday. Senator Boettger (4/5/07).

REPORTS OF COMMITTEE MEETINGS

ECONOMIC GROWTH

Convended: Thursday, April 5, 2007, 2:40 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Houser, Ranking Member; Beall, Danielson, Dotzler, Hahn, Hatch, Rielly, Schmitz, Seymour, and Zaun.

Members Absent: Mulder (excused).

Committee Business: Passed HF 829 (as amended).

Adjourned: 3:05 p.m.

LOCAL GOVERNMENT

Convened: Thursday, April 5, 2007, 2:00 p.m.

Members Present: Quirnbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Angelo, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, and Schoenjahn.

Members Absent: Hartsuch and Stewart (both excused).

Committee Business: Passed HF 808 (as amended).

Adjourned: 2:20 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, April 5, 2007, 2:35 p.m.

Members Present: Black, Chair; Hancock, Vice Chair; Gaskill, Ranking Member; Bolkcom, Dearden, Hogg, Johnson, Noble, Ragan, Schoenjahn, Seng, and Wood.

Members Absent: Behn, Kettering, and Lundby (all excused).

Committee Business: Passed HF 671 and approved Governor's appointments.

Adjourned: 3:30 p.m.

STUDY BILL RECEIVED

SSB 1352 Ways and Means

Creating a special gold star motor vehicle registration plate and providing fees.

SUBCOMMITTEE ASSIGNMENTS

House File 808

LOCAL GOVERNMENT: Quirnbach, Chair; Kreiman and Zaun

SSB 1352

WAYS AND MEANS: Schmitz, Chair; Appel and Putney

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: HOUSE FILE 547, a bill for an act relating to animal pounds, by authorizing pounds to provide for temporary placement, to refer to themselves as animal shelters, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Fraise, Rielly, Johnson, Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Mulder, Olive, Putney, and Seng. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 765, a bill for an act relating to animal feeding operations, by providing for the enforcement of regulatory provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Fraise, Rielly, Johnson, Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Mulder, Olive, Putney, and Seng. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 846, a bill for an act providing for an Iowa farmers' market nutrition program.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Fraise, Rielly, Johnson, Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Mulder, Olive, Putney, and Seng. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ECONOMIC GROWTH

Bill Title: HOUSE FILE 829, a bill for an act relating to the development and commercialization of businesses in the targeted industry areas of advanced manufacturing, bioscience, and information technology and including a contingent effective date provision.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3299.

Final Vote: Ayes, 12: Stewart, Olive, Houser, Beall, Danielson, Dotzler, Hahn, Hatch, Rielly, Schmitz, Seymour, and Zaun. Nays, none. Absent, 1: Mulder.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: HOUSE FILE 432, a bill for an act relating to abuse of a human corpse and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kreiman, Hogg, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Ward, Warnstadt, and Ziemann. Nays, none. Absent, 2: McKibben and Schoenjahn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 651, a bill for an act relating to business corporations, by providing for information required to be filed with the secretary of state and providing for shareholder voting.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3296.

Final Vote: Ayes, 13: Kreiman, Hogg, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Ward, Warnstadt, and Ziemann. Nays, none. Absent, 2: McKibben and Schoenjahn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 759, a bill for an act specifying the functions of the Clarinda correctional facility.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kreiman, Hogg, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Ward, Warnstadt, and Ziemann. Nays, none. Absent, 2: McKibben and Schoenjahn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: HOUSE FILE 808, a bill for an act concerning accountability requirements for entities, administrators, and boards created for joint exercise of governmental powers and providing effective dates.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3297.

Final Vote: Ayes, 11: Quirnbach, Beall, Zaun, Angelo, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, and Schoenjahn. Nays, none. Absent, 2: Hartsuch and Stewart.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: HOUSE FILE 671, a bill for an act prohibiting remote control or internet hunting of wild animals, or game birds or ungulates or preserve whitetail kept on hunting preserves, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Black, Hancock, Gaskill, Bolkcom, Dearden, Hogg, Johnson, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, 3: Behn, Kettering, and Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 5, 2007, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 509 – Relating to a revised uniform anatomical gift Act, and providing penalties.

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 recommendations for confirmation:

AGRICULTURE

Ron Mark – Grape and Wine Development Commission

NATURAL RESOURCES AND ENVIRONMENT

Dale Cochran – Environmental Protection Commission

Susan Heathcote – Environmental Protection Commission

Charlotte Hubbell – Environmental Protection Commission

Ralph Klemme – Environmental Protection Commission

**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 recommendations for confirmation:

AGRICULTURE

Edwin Hershberger – Iowa Grain Indemnity Fund Board
Thomas Kaldenberg – Iowa Grain Indemnity Fund Board

Paul Tabor – Grape and Wine Development Commission

VETERANS AFFAIRS

Donald Delamore – Commission of Veterans Affairs
Steven Mulcahy – Commission of Veterans Affairs
Rosetta Waychus – Commission of Veterans Affairs

AMENDMENTS FILED

S-3286	S.F.	551	David Johnson
S-3287	S.F.	551	Jeff Angelo
S-3288	S.F.	562	William Dotzler
S-3289	S.F.	551	Nancy J. Boettger
S-3290	S.F.	578	Steve Warnstadt
S-3291	S.F.	512	Pat Ward
S-3292	S.F.	512	Pat Ward
S-3293	S.F.	512	Pat Ward
S-3294	S.F.	551	Paul McKinley
			Brad Zaun
			James F. Hahn
			Pat Ward
			David Johnson
			Mark Zieman
			Steve Kettering
			E. Thurman Gaskill
			Nancy J. Boettger
			Hubert Houser
			Ron Wieck
			Jeff Angelo
			David Hartsuch
			Larry Noble

			Dave Mulder
			John Putney
S-3295	S.F.	562	Becky Schmitz
S-3296	H.F.	651	Judiciary
S-3297	H.F.	808	Local Government
S-3298	S.F.	277	House
S-3299	H.F.	829	Economic Growth

JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 9, 2007

The Senate met in regular session at 1:07 p.m., President Kibbie presiding.

Prayer was offered by Father Mark Reasoner of the St. Jude Catholic Church in Cedar Rapids, Iowa. He was the guest of Senator Horn.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Anna Grimley.

The Journal of Thursday, April 5, 2007, was approved.

The Senate stood at ease at 1:20 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:37 p.m., President Kibbie presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 9, 2007, **passed** the following bills in which the concurrence of the House was asked:

Senate File 140, a bill for an act relating to the time period for which peace officers' investigative reports and specific portions of electronic mail and telephone billing records are to be kept confidential.

Senate File 161, a bill for an act relating to the confidentiality of security procedures or emergency preparedness information discussed at a meeting of a governmental body and providing an effective date.

Senate File 200, a bill for an act providing for the liability of a landowner of land where livestock are kept or an owner of adjoining land for erecting and maintaining a fence, and providing for the assessment of property taxes.

Senate File 337, a bill for an act relating to information required to be indexed in the records of the county recorder.

ALSO: That the House has on April 9, 2007, **amended and passed** the following bills in which the concurrence of the House was asked:

Senate File 175, a bill for an act relating to the disposition of seized property in a criminal proceeding. (S-3303)

Senate File 333, 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. (S-3304)

ALSO: That the House has on April 9, 2007, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 9, a concurrent resolution relating to Pioneer Lawmakers.

Read first time and referred to committee on **Rules and Administration**.

SPECIAL GUEST

Senator Stewart introduced to the Senate chamber the Honorable Bob Osterhaus, former member of the Iowa House of Representatives.

The Senate rose and expressed its welcome.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Courtney, until he arrives, on request of Senator Gronstal.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 314.

House File 314

On motion of Senator Noble, **House File 314**, a bill for an act relating to a peace officer's statements to a person operating a noncommercial motor vehicle and holding a commercial driver's license who has been requested to submit to a chemical test in an operating-while-intoxicated case, with report of committee recommending passage, was taken up for consideration.

Senator Noble 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. 314), the vote was:

Yeas, 49:

Angelo	Gaskill	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Courtney

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:

Robyn Mills – Board of Corrections

Dava James – Commission of Elder Affairs

Edwin Hershberger – Iowa Grain Indemnity Fund Board

Thomas Kaldenberg – Iowa Grain Indemnity Fund Board

Paul Tabor – Grape and Wine Development Commission

Doug Carlson – Board of Examiners for Massage Therapy

Donald Delamore – Commission of Veterans Affairs

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question “Shall the appointees be confirmed?” the vote was:

Yeas, 49:

Angelo	Gaskill	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Courtney

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

REFERRAL TO EN BLOC CONFIRMATION CALENDAR

Senator Gronstal asked and received unanimous consent that the following names be removed from the “Individual Confirmation Calendar” and placed on the “En Bloc Confirmation Calendar”:

Mollie Anderson – Director of the Department of Administrative Services

William Brand – Administrator of the Division of Community Action Agencies

John R. Perkins – Consumer Advocate

Paul Stageberg – Administrator of the Division of Criminal and Juvenile Justice Planning

Cyndi Pederson – Director of the Department of Cultural Affairs

Gary Kendell – Drug Control Policy Coordinator

David Erickson – Iowa Finance Authority

Kevin Concannon – Director of the Department of Human Services

Dean Lerner – Director of the Department of Inspections and Appeals

H. Scott Sankey – Interior Design Examining Board

Michael Beary – Investment Board of the IPERS

Charles Krogmeier – Director of the Department of Management

Jon Murphy – Director of the Office for State-Federal Relations

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:

Mollie Anderson – Director of the Department of Administrative Services

William Brand – Administrator of the Division of Community Action Agencies

John R. Perkins – Consumer Advocate

Paul Stageberg – Administrator of the Division of Criminal and Juvenile Justice Planning

Cyndi Pederson – Director of the Department of Cultural Affairs

Gary Kendell – Drug Control Policy Coordinator

David Erickson – Iowa Finance Authority

Kevin Concannon – Director of the Department of Human Services

Dean Lerner – Director of the Department of Inspections and Appeals

H. Scott Sankey – Interior Design Examining Board

Michael Beary – Investment Board of the IPERS

Charles Krogmeier – Director of the Department of Management

Jon Murphy – Director of the Office for State-Federal Relations

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question “Shall the appointees be confirmed?” the vote was:

Yeas, 49:

Angelo
Appel

Gaskill
Gronstal

Kreiman
Lundby

Schoenjahn
Seng

Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Courtney

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

President Pro Tempore Danielson took the chair at 3:54 p.m.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 314** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 551.

Senate File 551

On motion of Senator Seng, **Senate File 551**, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection, was taken up for consideration.

Senator Boettger offered amendment S-3289, filed by her on April 5, 2007, to page 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3289 be adopted?” (S.F. 551), the vote was:

Yeas, 23:

Angelo	Hancock	McKibben	Stewart
Behn	Hartsuch	McKinley	Ward
Black	Houser	Mulder	Wieck
Boettger	Johnson	Noble	Zaun
Gaskill	Kettering	Putney	Zieman
Hahn	Lundby	Seymour	

Nays, 26:

Appel	Dvorsky	Kibbie	Schmitz
Beall	Fraise	Kreiman	Schoenjahn
Bolkcom	Gronstal	McCoy	Seng
Connolly	Hatch	Olive	Warnstadt
Danielson	Heckroth	Quirnbach	Wood
Dearden	Hogg	Ragan	
Dotzler	Horn	Rielly	

Absent, 1:

Courtney

Amendment S–3289 lost.

Senator Seng offered amendment S–3285, filed by him on April 4, 2007, to pages 5, 17, 19, and 20 of the bill, and moved its adoption.

Amendment S–3285 was adopted by a voice vote.

Senator Angelo offered amendment S–3287, filed by him on April 5, 2007, to page 7 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3287 be adopted?” (S.F. 551), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Hahn	Kettering	Noble	Zaun
Hancock	Lundby	Putney	Zieman

Nays, 29:

Appel	Dvorsky	Kibbie	Schoenjahn
Beall	Fraise	Kreiman	Seng
Black	Gaskill	McCoy	Stewart
Bolkcom	Gronstal	Olive	Warnstadt
Connolly	Hatch	Quirmbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	
Dotzler	Horn	Schmitz	

Absent, 1:

Courtney

Amendment S-3287 lost.

Senator Johnson offered amendment S-3286, filed by him on April 5, 2007, to page 9 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3286 be adopted?" (S.F. 551), the vote was:

Yeas, 21:

Angelo	Houser	Mulder	Wieck
Behn	Johnson	Noble	Zaun
Boettger	Kettering	Putney	Zieman
Gaskill	Lundby	Quirmbach	
Hahn	McKibben	Seymour	
Hartsuch	McKinley	Ward	

Nays, 28:

Appel	Dotzler	Hogg	Rielly
Beall	Dvorsky	Horn	Schmitz
Black	Fraise	Kibbie	Schoenjahn
Bolkcom	Gronstal	Kreiman	Seng
Connolly	Hancock	McCoy	Stewart
Danielson	Hatch	Olive	Warnstadt
Dearden	Heckroth	Ragan	Wood

Absent, 1:

Courtney

Amendment S-3286 lost.

Senator McKinley offered amendment S-3294, filed by Senator McKinley, et al., on April 5, 2007, to pages 10 and 12 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3294 be adopted?" (S.F. 551), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 29:

Appel	Dvorsky	Kibbie	Schoenjahn
Beall	Fraise	Kreiman	Seng
Black	Gronstal	McCoy	Stewart
Bolkcom	Hancock	Olive	Warnstadt
Connolly	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	
Dotzler	Horn	Schmitz	

Absent, 1:

Courtney

Amendment S-3294 lost.

Senator Black asked and received unanimous consent to withdraw amendment S-3302, filed by Senators Black and Kibbie from the floor to page 10 of the bill.

Senator Angelo offered amendment S-3123, filed by Senators Angelo and Dvorsky on March 19, 2007, to page 20 of the bill, and moved its adoption.

Amendment S-3123 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. 551), the vote was:

Yeas, 47:

Angelo	Dvorsky	Johnson	Rielly
Appel	Fraise	Kettering	Schmitz
Beall	Gaskill	Kibbie	Schoenjahn
Behn	Gronstal	Lundby	Seng
Black	Hahn	McKibben	Seymour
Boettger	Hancock	McKinley	Stewart
Bolkcom	Hartsuch	Mulder	Ward
Cannolly	Hatch	Noble	Warnstadt
Courtney	Heckroth	Olive	Wieck
Danielson	Hogg	Putney	Wood
Dearden	Horn	Quirnbach	Zieman
Dotzler	Houser	Ragan	

Nays, 3:

Kreiman	McCoy	Zaun
---------	-------	------

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 (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 580 and 569.

Senate File 580

On motion of Senator Dotzler, **Senate File 580**, a bill for an act relating to a tax amnesty program, making appropriations, and including an effective date provision, was taken up for consideration.

Senator Angelo offered amendment S-3305, filed by him from the floor to pages 1-3 and to the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3305 be adopted?” (S.F. 580), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S–3305 lost.

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. 580), the vote was:

Yeas, 48:

Angelo	Fraise	Kibbie	Rielly
Appel	Gaskill	Kreiman	Schmitz
Beall	Gronstal	Lundby	Schoenjahn
Black	Hahn	McCoy	Seng
Boettger	Hancock	McKibben	Seymour
Bolkcom	Hatch	McKinley	Stewart
Connolly	Heckroth	Mulder	Ward
Courtney	Hogg	Noble	Warnstadt
Danielson	Horn	Olive	Wieck
Dearden	Houser	Putney	Wood
Dotzler	Johnson	Quirnbach	Zaun
Dvorsky	Kettering	Ragan	Zieman

Nays, 2:

Behn Hartsuch

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 4:50 p.m.

Senate File 569

On motion of Senator Schmitz, **Senate File 569**, a bill for an act relating to entities and activities regulated by the Iowa department of public health, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees, was taken up for consideration.

Senator Schmitz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 569), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

**CONSIDERATION OF BILL
(Appropriations Calendar)**

Senator Gronstal asked and received unanimous consent to take up for consideration House File 787.

House File 787

On motion of Senator Ragan, **House File 787**, 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. 787), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 590 and 158.

House File 590

On motion of Senator Heckroth, **House File 590**, a bill for an act relating to the application and enforcement of the state building code and providing an applicability date, with report of committee recommending passage, was taken up for consideration.

Senator Heckroth 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, 35:

Angelo	Dotzler	Kibbie	Schmitz
Appel	Dvorsky	Kreiman	Schoenjahn
Beall	Fraise	Lundby	Seng
Black	Gronstal	McCoy	Seymour
Bolkcom	Hatch	Noble	Stewart
Connolly	Heckroth	Olive	Ward
Courtney	Hogg	Quirnbach	Warnstadt
Danielson	Horn	Ragan	Wood
Dearden	Houser	Rielly	

Nays, 15:

Behn	Hancock	McKibben	Wieck
Boettger	Hartsuch	McKinley	Zaun
Gaskill	Johnson	Mulder	Zieman
Hahn	Kettering	Putney	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 158

On motion of Senator Dotzler, **House File 158**, a bill for an act relating to a requirement that children receive a blood lead test by age six or prior to enrollment in an elementary school, 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. 158), the vote was:

Yeas, 41:

Appel	Gaskill	Kreiman	Schmitz
Beall	Gronstal	Lundby	Schoenjahn
Black	Hahn	McCoy	Seng
Bolkcom	Hancock	McKibben	Seymour
Connolly	Hatch	Mulder	Stewart
Courtney	Heckroth	Noble	Ward
Danielson	Hogg	Olive	Warnstadt
Dearden	Horn	Putney	Wood
Dotzler	Houser	Quirmbach	
Dvorsky	Johnson	Ragan	
Fraise	Kibbie	Rielly	

Nays, 9:

Angelo	Hartsuch	Wieck
Behn	Kettering	Zaun
Boettger	McKinley	Zieman

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 158, 590, and 787** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred April 3, 2007)

House File 793

The Senate resumed consideration of **House File 793**, a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to the placement of advertising devices along primary highways, qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, the maximum length limitation for single trucks, requirements for operation of certain self-propelled implements of husbandry on secondary roads, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates, and amendment S-3248, deferred April 3, 2007.

Senator Ward moved the adoption of amendment S-3248.

A record roll call was requested.

On the question "Shall amendment S-3248 be adopted?" (H.F. 793), the vote was:

Yeas, 28:

Angelo	Dotzler	Johnson	Putney
Behn	Gaskill	Kettering	Quirmbach
Boettger	Hahn	Lundby	Seymour

Bolkcom	Hancock	McCoy	Ward
Connolly	Hatch	McKibben	Wieck
Courtney	Horn	McKinley	Zaun
Danielson	Houser	Mulder	Zieman

Nays, 22:

Appel	Gronstal	Noble	Seng
Beall	Hartsuch	Olive	Stewart
Black	Heckroth	Ragan	Warnstadt
Dearden	Hogg	Rielly	Wood
Dvorsky	Kibbie	Schmitz	
Fraise	Kreiman	Schoenjahn	

Absent, none.

Amendment S–3248 was adopted.

Senator Rielly offered amendment S–3249, filed by Senator Rielly, et al., on April 3, 2007, to page 8 of the bill, and moved its adoption.

Amendment S–3249 was adopted by a voice vote.

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?” (H.F. 793), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Rielly asked and received unanimous consent that **Senate File 401** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 793** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:50 p.m. until 8:45 a.m., Tuesday, April 9, 2007.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Dr. David Carlyle, M.D.—For his outstanding service to the people of Iowa in reducing tobacco use. Senator Quirnbach (4/9/07).

Leta Wall, Cedar Rapids—For celebrating her 85th birthday. Senator Horn (4/9/07).

INTRODUCTION OF RESOLUTIONS

Senate Resolution 32, by Quirnbach, a resolution recognizing the federal Morrill Act and celebrating the renovation of Morrill Hall at Iowa State University.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 33, by Mulder, a resolution honoring the Pioneer United Methodist Church of Rock Valley, Iowa, on the occasion of its quasiquicentennial year.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 34, by McCoy, a resolution honoring the centennial of United Parcel Service of America, Inc., and recognizing the contributions of the company to the citizens of Iowa.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILL

Senate File 583, by committee on Ways and Means, a bill for an act relating to certain tax incentives by requiring data collection, modifying requirements for city and county budgets, and creating a reporting committee.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

FINAL COMMITTEE REPORTS OF BILL ACTION

JUDICIARY

Bill Title: HOUSE FILE 780, a bill for an act relating to the issuance of temporary orders modifying an order of child support.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3301.

Final Vote: Ayes, 13: Kreiman, Hogg, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Ward, Warnstadt, and Ziemann. Nays, none. Absent, 2: McKibben and Schoenjahn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *SENATE FILE 583 (SSB 1341), a bill for an act relating to certain tax incentives by requiring data collection, modifying requirements for city and county budgets, and creating a reporting committee.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, 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 Ways and Means Committee on Senate File 583, 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 9th day of April, 2007:

Senate Files 110, 129, 139, 169, 284, 358, 400, 405, and 431.

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 name be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar":

Steven Mulcahy – Commission of Veterans Affairs

DARYL BEALL

AMENDMENTS FILED

S-3300	S.F.	575	Jeff Angelo Tom Hancock
S-3301	H.F.	780	Judiciary
S-3302	S.F.	551	Dennis H. Black John P. Kibbie
S-3303	S.F.	175	House
S-3304	S.F.	333	House
S-3305	S.F.	580	Jeff Angelo
S-3306	S.F.	512	Jeff Danielson

JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 10, 2007

The Senate met in regular session at 8:47 a.m., President Kibbie presiding.

Prayer was offered by Father Walter Helms of St. Thomas More Catholic Church in Iowa City, Iowa. He was the guest of Senator Dvorsky.

The Journal of Monday, April 9, 2007, was approved.

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 11:00 a.m., President Kibbie presiding.

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:

John White – Iowa Empowerment Board

Carl Smith – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission

Clyde Bradley – Board of Nursing Examiners

Margaret Beaty – State Board of Examiners for Nursing Home Administrators

Scott Lindgren – Prevention of Disabilities Policy Council

Rosetta Waychus – Commission of Veterans Affairs

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	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Cannolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

REFERRAL TO EN BLOC CONFIRMATION CALENDAR

Senator Gronstal asked and received unanimous consent that the following names be removed from the “Individual Confirmation Calendar” and placed on the “En Bloc Confirmation Calendar”:

Richard Leopold – Director of the Department of Natural Resources

Gregory Seyfer – State Racing and Gaming Commission

Kathleen Koenig – State Board of Tax Review

John P. Gillispie – Executive Director of the Iowa Telecommunications and Technology Commission

Curtis W. Stamp – Utilities Board

Krista Tanner – Utilities Board

John Norris – Chair of the Utilities Board

Tom Colvin – Iowa Board of Veterinary Medicine

Fred Diehl – Vision Iowa Board

Terry Lutz – Vision Iowa Board

Marilyn Monroe – Vision Iowa Board

Roger Grobstich – Iowa Workforce Development Board

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:

Richard Leopold – Director of the Department of Natural Resources

Gregory Seyfer – State Racing and Gaming Commission

Kathleen Koenig – State Board of Tax Review

John P. Gillispie – Executive Director of the Iowa Telecommunications and Technology Commission

Curtis W. Stamp – Utilities Board

Krista Tanner – Utilities Board

John Norris – Chair of the Utilities Board

Tom Colvin – Iowa Board of Veterinary Medicine

Fred Diehl – Vision Iowa Board

Terry Lutz – Vision Iowa Board

Marilyn Monroe – Vision Iowa Board

Roger Grobstich – 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	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 846, 826, 774, 765.

House File 846

On motion of Senator Appel, **House File 846**, a bill for an act providing for an Iowa farmers’ market nutrition program, with report of committee recommending passage, was taken up for consideration.

Senator Appel 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. 846), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn

Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 826

On motion of Senator Wood, **House File 826**, a bill for an act establishing an Iowa Abraham Lincoln bicentennial commission and fund and providing for its prospective repeal, 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. 826), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 774

On motion of Senator Fraise, **House File 774**, a bill for an act relating to mechanics' liens, with report of committee recommending passage, 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?" (H.F. 774), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 765

On motion of Senator Black, **House File 765**, a bill for an act relating to animal feeding operations, by providing for the enforcement of regulatory provisions, with report of committee recommending passage, was taken up for consideration.

Senator Black 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. 765), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 765, 774, 826, and 846** 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 611, 585, 566, and 559.

House File 611

On motion of Senator Bolkcom, **House File 611**, a bill for an act relating to human growth and development and health education under the educational standards, requiring school districts to provide curricular information to agencies and organizations upon request, and providing related duties for the director of the department of education, with report of committee recommending passage, was taken up for consideration.

Senator Boettger asked and received unanimous consent that action on **House File 611** be **deferred**.

House File 585

On motion of Senator Bolkcom, **House File 585**, a bill for an act relating to the selection of board members by area agencies on aging, with report of committee recommending passage, was taken up for consideration.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 585), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun

Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 566

On motion of Senator Quirnbach, **House File 566**, a bill for an act relating to the definition of a free clinic for the purposes of the volunteer health care provider program, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Quirnbach offered amendment S-3273, filed by the committee on Human Resources on April 3, 2007, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-3273 was adopted by a voice vote.

Senator Quirnbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 566), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

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.

House File 559

On motion of Senator Beall, **House File 559**, a bill for an act relating to the midwest interstate passenger rail compact and providing an effective date, with report of committee recommending passage, 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?” (H.F. 559), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 559, 566, and 585** 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 10, 2007, **passed** the following bills in which the concurrence of the House was asked:

Senate File 41, a bill for an act relating to the disposition of unclaimed property concerning minerals.

Senate File 42, a bill for an act relating to campaign finance by revising the requirements for filing reports and for the use of certain resources for political purposes.

Senate File 407, a bill for an act relating to the home ownership assistance program for Iowa residents who are eligible members of the armed forces of the United States.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:50 a.m. until 3:15 p.m.

APPENDIX—1**CERTIFICATES OF RECOGNITION**

The Secretary of the Senate issued the following certificates of recognition:

Kaylyn Barrett—For her award-winning 2007 Write Women Back Into History essay. Senator Appel (4/10/07).

Kylene Carlson—For her award-winning 2007 Write Women Back Into History essay. Senator Ward (4/10/07).

Erica Christensen—For her award-winning 2007 Write Women Back Into History essay. Senator Appel (4/10/07).

Cleaning Up Burlington Project—For being a recipient of 2007 Keep Iowa Beautiful Funds. Senator Courtney (4/10/07).

Laurel Fraser—For her award-winning 2007 Write Women Back Into History essay. Senator Appel (4/10/07).

George and Frances Green—For celebrating their 50th wedding anniversary. Senator Courtney (4/10/07).

Donald and Martha Hancock, Burlington—For celebrating their 50th wedding anniversary. Senator Courtney (4/10/07).

Katie Jobses—For her award-winning 2007 Write Women Back Into History essay. Senator Ward (4/10/07).

Larry Kress, Waterloo—For celebrating his 75th birthday. Senator Dotzler (4/10/07).

Matthew Lee—For his award-winning 2007 Write Women Back Into History essay. Senator Appel (4/10/07).

Thelma Long, Waterloo—For celebrating her 90th birthday. Senator Dotzler (4/10/07).

Willie Baker McNeal, Waterloo—For celebrating her 94th birthday. Senator Dotzler (4/10/07).

Partners for Conservation, Burlington—For being a recipient of 2007 Keep Iowa Beautiful Funds. Senator Courtney (4/10/07).

Pioneer United Methodist Church, Rock Valley—For celebrating its 125th anniversary. Senator Mulder (4/10/07).

Emily Raecker—For her award-winning 2007 Write Women Back Into History essay. Senator Ward (4/10/07).

Bobi Jo Rockwell—For her award-winning 2007 Write Women Back Into History essay. Senator Ward (4/10/07).

Taylor Soeken—For her award-winning 2007 Write Women Back Into History essay. Senator Ward (4/10/07).

Sharon Wellendorf—For her outstanding service to the people of Iowa in reducing tobacco use. Senator Quirnbach (4/10/07).

Joe and Lois Wiegand—For celebrating their 60th wedding anniversary. Senator Courtney (4/10/07).

Eddis and Roberta Winstead, Elk Run Heights—For celebrating their 50th wedding anniversary. Senator Dotzler (4/10/07).

REPORT OF COMMITTEE MEETING

COMMERCE

Convened: Tuesday, April 10, 2007, 1:00 p.m.

Members Present: Warnstadt, Chair; Heckroth, Vice Chair; Wieck, Ranking Member; Angelo, Bolkcom, Courtney, Kettering, Olive, Putney, Schoenjahn, and Stewart.

Members Absent: McCoy, McKibben, Rielly, and Ward (all excused).

Committee Business: Presentation by Insurance Commissioner Susan Voss.

Adjourned: 1:25 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:41 p.m., President Kibbie presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 3:42 p.m. until the completion of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 3:45 p.m., President Kibbie presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 2007, **passed** the following bills in which the concurrence of the House was asked:

Senate File 137, a bill for an act providing for the registration of associate real estate appraisers, prohibiting improper influence over an appraiser's evaluation opinion, and imposing a penalty.

Senate File 270, a bill for an act relating to the military code by amending the powers of the adjutant general and by allowing the armory board to enter into design-build contracts for the construction of certain national guard facilities.

Senate File 311, a bill for an act relating to an action for satisfaction of a mortgage.

Senate File 351, a bill for an act requiring a political committee expressly advocating the passage or defeat of a ballot issue to file five disclosure reports in an election year.

ALSO: That the House has on April 10, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

House File 892, a bill for an act creating a film, television, and video project promotion program, providing tax credits and income exclusions, and including effective and retroactive applicability dates.

Read first time and referred to committee on **Ways and Means**.

The Senate stood at ease at 3:50 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:46 p.m., President Kibbie presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 2007, **passed** the following bills in the which the concurrence of the House was asked:

Senate File 205, a bill for an act relating to the use of moneys in the Iowa cultural trust grant account by the board of trustees of the Iowa cultural trust.

Senate File 354, a bill for an act relating to certain overpayments of moneys to a county.

Senate File 444, a bill for an act relating to councils of governments by making technical changes and by designating a new council of governments area.

Senate File 448, a bill for an act relating to confidential information regarding unemployment insurance benefits and providing penalties.

Senate File 477, a bill for an act authorizing the issuance of additional special nonresident deer hunting licenses.

Senate File 479, a bill for an act making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting.

Senate File 529, a bill for an act expanding the criminal offense of possessing contraband in correctional institutions to include possessing contraband in a secure facility for the detention or custody of juveniles, a detention facility, or a jail, and providing a penalty.

ALSO: That the House has on April 10, 2007, **amended and passed** the following bills in which the concurrence of the House was asked:

Senate File 155, a bill for an act relating to local governments by creating a local government innovation commission and fund, creating a center for governing excellence, and including an effective date. (S-3315)

Senate File 265, a bill for an act relating to asbestos removal and encapsulation regulations as enforced by the labor commissioner. (S-3314)

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Angelo, until he returns, on request of Senator Lundby; and Senator McCoy, until he returns, on request of Senator Courtney.

BUSINESS PENDING

House File 611

The Senate resumed consideration of **House File 611**, a bill for an act relating to human growth and development and health education under the educational standards, requiring school districts to provide curricular information to agencies and organizations upon request, and providing related duties for the director of the department of education, previously deferred.

Senator Boettger offered amendment S-3312, filed by Senator Boettger, et al., from the floor to page 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3312 be adopted?" (H.F. 611), the vote was:

Yeas, 19:

Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman
Hartsuch	McKibben	Seymour	

Nays, 29:

Appel	Dotzler	Horn	Schoenjahn
Beall	Dvorsky	Kibbie	Seng
Black	Fraise	Kreiman	Stewart
Bolkcom	Gronstal	Olive	Warnstadt
Connolly	Hancock	Quirnbach	Wood
Courtney	Hatch	Ragan	
Danielson	Heckroth	Rielly	
Dearden	Hogg	Schmitz	

Absent, 2:

Angelo	McCoy
--------	-------

Amendment S-3312 lost.

Senator Boettger offered amendment S-3311, filed by Senator Boettger, et al., from the floor to page 5 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3311 be adopted?" (H.F. 611), the vote was:

Yeas, 18:

Behn	Houser	McKinley	Wieck
Boettger	Johnson	Mulder	Zaun
Gaskill	Kettering	Noble	Zieman
Hahn	Lundby	Putney	
Hartsuch	McKibben	Seymour	

Nays, 31:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Ward
Courtney	Hatch	Quirnbach	Warnstadt
Danielson	Heckroth	Ragan	Wood
Dearden	Hogg	Rielly	

Absent, 1:

Angelo

Amendment S-3311 lost.

Senator Zaun offered amendment S-3313, filed by Senator Zaun, et al., from the floor to page 5 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3313 be adopted?" (H.F. 611), the vote was:

Yeas, 23:

Behn	Houser	Mulder	Ward
Boettger	Johnson	Noble	Wieck
Gaskill	Kettering	Putney	Wood
Hahn	Lundby	Rielly	Zaun
Hancock	McKibben	Seng	Zieman
Hartsuch	McKinley	Seymour	

Nays, 26:

Appel	Dearden	Hogg	Ragan
Beall	Dotzler	Horn	Schmitz
Black	Dvorsky	Kibbie	Schoenjahn
Bolkcom	Fraise	Kreiman	Stewart
Connolly	Gronstal	McCoy	Warnstadt
Courtney	Hatch	Olive	
Danielson	Heckroth	Quirnbach	

Absent, 1:

Angelo

Amendment S-3313 lost.

Senator McKinley offered amendment S-3309, filed by Senator McKinley, et al., from the floor to page 5 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3309 be adopted?" (H.F. 611), the vote was:

Yeas, 19:

Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman
Hartsuch	McKibben	Seymour	

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, 1:

Angelo

Amendment S-3309 lost.

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?" (H.F. 611), the vote was:

Yeas, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gaskill	McCoy	Stewart
Connolly	Gronstal	Olive	Warnstadt

Courtney Danielson Dearden	Hatch Heckroth Hogg	Quirmbach Ragan Rielly	Wood
----------------------------------	---------------------------	------------------------------	------

Nays, 19:

Behn Boettger Hahn Hancock Hartsuch	Houser Johnson Kettering Lundby McKibben	McKinley Mulder Noble Putney Seymour	Ward Wieck Zaun Zieman
---	--	--	---------------------------------

Absent, 1:

Angelo

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 611** 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 528, 413, and 353.

House File 528

On motion of Senator Dotzler, **House File 528**, a bill for an act relating to the regulation of hospitals and health care facilities by the department of inspections and appeals, including investigations of complaints against health care facilities and rules relating to authentication of certain orders by practitioners, and providing an immediate effective date, 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. 528), the vote was:

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

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.

House File 413

On motion of Senator Schmitz, **House File 413**, a bill for an act relating to electronic filing of campaign finance organizational statements, dissolution reports, and disclosure reports by candidates for statewide office or for the general assembly, establishing a filing deadline for all statements and reports, providing a penalty, and providing applicability dates, with report of committee recommending passage, was taken up for consideration.

Senator Schmitz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 413), the vote was:

Yeas, 39:

Appel	Fraise	Lundby	Schmitz
Beall	Gaskill	McCoy	Schoenjahn

Black	Gronstal	McKibben	Seng
Bolkcom	Hancock	Mulder	Seymour
Connolly	Hatch	Noble	Stewart
Courtney	Heckroth	Olive	Ward
Danielson	Hogg	Putney	Warnstadt
Dearden	Horn	Quirmbach	Wieck
Dotzler	Kibbie	Ragan	Wood
Dvorsky	Kreiman	Rielly	

Nays, 10:

Behn	Hartsuch	Kettering	Zieman
Boettger	Houser	McKinley	
Hahn	Johnson	Zaun	

Absent, 1:

Angelo

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 353.

House File 353

On motion of Senator Hancock, **House File 353**, a bill for an act relating to public safety communications by establishing an Iowa statewide interoperable communications system board, 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. 353), the vote was:

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart

Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

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.

IMMEDIATELYw MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 353, 413, and 528** be **immediately messaged** to the House.

The Senate stood at ease at 6:57 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 7:15 p.m., President Kibbie presiding.

REFERRAL TO EN BLOC CONFIRMATION CALENDAR

Senator Gronstal asked and received unanimous consent that the following names be removed from the “Individual Confirmation Calendar” and placed on the “En Bloc Confirmation Calendar”:

Judy Jeffrey – Board of Educational Examiners

John McCalley – Director of the Department of Elder Affairs

Susan Heathcote – Environmental Protection Commission
 Charlotte Hubbell – Environmental Protection Commission
 Ralph Klemme – Environmental Protection Commission

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:

Judy Jeffrey – Board of Educational Examiners

John McCalley – Director of the Department of Elder Affairs

Susan Heathcote – Environmental Protection Commission

Charlotte Hubbell – Environmental Protection Commission

Ralph Klemme – Environmental Protection Commission

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question “Shall the appointees be confirmed?” the vote was:

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Angelo

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENT
(Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Eugene Meyer, as Commissioner of Public Safety, placed on the Individual Confirmation Calendar on March 28, 2007, and found on page 965 of the Senate Journal.

Senator Gronstal moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 31:

Appel	Dotzler	Kibbie	Schoenjahn
Beall	Dvorsky	Kreiman	Seng
Black	Fraise	McCoy	Stewart
Bolkcom	Hancock	Olive	Ward
Connolly	Hatch	Quirnbach	Warnstadt
Courtney	Heckroth	Ragan	Wood
Danielson	Hogg	Rielly	Zaun
Dearden	Horn	Schmitz	

Nays, 18:

Behn	Hartsuch	McKibben	Seymour
Boettger	Houser	McKinley	Wieck
Gaskill	Johnson	Mulder	Zieman
Gronstal	Kettering	Noble	
Hahn	Lundby	Putney	

Absent, 1:

Angelo

The appointee, having failed to receive a two-thirds vote, was declared to have been **refused confirmation** by the Senate.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 7:30 p.m. until 8:45 a.m., Thursday, April 11, 2007.

APPENDIX—2**MOTION TO RECONSIDER FILED**

MR. PRESIDENT: I move to reconsider the vote by which the confirmation of Eugene Meyer failed to be approved by the Senate on April 10, 2007.

MICHAEL E. GRONSTAL

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS**

Convened: Tuesday, April 10, 2007, 2:10 p.m.

Members Present: Dvorsky, Chair; McCoy, Vice Chair; Angelo, Ranking Member; Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hogg, Johnson, Kettering, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood.

Members Absent: Hatch and Putney (both excused).

Committee Business: Passed HFs 752 and 874 (both as amended).

Recessed: 2:15 p.m.

Reconvened: 2:40 p.m.

Adjourned: 2:55 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, April 10, 2007, 3:42 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SRs 32 and 33 and HCR 9.

Adjourned: 3:45 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 35, by Johnson, Dvorsky, and Hahn, a resolution recognizing the Uncommon Public Service Award.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 32, a resolution recognizing the federal Morrill Act and celebrating the renovation of Morrill Hall at Iowa State University.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nay, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 33, a resolution honoring the Pioneer United Methodist Church of Rock Valley, Iowa, on the occasion of its quasiquintennial year.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nay, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE CONCURRENT RESOLUTION 9, a concurrent resolution relating to Pioneer Lawmakers.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nay, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WITHDRAWAL AND DEFERRAL OF GOVERNOR'S APPOINTEES

The following letters from the Governor were received in the office of the Secretary of the Senate on April 10, 2007:

I am withdrawing the name of Brenda Neville to serve as a Renewable Fuel Infrastructure Board member from further consideration by the Senate.

Pursuant to Iowa Code sections 2.32(1a) and 15G.202, please accept this letter as the notice of deferment of the appointment to the Renewable Fuel Infrastructure Board, formerly held by Brenda Neville. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

I am withdrawing the name of David Smitherman to serve as a Renewable Fuel Infrastructure Board member from further consideration by the Senate.

Pursuant to Iowa Code sections 2.32(1a) and 15G.202, please accept this letter as the notice of deferment of the appointment to the Renewable Fuel Infrastructure Board, formerly held by David Smitherman. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

I am withdrawing the name of Dennis Harding to serve as a Renewable Fuel Infrastructure Board member from further consideration by the Senate.

Pursuant to Iowa Code sections 2.32(1a) and 15G.202, please accept this letter as the notice of deferment of the appointment to the Renewable Fuel Infrastructure Board, formerly held by Dennis Harding. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

I am withdrawing the name of Mary Norton to serve as a Renewable Fuel Infrastructure Board member from further consideration by the Senate.

Pursuant to Iowa Code sections 2.32(1a) and 15G.202, please accept this letter as the notice of deferment of the appointment to the Renewable Fuel Infrastructure Board, formerly held by Mary Norton. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

I am withdrawing the name of Mona Bond to serve as a Renewable Fuel Infrastructure Board member from further consideration by the Senate.

Pursuant to Iowa Code sections 2.32(1a) and 15G.202, please accept this letter as the notice of deferment of the appointment to the Renewable Fuel Infrastructure Board, formerly held by Mona Bond. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

AMENDMENTS FILED

S-3307 H.F. 827 Paul McKinley
Steve Kettering

			Nancy J. Boettger
			Jerry Behn
			Hubert Houser
			James F. Hahn
			David Johnson
S-3308	H.F.	827	Paul McKinley
			Steve Kettering
			Nancy J. Boettger
			Jerry Behn
			Hubert Houser
			James F. Hahn
			David Johnson
S-3309	H.F.	611	Paul McKinley
			Jerry Behn
			Brad Zaun
			Ron Wieck
			Nancy J. Boettger
			E. Thurman Gaskill
			James A. Seymour
			David Johnson
			James F. Hahn
			Dave Mulder
			Mark Zieman
			David Hartsuch
			Larry McKibben
			Jeff Angelo
			Hubert Houser
			Steve Kettering
S-3310	H.F.	742	Nancy J. Boettger
S-3311	H.F.	611	Nancy J. Boettger
			Jerry Behn
			Brad Zaun
			Paul McKinley
			Ron Wieck
			Dave Mulder
S-3312	H.F.	611	Nancy J. Boettger
			Jerry Behn
			Ron Wieck
			Jeff Angelo
			Larry Noble
			David Johnson

			James A. Seymour
			David Hartsuch
			Dave Mulder
			Steve Kettering
			Paul McKinley
			Brad Zaun
			Mark Zieman
			James F. Hahn
			John Putney
			E. Thurman Gaskill
			Hubert Houser
			Larry McKibben
			Pat Ward
			Mary A. Lundby
S-3313	H.F.	611	Brad Zaun
			Paul McKinley
			Tom Hancock
			Jerry Behn
			Nancy J. Boettger
			Mark Zieman
S-3314	S.F.	265	House
S-3315	S.F.	155	House
S-3316	H.F.	773	Amanda Ragan
S-3317	H.F.	817	Daryl Beall
			Steve Warnstadt
			James A. Seymour

JOURNAL OF THE SENATE

NINETY-FOURTH CALENDAR DAY
FIFTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 11, 2007

The Senate met in regular session at 8:46 a.m., President Kibbie presiding.

Prayer was offered by Chaplain Marilyn Rensink, wife of the former state senator Wilmer Rensink of Sioux Center, Iowa. She was the guest of Senators Mulder and Kibbie.

The Journal of Tuesday, April 10, 2007, was approved.

SPECIAL GUESTS

In celebration of Women's History Month, Senators Appel and Ward welcomed student winners of the 23rd 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: Kaylyn Barrett of Taft Middle School in Cedar Rapids
Second Place: Laurel Fraser of Urbandale Middle School in Urbandale
Third Place: Matthew Lee of Prairie Middle School in Cedar Rapids

Eighth and Ninth Grades:

First Place: Erica Christensen of Thomas Jefferson High School in Council Bluffs
Second Place: Emily Raecker of Urbandale Middle School in Urbandale
Third Place: Bobi Jo Rockwell of Glenwood Middle School in Glenwood

Best Essay on Women in Science and Engineering for Sixth and Seventh Grades:

First Place: Taylor Soeken of Prairie Middle School in Cedar Rapids

Best Essay on Women in Science and Engineering for Eighth and Ninth Grades:

First Place: Kylene Carlson of Thomas Jefferson High School in Council Bluffs

Second Place: Katie Jobes of Ames Middle School in Ames

The Senate rose and expressed its welcome.

CONSIDERATION OF RESOLUTIONS
(Regular Calendar)

Senator Connolly asked and received unanimous consent to take up for consideration House Concurrent Resolution 9 and Senate Resolution 32.

House Concurrent Resolution 9

On motion of Senator Connolly, **House Concurrent Resolution 9**, a concurrent resolution relating to Pioneer Lawmakers, with report of committee recommending passage, was taken up for consideration.

Senator Connolly moved the adoption of House Concurrent Resolution 9, which motion prevailed by a voice vote.

Senate Resolution 32

On motion of Senator Quirnbach, **Senate Resolution 32**, a resolution recognizing the federal Morrill Act and celebrating the renovation of Morrill Hall at Iowa State University, was taken up for consideration.

Senator Quirnbach moved the adoption of Senate Resolution 32, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Concurrent Resolution 9** be **immediately messaged** to the House.

The Senate stood at ease at 9:07 a.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 10:30 a.m., President Pro Tempore Danielson presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:31 a.m. until 1:45 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:50 p.m., President Kibbie presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 11, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 360, a bill for an act relating to the regulatory duties of the division of banking of the department of commerce regarding banking, debt management, mortgage banking, industrial loan companies, and professional licensing. (S-3320)

ALSO: That the House has on April 11, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 502, a bill for an act relating to the regulation of savings and loan associations by the division of banking of the department of commerce.

ALSO: That the House has on April 11, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

House File 744, a bill for an act relating to a debtor's exempt personal injury payments in state court debt collection and federal bankruptcy actions.

Read first time and **attached to companion Senate File 533**.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

The Senate proceeded to the House chamber, in accordance with House Concurrent Resolution 9, in columns of two led by the Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION PIONEER LAWMAKERS

Fifty-ninth Biennial Session
House Chamber

In accordance with House Concurrent Resolution 9, duly adopted, the joint convention was called to order at 2:00 p.m., President Kibbie presiding.

President Kibbie declared a quorum present and the joint convention duly organized.

Senator Gronstal moved that a committee of eight be appointed to escort the Pioneer Lawmakers into the House chamber.

The motion prevailed by a voice vote, and the President appointed as such committee Senators Connolly, Courtney, Boettger, and Putney on the part of the Senate and Representatives Lensing, Mertz, Sands, and Boal on the part of the House.

The committee escorted the Pioneer Lawmakers to seats in the House chamber.

President Kibbie presented the Honorable Jeff Danielson, President Pro Tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate.

President Kibbie presented the Honorable Polly Bukta, Speaker Pro Tempore of the House of Representatives, who welcomed the Pioneer Lawmakers on behalf of the House.

President Kibbie presented the Honorable Mike Connolly, member of the Senate and President of the Pioneer Lawmakers Association, who responded to the welcome.

Senator Connolly announced the following 1987 class of Pioneer Lawmakers: Janet Adams, Jack Beaman, Tony Bisignano, Dennis Cohoon, Ron J. Corbett, Robert E. Dvorsky, Russell J. Eddie, Gene Fraise, Linn Fuhrman, Robert D. Fuller, Teresa A. Garman, Steve Hansen, Patricia Harper, Jim Lind, Mary A. Lundby, Dennis J. May, Wayne H. McKinney, Mary Neuhauser, Clyde L. Norrgard, Mike Peters, John A. Peterson, Lee J. Plasier, David Schrader, Jane Svoboda, and Philip Wise.

Honorary members of the 2007 class were the following: Judy Dierenfeld, Chuck Gifford, Joe O'Hern, Virginia Petersen, Diane Reid, Jan Reinicke, Don Rowen, and David Yepsen.

Senator Connolly presented Mike Glover, reporter for the Associated Press, who addressed the joint convention:

Thank you for that kind introduction—a rare moment of kindness between my profession and yours. Actually, it's not really all that rare, but more about that later.

I hope you will pardon me if I struggle a bit with this sort of role reversal. The concept of my speaking to the Iowa Legislature, and not the Iowa Legislature speaking to me and my colleagues, is enough to bring a journalist painfully close to hyperventilation. Like many of you, I come from an earlier generation where the rules

were a bit clearer and things were a bit more black and white. I didn't do what you did and you didn't do what I did. Things are a bit more gray these days.

I'm often reminded by the character played by Holly Hunter in the movie "Broadcast News" when she accuses her romantic interest of violating ethical standards with the classic charge, "You crossed the line." To that charge he replies, "How do you know? They keep moving the sucker."

For the generations most of us come from it was simpler. But this isn't about me, this is about you and this institution which you have served and I have witnessed for more than a quarter of a century.

There's a lot of talk in these halls about how things have changed—how money and other factors have changed the character of this institution. There is, or course, some basis for those dire predictions, but let's not rush too far and let's think about some things which have not changed.

I bring to this discussion, after all, an outsider's view. Contrary to what has come to be the conventional wisdom, I was not installed in the press room during the run-up to the Civil War—it just seems that way.

As many of you know, I am a native of Illinois where the practice of politics is a much different creature. For instance, in that fair state we never hear the returns from Cook County until all the returns from downstate are complete. That's because Mayor Daley can't report returns until he knows what number he needs—and then he can go find it. We once had a secretary of state named Paul Powell who pushed through the legislature a minor measure changing the way you made out checks for license plates to include the name of the secretary of state. When he died they found scores of shoe boxes buried at this house stuffed with checks, and to this day no one knows how many he cashed.

With that background, we turn to Iowa. Is money changing the way business is conducted in this building? Without a doubt. But I would argue there is much more to the story. Politicians are, indeed, forced to spend more time raising and spending money, but most people I know in this room spend even more time dealing with the very real people they represent.

There's always considerable tension between your profession and mine on openness, and we won't relax on that front. I am often struck, however, how open this process is. I was walking through the halls just this week and passed by two lawmakers from opposite parties haggling over a bill and cutting the deal in a public hallway. To save their reputations, I won't name them.

And this can be one of the most partisan places in this very partisan environment. It isn't hard to get Republicans and Democrats shouting at each other. In fact it happens at a drop of a hat. What has struck me since the first day I walked into this place, however, is that the overwhelming bulk of the work done in this building happens because those exchanges take place. It doesn't make headlines because headlines are all about conflict.

Folks in this room are lucky to be part of that process, and there's another piece of luck you should ponder. We have lived in a state that has experienced one of the most remarkable political stretches in American political history. Since the 1970s, Iowa has lived at the center of the nation's political drama, and that's colored your political life and my professional career. The state, and I believe the nation's politics, are better for it.

Having said all that, the path has not always been smooth. There have been times when by all accounts things didn't go so well here. I'm fond of telling friends that I've seen more sunrises from this building than from any other spot in America.

I'd hate to try to count the number of shouting matches I've had with people, probably in almost every room of this very large building. Conflict is inevitable between my profession and yours, and it is equally inevitable within yours.

But the years sure have brought a whole bunch of memories, and I think it's important every now and then to stop and take stock of those memories. Those of us who don't learn from history are doomed to repeat it. I guess that means we'll all try again and maybe, just maybe, this time we'll get it, if not right, at least a little better.

Enjoy your time.

Thank you.

Representative McCarthy moved that the joint convention be dissolved.

The motion prevailed by a voice vote.

The Senate returned to the Senate chamber.

RECONVENED

The Senate reconvened at 3:10 p.m., Senator Dotzler presiding.

The Senate stood at ease at 3:11 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:40 p.m., President Kibbie 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 April 11, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 540, a bill for an act relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions. (S-3324)

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:

Robert Tyson – Commission on Community Action Agencies

Sara Monroy-Huddleston – Iowa Empowerment Board

James Romar – Iowa Law Enforcement Academy Council

David Moorman-Rice – Board of Interpreters for the Hearing Impaired Examiners

Lynn Crannell – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission

Margaret Whitworth – Board of Pharmacy Examiners

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	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart

Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 844, 615, and 780.

House File 844

On motion of Senator Wood, **House File 844**, a bill for an act relating to inspection of absentee ballot affidavit envelopes by the county commissioner of elections, with report of committee recommending passage, was taken up for consideration.

Senator Connolly offered amendment S-3323, filed by him from the floor to page 1 and to the title page of the bill, and moved its adoption.

Senator Zieman asked and received unanimous consent that action on amendment S-3323 and **House File 844** be **deferred**.

House File 615

On motion of Senator Mulder, **House File 615**, a bill for an act relating to the membership of the board of educational examiners, 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. 615), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 780

On motion of Senator Kreiman, **House File 780**, a bill for an act relating to the issuance of temporary orders modifying an order of child support, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kreiman asked unanimous consent to withdraw amendment S-3301, filed by the committee on Judiciary on April 9, 2007, striking and replacing everything after the enacting clause and amending the title page of the bill.

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. 780), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 615** and **780** 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 742 and 767.

House File 742

On motion of Senator Hancock, **House File 742**, a bill for an act relating to the regulation of snowmobiles and all-terrain vehicles, and providing fees and penalties, with report of committee recommending passage, was taken up for consideration.

Senator Boettger offered amendment S-3310, filed by her on April 10, 2007, to page 29 and to the title page of the bill.

Senator Black raised the point of order that amendment S-3310 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3310 out of order.

Senator Lundby asked and received unanimous consent that action on **House File 742** be **deferred**.

House File 767

On motion of Senator Warnstadt, **House File 767**, a bill for an act relating to eligible veterans for purposes of the injured veterans grant program, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Warnstadt offered amendment S-3280, filed by the committee on Veterans Affairs on April 4, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3280 was adopted by a voice vote.

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?" (H.F. 767), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 767** 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 759 and 651.

House File 759

On motion of Senator Hancock, **House File 759**, a bill for an act specifying the functions of the Clarinda correctional facility, 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. 759), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 651

On motion of Senator Quirmbach, **House File 651**, a bill for an act relating to business corporations, by providing for information required to be filed with the secretary of state and providing for shareholder voting, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Quirmbach offered amendment S-3296, filed by the committee on Judiciary on April 5, 2007, to pages 1 and 8 and to the title page of the bill, and moved its adoption.

Amendment S-3296 was adopted by a voice vote.

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. 651), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 651** and **759** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Bonnie Campbell, as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on March 28, 2007, and found on page 965 of the Senate Journal.

Senator Wood moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 46:

Angelo	Fraise	Lundby	Schoenjahn
Appel	Gaskill	McCoy	Seng
Beall	Gronstal	McKibben	Seymour
Behn	Hancock	McKinley	Stewart
Black	Hatch	Mulder	Ward
Bolkcom	Heckroth	Noble	Warnstadt
Connolly	Hogg	Olive	Wieck
Courtney	Horn	Putney	Wood
Danielson	Houser	Quirmbach	Zaun
Dearden	Johnson	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schmitz	

Nays, 4:

Boettger	Hahn	Hartsuch	Kettering
----------	------	----------	-----------

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Christopher Godfrey, as Workers' Compensation Commissioner, placed on the Individual Confirmation Calendar on February 6, 2007, and found on page 294 of the Senate Journal.

Senator Gronstal moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 48:

Angelo	Dvorsky	Kettering	Ragan
Appel	Fraise	Kibbie	Rielly
Beall	Gaskill	Kreiman	Schmitz
Behn	Gronstal	Lundby	Schoenjahn
Black	Hahn	McCoy	Seng
Boettger	Hancock	McKibben	Seymour
Bolkcom	Hatch	McKinley	Stewart
Cannolly	Heckroth	Mulder	Ward
Courtney	Hogg	Noble	Warnstadt
Danielson	Horn	Olive	Wood
Dearden	Houser	Putney	Zaun
Dotzler	Johnson	Quirmbach	Zieman

Nays, 2:

Hartsuch	Wieck
----------	-------

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

REFERRAL TO EN BLOC CONFIRMATION CALENDAR

Senator Gronstal asked and received unanimous consent that the following names be removed from the "Individual Confirmation Calendar" and placed on the "En Bloc Confirmation Calendar":

K. Allen Hillgren – Renewable Fuel Infrastructure Board
 Jeff Hove – Renewable Fuel Infrastructure Board
 Jill Reams-Widder – Renewable Fuel Infrastructure Board
 Keith Sexton – Renewable Fuel Infrastructure Board
 Yvonne Wentz – Renewable Fuel Infrastructure Board
 Brian Wiegert – Renewable Fuel Infrastructure Board

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:

K. Allen Hillgren – Renewable Fuel Infrastructure Board
 Jeff Hove – Renewable Fuel Infrastructure Board
 Jill Reams-Widder – Renewable Fuel Infrastructure Board
 Keith Sexton – Renewable Fuel Infrastructure Board
 Yvonne Wentz – Renewable Fuel Infrastructure Board
 Brian Wiegert – Renewable Fuel Infrastructure Board

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question “Shall the appointees be confirmed?” the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Henry Thomas, as a member of the Commission on Judicial Qualifications, placed on the Individual Confirmation Calendar on February 13, 2007, and found on page 354 of the Senate Journal.

Senator Horn moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schoenjahn
Appel	Gaskill	Kreiman	Seng
Beall	Gronstal	Lundby	Seymour
Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Ward
Boettger	Hartsuch	McKinley	Warnstadt
Bolkcom	Hatch	Mulder	Wieck
Connolly	Heckroth	Olive	Wood
Courtney	Hogg	Putney	Zaun
Danielson	Horn	Quirmbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, 1:

Noble

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Wayne Sawtelle, as a member of the State Transportation Commission, placed on the Individual Confirmation Calendar on March 29, 2007, and found on page 1004 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:12 p.m. until 8:45 a.m., Thursday, April 12, 2007.

APPENDIX

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which the confirmation of Bonnie Campbell was approved by the Senate on April 11, 2007.

JEFF ANGELO

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 11, 2007.

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: Wednesday, April 11, 2007, 1:10 p.m.

Members Present: Bolkcom, Chair; McCoy, Vice Chair; McKibben, Ranking Member; Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck.

Members Absent: None.

Committee Business: Passed SF 273 and approved SSBs 1349 (as amended) and 1352.

Adjourned: 1:30 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 36, by Ragan and Seymour, a resolution honoring the activities and commitment of the Patriot Guard Riders.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILL

Senate File 584, by Gronstal, a bill for an Act relating to the provision of medical services and evaluation of permanent disabilities of injured employees under workers' compensation laws, and providing an applicability date.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

STUDY BILL RECEIVED

SSB 1353 Ways and Means

Relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of revenue, including administration of sales and use taxes, and providing an effective date.

SUBCOMMITTEE ASSIGNMENT

SSB 1353

WAYS AND MEANS: Dotzler, Chair; Hogg and McKibben

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: HOUSE FILE 752, a bill for an act relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3318.

Final Vote: Ayes, 23: Dvorsky, McCoy, Angelo, Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hogg, Johnson, Kettering, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, 2: Hatch and Putney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 874, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities and providing an effective date.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3319.

Final Vote: Ayes, 15: Dvorsky, McCoy, Black, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Hahn, Hancock, Hogg, Ragan, Seng, Ward, and Wood. Nays, 8: Angelo, Behn, Boettger, Gaskill, Johnson, Kettering, Seymour, and Warnstadt. Absent, 2: Hatch and Putney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 10, 2007, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 110 – Relating to the standardized training and state certification of reserve peace officers.

Senate File 129 – Relating to the racing and gaming commission by modifying provisions regulating horses involved in horse racing and providing an effective date.

Senate File 169 – Providing for county eligibility for state payment of certain mental health, mental retardation, and developmental disabilities services funding and providing an effective and retroactive applicability dates.

Senate File 284 – Concerning employees subject to unannounced drug or alcohol testing.

Senate File 358 – Establishing prelicensing and continuing education requirements for used motor vehicle dealers.

Senate File 400 – Relating to mortgage release certificates issued by the Iowa finance authority.

Senate File 405 – Relating to national pollutant discharge elimination system permits for disposal systems.

Senate File 431 – Relating to programs, funds, authority, and duties of the Iowa finance authority.

GOVERNOR'S VETO MESSAGE

April 11, 2007

The Honorable John P. Kibbie
President of the Senate
State Capitol
L O C A L

Dear President Kibbie:

“Our liberties we prize and our rights we will maintain.” This concise summary of our most basic and traditional values, set forth in our state’s motto, is inscribed on the Great Seal of the State of Iowa, pursuant to The Act of the First General Assembly of the State of Iowa, approved February 25, 1847. The motto is also inscribed on our state flag, a banner that greets legislators, visitors, and our citizens every day as they enter into and exit from our Capitol.

Because I am convinced that Senate File 139, an Act related to a criminal defendant filing an application for postconviction relief, is contrary to these values, I hereby disapprove and transmit to you that bill, without my signature, in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

I have not taken this step—the first veto of my first term as Governor of this great state—lightly. I do so respectfully and with the full knowledge that this law was proposed by our distinguished Attorney General, supported by the County Attorneys Association, and received the unanimous vote of every House and Senate member present. However, I am firmly of the conviction that this Act, if allowed to become a part of the laws of our state, would erode some of those fundamental liberties that we prize and the rights that all of us, as public servants, have pledged to maintain.

Further, this Administration is appreciative of the public service rendered by the Attorney General, Assistant Attorneys General and the County Attorneys of Iowa, all of whom assume the difficult task of prosecuting crimes in this state using limited resources. I understand that the goal of Senate File 139 was to reduce frivolous lawsuits and thereby minimize the wasting of judicial resources, a goal that this Administration shares.

However, as public servants, we must be careful when seeking to obtain these particular aims that we do not inadvertently diminish citizens’ rights. I am convinced that, if codified, Senate File 139 would erode and diminish one of our most cherished legal rights: the right to challenge the legal basis for incarcerating citizens. Senate File 139 removes from Iowa Code chapter 822 the ability of a person convicted of a simple misdemeanor to later challenge that conviction using postconviction relief remedies historically allowed to all persons convicted for any criminal offense.

In addition, history teaches us it is not a good practice to tamper with our constitutional and legal rights. The constitutions of the United States and Iowa guarantee that the *writ of habeas corpus* will not be suspended, except in cases of rebellion or invasion. Sometimes known as “the Great Writ,” this common law precept allows a detained person to be brought before a court at a stated time and place to decide the legality of his or her detention or imprisonment.

More than thirty years ago, in 1970, Iowa lawmakers codified the common law *writ of habeas corpus* under the Uniform Postconviction Procedure Act by establishing a separate postconviction relief procedure for individuals who have been convicted of or sentenced for *any* public offense. That Act, currently found at Iowa Code chapter 822, has permitted “[a]ny person who has been convicted of, or sentenced for, a public offense” to seek postconviction relief since its enactment. Under chapter 822, the state’s power to incarcerate a citizen can be stopped if the conviction or sentence was for any reason unlawful or unconstitutional or if newly discovered evidence requires the vacation of the conviction or sentence in the interest of justice.

Senate File 139, if enacted, would eliminate the availability of postconviction relief for all simple misdemeanor convictions. Although the lowest level offense in our criminal code, a simple misdemeanor prosecution brings with it the potential for injustice and unforeseen collateral consequences—the very situation that postconviction relief procedures have been created to remedy.

The need to assure fair and just criminal prosecution outcomes on even the most minor offenses is no less important now than it was in 1970, when the General Assembly enacted chapter 822. Many citizens, particularly young adults, plead guilty to simple misdemeanor offenses without consulting an attorney or having a firm grounding in legal process. Sometimes those persons learn of adverse collateral consequences later, when they are denied the opportunity to obtain a professional license or other employment due to the uncounseled guilty plea. Such scenarios are likely to occur more frequently, not less often, in a future characterized by electronic criminal records databases that are accessible to potential employers at little cost. These employers may be deterred from hiring an otherwise qualified candidate when confronted by wrongful simple misdemeanor convictions that cannot be corrected under our postconviction relief statute. A simple misdemeanor also can result in deportation, or a permanent ban on a citizen’s ability to possess firearms. Given that such drastic consequences can follow from a simple misdemeanor conviction, those who govern must be certain that convictions that may have been imposed in error are allowed formal legal challenge.

For example, a citizen charged with a simple misdemeanor offense may have the unfortunate experience of being represented by incompetent legal counsel, resulting in an unjust conviction. In 2004, the General Assembly recognized that direct appeals were not a good place to raise complaints of ineffective assistance of counsel. For that reason, Iowa Code section 814.7 now permits a party to raise a claim of ineffective assistance of counsel during postconviction relief proceedings without having raised the matter first on direct appeal. Senate File 139 would deny this important right to those wrongfully convicted of simple misdemeanors.

Even if represented by competent legal counsel, there may be instances in which a magistrate judge—the venue where most simple misdemeanor cases are tried—commits legal error. Indeed, in our state formal legal training is not required for a person to preside in magistrate court.

The Culver-Judge Administration is committed to the prosecution and punishment of those who commit crimes. Similarly, the frivolous use of our judicial system will not be tolerated. Just as important, however, is the commitment to assure that people have recourse to all traditional procedures and remedies when, for whatever reason, they have been wrongfully convicted and sentenced.

Because Senate File 139 diminishes the liberties and rights that we, as office holders, both prize and feel duty-bound to maintain, I hereby respectfully disapprove Senate File 139.

Sincerely,
CHESTER J. CULVER
Governor

AMENDMENTS FILED

S-3318	H.F.	752	Appropriations
S-3319	H.F.	874	Appropriations
S-3320	S.F.	360	House
S-3321	H.F.	749	Dennis H. Black Steve Warnstadt
S-3322	H.F.	608	Daryl Beall
S-3323	H.F.	844	Michael Connolly
S-3324	S.F.	540	House

**JOINT MEMORIAL SERVICE
EIGHTY-SECOND GENERAL ASSEMBLY
SENATE CHAMBER
WEDNESDAY, APRIL 11, 2007**

PROGRAM

Senator John P. Kibbie, Presiding

PreludeSmall..... Group Choir
“Iowa, My Iowa” Memorial Choir
InvocationSenator..... John P. Kibbie

MEMORIALS

Readers: Senator Putney, Senator Johnson, Senator Fraise,
Senator Beall

Hon. Carlson (S) Hon. Lodwick (S) Hon Doderer (S/H)
Hon. Gallagher (S/H) Hon. Curran (S/H) Hon. Freeman (S/H)
Hon. Kruck (S) Hon. Murray (S) Hon. Hagie (S/H)
Hon. Lord (S/H) Hon. Munger (S/H) Hon. Shawver (S)
Hon. Schwieger (S/H)

“Amazing Grace” Memorial Choir

MEMORIALS

Readers: Representative Pettengill, Representative Hunter,
Representative Frevert, Representative Taylor

Hon. Binneboese (H) Hon. Grandia (H) Hon. Clark (H)
Hon. Kiser (H) Hon. Evans (H) Hon. Greimann (H)
Hon. Hanson (H) Hon. Lonergan (H) Hon. Glenn (H)
Hon. Hagen (H) Hon. Kimball (H) Hon. Milroy (H)

MEMORIALS

Readers: Representative Winckler, Representative Wendt,
Representative Drake

Hon. Pavich (H) Hon. Reed (H) Hon. Wood (H)
Hon. Pelton (H) Hon. Stueland (H) Hon. Resnick (H)
Hon. Petruccielli (H) Hon. Weichman (H) Hon. Yoder (H)

Responsorial ReadingLed by Senator Kibbie
“Let There Be Peace On Earth” Memorial Choir

Senate = (S) and House = (H)

IN MEMORIAM

SERVED IN THE SENATE

Honorable Reinhold O. Carlson (Polk County): 64th

Honorable Warren “Bud” J. Kruck (Boone County): 61st, 62nd

Honorable Seeley Lodwick (Lee County): 60th, 61st, 62nd, 1st half of 63rd

Honorable Donald W. Murray (Dallas County): 61st, 62nd

Honorable George L. Shawver (Chickasaw County): 64th

SERVED IN THE SENATE AND IN THE HOUSE OF REPRESENTATIVES

Honorable Leigh R. Curran (Cerro Gordo County): 59th, 60th, 62nd, 63rd, 64th

Honorable Minnette F. Doderer (Johnson County): 60th X, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th

Honorable Mary Louise Freeman (Buena Vista County): 76th, 77th, 78th, 79th, 79th X, 79th 2nd X, 80th, 80th X, 80th 2nd X, 81st

Honorable James V. Gallagher (Black Hawk County): 61st, 62nd, 65th, 66th, 67th, 68th, 69th, 70th

Honorable Raymond W. Hagie (Wright County): 59th, 60th, 61st

Honorable David Lord (Dallas County): 76th, 77th, 78th, 2nd half of 79th

Honorable Robert P. Munger (Woodbury County): 49th, 53rd, 54th

Honorable Barton L. Schwieger (Black Hawk County): 64th, 65th

SERVED IN THE HOUSE OF REPRESENTATIVES

Honorable Donald H. Binneboese (Woodbury County): 2nd half 66th, 67th, 67th X, 68th, 69th, 69th X, 69th 2nd X

Honorable Betty Jean Clark (Cerro Gordo County): 67th, 67th X, 68th, 69th, 69th X, 69th 2nd X, 70th, 71st, 72nd, 73rd

Honorable Thomas Cooper Evans (Grundy County): 66th, 67th, 67th X, 1st half 68th

Honorable Charles F. Glenn (Polk County): 62nd

Honorable Robert J. Grandia (Marion County): 70th, 71st

Honorable Jane Greimann (Story County): 2nd half 78th, 79th, 79th X, 79th 2nd X, 80th, 80th X, 82nd

Honorable Walter Hagen (Allamakee County): 59th, 60th, 60th X

Honorable Harley S. Hanson (Benton County): 62nd

Honorable Donald L. Kimball (Fayette County): 57th, 58th

Honorable E. Jean E. Kiser (Scott County): 65th

Honorable Joyce Lonergan (Boone County): 66th, 67th, 67th X, 68th, 69th, 69th X, 69th 2nd X, 70th, 71st

Honorable Jack N. Milroy (Benton County): 56th, 57th, 58th

Honorable Emil S. Pavich (Pottawattamie County): 66th, 67th, 67th X, 68th, 69th, 69th X, 69th 2nd X, 70th, 71st, 72nd, 72nd X, 72nd 2nd X, 73rd, 74th, 74th X, 74th 2nd X

Honorable John Pelton (Clinton County): 67th, 67th X, 68th, 69th, 69th X, 69th 2nd X

Honorable Don A. Petruccelli (Scott County): 56th, 57th

Honorable Cecil A. Reed (Linn County): 62nd

Honorable James D. Resnick (Scott County): 61st

Honorable Vic Stueland (Clinton County): 69th, 69th X, 69th 2nd X, 70th, 71st, 72nd, 72nd X, 72nd 2nd X, 73rd

Honorable David E. Weichman (Benton County): 59th, 63rd

Honorable Warren K. Wood (Scott County): 62nd

Honorable Earl Yoder (Johnson County): 62nd

Candle Lighters

Representative Sandra Greiner
Representative Wes Whitead
Representative Carmine Boal

Senate Memorial Committee

Senator Wally Horn, Chair
Senator Nancy Boettger
Senator Gene Fraise
Senator Thurman Gaskill
Senator Becky Schmitz
Senator Pat Ward

Hosts

Senator Nancy Boettger
Representative Sandra Greiner
Representative Vicki Lensing

House Memorial Committee

Representative Vicki Lensing, Chair
Representative Sandra Greiner
Representative Dolores Mertz
Representative Rod Roberts

JOURNAL OF THE SENATE

NINETY-FIFTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 12, 2007

The Senate met in regular session at 8:50 a.m., President Kibbie presiding.

Prayer was offered by the Memorial Choir, who sang “Let There Be Peace on Earth.” The Memorial Choir performed at the Memorial Service held on Wednesday evening, April 11, 2007.

The Journal of Wednesday, April 11, 2007, was approved.

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 9:49 a.m., President Kibbie presiding.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 499 and 587.

House File 499

On motion of Senator McCoy, **House File 499**, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including workers’ compensation self-insurance, premium taxes, the uniform securities Act, powers and duties of the insurance division, regulation of insurance sales to military personnel, domestic insurance companies, life insurance companies, nonprofit health service corporations, external review of health care coverage decisions, investment

limitations on insurers other than life insurers, property and casualty insurers' reserves, motor vehicle service contracts, county and state mutual associations, reciprocal or interinsurance contracts, licensing of insurance producers and public adjusters, and life and fire insurance company boards of directors, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Warnstadt offered amendment S-3282, filed by the committee on Commerce on April 4, 2007, to page 15 and to the title page of the bill, and moved its adoption.

Amendment S-3282 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?" (H.F. 499), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

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.

House File 587

On motion of Senator Heckroth, **House File 587**, a bill for an act relating to advisory boards created pursuant to emergency services agreements and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Heckroth 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. 587), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 11, 2007)

House File 844

The Senate resumed consideration of **House File 844**, a bill for an act relating to inspection of absentee ballot affidavit envelopes by the county commissioner of elections, and amendment S-3323, deferred April 11, 2007.

Senator Zieman offered amendment S–3329, filed by him from the floor to pages 1–3 of amendment S–3323, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3329 be adopted?” (H.F. 844), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Cannolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S–3329 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kibbie, until he returns, on request of Senator Gronstal.

President Pro Tempore Danielson took the chair at 10:15 a.m.

BUSINESS PENDING

House File 844

The Senate resumed consideration of **House File 844**, and amendment S–3323.

Senator Ziemman offered amendment S-3328, filed by him from the floor to page 1 of amendment S-3323, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3328 be adopted?" (H.F. 844), the vote was:

Yeas, 21:

Angelo	Houser	Mulder	Wood
Behn	Johnson	Noble	Zaun
Boettger	Kettering	Putney	Ziemman
Gaskill	Lundby	Seymour	
Hahn	McKibben	Ward	
Hartsuch	McKinley	Wieck	

Nays, 28:

Appel	Dearden	Heckroth	Ragan
Beall	Dotzler	Hogg	Rielly
Black	Dvorsky	Horn	Schmitz
Bolkcom	Fraise	Kreiman	Schoenjahn
Connolly	Gronstal	McCoy	Seng
Courtney	Hancock	Olive	Stewart
Danielson	Hatch	Quirnbach	Warnstadt

Absent, 1:

Kibbie

Amendment S-3328 lost.

Senator Connolly moved the adoption of amendment S-3323.

Amendment S-3323 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. 844), the vote was:

Yeas, 29:

Appel	Dotzler	Horn	Schoenjahn
Beall	Dvorsky	Kreiman	Seng
Black	Fraise	McCoy	Stewart
Bolkcom	Gronstal	Olive	Warnstadt
Connolly	Hancock	Quirnbach	Wood
Courtney	Hatch	Ragan	
Danielson	Heckroth	Rielly	
Dearden	Hogg	Schmitz	

Nays, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Absent, 1:

Kibbie

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 499, 587, and 844** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:20 a.m. until 2:00 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Sally Claussen, Harlan—For being named 2006 Educator of the Year, Shelby County. Senator Boettger (4/12/07).

Michael H. Cruse, Estherville—For being the 3rd generation in achieving the rank of Eagle Scout, Boy Scout Troop 268. Senator Kibbie (4/12/07).

Nielsine “Nellie” (Hansen) Gahrke, Little Sioux—For celebrating her 100th birthday. Senator Seymour (4/12/07).

Merril McElwain, Woodbine—For celebrating his 80th birthday. Senator Seymour (4/12/07).

Pfannebecker Funeral Home, Denison—For celebrating its 100th anniversary. Senator Seymour (4/12/07).

INTRODUCTION OF RESOLUTION

Senate Resolution 37, by Danielson, a resolution to recognize the sesquicentennial of the city of Hudson.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 585, by committee on Ways and Means, a bill for an act relating to registration of construction contractors.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 586, by committee on Ways and Means, a bill for an act creating a special gold star motor vehicle registration plate and providing fees.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 587, by committee on Ways and Means, a bill for an act providing for individual and corporate income tax credits for the

charitable conveyance of real property for conservation purposes and including a retroactive applicability date provision.

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 585 (formerly SF 273), a bill for an act relating to registration of construction contractors.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Bolkcom, McCoy, Appel, Connolly, Dotzler, Hogg, Quirnbach, Schmitz, Seng, and Stewart. Nays, 7: McKibben, Angelo, Houser, Noble, Putney, Ward, and Wieck. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 586 (SSB 1352), a bill for an act creating a special gold star motor vehicle registration plate and providing fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 587 (SSB 1349), a bill for an act providing for individual and corporate income tax credits for the charitable conveyance of real property for conservation purposes and including a retroactive applicability date provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, 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 Ways and Means Committee on Senate File 587, and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 2:20 p.m., President Kibbie presiding.

The Senate stood at ease at 2:21 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:50 p.m., President Kibbie presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 12, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 381, a bill for an act relating to judicial branch procedures, including appointments of court of appeals judges, district judges, district associate judges, associate juvenile judges, associate probate judges, magistrates, and patient advocates, and compensation to judges and other court personnel serving as fiduciaries.

ALSO: That the House has on April 12, 2007, **concurred in the Senate amendment and passed** the following bill in which the concurrence of the House was asked:

House File 566, a bill for an act relating to the definition of a free clinic for the purposes of the volunteer health care provider program.

ALSO: That the House has on April 12, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

House File 830, a bill for an act relating to the construction bidding procedures Act by modifying procedures and requirements for letting public improvement contracts, and making corrections.

Read first time and **attached to similar Senate File 513**.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Jack Evans, as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on March 28, 2007, and found on page 965 of the Senate Journal.

Senator Gronstal moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Craig Lang, as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on April 2, 2007, and found on page 1023 of the Senate Journal.

Senator Gronstal moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of David Miles, as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on March 28, 2007, and found on page 965 of the Senate Journal.

Senator Gronstal moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck

Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Ron Mark, as a member of the Grape and Wine Development Commission, placed on the Individual Confirmation Calendar on April 5, 2007, and found on page 1107 of the Senate Journal.

Senator Gronstal moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 38:

Angelo	Dotzler	Kibbie	Schmitz
Appel	Dvorsky	Kreiman	Schoenjahn
Beall	Fraise	McCoy	Seng
Behn	Gronstal	McKibben	Stewart
Black	Hancock	McKinley	Ward
Bolkcom	Hartsuch	Noble	Warnstadt
Connolly	Hatch	Olive	Wood
Courtney	Heckroth	Quirnbach	Zaun
Danielson	Hogg	Ragan	
Dearden	Horn	Rielly	

Nays, 12:

Boettger	Houser	Lundby	Seymour
Gaskill	Johnson	Mulder	Wieck
Hahn	Kettering	Putney	Zieman

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Steven Mulcahy, as a member of the Commission of Veterans Affairs, placed on the Individual Confirmation Calendar on April 9, 2007, and found on page 1131 of the Senate Journal.

Senator Gronstal moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Cannolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

MOTION TO RECONSIDER ADOPTED

Senator Gronstal called up the motion to reconsider the vote by which the confirmation of Eugene Meyer failed to be approved by the Senate, filed by him on April 10, 2007, and found on page 1157 of the Senate Journal, and moved its adoption.

The motion prevailed by a voice vote.

UNFINISHED BUSINESS
(Individual Confirmation Calendar)

The Senate resumed consideration of the appointment of Eugene Meyer as Commissioner of Public Safety.

Senator Gronstal asked and received unanimous consent that the action on the appointment of Eugene Meyer be **deferred**.

MOTION TO RECONSIDER WITHDRAWN

Senator Angelo withdrew the motion to reconsider the vote by which the confirmation of Bonnie Campbell was approved by the Senate, filed by him on April 11, 2007, found on page 1181 of the Senate Journal.

RECESS

On motion of Senator Gronstal, the Senate recessed at 3:12 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 3:16 p.m., President Pro Tempore Danielson presiding.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 546.

House File 546

On motion of Senator Kibbie, **House File 546**, a bill for an act relating to membership on election boards, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Connolly offered amendment S-3284, filed by the committee on State Government on April 4, 2007, to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-3284 was adopted 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. 546), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 33.

Senate Resolution 33

On motion of Senator Mulder, **Senate Resolution 33**, a resolution honoring the Pioneer United Methodist Church of Rock Valley, Iowa,

on the occasion of its quasiquicentennial year, was taken up for consideration.

Senator Mulder moved the adoption of Senate Resolution 33, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 546** be **immediately messaged** to the House.

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Gronstal asked and received unanimous consent that the following bills on the Senate Calendar, no longer eligible under Joint Rule 20, be placed on the Unfinished Business Calendar:

S.F. 577	H.F. 718	H.F. 817
H.F. 547	H.F. 749	H.F. 829
H.F. 556	H.F. 773	H.F. 841
H.F. 648	H.F. 783	H.F. 851
H.F. 671	H.F. 808	H.F. 864

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following bills on the Senate Calendar, no longer eligible under Joint Rule 20, be referred to the following committees:

S.F. 69	Judiciary
(and attached H.F. 491)	
S.F. 91	Transportation
S.F. 247	Natural Resources and Environment
S.F. 275	Labor and Business Relations
S.F. 276	Labor and Business Relations
S.F. 338	Human Resources
S.F. 382	Human Resources
S.F. 383	Education
S.F. 408	State Government
S.F. 418	Transportation
S.F. 419	State Government
S.F. 420	Labor and Business Relations

S.F.	424	Labor and Business Relations
S.F.	428	Natural Resources and Environment
S.F.	434	Judiciary
S.F.	436	Judiciary
S.F.	449	State Government
S.F.	456	Judiciary
S.F.	458	Judiciary
S.F.	459	Human Resources
S.F.	461	Veterans Affairs
S.F.	468	Education
S.F.	471	Human Resources
S.F.	474	Natural Resources and Environment
S.F.	475	Agriculture
S.F.	476	Agriculture
S.F.	478	Human Resources
S.F.	492	Judiciary
S.F.	497	Economic Growth
S.F.	501	Judiciary
S.F.	507	Judiciary
S.F.	520	Judiciary
S.F.	522	Judiciary
S.F.	523	Judiciary
S.F.	524	Judiciary
S.F.	526	Judiciary
S.F.	531	Judiciary
S.F.	532	Judiciary
S.F.	552	Judiciary
H.F.	580	State Government
H.F.	827	Economic Growth

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 432 and 309.

House File 432

On motion of Senator Fraise, **House File 432**, a bill for an act relating to abuse of a human corpse and providing penalties, with

report of committee recommending passage, 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?" (H.F. 432), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 309

On motion of Senator Wood, **House File 309**, a bill for an act requiring development of a uniform cost report for certain services reimbursed through the department of human services and counties, 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. 309), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 309** and **432** be **immediately messaged** to the House.

INTRODUCTION OF RESOLUTION

Senate Resolution 38, by committee on Rules and Administration, a resolution deferring action on the confirmation of appointments submitted by the Governor.

Read first time and **placed on calendar**.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 38, a resolution deferring action on the confirmation of appointments submitted by the Governor.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. 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 38.

Senate Resolution 38

On motion of Senator Gronstal, **Senate Resolution 38**, a resolution deferring action on the confirmation of appointments submitted by the Governor, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Resolution 38, which motion prevailed by a voice vote.

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 12, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 406, 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. (S-3333)

ALSO: That the House has on April 12, 2007, **amended the Senate amendment, concurred in the Senate amendment as amended, and passed** the following bill in which the concurrence of the House was asked:

House File 793, a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to the placement of advertising devices along primary highways, qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, the maximum length limitation for single trucks, requirements for operation of certain self-propelled implements of husbandry on secondary roads, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates. (S-3334)

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 3:45 p.m. until 1:00 p.m., Monday, April 16, 2007.

APPENDIX—2**CERTIFICATE OF RECOGNITION**

The Secretary of the Senate issued the following certificate of recognition:

Tom Flynn, Epworth—For achieving the rank of Eagle Scout, Boy Scout Troop 70. Senator Hancock (4/12/07).

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS**

Convened: Thursday, April 12, 2007, 1:20 p.m.

Members Present: Dvorsky, Chair; McCoy, Vice Chair; Angelo, Ranking Member; Behn, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood.

Members Absent: Black (excused).

Committee Business: Passed HF 397 and approved SSB 1332.

Recessed: 1:25 p.m.

Reconvened: 2:00 p.m.

Adjourned: 2:05 p.m.

RULES AND ADMINISTRATION

Convened: Thursday, April 12, 2007, 3:12 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SRs 36, 37, and 38.

Adjourned: 3:15 p.m.

STUDY BILL RECEIVED

SSB 1354 Ways and Means

Relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions.

SUBCOMMITTEE ASSIGNMENTS

House File 892

WAYS AND MEANS: Dotzler, Chair; Bolkcom and Noble

SSB 1354

WAYS AND MEANS: Schmitz, Chair; Appel and Ward

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: HOUSE FILE 397, a bill for an act relating to the expenditures allowable from medical assistance income trusts.

Recommendation: DO PASS.

Final Vote: Ayes, 24: Dvorsky, McCoy, Angelo, Behn, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 36, a resolution honoring the activities and commitment of the Patriot Guard Riders.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 37, a resolution to recognize the sesquicentennial of the city of Hudson.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. 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 12th day of April, 2007:

Senate Files 41, 42, 140, 161, 200, 351, 477, and 480.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

S-3325	H.F.	874	Jeff Danielson
S-3326	H.F.	608	Daryl Beall
S-3327	H.F.	808	Brad Zaun Dave Mulder
S-3328	H.F.	844	Mark Zieman
S-3329	H.F.	844	Mark Zieman
S-3330	S.F.	350	Staci Appel
S-3331	H.F.	608	Keith A. Kreiman Daryl Beall Gene Fraise
S-3332	S.F.	277	John Putney Hubert Houser
S-3333	S.F.	406	House
S-3334	H.F.	793	House
S-3335	S.F.	575	Tom Hancock

State of Iowa

**JOURNAL
OF THE SENATE**

**EIGHTY-SECOND
GENERAL ASSEMBLY**

2007 REGULAR SESSION

Volume II

JOHN P. KIBBIE, President of the Senate
MICHAEL E. MARSHALL, Secretary of the Senate

Published by the
STATE OF IOWA
Des Moines

TABLE OF CONTENTS

VOLUME I

OFFICERS OF THE SENATE	v
ELECTED STATE OFFICIALS, SUPREME COURT JUSTICES, AND COURT OF APPEALS JUDGES	ix
MEMBERS OF THE SENATE	x
SENATE DAILY JOURNALS	
January 8 – April 12	1

VOLUME II

SENATE DAILY JOURNALS (continued)	
April 16 – April 29	1214
SENATE REPORTS RECEIVED AFTER ADJOURNMENT	1572
AMENDMENTS FILED	1587
CONFERENCE COMMITTEE REPORTS	2281
RESOLUTIONS ADOPTED	2289
MEMORIALS	2421
JOURNAL INDEX	2429

JOURNAL OF THE SENATE

NINETY-NINTH CALENDAR DAY
FIFTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 16, 2007

The Senate met in regular session at 1:07 p.m., President Pro Tempore Danielson presiding.

Prayer was offered by Connie McWilliams, pastor of the Community of Christ Church in Crescent, Iowa. She was the guest of Senator Seymour.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Dorriann Prather.

The Journal of Thursday, April 12, 2007, 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 12, 2007, **passed** the following bills in which the concurrence of the House asked:

Senate File 463, a bill for an act concerning the licensing and operations of a manufacturer of ambulances, rescue vehicles, or fire vehicles.

Senate File 528, a bill for an act prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates.

ALSO: That the House has on April 12, 2007, **concurred in the Senate amendment and passed** the following bill in which the concurrence of the House was asked:

House File 451, a bill for an act relating to a single point of entry long-term living resources system.

ALSO: That the House has on April 12, 2007, **amended and passed** the following bills in which the concurrence of the House was asked:

Senate File 489, a bill for an act creating an Alzheimer's disease task force. (S-3336)

Senate File 563, a bill for an act relating to and making appropriations to the judicial branch. (S-3337)

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:11 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 1:15 p.m., Senator Dvorsky presiding.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 37.

Senate Resolution 37

On motion of Senator Danielson, **Senate Resolution 37**, a resolution to recognize the sesquicentennial of the city of Hudson, with report of committee recommending passage, was taken up for consideration.

Senator Danielson moved the adoption of Senate Resolution 37, which motion prevailed by a voice vote.

MESSAGED TO THE HOUSE

Senator Gronstal asked and received unanimous consent that **Senate Files 551, 569, and 580** be **messaged** to the House.

President Pro Tempore Danielson took the chair at 1:26 p.m.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration Senate Resolution 36.

Senate Resolution 36

On motion of Senator Ragan, **Senate Resolution 36**, a resolution honoring the activities and commitment of the Patriot Guard Riders, with report of committee recommending passage, was taken up for consideration.

Senator Ragan moved the adoption of Senate Resolution 36, which motion prevailed by a voice vote.

The Senate stood at ease at 1:36 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:58 p.m., President Pro Tempore Danielson presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 35, a resolution recognizing the Uncommon Public Service Award.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. 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 35.

Senate Resolution 35

On motion of Senator Johnson, **Senate Resolution 35**, a resolution recognizing the Uncommon Public Service Award, with report of committee recommending passage, was taken up for consideration.

Senator Johnson moved the adoption of Senate Resolution 35, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Johnson welcomed former Governor Robert D. Ray to the Senate chamber. He addressed the Senate with brief remarks and presented Senator John P. Kibbie and Representative J. Scott Raecker the Herbert Hoover Uncommon Public Service Award.

The Senate rose and expressed its appreciation.

The Senate stood at ease at 2:16 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:09 p.m., President Kibbie presiding.

CONSIDERATION OF BILLS
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 874 and 397.

House File 874

On motion of Senator Danielson, **House File 874**, a bill for an act relating to and making appropriations to certain state departments,

agencies, funds, and certain other entities and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Danielson offered amendment S-3325, filed by him on April 12, 2007, to page 1 of amendment S-3319, and moved its adoption.

Amendment S-3325 was adopted by a voice vote.

Senator Danielson offered amendment S-3319, filed by the committee on Appropriations on April 11, 2007, to pages 14 and 17 of the bill, and moved its adoption.

Amendment S-3319 was adopted by a voice vote.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Connolly, until he arrives, on request of Senator Gronstal; and Senator Hatch, until he returns, on request of Senator Gronstal.

BUSINESS PENDING

House File 874

The Senate resumed consideration of House File 874.

Senator Angelo offered amendment S-3338, filed by Senator Angelo, et al., from the floor to pages 3 and 17 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3338 be adopted?" (H.F. 874), the vote was:

Yeas, 15:

Angelo	Hartsuch	McKinley	Wieck
Boettger	Johnson	Mulder	Zaun
Gaskill	Lundby	Putney	Zieman
Hahn	McKibben	Ward	

Nays, 33:

Appel	Dvorsky	Kibbie	Schoenjahn
Beall	Fraise	Kreiman	Seng
Behn	Gronstal	McCoy	Seymour
Black	Hancock	Noble	Stewart
Bolkcom	Heckroth	Olive	Warnstadt
Courtney	Hogg	Quirnbach	Wood
Danielson	Horn	Ragan	
Dearden	Houser	Rielly	
Dotzler	Kettering	Schmitz	

Absent, 2:

Connolly Hatch

Amendment S-3338 lost.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 874), the vote was:

Yeas, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hartsuch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Nays, 19:

Angelo	Houser	McKinley	Ward
Behn	Johnson	Mulder	Wieck
Boettger	Kettering	Noble	Zaun
Gaskill	Lundby	Putney	Zieman
Hahn	McKibben	Seymour	

Absent, 1:

Hatch

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 397

On motion of Senator Ragan, **House File 397**, a bill for an act relating to the expenditures allowable from medical assistance income trusts, 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. 397), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gaskill	Lundby	Seng
Beall	Gronstal	McCoy	Seymour
Behn	Hahn	McKibben	Stewart
Black	Hancock	McKinley	Ward
Boettger	Hartsuch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirnbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Hatch

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 397** and **874** be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Individual Confirmation Calendar)
(Deferred April 12, 2007)

The Senate resumed consideration of the appointment of Eugene Meyer as Commissioner of Public Safety, previously deferred.

Senator Gronstal moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 38:

Appel	Fraise	Kibbie	Schmitz
Beall	Gaskill	Kreiman	Schoenjahn
Black	Gronstal	McCoy	Seng
Bolkcom	Hancock	McKibben	Stewart
Connolly	Hatch	Mulder	Ward
Courtney	Heckroth	Olive	Warnstadt
Danielson	Hogg	Putney	Wood
Dearden	Horn	Quirnbach	Zaun
Dotzler	Houser	Ragan	
Dvorsky	Johnson	Rielly	

Nays, 12:

Angelo	Hahn	Lundby	Seymour
Behn	Hartsuch	McKinley	Wieck
Boettger	Kettering	Noble	Zieman

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 277

Senator Wood called up for consideration **Senate File 277**, a bill for an act 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 an administrator quality program,

making appropriations, and providing an effective date, amended by the House in House amendment S-3298, filed April 5, 2007.

Senator Zieman offered amendment S-3341, filed by Senator Zieman, et al., from the floor to pages 1-3 of amendment S-3298, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3341 be adopted?" (S.F. 277), the vote was:

Yeas, 20:

Angelo	Hancock	Lundby	Seymour
Behn	Hartsuch	McKibben	Ward
Boettger	Houser	McKinley	Wieck
Gaskill	Johnson	Noble	Zaun
Hahn	Kettering	Putney	Zieman

Nays, 30:

Appel	Dotzler	Kibbie	Schmitz
Beall	Dvorsky	Kreiman	Schoenjahn
Black	Fraise	McCoy	Seng
Bolkcom	Gronstal	Mulder	Stewart
Connolly	Hatch	Olive	Warnstadt
Courtney	Heckroth	Quirnbach	Wood
Danielson	Hogg	Ragan	
Dearden	Horn	Rielly	

Absent, none.

Amendment S-3341 lost.

Senator Wood offered amendment S-3345, filed by him from the floor to pages 1, 6, 15, 16, and 29 of amendment S-3298, and moved its adoption.

Amendment S-3345 was adopted by a voice vote.

Senator McKinley offered amendment S-3340, filed by Senator McKinley, et al., from the floor to page 3 of amendment S-3298, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3340 be adopted?” (S.F. 277), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S–3340 lost.

Senator McKinley offered amendment S–3342, filed by Senator McKinley, et al., from the floor to pages 3 and 5 of amendment S–3298, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3342 be adopted?” (S.F. 277), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S-3342 lost.

Senator Connolly offered amendment S-3346, filed by him from the floor to page 3 of amendment S-3298, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3346 be adopted?" (S.F. 277), the vote was:

Yeas, 28:

Appel	Dearden	Heckroth	Ragan
Beall	Dotzler	Horn	Rielly
Black	Dvorsky	Kibbie	Schmitz
Bolkcom	Fraise	Kreiman	Schoenjahn
Connolly	Gronstal	McCoy	Seng
Courtney	Hancock	Olive	Stewart
Danielson	Hatch	Quirnbach	Warnstadt

Nays, 22:

Angelo	Hogg	McKinley	Wieck
Behn	Houser	Mulder	Wood
Boettger	Johnson	Noble	Zaun
Gaskill	Kettering	Putney	Zieman
Hahn	Lundby	Seymour	
Hartsuch	McKibben	Ward	

Absent, none.

Amendment S-3346 was adopted.

Senator Putney asked and received unanimous consent to withdraw amendment S-3332, filed by Senators Putney and Houser on April 12, 2007, to page 5 of amendment S-3298.

Senator Putney offered amendment S-3339, filed by Senator Putney, et al., from the floor to page 5 of amendment S-3298, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3339 be adopted?" (S.F. 277), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S-3339 lost.

Senator Putney offered amendment S-3343, filed by Senator Putney, et al., from the floor to page 5 of amendment S-3298, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3343 be adopted?" (S.F. 277), the vote was:

Yeas, 21:

Angelo	Hartsuch	McKinley	Wieck
Behn	Houser	Mulder	Zaun
Boettger	Johnson	Noble	Zieman
Dvorsky	Kettering	Putney	
Gaskill	Lundby	Seymour	
Hahn	McKibben	Ward	

Nays, 29:

Appel	Dotzler	Kibbie	Schoenjahn
Beall	Fraise	Kreiman	Seng
Black	Gronstal	McCoy	Stewart
Bolkcom	Hancock	Olive	Warnstadt
Connolly	Hatch	Quirmbach	Wood
Courtney	Heckroth	Ragan	
Danielson	Hogg	Rielly	
Dearden	Horn	Schmitz	

Absent, none.

Amendment S-3343 lost.

Senator Zaun asked and received unanimous consent that action on amendment S-3298 and **Senate File 277** be **deferred**.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 578.

Senate File 578

On motion of Senator Warnstadt, **Senate File 578**, a bill for an act creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, and providing a tax exemption and a penalty, was taken up for consideration.

Senator Warnstadt offered amendment S-3290, filed by him on April 5, 2007, to page 3 and to the title page of the bill, and moved its adoption.

Amendment S-3290 was adopted by a voice vote.

Senator Warnstadt offered amendment S-3344, filed by him from the floor to page 3 of the bill, and moved its adoption.

Amendment S-3344 was adopted by a voice vote.

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. 578), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

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 File 578** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 579.

Senate File 579

On motion of Senator Bolkcom, **Senate File 579**, a bill for an act relating to a pharmaceutical collection and disposal pilot project, was taken up for consideration.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 579), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 579** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 752.

House File 752

On motion of Senator McCoy, **House File 752**, a bill for an act relating to and making transportation and other infrastructure-related appropriations to the 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 amendment and passage, was taken up for consideration.

Senator Dvorsky offered amendment S-3318, filed by the committee on Appropriations on April 11, 2007, to page 4 and to the title page of the bill, and moved its adoption.

Amendment S-3318 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?" (H.F. 752), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

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 **House File 752** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 783.

House File 783

On motion of Senator Olive, **House File 783**, a bill for an act relating to certain city utilities or city enterprises by making changes to procedures for notice and collection of delinquent charges and by making changes to billing notifications for water service and other services provided to certain residential rental property, placed on the Unfinished Business Calendar on April 12, 2007, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Olive offered amendment S-3283, filed by the committee on Commerce on April 4, 2007, to page 3 of the bill, and moved its adoption.

Amendment S-3283 was adopted by a voice vote.

Senator Olive 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. 783), the vote was:

Yeas, 48:

Angelo	Fraise	Kettering	Rielly
Appel	Gaskill	Kibbie	Schmitz
Beall	Gronstal	Lundby	Schoenjahn
Behn	Hahn	McCoy	Seng
Black	Hancock	McKibben	Seymour
Boettger	Hartsuch	McKinley	Stewart
Connolly	Hatch	Mulder	Ward
Courtney	Heckroth	Noble	Warnstadt
Danielson	Hogg	Olive	Wieck
Dearden	Horn	Putney	Wood
Dotzler	Houser	Quirnbach	Zaun
Dvorsky	Johnson	Ragan	Zieman

Nays, 2:

Bolkcom	Kreiman
---------	---------

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 277

The Senate resumed consideration of **Senate File 277**, a bill for an act 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 an administrator quality program, making appropriations, and providing an effective date, and amendment S–3298, previously deferred.

Senator Zaun offered amendment S–3349, filed by Senator Zaun, et al., from the floor to page 3 of amendment S–3298, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3349 be adopted?" (S.F. 277), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Cannolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirmbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S-3349 lost.

Senator McKibben offered amendment S-3348, filed by him from the floor to page 5 of amendment S-3298, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3348 be adopted?" (S.F. 277), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Cannolly	Hancock	Olive	Warnstadt

Courtney	Hatch	Quirmbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S-3348 lost.

The Senate resumed consideration of House amendment S-3298.

Senator Wood moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Wood moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 277), the vote was:

Yeas, 43:

Appel	Fraise	Kreiman	Schmitz
Beall	Gaskill	Lundby	Schoenjahn
Black	Gronstal	McCoy	Seng
Boettger	Hancock	McKibben	Seymour
Bolkcom	Hatch	Mulder	Stewart
Connolly	Heckroth	Noble	Ward
Courtney	Hogg	Olive	Warnstadt
Danielson	Horn	Putney	Wood
Dearden	Houser	Quirmbach	Zaun
Dotzler	Johnson	Ragan	Zieman
Dvorsky	Kibbie	Rielly	

Nays, 7:

Angelo	Hahn	Kettering	Wieck
Behn	Hartsuch	McKinley	

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 277** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:39 p.m. until 8:45 a.m., Tuesday, April 17, 2007.

APPENDIX

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 16, 2007, when the vote was taken on amendment S-3338 to House File 874. Had I been present, I would have voted “No.”

MICHAEL CONNOLLY

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which House File 783 passed the Senate on April 16, 2007.

ROBERT E. DVORSKY

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Adam Grayson, Mason City—For achieving the rank of Eagle Scout, Boy Scout Troop 12. Senator Ragan (4/16/07).

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Monday, April 16, 2007, 1:11 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SR 35 and Governor’s appointee.

Adjourned: 1:15 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 39, by Hartsuch, a resolution to declare the third week of October 2007, Disability History Week in Iowa.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILL

Senate File 588, by committee on Appropriations, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates.

Read first time under Rule 28 and **placed on Appropriations calendar**.

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: SENATE FILE 588 (SSB 1332), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 24: Dvorsky, McCoy, Angelo, Behn, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, 1: Black.

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 16th day of April, 2007:

Senate Files 137, 205, 270, 354, 444, 448, and 479.

MICHAEL E. MARSHALL
Secretary of the Senate

APPOINTMENT

The following appointee was submitted to the Secretary of the Senate for Senate confirmation:

BY THE GOVERNOR

TERM

DIRECTOR OF THE DEPARTMENT OF ECONOMIC DEVELOPMENT (Sec. 15.105)
Michael Tramontina, Des Moines 01/12/2007 – Pleasure of Governor

The appointment was referred to the committee on **Rules and Administration.**

REPORT OF THE COMMITTEE ON
RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor’s appointment as director of a department to a Senate standing committee, as indicated for investigation on April 16, 2007:

ECONOMIC GROWTH

Michael Tramontina – Director of the Department of Economic Development

REFERRAL TO SUBCOMMITTEE OF
STANDING COMMITTEE

In accordance with Senate Rule 59, the following senators were appointed to a subcommittee of the standing committee on April 16, 2007, to investigate the appointment of the following appointee:

ECONOMIC GROWTH

As Director of the Department of Economic Development

MICHAEL TRAMONTINA – Stewart, Chair; Houser and Olive

AMENDMENTS FILED

S-3336	S.F.	489	House
S-3337	S.F.	563	House
S-3338	H.F.	874	Jeff Angelo
			E. Thurman Gaskill
			Paul McKinley
			Dave Mulder

			Brad Zaun
			David Johnson
			Pat Ward
			Larry McKibben
			Mark Zieman
			David Hartsuch
			Nancy J. Boettger
			James F. Hahn
			Ron Wieck
			John Putney
			Mary A. Lundby
S-3339	S.F.	277	John Putney
			Hubert Houser
			E. Thurman Gaskill
			James A. Seymour
			David Johnson
			Pat Ward
			Nancy J. Boettger
			Jeff Angelo
			Steve Kettering
			Ron Wieck
			James F. Hahn
			Larry McKibben
			Jerry Behn
S-3340	S.F.	277	Paul McKinley
			Jerry Behn
			E. Thurman Gaskill
			James A. Seymour
			Larry Noble
			Brad Zaun
			David Johnson
			Pat Ward
			Mark Zieman
			Nancy J. Boettger
			Jeff Angelo
			John Putney
			Larry McKibben
			Ron Wieck
			Steve Kettering
			Hubert Houser

S-3341	S.F.	277	James F. Hahn Mary A. Lundby Mark Zieman Jerry Behn E. Thurman Gaskill James A. Seymour Larry Noble Paul McKinley Brad Zaun David Johnson Pat Ward David Hartsuch Nancy J. Boettger Jeff Angelo John Putney Larry McKibben Ron Wieck Steve Kettering Hubert Houser James F. Hahn Mary A. Lundby
S-3342	S.F.	277	Paul McKinley Nancy J. Boettger Jerry Behn E. Thurman Gaskill James A. Seymour Larry Noble Brad Zaun Dave Mulder David Johnson Pat Ward James F. Hahn Steve Kettering David Hartsuch Mark Zieman Jeff Angelo John Putney Larry McKibben Ron Wieck Hubert Houser Mary A. Lundby

S-3343	S.F.	277	John Putney Hubert Houser E. Thurman Gaskill James A. Seymour David Johnson Pat Ward Nancy J. Boettger Jeff Angelo Steve Kettering Ron Wieck James F. Hahn Larry McKibben
S-3344	S.F.	578	Steve Warnstadt
S-3345	S.F.	277	Frank B. Wood
S-3346	S.F.	277	Michael Connolly
S-3347	S.F.	585	Dick L. Dearden
S-3348	S.F.	277	Larry McKibben
S-3349	S.F.	277	Brad Zaun Paul McKinley Dave Mulder

JOURNAL OF THE SENATE

ONE HUNDREDTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 17, 2007

The Senate met in regular session at 8:49 a.m., President Kibbie presiding.

Prayer was offered by Reverend Wayne Pfannkuch, pastor of the Emanuel St. John Lutheran Church and Lytton Presbyterian Church in Lytton, Iowa. He was the guest of Senator Beall.

The Journal of Monday, April 16, 2007, 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 16, 2007, **passed** the following bills in which the concurrence of the House was asked:

Senate File 302, a bill for an act relating to moneys appropriated to the department of economic development for regional tourism marketing purposes.

Senate File 416, a bill for an act relating to city elections by providing procedures for filling a city council vacancy by special election and by providing satellite absentee voting at certain city elections.

ALSO: That the House has on April 16, 2007, **concurred in the Senate amendment and passed** the following bill in which the concurrence of the House was asked:

House File 849, a bill for an act concerning the department of administrative services and including an effective date provision.

ALSO: That the House has on April 16, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 414, a bill for an act concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans and allowable prizes at annual game nights by certain qualified organizations and making penalties applicable. (S-3350)

ALSO: That the House has on April 16, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

House File 896, a bill for an act creating a disaster aid individual assistance grant fund.

Read first time and referred to committee on **Appropriations**.

The Senate stood at ease at 8:57 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:19 a.m., President Pro Tempore Danielson presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Putney, until he returns, on request of Senator Gaskill.

HOUSE AMENDMENT CONSIDERED

Senate File 563

Senator Hogg called up for consideration **Senate File 563**, a bill for an act relating to and making appropriations to the judicial branch, amended by the House in House amendment S-3337, filed April 16, 2007.

Senator Hogg moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Hogg moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 563), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schoenjahn
Appel	Gaskill	Kreiman	Seng
Beall	Gronstal	Lundby	Seymour
Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Ward
Boettger	Hartsuch	McKinley	Warnstadt
Bolkcom	Hatch	Mulder	Wieck
Connolly	Heckroth	Noble	Wood
Courtney	Hogg	Olive	Zaun
Danielson	Horn	Quirnbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, none.

Absent, 1:

Putney

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 575.

Senate File 575

On motion of Senator Hancock, **Senate File 575**, a bill for an act relating to and making appropriations to the justice system, was taken up for consideration.

Senator Angelo offered amendment S-3352, filed by Senator Angelo, et al., from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3352 be adopted?" (S.F. 575), the vote was:

Yeas, 19:

Angelo	Hartsuch	McKibben	Ward
Behn	Houser	McKinley	Wieck
Boettger	Johnson	Mulder	Zaun
Gaskill	Kettering	Noble	Zieman
Hahn	Lundby	Seymour	

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, 1:

Putney

Amendment S-3352 lost.

Senator Hancock offered amendment S-3335, filed by him on April 12, 2007, to page 2 of the bill, and moved its adoption.

Amendment S-3335 was adopted by a voice vote.

Senator Angelo asked and received unanimous consent to withdraw amendment S-3300, filed by Senators Angelo and Hancock on April 9, 2007, to page 4 of the bill.

Senator Angelo offered amendment S-3353, filed by Senator Angelo, et al., from the floor to page 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3353 be adopted?" (S.F. 575), the vote was:

Yeas, 20:

Angelo	Hartsuch	Lundby	Seymour
Behn	Heckroth	McKibben	Ward
Boettger	Houser	McKinley	Wieck
Gaskill	Johnson	Mulder	Zaun
Hahn	Kettering	Noble	Zieman

Nays, 28:

Beall	Dotzler	Horn	Rielly
Black	Dvorsky	Kibbie	Schmitz
Bolkcom	Fraise	Kreiman	Schoenjahn
Connolly	Gronstal	McCoy	Seng
Courtney	Hancock	Olive	Stewart
Danielson	Hatch	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wood

Present, 1:

Appel

Absent, 1:

Putney

Amendment S-3353 lost.

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. 575), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schoenjahn
Appel	Gaskill	Kreiman	Seng
Beall	Gronstal	Lundby	Seymour
Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Ward
Boettger	Hartsuch	McKinley	Warnstadt
Bolkcom	Hatch	Mulder	Wieck
Connolly	Heckroth	Noble	Wood

Courtney	Hogg	Olive	Zaun
Danielson	Horn	Quirnbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, none.

Absent, 1:

Putney

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 581, 572, and 570.

Senate File 581

On motion of Senator Connolly, **Senate File 581**, a bill for an act relating to certain property eligible for an exemption from property taxation, providing a refund of property taxes in certain circumstances, and including effective and retroactive 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?" (S.F. 581), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schoenjahn
Appel	Gaskill	Kreiman	Seng
Beall	Gronstal	Lundby	Seymour
Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Ward
Boettger	Hartsuch	McKinley	Warnstadt
Bolkcom	Hatch	Mulder	Wieck
Connolly	Heckroth	Noble	Wood
Courtney	Hogg	Olive	Zaun

Danielson	Horn	Quirnbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, none.

Absent, 1:

Putney

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 572

On motion of Senator Dotzler, **Senate File 572**, a bill for an act extending state tax benefits for use of soy-based transformer fluid by electric utilities and including effective and applicability date provisions, was taken up for consideration.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 572), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schoenjahn
Appel	Gaskill	Kreiman	Seng
Beall	Gronstal	Lundby	Seymour
Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Ward
Boettger	Hartsuch	McKinley	Warnstadt
Bolkcom	Hatch	Mulder	Wieck
Connolly	Heckroth	Noble	Wood
Courtney	Hogg	Olive	Zaun
Danielson	Horn	Quirnbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, none.

Absent, 1:

Putney

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 570

On motion of Senator Appel, **Senate File 570**, a bill for an act modifying the fee structure relating to amusement ride safety inspections conducted by the division of labor services of the department of workforce development, and providing an effective date, was taken up for consideration.

Senator Appel 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. 570), the vote was:

Yeas, 43:

Angelo	Dvorsky	Kibbie	Rielly
Appel	Fraise	Kreiman	Schmitz
Beall	Gaskill	Lundby	Schoenjahn
Black	Gronstal	McCoy	Seng
Boettger	Hahn	McKibben	Seymour
Bolkcom	Hancock	McKinley	Stewart
Connolly	Hatch	Mulder	Ward
Courtney	Heckroth	Noble	Warnstadt
Danielson	Hogg	Olive	Wieck
Dearden	Horn	Quirnbach	Wood
Dotzler	Houser	Ragan	

Nays, 6:

Behn	Johnson	Zaun
Hartsuch	Kettering	Zieman

Absent, 1:

Putney

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 563, 570, 572, 575, and 581** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 540

Senator Noble called up for consideration **Senate File 540**, a bill for an act relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions, amended by the House in House amendment S-3324, filed April 11, 2007.

Senator Noble 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 Noble 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. 540), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schoenjahn
Appel	Gaskill	Kreiman	Seng
Beall	Gronstal	Lundby	Seymour
Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Ward
Boettger	Hartsuch	McKinley	Warnstadt
Bolkcom	Hatch	Mulder	Wieck
Connolly	Heckroth	Noble	Wood
Courtney	Hogg	Olive	Zaun
Danielson	Horn	Quirnbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, none.

Absent, 1:

Putney

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 2, 2007)

Senate File 533

The Senate resumed consideration of **Senate File 533**, a bill for an act relating to a debtor's exempt personal injury payments in state court debt collection and federal bankruptcy actions, was taken up for consideration, deferred April 2, 2007.

Senator Hogg asked and received unanimous consent that **House File 744** be **substituted** for **Senate File 533**.

House File 744

On motion of Senator Hogg, **House File 744**, a bill for an act relating to a debtor's exempt personal injury payments in state court debt collection and federal bankruptcy actions, was taken up for consideration.

Senator Hogg 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. 744), the vote was:

Yeas, 45:

Angelo	Dvorsky	Kettering	Schmitz
Appel	Fraise	Kibbie	Schoenjahn
Beall	Gaskill	Kreiman	Seng
Behn	Gronstal	Lundby	Seymour
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck

Courtney Danielson Dearden Dotzler	Hogg Horn Houser Johnson	Olive Quirmbach Ragan Rielly	Wood
---	-----------------------------------	---------------------------------------	------

Nays, 4:

Hartsuch	McKinley	Zaun	Zieman
----------	----------	------	--------

Absent, 1:

Putney

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Hogg asked and received unanimous consent that **Senate File 533** be **withdrawn** from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 489

Senator Boettger called up for consideration **Senate File 489**, a bill for an act creating an Alzheimer's disease task force, amended by the House in House amendment S-3336, filed April 16, 2007.

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. 489), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schoenjahn
Appel	Gaskill	Kreiman	Seng
Beall	Gronstal	Lundby	Seymour
Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Ward
Boettger	Hartsuch	McKinley	Warnstadt
Bolkcom	Hatch	Mulder	Wieck
Connolly	Heckroth	Noble	Wood
Courtney	Hogg	Olive	Zaun
Danielson	Horn	Quirmbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, none.

Absent, 1:

Putney

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 406

Senator Kreiman called up for consideration **Senate File 406**, 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, amended by the House in House amendment S-3333, filed April 12, 2007.

Senator Kreiman 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 Kreiman 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. 406), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schoenjahn
Appel	Gaskill	Kreiman	Seng
Beall	Gronstal	Lundby	Seymour
Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Ward
Boettger	Hartsuch	McKinley	Warnstadt
Bolkcom	Hatch	Mulder	Wieck
Connolly	Heckroth	Noble	Wood
Courtney	Hogg	Olive	Zaun
Danielson	Horn	Quirmbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, none.

Absent, 1:

Putney

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 406, 489, and 540** and **House File 744** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 339

Senator Olive called up for consideration **Senate File 339**, a bill for an act relating to county general obligation bonds by modifying the definition of essential county purpose and by changing the requirements under which a county may issue general county purpose bonds without an election, amended by the House in House amendment S-3281, filed April 4, 2007.

Senator Olive moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Olive moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 339), the vote was:

Yeas, 43:

Angelo	Dvorsky	Johnson	Rielly
Appel	Fraise	Kibbie	Schmitz
Beall	Gaskill	Kreiman	Schoenjahn
Black	Gronstal	McCoy	Seng
Boettger	Hahn	McKibben	Stewart
Bolkcom	Hancock	McKinley	Ward
Connolly	Hatch	Mulder	Warnstadt
Courtney	Heckroth	Noble	Wieck
Danielson	Hogg	Olive	Wood
Dearden	Horn	Quirnbach	Zaun
Dotzler	Houser	Ragan	

Nays, 6:

Behn	Kettering	Seymour
Hartsuch	Lundby	Zieman

Absent, 1:

Putney

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 333

Senator Ward called up for consideration **Senate File 333**, 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, amended by the House in House amendment S-3304, filed April 9, 2007.

Senator Ward 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 Ward 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. 333), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schoenjahn
Appel	Gaskill	Kreiman	Seng
Beall	Gronstal	Lundby	Seymour
Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Ward
Boettger	Hartsuch	McKinley	Warnstadt
Bolkcom	Hatch	Mulder	Wieck
Cannolly	Heckroth	Noble	Wood
Courtney	Hogg	Olive	Zaun
Danielson	Horn	Quirnbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, none.

Absent, 1:

Putney

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 265

Senator Courtney called up for consideration **Senate File 265**, a bill for an act relating to asbestos removal and encapsulation

regulations as enforced by the labor commissioner, amended by the House in House amendment S-3314, filed April 10, 2007.

Senator Courtney 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 Courtney 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. 265), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schoenjahn
Appel	Gaskill	Kreiman	Seng
Beall	Gronstal	Lundby	Seymour
Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Ward
Boettger	Hartsuch	McKinley	Warnstadt
Bolkcom	Hatch	Mulder	Wieck
Connolly	Heckroth	Noble	Wood
Courtney	Hogg	Olive	Zaun
Danielson	Horn	Quirmbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, none.

Absent, 1:

Putney

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 175

Senator Quirmbach called up for consideration **Senate File 175**, a bill for an act relating to the disposition of seized property in a

criminal proceeding, amended by the House in House amendment S-3303, filed April 9, 2007.

Senator Quirnbach 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 Quirnbach 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. 175), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schoenjahn
Appel	Gaskill	Kreiman	Seng
Beall	Gronstal	Lundby	Seymour
Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Ward
Boettger	Hartsuch	McKinley	Warnstadt
Bolkcom	Hatch	Mulder	Wieck
Cannolly	Heckroth	Noble	Wood
Courtney	Hogg	Olive	Zaun
Danielson	Horn	Quirnbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, none.

Absent, 1:

Putney

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 155

Senator Quirnbach called up for consideration **Senate File 155**, a bill for an act relating to local governments by creating a local

government innovation commission and fund, creating a center for governing excellence, and including an effective date, amended by the House in House amendment S-3315, filed April 10, 2007.

Senator Quirnbach 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 Quirnbach 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. 155), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schoenjahn
Appel	Gaskill	Kreiman	Seng
Beall	Gronstal	Lundby	Seymour
Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Ward
Boettger	Hartsuch	McKinley	Warnstadt
Bolkcom	Hatch	Mulder	Wieck
Connolly	Heckroth	Noble	Wood
Courtney	Hogg	Olive	Zaun
Danielson	Horn	Quirnbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, none.

Absent, 1:

Putney

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 155, 175, 265, 333, and 339** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:50 a.m. until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:56 p.m., President Kibbie presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 360

Senator Stewart called up for consideration **Senate File 360**, a bill for an act relating to the regulatory duties of the division of banking of the department of commerce regarding banking, debt management, mortgage banking, industrial loan companies, and professional licensing, amended by the House in House amendment S-3320, filed April 11, 2007.

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. 360), the vote was:

Yeas, 50:

Angelo
Appel

Fraise
Gaskill

Kibbie
Kreiman

Schmitz
Schoenjahn

Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Fraise and Gronstal, until they return, on request of Senator Courtney.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 851.

House File 851

On motion of Senator Wood, **House File 851**, a bill for an act relating to expenditure approval requirements applicable to the purchase of telecommunications equipment or services by the Iowa communications network, placed on the Unfinished Business Calendar on April 12, 2007, 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. 851), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Rielly
Appel	Gaskill	Kreiman	Schmitz
Beall	Hahn	Lundby	Schoenjahn
Behn	Hancock	McCoy	Seng
Black	Hartsuch	McKibben	Seymour
Boettger	Hatch	McKinley	Stewart
Bolkcom	Heckroth	Mulder	Ward
Connolly	Hogg	Noble	Warnstadt
Courtney	Horn	Olive	Wieck
Danielson	Houser	Putney	Wood
Dearden	Johnson	Quirnbach	Zaun
Dotzler	Kettering	Ragan	Zieman

Nays, none.

Absent, 2:

Fraise 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 Hatch, until he returns, on request of Senator Courtney.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 793

Senator Rielly called up for consideration **House File 793**, a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to the placement of advertising devices along primary highways, qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel

tax liability, the maximum length limitation for single trucks, requirements for operation of certain self-propelled implements of husbandry on secondary roads, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates, amended by the Senate and further amended by the House in House amendment S-3334 to Senate amendment H-1636, filed April 12, 2007.

Senator Rielly moved that the Senate concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Rielly moved that the bill, as amended by the Senate, further 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?" (H.F. 793), the vote was:

Yeas, 40:

Appel	Dotzler	Johnson	Rielly
Beall	Dvorsky	Kibbie	Schmitz
Behn	Gaskill	Kreiman	Schoenjahn
Black	Hahn	Lundby	Seng
Boettger	Hancock	McKinley	Seymour
Bolkcom	Hartsuch	Mulder	Stewart
Connolly	Heckroth	Noble	Warnstadt
Courtney	Hogg	Olive	Wieck
Danielson	Horn	Putney	Wood
Dearden	Houser	Ragan	Zaun

Nays, 7:

Angelo	McCoy	Quirnbach	Zieman
Kettering	McKibben	Ward	

Absent, 3:

Fraise	Gronstal	Hatch
--------	----------	-------

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that **Senate File 360** and **House Files 793** and **851** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration House File 773.

House File 773

On motion of Senator Ragan, **House File 773**, a bill for an act establishing an energy city designation program, placed on the Unfinished Business Calendar on April 12, 2007, with report of committee recommending passage, was taken up for consideration.

Senator Ragan offered amendment S-3316, filed by her on April 10, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3316 was adopted by a voice vote.

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. 773), the vote was:

Yeas, 44:

Angelo	Dvorsky	Lundby	Schmitz
Appel	Gaskill	McCoy	Schoenjahn
Beall	Hahn	McKibben	Seng
Black	Hancock	McKinley	Seymour
Boettger	Heckroth	Mulder	Stewart
Bolkcom	Hogg	Noble	Ward
Connolly	Horn	Olive	Warnstadt
Courtney	Houser	Putney	Wieck
Danielson	Kettering	Quirnbach	Wood
Dearden	Kibbie	Ragan	Zaun
Dotzler	Kreiman	Rielly	Zieman

Nays, 3:

Behn Hartsuch Johnson

Absent, 3:

Fraise Gronstal Hatch

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 4, 2007)

House File 608

The Senate resumed consideration of **House File 608**, a bill for an act relating to notice of meetings of the board of township trustees, deferred April 4, 2007.

Senator Beall withdrew amendment S-3322, filed by him on April 11, 2007, to page 1 of the bill.

Senator Beall offered amendment S-3326, filed by him on April 12, 2007, to page 1 of the bill.

Senator Kreiman offered amendment S-3331, filed by Senators Kreiman, Beall, and Fraise on April 12, 2007, to page 1 of amendment S-3326.

Amendment S-3331 was adopted by a voice vote.

Senator Beall moved the adoption of amendment S-3326, as amended.

Amendment S-3326 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?" (H.F. 608), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gaskill	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirmbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Gronstal

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 808.

House File 808

On motion of Senator Kreiman, **House File 808**, a bill for an act concerning accountability requirements for entities, administrators, and boards created for joint exercise of governmental powers and providing effective dates, placed on the Unfinished Business Calendar on April 12, 2007, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Quirmbach offered amendment S-3297, filed by the committee on Local Government on April 5, 2007, to page 2 of the bill.

Senator Zaun offered amendment S-3327, filed by Senators Zaun and Mulder on April 12, 2007, to page 1 of amendment S-3297, and moved its adoption.

Amendment S–3327 lost by a voice vote.

Senator Quirmbach moved the adoption of amendment S–3297.

Amendment S–3297 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. 808), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Cannolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 11, 2007)

House File 742

The Senate resumed consideration of **House File 742**, a bill for an act relating to the regulation of snowmobiles and all-terrain vehicles, and providing fees and penalties, deferred April 11, 2007.

Senator Boettger withdrew amendment S-3354, filed by her from the floor to page 29 and to the title page of the bill.

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. 742), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 608, 742, 773, and 808** be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 17, 2007, **refused to concur in the Senate amendment to the House amendment** to the following bill in which the concurrence of the House was asked:

Senate File 277, a bill for an act 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 an administrator quality program, making appropriations, and providing an effective date.

SENATE INSISTS

Senate File 277

Senator Wood called up for consideration **Senate File 277**, a bill for an act 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 an administrator quality program, making appropriations, and providing an effective date, amended by the House, further amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed and the Senate insisted on its amendment.

The Senate stood at ease at 4:06 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 5:07 p.m., President Kibbie presiding.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 277** on the part of the Senate: Senators Wood, Chair; Connolly, Quirnbach, McKinley, and Mulder.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 277** 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 17, 2007, **passed** the following bills in which the concurrence of the House was asked:

Senate File 278, a bill for an act relating to changes in the utility replacement tax law by redefining a new electric power generating plant, extending the life of the utility replacement tax task force, and requiring notification by the taxpayer to the department of revenue and local taxing district upon transfer of utility property.

Senate File 518, a bill for an act reorganizing Code chapter provisions relating to the authority to engage in the business of insurance other than life insurance by transferring provisions, eliminating outdated provisions, and amending corresponding provisions, as necessary.

Senate File 543, a bill for an act relating to the state interagency Missouri river authority, by providing for the participation in or withdrawal from interstate associations, providing for the appointment of a vice chairperson, and providing for duties of member agencies.

ALSO: That the House has on April 17, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 472, a bill for an act requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty. (S-3360)

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 585.

Senate File 585

On motion of Senator Dotzler, **Senate File 585**, a bill for an act relating to registration of construction contractors, was taken up for consideration.

Senator Dearden offered amendment S-3347, filed by him on April 16, 2007, to page 1 of the bill, and moved its adoption.

Amendment S-3347 was adopted by a voice vote.

Senator Dotzler offered amendment S-3357, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-3357 was adopted by a voice vote.

Senator Wieck offered amendment S-3351, filed by him from the floor to page 2 and to the title page of the bill.

Senator Dotzler raised the point of order that amendment S-3351 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3351 out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rielly, until he returns, on request of Senator Connolly.

BUSINESS PENDING**Senate File 585**

The Senate resumed consideration of Senate File 585.

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. 585), the vote was:

Yeas, 28:

Appel	Dearden	Hogg	Ragan
Beall	Dotzler	Horn	Schmitz
Black	Dvorsky	Kibbie	Schoenjahn
Bolkcom	Fraise	Kreiman	Seng
Connolly	Gronstal	McCoy	Stewart
Courtney	Hancock	Olive	Warnstadt
Danielson	Heckroth	Quirmbach	Wood

Nays, 21:

Angelo	Hatch	McKinley	Wieck
Behn	Houser	Mulder	Zaun
Boettger	Johnson	Noble	Zieman
Gaskill	Kettering	Putney	
Hahn	Lundby	Seymour	
Hartsuch	McKibben	Ward	

Absent, 1:

Rielly

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 585** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 414

Senator Danielson called up for consideration **Senate File 414**, a bill for an act concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans and allowable prizes at annual game nights by certain qualified organizations and making penalties applicable, amended by the House in House amendment S-3350, filed April 17, 2007.

Senator Danielson 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 Danielson 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. 414), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schoenjahn
Appel	Gaskill	Kreiman	Seng
Beall	Gronstal	Lundby	Seymour
Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Ward
Boettger	Hartsuch	McKinley	Warnstadt
Bolkcom	Hatch	Mulder	Wieck
Connolly	Heckroth	Noble	Wood
Courtney	Hogg	Olive	Zaun
Danielson	Horn	Putney	Zieman
Dearden	Houser	Quirnbach	
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Schmitz	

Nays, none.

Absent, 1:

Rielly

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 414** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:28 p.m. until 8:45 a.m., Wednesday, April 18, 2007.

APPENDIX

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 17, 2007, when the votes were taken on Senate Files 265, 333, 339, 406, 489, 540, 563, 570, 572, 575 (and amendments S-3352 and S-3353 to Senate File 575) and 581, and House File 744. Had I been present, I would have voted “Yea” on all.

JOHN PUTNEY

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Paul and Arline Bell—For celebrating their 65th wedding anniversary. Senator Courtney (4/17/07).

Nick Berte, Humboldt—For achieving the rank of Eagle Scout. Senator Kibbie (4/17/07).

Kylie Franklin, Muscatine—For being named to the Iowa Basketball Coaches' Association Academic All-State Team. Senator Hahn (4/17/07).

Reverend Matthew Martens of Grace Lutheran Church, Fort Dodge—For being Pastor of the Day. Senator Beall (4/17/07).

Don McKee, Gilman—For his service as a member of the United States Navy; as a senior correctional officer at the Anamosa State Penitentiary; and as president of the American Federation of State, County, and Municipal Employees, Council 61, from 1981–1994. Senator Gronstal (4/17/07).

Sarah Moore, Marshalltown—For her exceptional photographic art skills. Senator McKibben (4/17/07).

Reverend Wayne Pfannkuch of Emanuel St. John Lutheran Church and Lytton Presbyterian Church, Lytton—For being Pastor of the Day. Senator Beall (4/17/07).

George and Dorothy Small, Wapello—For celebrating their 60th wedding anniversary. Senator Courtney (4/17/07).

REPORTS OF COMMITTEE MEETINGS

GOVERNMENT OVERSIGHT

Convened: Tuesday, April 17, 2007, 12:00 p.m.

Members Present: Courtney, Chair; Connolly, Vice Chair; Wieck, Ranking Member; Lundby and Schmitz.

Members Absent: None.

Committee Business: Approved SSB 1262.

Adjourned: 12:30 p.m.

WAYS AND MEANS

Convened: Tuesday, April 17, 2007, 2:00 p.m.

Members Present: Bolkcom, Chair; McCoy, Vice Chair; McKibben, Ranking Member; Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck.

Members Absent: None.

Committee Business: Passed SFs 250, 395, and 506 and HF 892. Approved SSBs 1075 (as amended), 1329 (as amended), 1353, and 1354.

Adjourned: 2:45 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 40, by Rielly, a resolution to recognize the sesquicentennial of the city of Williamsburg.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILL

Senate File 589, by committee on Ways and Means, a bill for an act relating to certain distress criteria under the enterprise zone program.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

STUDY BILLS RECEIVED

SSB 1355 Ways and Means

Relating to the determination of the escrow amount to be paid by nonparticipating manufacturers in the tobacco master settlement agreement.

SSB 1356 Ways and Means

Relating to the percentage of actual value at which residential property and certain commercial property are assessed for purposes of property taxation and providing an annual appropriation for a specified number of years to replace commercial property tax revenues lost to counties and cities.

SUBCOMMITTEE ASSIGNMENTS

Senate File 584

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Courtney and Ward

SSB 1355

WAYS AND MEANS: McCoy, Chair; Angelo and Bolcom

SSB 1356

WAYS AND MEANS: McCoy, Chair; Angelo and Bolcom

FINAL COMMITTEE REPORTS OF BILL ACTION

WAYS AND MEANS

Bill Title: SENATE FILE 589 (formerly SF 506), a bill for an act relating to certain distress criteria under the enterprise zone program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 892, a bill for an act creating a film, television, and video project promotion program, providing tax credits and income exclusions, and including effective and retroactive applicability dates.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, 1: Quirmbach. 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 17th day of April, 2007:

Senate Files 311, 381, 407, 502, and 529.

MICHAEL E. MARSHALL
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 16, 2007, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 41 – Relating to the disposition of unclaimed property concerning minerals.

Senate File 42 – Relating to campaign finance by revising the requirements for filing reports and for the use of certain resources for political purposes.

Senate File 140 – Relating to the time period for which peace officers' investigative reports and specific portions of electronic mail and telephone billing records are to be kept confidential.

Senate File 161 – Relating to the confidentiality of security procedures or emergency preparedness information discussed at a meeting of a governmental body and providing an effective date.

Senate File 200 – For the liability of a landowner of land where livestock are kept or an owner of adjoining land for erecting and maintaining a fence, and providing for the assessment of property taxes.

Senate File 351 – Requiring a political committee expressly advocating the passage or defeat of a ballot issue to file five disclosure reports in an election year.

Senate File 477 – Authorizing the issuance of additional special nonresident deer hunting licenses.

Senate File 480 – Relating to children who are subject to a court order for temporary or permanent out-of-home placement by providing for visitation or ongoing interaction between the children and siblings.

AMENDMENTS FILED

S-3350	S.F.	414	House
S-3351	S.F.	585	Ron Wieck
S-3352	S.F.	575	Jeff Angelo Nancy J. Boettger Mark Zieman Pat Ward David Johnson Dave Mulder Brad Zaun Paul McKinley Larry Noble James A. Seymour E. Thurman Gaskill Jerry Behn Mary A. Lundby Larry McKibben John Putney Ron Wieck James F. Hahn
S-3353	S.F.	575	Jeff Angelo Nancy J. Boettger Mark Zieman David Hartsuch Pat Ward David Johnson Brad Zaun Dave Mulder Paul McKinley

			Larry Noble
			James A. Seymour
			E. Thurman Gaskill
			Jerry Behn
			Mary A. Lundby
			Larry McKibben
			John Putney
			Ron Wieck
			Steve Kettering
			Hubert Houser
			James F. Hahn
S-3354	H.F.	742	Nancy J. Boettger
S-3355	S.F.	586	Daryl Beall
S-3356	H.F.	817	Daryl Beall
			Steve Warnstadt
			James A. Seymour
S-3357	S.F.	585	William A. Dotzler, Jr.
S-3358	S.F.	588	Joe M. Seng
S-3359	S.F.	588	Nancy J. Boettger
			James A. Seymour
			Mary A. Lundby
			Jeff Angelo
			Ron Wieck
			David Hartsuch
			Larry Noble
			John Putney
			David Johnson
			Brad Zaun
			James F. Hahn
			Paul McKinley
			Steve Kettering
			Mark Zieman
			Hubert Houser
			Jerry Behn
			E. Thurman Gaskill
			Pat Ward
			Larry McKibben
			Dave Mulder
S-3360	S.F.	472	House

JOURNAL OF THE SENATE

ONE HUNDRED FIRST CALENDAR DAY
FIFTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 18, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by Matthew Martens, pastor of the Grace Lutheran Church in Fort Dodge, Iowa. He was the guest of Senator Beall.

The Journal of Tuesday, April 17, 2007, 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 17, 2007, **passed** the following bills in which the concurrence of the House was asked:

Senate File 90, a bill for an act concerning local emergency management commission communications.

Senate File 384, a bill for an act relating to statute of limitations provisions relating to minors and persons with mental illness and tort claims against a municipality and providing an applicability date.

Senate File 562, a bill for an act relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters.

Senate File 564, a bill for an act regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties.

ALSO: That the House has on April 17, 2007, **concurred in the Senate amendment and passed** the following bill in which the concurrence of the House was asked:

House File 499, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including workers' compensation self-insurance, premium taxes, the uniform securities Act, powers and duties of the insurance division, regulation of insurance sales to military personnel, domestic insurance companies, life insurance companies, nonprofit health service corporations, external review of health care coverage decisions, investment limitations on insurers other than life insurers, property and casualty insurers' reserves, motor vehicle service contracts, county and state mutual associations, reciprocal or interinsurance contracts, licensing of insurance producers and public adjusters, and life and fire insurance company boards of directors, and providing penalties.

ALSO: That the House has on April 17, 2007, **amended and passed** the following bills in which the concurrence of the House was asked:

Senate File 212, a bill for an act relating to the salary of deputy officers in certain county offices and providing an applicability date. (S-3361)

Senate File 554, 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. (S-3363)

ALSO: That the House has on April 17, 2007, **amended the Senate amendment, concurred in the Senate amendment as amended, and passed** the following bill in which the concurrence of the House was asked:

House File 368, a bill for an act relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development. (S-3362)

ALSO: That the House has on April 17, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

House File 890, a bill for an act relating to assistance for small businesses, making appropriations, and providing an effective date provision.

Read first time and referred to committee on **Appropriations**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 8:58 a.m. until the completion of a meeting on the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:03 a.m., President Kibbie presiding.

INTRODUCTION OF BILL

Senate File 590, by committee on Ways and Means, a bill for an act relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions.

Read first time and **placed on Ways and Means calendar**.

The Senate stood at ease at 9:04 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:50 a.m., President Kibbie presiding.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 588.

Senate File 588

On motion of Senator Wood, **Senate File 588**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates, was taken up for consideration.

Senator Seng offered amendment S-3358, filed by him on April 17, 2007, to page 3 of the bill.

Senator Angelo asked and received unanimous consent that action on amendment S-3358 be deferred.

Senator Angelo asked and received unanimous consent that action on amendment S-3365 be deferred.

Senator Ziemann offered amendment S-3367, filed by him from the floor to page 13 of the bill, and moved its adoption.

Amendment S-3367 lost by a voice vote.

Senator Angelo offered amendment S-3364, filed by Senator Angelo, et al., from the floor to page 15 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3364 be adopted?" (S.F. 588), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Ziemann

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng

Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirmbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S-3364 lost.

The Senate resumed consideration of amendment S-3358, previously deferred.

Senator Seng moved the adoption of amendment S-3358.

Amendment S-3358 was adopted by a voice vote.

Senator Zieman offered amendment S-3368, filed by Senator Zieman, et al., from the floor to page 33 of the bill, and moved its adoption.

Amendment S-3368 lost by a voice vote.

Senator Boettger asked and received unanimous consent to withdraw amendment S-3359, filed by Senator Boettger, et al., on April 17, 2007, to page 33 of the bill.

Senator Zieman offered amendment S-3366, filed by Senator Zieman, et al., from the floor to page 43 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3366 be adopted?" (S.F. 588), the vote was:

Yeas, 25:

Angelo	Hartsuch	McKinley	Ward
Behn	Hogg	Mulder	Wieck
Black	Houser	Noble	Zaun
Boettger	Johnson	Putney	Zieman
Gaskill	Kettering	Schoenjahn	
Hahn	Lundby	Seng	
Hancock	McKibben	Seymour	

Nays, 25:

Appel	Dotzler	Kibbie	Schmitz
Beall	Dvorsky	Kreiman	Stewart
Bolkcom	Fraise	McCoy	Warnstadt
Connolly	Gronstal	Olive	Wood
Courtney	Hatch	Quirnbach	
Danielson	Heckroth	Ragan	
Dearden	Horn	Rielly	

Absent, none.

Amendment S-3366 lost.

Senator Putney offered amendment S-3369, filed by Senator Putney, et al., from the floor to pages 27, 39, and 45 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3369 be adopted?" (S.F. 588), the vote was:

Yeas, 25:

Angelo	Hancock	Lundby	Seymour
Behn	Hartsuch	McCoy	Ward
Boettger	Hatch	McKibben	Wieck
Connolly	Houser	McKinley	Zieman
Dearden	Johnson	Mulder	
Gaskill	Kettering	Noble	
Hahn	Kibbie	Putney	

Nays, 25:

Appel	Dvorsky	Olive	Stewart
Beall	Fraise	Quirnbach	Warnstadt
Black	Gronstal	Ragan	Wood
Bolkcom	Heckroth	Rielly	Zaun
Courtney	Hogg	Schmitz	
Danielson	Horn	Schoenjahn	
Dotzler	Kreiman	Seng	

Absent, none.

Amendment S-3369 lost.

Senator Boettger offered amendment S-3365, filed by Senator Boettger, et al., from the floor to page 11 of the bill.

Senator Boettger asked and received unanimous consent that action on amendment S-3365 and **Senate File 588** be **deferred**.

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: SENATE FILE 590 (SSB 1354), a bill for an act relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 590.

Senate File 590

On motion of Senator Schmitz, **Senate File 590**, a bill for an act relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions, was taken up for consideration.

Senator McKibben asked and received unanimous consent that action on **Senate File 590** be **deferred**.

HOUSE AMENDMENT CONSIDERED

Senate File 472

Senator Dearden called up for consideration **Senate File 472**, a bill for an act requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty, amended by the House in House amendment S-3360, filed April 17, 2007.

Senator Dearden moved that the Senate refuse to concur in the House amendment.

The motion prevailed by a voice vote and the Senate **refused to concur** in the House amendment.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 472** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 817.

House File 817

On motion of Senator Beall, **House File 817**, a bill for an act concerning the flag and veterans by providing for a study of regional veterans affairs offices, providing for the duties of the department of veterans affairs and the commission on veterans affairs prohibiting certain acts involving the flag, establishing a counseling program for veterans, and providing a penalty, placed on the Unfinished Business Calendar on April 12, 2007, with report of committee recommending passage, was taken up for consideration.

Senator Beall asked and received unanimous consent to withdraw amendment S-3317, filed by Senators Beall, Warnstadt, and Putney on April 10, 2007, to pages 1 and 2 and to the title page of the bill.

Senator Beall offered amendment S-3356, filed by Senators Beall, Warnstadt, and Seymour on April 17, 2007, to pages 1-3 and 5 and to the title page of the bill, and moved its adoption.

Amendment S-3356 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?" (H.F. 817), the vote was:

Yeas, 45:

Angelo	Gaskill	Kreiman	Seng
Appel	Gronstal	Lundby	Seymour
Beall	Hahn	McKibben	Stewart
Behn	Hancock	McKinley	Ward
Black	Hartsuch	Mulder	Warnstadt
Boettger	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Ragan	Zieman
Dearden	Johnson	Rielly	
Dotzler	Kettering	Schmitz	
Fraise	Kibbie	Schoenjahn	

Nays, 5:

Bolkcom	Hatch	Quirnbach
Dvorsky	McCoy	

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 **House File 817** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 892.

House File 892

On motion of Senator Dotzler, **House File 892**, a bill for an act creating a film, television, and video project promotion program, providing tax credits and income exclusions, and including effective and retroactive applicability dates, 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. 892), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kettering	Rielly
Appel	Fraise	Kibbie	Schmitz
Beall	Gaskill	Kreiman	Schoenjahn
Behn	Gronstal	Lundby	Seng
Black	Hahn	McCoy	Seymour
Boettger	Hancock	McKibben	Stewart
Bolkcom	Hatch	McKinley	Ward
Connolly	Heckroth	Mulder	Warnstadt
Courtney	Hogg	Noble	Wieck
Danielson	Horn	Olive	Wood
Dearden	Houser	Putney	Zaun
Dotzler	Johnson	Ragan	Zieman

Nays, 2:

Hartsuch	Quirnbach
----------	-----------

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 892** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 588

The Senate resumed consideration of **Senate File 588**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates, and amendment S-3365, previously deferred.

Senator Boettger asked and received unanimous consent to withdraw amendment S-3365, filed by Senator Boettger, et al., from the floor to page 11 of the bill.

Senator Gronstal asked and received unanimous consent that action on **Senate File 588** be **deferred**.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 18, 2007, **appointed the conference committee to Senate File 277**, a bill for an act 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 an administrator quality program, making appropriations, and providing an effective date. The conference committee members on the part of the House are: the representative from Scott, Representative Winckler, Chair; the representative from O'Brien, Representative Chambers; the representative from Des Moines, Representative Cohoon; the representative from Dickinson, Representative May; and the representative from Woodbury, Representative Wendt.

RECESS

On motion of Senator Gronstal, the Senate recessed at 12:28 p.m. until 1:30 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Gwen Block, Harlan—For celebrating her 85th birthday. Senator Boettger (4/18/07).

Mildred Crouch, Irwin—For celebrating her 90th birthday. Senator Boettger (4/18/07).

Nolan Mitchell, Duncombe—For being the winner of the Iowa Energy poster contest. Senator Beall (4/18/07).

Olivia Mitchell, Duncombe—For being the winner of the Iowa Energy poster contest. Senator Beall (4/18/07).

Ida Faye and Dominic Lickteig, Earling—For celebrating their 65th wedding anniversary. Senator Boettger (4/18/07).

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Wednesday, April 18, 2007, 9:00 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SRs 17, 29, and 30.

Adjourned: 9:03 a.m.

INTRODUCTION OF BILLS

Senate File 591, by committee on Ways and Means, a bill for an act relating to regulation of the harvesting of commercial fish, turtles, and freshwater mussels and providing for fees and penalties.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

Senate File 592, by committee on Ways and Means, a bill for an act relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of revenue, including administration of sales and use taxes, and providing an effective date.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

Senate File 593, by committee on Ways and Means, a bill for an act relating to the assessment of civil and criminal court fees and penalties.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

Senate File 594, by committee on Government Oversight, a bill for an act relating to employment, including whistleblower complaints received by the citizens' aide and disclosures of information by health care workers, and providing penalties.

Read first time under Rule 28 and **placed on calendar.**

FINAL COMMITTEE REPORTS OF BILL ACTION

GOVERNMENT OVERSIGHT

Bill Title: *SENATE FILE 594 (SSB 1262), a bill for an act relating to employment, including whistleblower complaints received by the citizens' aide and disclosures of information by health care workers, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 3: Courtney, Connolly, and Wieck. Nays, none. Present, 2: Lundby and Schmitz. 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 594, and they were attached to the committee report.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 17, a resolution honoring the memory of John Wayne on the 100th anniversary of his birth.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 29, a resolution declaring the trombone Iowa's premier musical instrument.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 30, a resolution honoring Willard L. Boyd, President Emeritus of the University of Iowa, on the occasion of his 80th birthday.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: SENATE FILE 591 (formerly SF 250), a bill for an act relating to regulation of the harvesting of commercial fish, turtles, and freshwater mussels and providing for fees and penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 592 (SSB 1353), a bill for an act relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of revenue, including administration of sales and use taxes, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 593 (formerly SF 395), a bill for an act relating to the assessment of civil and criminal court fees and penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, 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 Ways and Means Committee on Senate File 593, and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 1:50 p.m., President Kibbie presiding.

QUORUM CALL

Senator Gronstal requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent, and a quorum present.

The Senate stood at ease at 1:59 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:50 p.m., President Kibbie presiding.

BUSINESS PENDING

Senate File 588

The Senate resumed consideration of **Senate File 588**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates, previously deferred.

Senator McKibben offered amendment S-3370, filed by him from the floor to page 14 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3370 be adopted?" (S.F. 588), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirmbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S-3370 lost.

Senator Ward offered amendment S-3371, filed by her from the floor to page 38 of the bill.

Senator Gronstal raised the point of order that amendment S-3371 was not germane to the bill.

The Chair ruled the point not well-taken and amendment S-3371 in order.

On the question "Shall amendment S-3371 be adopted?" (S.F. 588), the vote was:

Yeas, 25:

Angelo	Hancock	McKibben	Ward
Behn	Hartsuch	McKinley	Wieck
Boettger	Heckroth	Mulder	Zaun
Danielson	Houser	Noble	Zieman
Dotzler	Johnson	Olive	
Gaskill	Kettering	Putney	
Hahn	Lundby	Seymour	

Nays, 25:

Appel	Dvorsky	Kreiman	Seng
Beall	Fraise	McCoy	Stewart
Black	Gronstal	Quirmbach	Warnstadt
Bolkcom	Hatch	Ragan	Wood
Connolly	Hogg	Rielly	
Courtney	Horn	Schmitz	
Dearden	Kibbie	Schoenjahn	

Absent, none.

Amendment S-3371 lost.

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. 588), the vote was:

Yeas, 43:

Appel	Fraise	Kreiman	Schmitz
Beall	Gaskill	Lundby	Schoenjahn
Black	Gronstal	McCoy	Seng
Boettger	Hancock	McKibben	Seymour
Bolkcom	Hatch	Mulder	Stewart
Connolly	Heckroth	Noble	Ward
Courtney	Hogg	Olive	Warnstadt
Danielson	Horn	Putney	Wieck
Dearden	Houser	Quirmbach	Wood
Dotzler	Johnson	Ragan	Zaun
Dvorsky	Kibbie	Rielly	

Nays, 7:

Angelo	Hahn	Kettering	Zieman
Behn	Hartsuch	McKinley	

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 588** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 350.

Senate File 350

On motion of Senator Appel, **Senate File 350**, a bill for an act creating a statewide voluntary preschool program for four-year-old

children and making appropriations, placed on the Unfinished Business Calendar on April 5, 2007, was taken up for consideration.

Senator Appel offered amendment S–3330, filed by her on April 12, 2007, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S–3330 was adopted by a voice vote.

Senator Appel asked and received unanimous consent that **House File 877** be substituted for **Senate File 350**.

House File 877

On motion of Senator Appel, **House File 877**, a bill for an act creating a statewide voluntary preschool program for four-year-old children and making appropriations, was taken up for consideration.

Senator McKinley offered amendment S–3378, filed by him from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3378 be adopted?” (H.F. 877), the vote was:

Yeas, 19:

Angelo	Hartsuch	McKibben	Ward
Behn	Houser	McKinley	Wieck
Boettger	Johnson	Noble	Zaun
Gaskill	Kettering	Putney	Zieman
Hahn	Lundby	Seymour	

Nays, 31:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Kibbie	Schmitz
Black	Fraise	Kreiman	Schoenjahn
Bolkcom	Gronstal	McCoy	Seng
Connolly	Hancock	Mulder	Stewart
Courtney	Hatch	Olive	Warnstadt
Danielson	Heckroth	Quirnbach	Wood
Dearden	Hogg	Ragan	

Absent, none.

Amendment S–3378 lost.

Senator Zaun offered amendment S-3373, filed by Senator Zaun, et al., from the floor to page 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3373 be adopted?" (H.F. 877), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Cannolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S-3373 lost.

Senator McKinley offered amendment S-3379, filed by him from the floor to page 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3379 be adopted?" (H.F. 877), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S-3379 lost.

Senator Angelo offered amendment S-3375, filed by Senator Angelo, et al., from the floor to page 5 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3375 be adopted?" (H.F. 877), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S-3375 lost.

Senator Johnson offered amendment S-3376, filed by Senator Johnson, et al., from the floor to page 9 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3376 be adopted?" (H.F. 877), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Cannolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S-3376 lost.

Senator Angelo offered amendment S-3374, filed by Senator Angelo, et al., from the floor to page 9 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3374 be adopted?" (H.F. 877), the vote was:

Yeas, 15:

Angelo	Hartsuch	McKinley	Wieck
Boettger	Johnson	Putney	Zaun
Gaskill	Lundby	Seymour	Zieman
Hahn	McKibben	Ward	

Nays, 35:

Appel	Dotzler	Houser	Ragan
Beall	Dvorsky	Kettering	Rielly
Behn	Fraise	Kibbie	Schmitz
Black	Gronstal	Kreiman	Schoenjahn
Bolkcom	Hancock	McCoy	Seng
Connolly	Hatch	Mulder	Stewart
Courtney	Heckroth	Noble	Warnstadt
Danielson	Hogg	Olive	Wood
Dearden	Horn	Quirnbach	

Absent, none.

Amendment S–3374 lost.

Senator Zaun offered amendment S–3377, filed by Senator Zaun, et al., from the floor to page 10 and to the title page of the bill.

Senator Gronstal raised the point of order that amendment S–3377 was nor germane to the bill.

The Chair ruled the point well-taken and amendment S–3377 out of order.

Senator Appel 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. 877), the vote was:

Yeas, 36:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Kibbie	Schmitz
Black	Fraise	Kreiman	Schoenjahn
Boettger	Gaskill	McCoy	Seng
Bolkcom	Gronstal	McKibben	Seymour
Connolly	Hancock	Mulder	Stewart
Courtney	Hatch	Olive	Ward
Danielson	Heckroth	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wood

Nays, 14:

Angelo	Houser	McKinley	Zaun
Behn	Johnson	Noble	Zieman
Hahn	Kettering	Putney	
Hartsuch	Lundby	Wieck	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Appel asked and received unanimous consent that **Senate File 350** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 877** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Courtney, until he returns, on request of Senator Gronstal.

HOUSE AMENDMENT CONSIDERED

Senate File 554

Senator Warnstadt called up for consideration **Senate File 554**, 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, amended by the House in House amendment S-3363, filed April 18, 2007.

Senator Warnstadt moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Warnstadt moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 554), the vote was:

Yeas, 44:

Angelo	Gaskill	Kibbie	Rielly
Appel	Gronstal	Kreiman	Schmitz
Beall	Hancock	Lundby	Seng
Behn	Hartsuch	McCoy	Seymour
Black	Hatch	McKibben	Stewart
Boettger	Heckroth	McKinley	Ward
Bolkcom	Hogg	Mulder	Warnstadt
Connolly	Horn	Noble	Wieck
Dearden	Houser	Putney	Wood
Dotzler	Johnson	Quirnbach	Zaun
Fraise	Kettering	Ragan	Zieman

Nays, 5:

Danielson	Hahn	Schoenjahn
Dvorsky	Olive	

Absent, 1:

Courtney

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 554** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **House File 829** be referred from the Senate Calendar to the committee on **Appropriations**.

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 18, 2007, **passed** the following bills in which the concurrence of the House was asked:

Senate File 304, a bill for an act relating to the exercise of regulatory authority by the department of natural resources and the natural resource commission within the boundaries of the Sac and Fox tribe settlement in Tama county, and providing for applicability and effective dates.

Senate File 347, a bill for an act relating to the authority of creditors and credit unions in consumer credit or credit union transactions.

ALSO: That the House has on April 18, 2007, **concurred in the Senate amendment and passed** the following bill in which the concurrence of the House was asked:

House File 546, a bill for an act relating to membership on election boards.

ALSO: That the House has on April 18, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 254, a bill for an act revising family investment program requirements. (S-3382)

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:25 p.m. until 8:45 a.m., Thursday, April 19, 2007.

APPENDIX—2

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-six high school students from Lake Mills High School in Lake Mills, Iowa, accompanied by teachers Jim Beamer, Dan Rice, and Charise Schwarm who were present in the northwest balcony. Senator Gaskill.

Seventh-grade students from the Applington-Parkersburg School District, who were present in the northeast balcony. Senator Heckroth.

Eighteen high school seniors from the Ruthven-Ayrshire School District, accompanied by Jon Josephson, who were present in the northeast balcony. President Kibbie.

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: Wednesday, April 18, 2007, 1:10 p.m.

Members Present: Dvorsky, Chair; McCoy, Vice Chair; Angelo, Ranking Member; Behn, Black, Boettger, Bolcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood.

Members Absent: None.

Committee Business: Passed SF 576.

Recessed: 1:15 p.m.

Reconvened: 1:35 p.m.

Adjourned: 1:40 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 5, by Zieman, a concurrent resolution honoring former founding members of the Renewable Fuel Infrastructure Board for their contributions to state energy security.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 41, by Gronstal, a resolution to recognize Southwest Iowa as the purple martin region of Iowa.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 595, by committee on Ways and Means, a bill for an act allowing regions within the state to participate in a pilot project for emergency response districts and providing for a district tax levy.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 596, by committee on Ways and Means, a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes, the administration and budgeting for tax increment financing by cities and counties, and creating a reporting committee, providing an effective date and providing for retroactive applicability.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 597, by Zieman, a bill for an act creating a student loan interest buy-down program administered by the college student aid commission.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

SUBCOMMITTEE ASSIGNMENT

House File 890

APPROPRIATIONS: Hatch, Chair; Dvorsky and Kettering

FINAL COMMITTEE REPORTS OF BILL ACTION

WAYS AND MEANS

Bill Title: *SENATE FILE 595 (SSB 1329) , a bill for an act allowing regions within the state to participate in a pilot project for emergency response districts and providing for a district tax levy.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, 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 Ways and Means Committee on Senate File 595, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 596 (SSB 1075), a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes, the administration and budgeting for tax increment financing by cities and counties, and creating a reporting committee, providing an effective date and providing for retroactive applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Bolkcom, McCoy, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Quirnbach, Schmitz, Seng, and Stewart. Nays, 5: McKibben, Angelo, Putney, Ward, and 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 Ways and Means Committee on Senate File 596, and they were attached to the committee report.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 17, 2007, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 137 – Providing for the registration of associate real estate appraisers, prohibiting improper influence over an appraiser's evaluation opinion, and imposing a penalty.

Senate File 205 – Relating to the use of moneys in the Iowa cultural trust grant account by the board of trustees of the Iowa cultural trust.

Senate File 270 – Relating to the military code by amending the powers of the adjutant general and by allowing the armory board to enter into design-build contracts for the construction of certain national guard facilities.

Senate File 354 – Relating to certain overpayments of moneys to a county.

Senate File 444 – Relating to councils of governments by designating a new council of governments area.

Senate File 448 – Relating to confidential information regarding unemployment insurance benefits and providing penalties.

Senate File 479 – Making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting.

AMENDMENTS FILED

S-3361	S.F.	212	House
S-3362	H.F.	368	House
S-3363	S.F.	554	House
S-3364	S.F.	588	Jeff Angelo E. Thurman Gaskill James A. Seymour Larry Noble Paul McKinley Brad Zaun David Johnson Pat Ward David Hartsuch Mark Zieman Nancy J. Boettger

			James F. Hahn
			John Putney
			Larry McKibben
			Ron Wieck
			Steve Kettering
			Jerry Behn
S-3365	S.F.	588	Nancy J. Boettger
			E. Thurman Gaskill
			James A. Seymour
			Larry Noble
			Paul McKinley
			Brad Zaun
			David Johnson
			Pat Ward
			David Hartsuch
			Mark Zieman
			Jeff Angelo
			John Putney
			Larry McKibben
			James F. Hahn
			Ron Wieck
			Steve Kettering
			Jerry Behn
S-3366	S.F.	588	Mark Zieman
			E. Thurman Gaskill
			Paul McKinley
			Brad Zaun
			Dave Mulder
			David Johnson
			Pat Ward
			David Hartsuch
			Nancy J. Boettger
			Jeff Angelo
			John Putney
			Larry McKibben
			Ron Wieck
			Steve Kettering
			James F. Hahn
			Jerry Behn
S-3367	S.F.	588	Mark Zieman

S-3368	S.F.	588	Mark Zieman E. Thurman Gaskill James A. Seymour Larry Noble Paul McKinley David Johnson David Hartsuch Nancy J. Boettger Jeff Angelo John Putney Larry McKibben Ron Wieck James F. Hahn Steve Kettering Jerry Behn
S-3369	S.F.	588	John Putney James F. Hahn E. Thurman Gaskill Paul McKinley Steve Kettering Mark Zieman David Hartsuch Hubert Houser Ron Wieck Mary A. Lundby James A. Seymour Dave Mulder Nancy J. Boettger David Johnson Dick L. Dearden Larry McKibben Jerry Behn Jack Hatch
S-3370	S.F.	588	Larry McKibben
S-3371	S.F.	588	Pat Ward
S-3372	H.F.	783	Robert E. Dvorsky Joe Bolkom
S-3373	H.F.	877	Brad Zaun Dave Mulder Jerry Behn Paul McKinley

			Larry Noble
			David Johnson
			Pat Ward
			David Hartsuch
			Mark Zieman
			Nancy J. Boettger
			Jeff Angelo
			John Putney
			Larry McKibben
			Mary A. Lundby
			Ron Wieck
			Steve Kettering
			Hubert Houser
			James F. Hahn
S-3374	H.F.	877	Jeff Angelo
			E. Thurman Gaskill
			Paul McKinley
			Brad Zaun
			David Johnson
			Pat Ward
			David Hartsuch
			Mark Zieman
			Nancy J. Boettger
			John Putney
			Larry McKibben
			Ron Wieck
S-3375	H.F.	877	Jeff Angelo
			Jerry Behn
			E. Thurman Gaskill
			James A. Seymour
			Larry Noble
			Paul McKinley
			Brad Zaun
			David Johnson
			Pat Ward
			David Hartsuch
			Mark Zieman
			Nancy J. Boettger
			John Putney
			Larry McKibben
			Ron Wieck

S-3376	H.F.	877	Steve Kettering Hubert Houser James F. Hahn David Johnson Jerry Behn E. Thurman Gaskill James A. Seymour Paul McKinley Brad Zaun Dave Mulder Pat Ward David Hartsuch Mark Zieman Nancy J. Boettger Jeff Angelo John Putney Larry McKibben Mary A. Lundby Ron Wieck Steve Kettering Hubert Houser James F. Hahn Brad Zaun Jerry Behn Paul McKinley Dave Mulder David Johnson Pat Ward Mark Zieman David Hartsuch Nancy J. Boettger
S-3377	H.F.	877	Paul McKinley
S-3378	H.F.	877	Paul McKinley
S-3379	H.F.	877	Paul McKinley
S-3380	S.F.	568	Becky Schmitz Michael Connolly
S-3381	S.F.	590	Larry McKibben Mary A. Lundby Jeff Angelo David Johnson John Putney Hubert Houser

Jerry Behn
Nancy J. Boettger
E. Thurman Gaskill
Steve Kettering
Paul McKinley
Mark Ziemann
David Hartsuch
James F. Hahn
James A. Seymour
Ron Wieck
Dave Mulder
Brad Zaun
Larry Noble
Pat Ward
House

S-3382

S.F.

254

JOURNAL OF THE SENATE

ONE HUNDRED SECOND CALENDAR DAY
SIXTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 19, 2007

The Senate met in regular session at 8:50 a.m., President Kibbie presiding.

Prayer was offered by Ken Stuber, pastor of the First Presbyterian Church in Des Moines, Iowa. He was the guest of Senator Dearden.

The Journal of Wednesday, April 18, 2007, 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 18, 2007, **passed** the following bills in which the concurrence of the House was asked:

Senate File 263, a bill for an act concerning gambling games on gambling structures.

Senate File 336, a bill for an act allowing certain cities to appoint additional civil service commissioners.

ALSO: That the House has on April 18, 2007, **concurred in the Senate amendment and passed** the following bills in which the concurrence of the House was asked:

House File 651, a bill for an act relating to business corporations, by providing for information required to be filed with the secretary of state and providing for shareholder voting.

House File 767, a bill for an act relating to eligible veterans for purposes of the injured veterans grant program.

ALSO: That the House has on April 18, 2007, **amended and passed** the following bills in which the concurrence of the House was asked:

Senate File 49, a bill for an act providing for a .08 blood alcohol limit for motorboat or sailboat operating while intoxicated offenses. (S-3387)

Senate File 430, a bill for an act relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision. (S-3386)

Senate File 469, a bill for an act providing for the sale of motor homes by a manufacturer at a camping rally sponsored by the manufacturer. (S-3385)

Senate File 485, a bill for an act requiring consideration of greenhouse gas emissions in issuing specified air quality permits. (S-3388)

Senate File 546, a bill for an act relating to a hospital lien and providing an effective date. (S-3384)

ALSO: That the House has on April 18, 2007, **refused to concur in the Senate amendment**.to the following bill in which the concurrence of the House was asked:

House File 808, a bill for an act concerning accountability requirements for entities, administrators, and boards created for joint exercise of governmental powers and providing effective dates.

ALSO: That the House has on April 18, 2007, **insisted** on its amendment to **Senate File 472**, a bill for an act providing for administrative rules governing close clearance conditions and railroad worker walkways. The conference committee members on the part of the House are: the representative from Scott, Representative Lykam, Chair; the representative from Cherokee, Representative Huseman; the representative from Kossuth, Representative Mertz; the representative from Linn, Representative Todd Taylor; and the representative from Webster, Representative Tjepkes.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration Senate Resolution 23.

Senate Resolution 23

On motion of Senator Warnstadt, **Senate Resolution 23**, a resolution declaring May 2007 Amyotrophic Lateral Sclerosis (ALS) Awareness Month, with report of committee recommending passage, was taken up for consideration.

Senator Warnstadt moved the adoption of Senate Resolution 23, which motion prevailed by a voice vote.

UNFINISHED BUSINESS
(Deferred April 18, 2007)

Senate File 590

The Senate resumed consideration of **Senate File 590**, a bill for an act relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions, deferred April 18, 2007.

Senator McKibben offered amendment S-3381, filed by Senator McKibben, et al., on April 18, 2007, to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3381 be adopted?" (S.F. 590), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S-3381 lost.

Senator Schmitz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 590), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 590** be **immediately messaged** to the House.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 472** on the part of the Senate: Senators Dearden, Chair; Courtney, Warnstadt, Ward, and Wieck.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 472** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bolkcom, for the day, on request of Senator Gronstal.

MOTION TO RECONSIDER LOST

House File 783

Senator Olive called up the following motion to reconsider filed by him from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which House File 783 passed the Senate on April 16, 2007.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (H.F. 783), the vote was:

Yeas, 4:

Danielson

Dotzler

Dvorsky

Hatch

Nays, 45:

Angelo	Hahn	McCoy	Seng
Appel	Hancock	McKibben	Seymour
Beall	Hartsuch	McKinley	Stewart
Behn	Heckroth	Mulder	Ward
Black	Hogg	Noble	Warnstadt
Boettger	Horn	Olive	Wieck
Connolly	Houser	Putney	Wood
Courtney	Johnson	Quirmbach	Zaun
Dearden	Kettering	Ragan	Zieman
Fraise	Kibbie	Rielly	
Gaskill	Kreiman	Schmitz	
Gronstal	Lundby	Schoenjahn	

Absent, 1:

Bolkcom

The motion lost.

The motion to reconsider House File 783, filed by Senator Dvorsky on April 16, 2007, and found on page 1235 of the Senate Journal, was out of order.

With the failure of the motion to reconsider House File 783, the Chair ruled amendment S-3372, filed by Senators Dvorsky and Bolkcom on April 18, 2007, to page 1 and to the title page of amendment S-3283 to House File 783, out of order.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 783** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:47 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:52 a.m., President Kibbie presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:54 a.m. until the completion of a meeting of the committee on Appropriations.

RECONVENED

The Senate reconvened at 11:50 a.m., President Kibbie presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 41, a resolution to recognize Southwest Iowa as the purple martin region of Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. 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 41.

Senate Resolution 41

On motion of Senator Gronstal, **Senate Resolution 41**, a resolution to recognize Southwest Iowa as the purple martin region of Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Resolution 41, which motion prevailed by a voice vote.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hartsuch, until he returns, on request of Senator McKinley; and Senator Seymour, until he returns, on request of Senator Lundby.

QUORUM CALL

Senator Gronstal requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent, and a quorum present.

HOUSE AMENDMENT CONSIDERED

Senate File 430

Senator Kreiman called up for consideration **Senate File 430**, a bill for an act relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision, amended by the House in House amendment S-3386, filed April 19, 2007.

Senator Kreiman 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 Kreiman 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. 430), the vote was:

Yeas, 47:

Angelo
Appel

Fraise
Gaskill

Kibbie
Kreiman

Rielly
Schmitz

Beall	Gronstal	Lundby	Schoenjahn
Behn	Hahn	McCoy	Seng
Black	Hancock	McKibben	Stewart
Boettger	Hatch	McKinley	Ward
Connolly	Heckroth	Mulder	Warnstadt
Courtney	Hogg	Noble	Wieck
Danielson	Horn	Olive	Wood
Dearden	Houser	Putney	Zaun
Dotzler	Johnson	Quirmbach	Zieman
Dvorsky	Kettering	Ragan	

Nays, none.

Absent, 3:

Bolkcom	Hartsuch	Seymour
---------	----------	---------

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 455.

Senate File 455

On motion of Senator Kreiman, **Senate File 455**, a bill for an act restricting the presence of a registered sex offender on the real property comprising a school or child care facility and providing a penalty, placed on the Unfinished Business Calendar on April 5, 2007, was taken up for consideration.

Senator Kreiman asked and received unanimous consent that action on **Senate File 455** be **deferred**.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 29.

Senate Resolution 29

On motion of Senator Ragan, **Senate Resolution 29**, a resolution declaring the trombone Iowa's premier musical instrument, with report of committee recommending passage, was taken up for consideration.

Senator Ragan moved the adoption of Senate Resolution 29, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 430** be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 19, 2007, **concurred in the Senate amendment and passed** the following bill in which the concurrence of the House was asked:

House File 608, a bill for an act relating to notice of meetings of the board of township trustees.

RECESS

On motion of Senator Gronstal, the Senate recessed at 12:10 p.m. until 2:45 p.m.

APPENDIX—1**CERTIFICATES OF RECOGNITION**

The Secretary of the Senate issued the following certificates of recognition:

Hannah Boehmer, Riverside—For being named a State of Iowa Scholar. Senator Schmitz (4/19/07).

James and Beverly Conklin, Waverly—For celebrating their 50th wedding anniversary. Senator Heckroth (4/19/07).

Lyle and Charlotte Engel, Waverly—For celebrating their 60th wedding anniversary. Senator Heckroth (4/19/07).

Jennifer Flinspach, Fairfield—For being named a State of Iowa Scholar. Senator Schmitz (4/19/07).

Joyce Frank, Sumner—For celebrating her 80th birthday. Senator Heckroth (4/19/07).

Esther Gates, Olewein—For celebrating her 80th birthday. Senator Heckroth (4/19/07).

Jillian Graber, Crawfordsville—For being named a State of Iowa Scholar. Senator Schmitz (4/19/07).

Sara Hess, Washington—For being named a State of Iowa Scholar. Senator Schmitz (4/19/07).

Derek Hofland, Sanborn Christian School—For winning the 2007 Iowa Geographic Bee. Senator Johnson (4/19/07).

Justin Hurley, Fairfield—For being named a State of Iowa Scholar. Senator Schmitz (4/19/07).

Lois Koester, Allison—For celebrating her 80th birthday. Senator Heckroth (4/19/07).

Mary Skaden, Kalona—For being named a State of Iowa Scholar. Senator Schmitz (4/19/07).

Tyler Stockman, Oxford—For being named a State of Iowa Scholar. Senator Schmitz (4/19/07).

Chuck and Betty Struck, Waverly—For celebrating their 50th wedding anniversary. Senator Heckroth (4/19/07).

Roger and Shirley Thurm, Denver—For celebrating their 50th wedding anniversary. Senator Heckroth (4/19/07).

Janelle Vittetoe, Washington—For being named a State of Iowa Scholar. Senator Schmitz (4/19/07).

Rachel Yoder, Kalona—For being named a State of Iowa Scholar. Senator Schmitz (4/19/07).

Alison Wechsler, Fairfield—For being named a State of Iowa Scholar. Senator Schmitz (4/19/07).

Blaine Widmer, Washington—For being named a State of Iowa Scholar. Senator Schmitz (4/19/07).

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Thursday, April 19, 2007, 9:47 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SR 41.

Adjourned: 9:52 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 42, by Dearden, a resolution to recognize April 28, 2007, as Workers Memorial Day.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 43, by Hogg and Hartsuch, a resolution to recognize May 2007 as American Stroke Awareness and National High Blood Pressure Education Month.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILL

Senate File 598, by committee on Appropriations, a bill for an act relating to locally administered human services programs involving county mental health, mental retardation, and developmental disabilities services funding and the decategorization of the child welfare and juvenile justice funding initiative by making an appropriation, authorizing nonreversion of certain funding, and providing effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on Appropriations calendar.**

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 598 (formerly SF 576), a bill for an act relating to locally administered human services programs involving county mental health, mental retardation, and developmental disabilities services funding and the decategorization of the child welfare and juvenile justice funding initiative by making an appropriation, authorizing nonreversion of certain funding, and providing effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 25: Dvorsky, McCoy, Angelo, Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, 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 Appropriations Committee on Senate File 598, and they were attached to the committee report.

ALSO:

Bill Title: HOUSE FILE 890, a bill for an act relating to assistance for small businesses, making appropriations, and providing an effective date provision.

Recommendation: DO PASS.

Final Vote: Ayes, 24: Dvorsky, McCoy, Angelo, Behn, Black, Boettger, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, 1: Bolkcom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PETITION

The following petition was presented and placed on file:

From 245 residents supporting a ban on smoking in public establishments. Senator Warnstadt.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty high school students from Sioux City North High School, Sioux City, Iowa, accompanied by Larry Twait and Larry Mason, who were seated in the northwest balcony. This is Mr. Twait's last trip to the Capitol after 30 years of accompanying students. Senator Warnstadt.

AFTERNOON SESSION

The Senate reconvened at 3:12 p.m., President Kibbie presiding.

QUORUM CALL

Senator Courtney requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent, and a quorum present.

CONFERENCE COMMITTEE REPORT RECEIVED

Senate File 277

A conference committee report, signed by the following Senate and House members, was filed April 19, 2007, on **Senate File 277**, a bill for an act 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 an administrator quality program, making appropriations, and providing an effective date:

On the part of the Senate:

FRANK B. WOOD, Chair
MICHAEL CONNOLLY
HERMAN C. QUIRMBACH
DAVE MULDER

On the part of the House:

CINDY LOU WINCKLER, Chair
DENNIS M. COHOON
ROGER F. WENDT

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Wood called up the conference committee report on **Senate File 277** and moved its adoption.

The motion prevailed by a voice vote and the conference committee report, and the recommendations and amendments contained therein, was adopted.

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. 277), the vote was:

Yeas, 35:

Appel	Fraise	Kreiman	Schoenjahn
Beall	Gaskill	McCoy	Seng
Black	Gronstal	Mulder	Seymour
Cannolly	Hancock	Noble	Stewart
Courtney	Hatch	Olive	Ward
Danielson	Heckroth	Quirmbach	Warnstadt
Dearden	Hogg	Ragan	Wood
Dotzler	Horn	Rielly	Zaun
Dvorsky	Kibbie	Schmitz	

Nays, 14:

Angelo	Hartsuch	Lundby	Wieck
Behn	Houser	McKibben	Zieman
Boettger	Johnson	McKinley	
Hahn	Kettering	Putney	

Absent, 1:

Bolkcom

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 Putney, until he returns, on request of Senator Angelo.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration House File 396.

House File 396

On motion of Senator Schmitz, **House File 396**, a bill for an act expanding the scope of services under an existing appropriation for the community empowerment initiative involving preschool services and providing effective date and applicability provisions, placed on

the Unfinished Business Calendar on March 15, 2007, with report of committee recommending passage, was taken up for consideration.

Senator Schmitz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 396), the vote was:

Yeas, 48:

Angelo	Fraise	Kettering	Rielly
Appel	Gaskill	Kibbie	Schmitz
Beall	Gronstal	Kreiman	Schoenjahn
Behn	Hahn	Lundby	Seng
Black	Hancock	McCoy	Seymour
Boettger	Hartsuch	McKibben	Stewart
Connolly	Hatch	McKinley	Ward
Courtney	Heckroth	Mulder	Warnstadt
Danielson	Hogg	Noble	Wieck
Dearden	Horn	Olive	Wood
Dotzler	Houser	Quirmbach	Zaun
Dvorsky	Johnson	Ragan	Zieman

Nays, none.

Absent, 2:

Bolkcom Putney

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 277** and **House File 396** be **immediately messaged** to the House.

The Senate stood at ease at 3:37 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:45 p.m., President Kibbie presiding.

CONSIDERATION OF BILLS
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 596, 593, 592, and 591.

Senate File 596

On motion of Senator Stewart, **Senate File 596**, a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes, the administration and budgeting for tax increment financing by cities and counties, and creating a reporting committee, providing an effective date and providing for retroactive applicability, was taken up for consideration.

Senator Zieman asked and received unanimous consent that action on **Senate File 596** be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hartsuch, until he returns, on request of Senator McKinley.

Senate File 593

On motion of Senator Seng, **Senate File 593**, a bill for an act relating to the assessment of civil and criminal court fees and penalties, was taken up for consideration.

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. 593), the vote was:

Yeas, 48:

Angelo	Fraise	Kibbie	Rielly
Appel	Gaskill	Kreiman	Schmitz
Beall	Gronstal	Lundby	Schoenjahn
Behn	Hahn	McCoy	Seng
Black	Hancock	McKibben	Seymour

Boettger	Hatch	McKinley	Stewart
Connolly	Heckroth	Mulder	Ward
Courtney	Hogg	Noble	Warnstadt
Danielson	Horn	Olive	Wieck
Dearden	Houser	Putney	Wood
Dotzler	Johnson	Quirnbach	Zaun
Dvorsky	Kettering	Ragan	Zieman

Nays, none.

Absent, 2:

Bolkcom Hartsuch

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 592

On motion of Senator Dotzler, **Senate File 592**, a bill for an act relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of revenue, including administration of sales and use taxes, and providing an effective date, 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. 592), the vote was:

Yeas, 48:

Angelo	Fraise	Kibbie	Rielly
Appel	Gaskill	Kreiman	Schmitz
Beall	Gronstal	Lundby	Schoenjahn
Behn	Hahn	McCoy	Seng
Black	Hancock	McKibben	Seymour
Boettger	Hatch	McKinley	Stewart
Connolly	Heckroth	Mulder	Ward
Courtney	Hogg	Noble	Warnstadt
Danielson	Horn	Olive	Wieck
Dearden	Houser	Putney	Wood
Dotzler	Johnson	Quirnbach	Zaun
Dvorsky	Kettering	Ragan	Zieman

Nays, none.

Absent, 2:

Bolkcom

Hartsuch

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 591

On motion of Senator Seng, **Senate File 591**, a bill for an act relating to regulation of the harvesting of commercial fish, turtles, and freshwater mussels and providing for fees and penalties, was taken up for consideration.

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. 591), the vote was:

Yeas, 49:

Angelo	Gaskill	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Cannolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Bolkcom

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 591, 592, and 593** be **immediately messaged** to the House.

INTRODUCTION OF BILL

Senate File 599, by committee on Appropriations, a bill for an act establishing the office of energy independence and the Iowa power fund and related provisions, making appropriations, and providing an effective date.

Read first time and **placed on Appropriations calendar.**

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 599 (SSB 1348), a bill for an act establishing the office of energy independence and the Iowa power fund and related provisions, making appropriations, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 22: Dvorsky, McCoy, Angelo, Black, Boettger, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Ward, Warnstadt, and Wood. Nays, 2: Behn and Seymour. 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 Appropriations Committee on Senate File 599, and they were attached to the committee report.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 599.

Senate File 599

On motion of Senator Dotzler, **Senate File 599**, a bill for an act establishing the office of energy independence and the Iowa power fund and related provisions, making appropriations, and providing an effective date, was taken up for consideration.

Senator Dotzler asked and received unanimous consent that action on **Senate File 599** be **deferred**.

HOUSE AMENDMENT CONSIDERED

Senate File 254

Senator Schmitz called up for consideration **Senate File 254**, a bill for an act revising family investment program requirements, amended by the House in House amendment S-3382, filed April 18, 2007.

Senator Schmitz 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 Schmitz 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. 254), the vote was:

Yeas, 30:

Appel	Dvorsky	Horn	Schmitz
Beall	Fraise	Kibbie	Schoenjahn
Black	Gaskill	Kreiman	Seng
Connolly	Gronstal	McCoy	Stewart
Courtney	Hancock	Olive	Warnstadt
Danielson	Hatch	Quirnbach	Wood
Dearden	Heckroth	Ragan	
Dotzler	Hogg	Rielly	

Nays, 19:

Angelo	Houser	McKinley	Ward
Behn	Johnson	Mulder	Wieck
Boettger	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman
Hartsuch	McKibben	Seymour	

Absent, 1:

Bolkcom

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 212

Senator Stewart called up for consideration **Senate File 212**, a bill for an act relating to the salary of deputy officers in certain county offices and providing an applicability date, amended by the House in House amendment S-3361, filed April 18, 2007.

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. 212), the vote was:

Yeas, 49:

Angelo	Gaskill	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck

Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Bolkcom

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 368

Senator Dearden called up for consideration **House File 368**, a bill for an act relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development, amended by the Senate and further amended by the House in House amendment S-3362 to Senate amendment H-1429, filed April 18, 2007.

Senator Dearden moved that the Senate concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Dearden moved that the bill, as amended by the Senate, further 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?" (H.F. 368), the vote was:

Yeas, 49:

Angelo	Gaskill	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng

Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Bolkcom

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 212** and **254** and **House File 368** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 586.

Senate File 586

On motion of Senator Schmitz, **Senate File 586**, a bill for an act creating a special gold star motor vehicle registration plate and providing fees, was taken up for consideration.

Senator Beall offered amendment S-3355, filed by him on April 17, 2007, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-3355 was adopted by a voice vote.

Senator Schmitz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 586), the vote was:

Yeas, 49:

Angelo	Gaskill	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Bolkcom

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 546

Senator Hogg called up for consideration **Senate File 546**, a bill for an act relating to a hospital lien and providing an effective date, amended by the House in House amendment S-3384, filed April 19, 2007.

Senator Hogg offered amendment S-3390, filed by him from the floor to page 1 of House amendment S-3384, and moved its adoption.

Amendment S-3390 was adopted by a voice vote.

Senator Hogg moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Hogg moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 546), the vote was:

Yeas, 35:

Angelo	Dotzler	Johnson	Schmitz
Appel	Dvorsky	Kibbie	Schoenjahn
Beall	Fraise	Kreiman	Seng
Black	Gronstal	McCoy	Stewart
Boettger	Hancock	Mulder	Ward
Connolly	Hatch	Olive	Warnstadt
Courtney	Heckroth	Quirnbach	Wood
Danielson	Hogg	Ragan	Zieman
Dearden	Horn	Rielly	

Nays, 14:

Behn	Houser	McKinley	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	
Hartsuch	McKibben	Seymour	

Absent, 1:

Bolkcom

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 890.

House File 890

On motion of Senator Hatch, **House File 890**, a bill for an act relating to assistance for small businesses, making appropriations, and providing an effective date provision, with report of committee recommending passage, was taken up for consideration.

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. 890), the vote was:

Yeas, 49:

Angelo	Gaskill	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Bolkcom

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 596

The Senate resumed consideration of **Senate File 596**, a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes, the

administration and budgeting for tax increment financing by cities and counties, and creating a reporting committee, providing an effective date and providing for retroactive applicability, was taken up for consideration, previously deferred.

Senator Zieman withdrew amendment S-3393, filed by him from the floor to page 10 and to the title page of the bill.

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. 596), the vote was:

Yeas, 29:

Appel	Dvorsky	Kibbie	Schoenjahn
Beall	Fraise	Kreiman	Seng
Black	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	
Dotzler	Horn	Schmitz	

Nays, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Absent, 1:

Bolkcom

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 546, 586, and 596** and **House File 890** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 599

The Senate resumed consideration of **Senate File 599**, a bill for an act establishing the office of energy independence and the Iowa power fund and related provisions, making appropriations, and providing an effective date, previously deferred.

Senator Angelo offered amendment S-3395, filed by him from the floor striking and replacing everything after the enacting clause of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3395 be adopted?" (S.F. 599), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 29:

Appel	Dvorsky	Kibbie	Schoenjahn
Beall	Fraise	Kreiman	Seng
Black	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	
Dotzler	Horn	Schmitz	

Absent, 1:

Bolkcom

Amendment S-3395 lost.

Senator McKibben offered amendment S-3396, filed by Senator McKibben, et al., from the floor to pages 9, 10, 14, and 16 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3396 be adopted?" (S.F. 599), the vote was:

Yeas, 21:

Angelo	Hartsuch	McKinley	Wieck
Behn	Houser	Mulder	Zaun
Boettger	Johnson	Noble	Zieman
Fraise	Kettering	Putney	
Gaskill	Lundby	Seymour	
Hahn	McKibben	Ward	

Nays, 28:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Kibbie	Schmitz
Black	Gronstal	Kreiman	Schoenjahn
Connolly	Hancock	McCoy	Seng
Courtney	Hatch	Olive	Stewart
Danielson	Heckroth	Quirmbach	Warnstadt
Dearden	Hogg	Ragan	Wood

Absent, 1:

Bolkcom

Amendment S-3396 lost.

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. 599), the vote was:

Yeas, 36:

Appel	Dvorsky	Houser	Quirmbach
Beall	Fraise	Kibbie	Ragan
Black	Gaskill	Kreiman	Rielly
Boettger	Gronstal	Lundby	Schmitz
Connolly	Hancock	McCoy	Schoenjahn
Courtney	Hatch	Mulder	Seng
Danielson	Heckroth	Noble	Stewart
Dearden	Hogg	Olive	Warnstadt
Dotzler	Horn	Putney	Wood

Nays, 13:

Angelo	Johnson	Seymour	Zieman
Behn	Kettering	Ward	
Hahn	McKibben	Wieck	
Hartsuch	McKinley	Zaun	

Absent, 1:

Bolkcom

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 599** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:30 p.m. until 11:00 a.m., Friday, April 20, 2007.

APPENDIX—2

STUDY BILLS RECEIVED

SSB 1357 Appropriations

Relating to water quality improvements and watershed improvements and related funding.

SSB 1358 Appropriations

Requiring children enrolling in elementary or high school to have a dental screening and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS

House File 829

APPROPRIATIONS: Dotzler, Chair; Dvorsky and Ward

SSB 1357

APPROPRIATIONS: Wood, Chair; Dvorsky, Hancock, Johnson, and Putney

SSB 1358

APPROPRIATIONS: Ragan, Chair; Boettger and Dvorsky

LSB 2904sc

APPROPRIATIONS: Dvorsky, Chair; Angelo and Warnstadt

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 19th day of April, 2007:

Senate Files 302, 337, 463, and 528.

MICHAEL E. MARSHALL
Secretary of the Senate

APPOINTMENT

The following appointee was submitted to the Secretary of the Senate for Senate confirmation:

BY THE GOVERNOR

TERM

INVESTMENT BOARD OF THE IPERS (Sec. 97B.8A)

James Ingram, Davenport

05/01/2007 – 04/30/2013

The appointment was referred to the committee on **Rules and Administration**.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointment to a state board to a Senate standing committee, as indicated for investigation on April 18, 2007:

STATE GOVERNMENT

James Ingram – Investment Board of the IPERS

REFERRAL TO SUBCOMMITTEE OF STANDING COMMITTEE

In accordance with Senate Rule 59, the following senators were appointed to a subcommittee of the standing committee on April 18, 2007, to investigate the appointment of the following appointee:

STATE GOVERNMENT

As a member of the Investment Board of the IPERS:

JAMES INGRAM – Connolly, Chair; Wood and Zieman

AMENDMENTS FILED

S-3383	S.F.	549	Robert M. Hogg
S-3384	S.F.	546	House
S-3385	S.F.	469	House
S-3386	S.F.	430	House
S-3387	S.F.	49	House

S-3388	S.F.	485	House
S-3389	S.F.	513	Herman C. Quirmbach
S-3390	S.F.	546	Robert M. Hogg
S-3391	H.F.	641	Robert M. Hogg
S-3392	S.F.	598	Jack Hatch
S-3393	S.F.	596	Mark Zieman
S-3394	S.F.	455	Keith A. Kreiman Robert E. Dvorsky Robert M. Hogg
S-3395	S.F.	599	Jeff Angelo
S-3396	S.F.	599	Larry McKibben Jeff Angelo Mary A. Lundby James A. Seymour Larry Noble David Hartsuch Pat Ward Hubert Houser Jerry Behn Nancy J. Boettger E. Thurman Gaskill John Putney James F. Hahn Paul McKinley Steve Kettering Mark Zieman David Johnson Brad Zaun Dave Mulder Ron Wieck
S-3397	S.F.	598	Brad Zaun Dave Mulder Pat Ward Paul McKinley Steve Kettering Nancy J. Boettger John Putney James F. Hahn David Johnson Hubert Houser Larry McKibben

Ron Wieck
Jeff Angelo
Mary A. Lundby
E. Thurman Gaskill
Larry Noble
David Hartsuch

JOURNAL OF THE SENATE

ONE HUNDRED THIRD CALENDAR DAY
SIXTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 20, 2007

The Senate met in regular session at 11:24 a.m., Senator Appel presiding.

The Journal of Thursday, April 19, 2007, 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 19, 2007, **amended and passed** the following bills in which the concurrence of the House was asked:

Senate File 340, a bill for an act relating to the consideration of inherited or gifted property in dissolution-of-marriage property division proceedings and including an effective date and an applicability provision. (S-3399)

Senate File 457, a bill for an act relating to the rights of peace officers and public safety and emergency personnel. (S-3400)

ALSO: That the House has on April 19, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

House File 910, a bill for an act relating to the creation of a task force on postnatal tissue and fluid banking, related postnatal procedures, and providing an effective date.

Read first time and referred to committee on **Appropriations**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 11:27 a.m. until 10:00 a.m., Monday, April 23, 2007.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Bradley M. Duffy, Wilton—For achieving the rank of Eagle Scout, Boy Scout Troop 151. Senator Hahn (4/20/04).

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: Thursday, April 19, 2007, 10:50 a.m.

Members Present: Dvorsky, Chair; McCoy, Vice Chair; Angelo, Ranking Member; Behn, Black, Boettger, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood.

Members Absent: Bolkcom (excused).

Committee Business: Passed HF 890. Approved SSBs 1348 and 1357 (as amended) and approved LSB 2904sc (as amended).

Recessed: 11:35 a.m.

Reconvened: 3:15 p.m.

Adjourned: 4:35 p.m.

INTRODUCTION OF BILLS

Senate File 600, by committee on Appropriations, a bill for an act relating to water quality improvements and watershed improvements and related funding.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 601, by committee on Appropriations, a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for fees and penalties, and providing for properly related matters, and including effective date provisions.

Read first time under Rule 28 and **placed on Appropriations calendar.**

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 600 (SSB 1357), a bill for an act relating to water quality improvements and watershed improvements and related funding.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 24: Dvorsky, McCoy, Angelo, Behn, Black, Boettger, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, 1: Bolckom.

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 600, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 601 (LSB 2904sc), a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for fees and penalties, and providing for properly related matters, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dvorsky, McCoy, Black, Connolly, Danielson, Dotzler, Fraise, Hancock, Hogg, Ragan, Seng, Warnstadt, and Wood. Nays 10: Angelo, Behn, Boettger, Gaskill, Hahn, Johnson, Kettering, Putney, Seymour, and Ward. Absent, 2: Bolckom and Hatch.

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 601, and they were attached to the committee report.

AMENDMENTS FILED

S-3398	H.F.	641	Robert M. Hogg
S-3399	S.F.	340	House
S-3400	S.F.	457	House

JOURNAL OF THE SENATE

ONE HUNDRED SIXTH CALENDAR DAY
SIXTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 23, 2007

The Senate met in regular session at 10:04 a.m., President Kibbie presiding.

Prayer was offered by Father Henry Huber of the St. James Catholic Church in Forest City, Iowa. He was the guest of Senator Kibbie.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Robb Riggle.

The Journal of Friday, April 20, 2007, 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 20, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 530, a bill for an act relating to prohibited business practices by a real estate broker or salesperson. (S-3401)

ALSO: That the House has on April 20, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 907, a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund and providing an effective date.

Read first time and referred to committee on **Appropriations**.

House File 909, a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

House File 912, a bill for an act relating to providing sales, use, and property tax exemptions for a certain web search portal business.

Read first time and referred to committee on **Ways and Means**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gaskill, until he arrives, on request of Senator Putney.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolutions 30 and 17.

Senate Resolution 30

On motion of Senator Dvorsky, **Senate Resolution 30**, a resolution honoring Willard L. Boyd, President Emeritus of the University of Iowa, on the occasion of his 80th birthday, with report of committee recommending passage, was taken up for consideration.

Senator Dvorsky moved the adoption of Senate Resolution 30, which motion prevailed by a voice vote.

Senate Resolution 17

On motion of Senator Appel, **Senate Resolution 17**, a resolution honoring the memory of John Wayne on the 100th anniversary of his birth, with report of committee recommending passage, was taken up for consideration.

Senator Appel moved the adoption of Senate Resolution 17, 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 600.

Senate File 600

On motion of Senator Wood, **Senate File 600**, a bill for an act relating to water quality improvements and watershed improvements and related funding, was taken up for consideration.

Senator Black asked and received unanimous consent that action on **Senate File 600** be **deferred**.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 587.

Senate File 587

On motion of Senator Connolly, **Senate File 587**, a bill for an act providing for individual and corporate income tax credits for the charitable conveyance of real property for conservation purposes and including a retroactive applicability date provision, 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. 587), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt

Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirmbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Gaskill

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 587** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 485

Senator Bolkcom called up for consideration **Senate File 485**, a bill for an act requiring consideration of greenhouse gas emissions in issuing specified air quality permits, amended by the House in House amendment S-3388, filed April 19, 2007.

Senator Bolkcom moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Bolkcom moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 485), the vote was:

Yeas, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Nays, 19:

Angelo	Houser	McKinley	Ward
Behn	Johnson	Mulder	Wieck
Boettger	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman
Hartsuch	McKibben	Seymour	

Absent, 1:

Gaskill

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 485** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 530

Senator Stewart called up for consideration **Senate File 530**, a bill for an act relating to prohibited business practices by a real estate broker or salesperson, amended by the House in House amendment S-3401, filed April 23, 2007.

Senator Lundby asked and received unanimous consent that action on amendment S-3401 and **Senate File 530** be **deferred**.

SPECIAL GUESTS

Senators Beall and Boettger introduced to the Senate chamber Mr. Jingzhong Xu, Consul General of the People's Republic of China Consulate in Chicago, and his wife, Mrs. Liqin Wang. Accompanying them were Consul Liang Zhang and Consul Haixia Yu.

Mr. Xu addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

BUSINESS PENDING

Senate File 600

The Senate resumed consideration of **Senate File 600**, a bill for an act relating to water quality improvements and watershed improvements and related funding, previously deferred.

Senator Black offered amendment S-3406, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-3406 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. 600), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirnbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Gaskill

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 600** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:45 a.m. until 1:30 p.m.

APPENDIX—1**CERTIFICATES OF RECOGNITION**

The Secretary of the Senate issued the following certificates of recognition:

Elizabeth Ahrendsen, Clarion—For being named a State of Iowa Scholar. Senator Olive (4/23/07).

Lynnea Erickson, Slater—For being named a State of Iowa Scholar. Senator Olive (4/23/07).

Ryan Gildner, Belmond—For being named a State of Iowa Scholar. Senator Olive (4/23/07).

Jennifer Janssen, Clairon—For being named a State of Iowa Scholar. Senator Olive (4/23/07).

Allen Jensen, Huxley—For being named a State of Iowa Scholar. Senator Olive (4/23/07).

Andrew Landgraf, Kanawha—For being named a State of Iowa Scholar. Senator Olive (4/23/07).

Darin Larson, Vincent—For being named a State of Iowa Scholar. Senator Olive (4/23/07).

Kurt Lockhart, Ames—For being named a State of Iowa Scholar. Senator Olive (4/23/07).

Molli O'Brien, Clarion—For being named a State of Iowa Scholar. Senator Olive (4/23/07).

Benjamin Potter, Kelley—For being named a State of Iowa Scholar. Senator Olive (4/23/07).

Ethan Sebert, Belmond—For being named a State of Iowa Scholar. Senator Olive (4/23/07).

Rebecca Snider, Huxley—For being named a State of Iowa Scholar. Senator Olive (4/23/07).

Chelsey Stecher, Clarion—For being named a State of Iowa Scholar. Senator Olive (4/23/07).

Nicholas Thompson, Huxley—For being named a State of Iowa Scholar. Senator Olive (4/23/07).

Mr. Jinzhong Xu, Consulate General for the People's Republic of China—For being a distinguished guest of the Iowa Senate. Senator Beall (4/23/07).

INTRODUCTION OF RESOLUTIONS

Senate Resolution 44, by Gronstal, Lundby, Kibbie, Horn, Hogg, Angelo, Appel, Beall, Behn, Black, Boettger, Bolkcom, Connolly, Courtney, Danielson, Dearden, Dotzler, Dvorsky, Fraise, Gaskill, Hahn, Hancock, Hartsuch, Hatch, Heckroth, Houser, Johnson, Kettering, Kreiman, McCoy, McKibben, McKinley, Mulder, Noble, Olive, Putney, Quirnbach, Ragan, Rielly, Schmitz, Schoenjahn, Seng, Seymour, Stewart, Ward, Warnstadt, Wieck, Wood, Zaun, and Zieman, a resolution to honor professional golfer and Iowa's own Zach Johnson on winning the 2007 Masters golf tournament.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 45, by Beall, Black, Boettger, Danielson, and Stewart, 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**.

AFTERNOON SESSION

The Senate reconvened at 2:25 p.m., President Kibbie presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 2:26 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 2:37 p.m., President Kibbie presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 457

Senator Quirmbach called up for consideration **Senate File 457**, a bill for an act relating to the rights of peace officers and public safety and emergency personnel, amended by the House in House amendment S-3400, filed April 20, 2007.

Senator Quirmbach 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 Quirmbach 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. 457), the vote was:

Yeas, 34:

Appel	Dotzler	Kibbie	Schmitz
Beall	Dvorsky	Kreiman	Schoenjahn
Black	Fraise	McCoy	Seng
Boettger	Gronstal	Noble	Seymour
Bolkcom	Hancock	Olive	Stewart

Connolly	Hatch	Putney	Warnstadt
Courtney	Heckroth	Quirnbach	Wood
Danielson	Hogg	Ragan	
Dearden	Horn	Rielly	

Nays, 15:

Angelo	Houser	McKibben	Wieck
Behn	Johnson	McKinley	Zaun
Hahn	Kettering	Mulder	Zieman
Hartsuch	Lundby	Ward	

Absent, 1:

Gaskill

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 469

Senator Warnstadt called up for consideration **Senate File 469**, a bill for an act providing for the sale of motor homes by a manufacturer at a camping rally sponsored by the manufacturer, amended by the House in House amendment S-3385, filed April 19, 2007.

Senator Warnstadt moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Warnstadt moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 469), the vote was:

Yeas, 45:

Angelo	Dvorsky	Kettering	Schoenjahn
Appel	Fraise	Kibbie	Seng
Beall	Gronstal	Lundby	Seymour
Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Ward
Boettger	Hartsuch	McKinley	Warnstadt
Bolkcom	Hatch	Noble	Wieck
Connolly	Heckroth	Olive	Wood
Courtney	Hogg	Putney	Zaun
Danielson	Horn	Quirmbach	
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	

Nays, 4:

Kreiman	Mulder	Schmitz	Zieman
---------	--------	---------	--------

Absent, 1:

Gaskill

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 Courtney asked and received unanimous consent that **Senate Files 457 and 469** 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 Courtney.

HOUSE AMENDMENT CONSIDERED

Senate File 340

Senator Kreiman called up for consideration **Senate File 340**, a bill for an act relating to the consideration of inherited or gifted property in dissolution-of-marriage property division proceedings and including an effective date and an applicability provision, amended by the House in House amendment S-3399, filed April 20, 2007.

Senator Kreiman 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 Kreiman 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. 340), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Rielly
Appel	Fraise	Kreiman	Schmitz
Beall	Hahn	Lundby	Schoenjahn
Behn	Hancock	McCoy	Seng
Black	Hartsuch	McKibben	Seymour
Boettger	Hatch	McKinley	Stewart
Bolkcom	Heckroth	Mulder	Ward
Connolly	Hogg	Noble	Warnstadt
Courtney	Horn	Olive	Wieck
Danielson	Houser	Putney	Wood
Dearden	Johnson	Quirnbach	Zaun
Dotzler	Kettering	Ragan	Zieman

Nays, none.

Absent, 2:

Gaskill	Gronstal
---------	----------

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

SENATE INSISTS

House File 808

Senator Kreiman called up for consideration **House File 808**, a bill for an act concerning accountability requirements for entities, administrators, and boards created for joint exercise of governmental powers and providing effective dates, and moved that the Senate insist on its amendment.

The Senate stood at ease at 2:55 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 3:10 p.m., President Kibbie presiding.

BUSINESS PENDING

House File 808

The Senate resumed consideration of House File 808, and the motion to insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that **Senate File 340** be **immediately messaged** to the House.

The Senate stood at ease at 3:17 p.m. until the fall of the gavel.

The Senate resumed session at 3:43 p.m., President Kibbie presiding.

QUORUM CALL

Senator Courtney requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 35 present, 15 absent, and a quorum present.

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 39, a resolution to declare the third week of October 2007, Disability History Week in Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 44, a resolution to honor professional golfer and Iowa's own Zach Johnson on winning the 2007 Masters golf tournament.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration Senate Resolutions 44 and 39.

Senate Resolution 44

On motion of Senator Horn, **Senate Resolution 44**, a resolution to honor professional golfer and Iowa's own Zach Johnson on winning the 2007 Masters golf tournament, with report of committee recommending passage, was taken up for consideration.

Senator Horn moved the adoption of Senate Resolution 44, which motion prevailed by a voice vote.

SPECIAL GUEST

Senator Horn introduced to the Senate chamber Dr. David Johnson, father of Zach Johnson. Zach Johnson is the 2007 Masters golf tournament winner, and his father, Dr. Johnson, is a chiropractor from Cedar Rapids, Iowa. Dr. Johnson accepted a copy of Senate Resolution 44 on behalf of his son.

The Senate rose and expressed its welcome.

Senate Resolution 39

On motion of Senator Hartsuch, **Senate Resolution 39**, a resolution to declare the third week of October 2007, Disability History Week in Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Hartsuch moved the adoption of Senate Resolution 39, which motion prevailed by a voice vote.

BUSINESS PENDING

Senate File 530

The Senate resumed consideration of **Senate File 530**, a bill for an act relating to prohibited business practices by a real estate broker or salesperson, and amendment S-3401, previously deferred.

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. 530), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 530** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 4:04 p.m. until the completion of a meeting of the committee on Ways and Means.

RECONVENED

The Senate reconvened at 5:30 p.m., President Kibbie presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 23, 2007, **adopted the conference committee report and passed Senate File 277**, a bill for an act 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 administrator quality program, making appropriations, and providing an effective date.

ALSO: That the House has on April 23, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

House File 906, a bill for an act requiring children enrolling in elementary or high school to have a dental screening and providing an effective date.

Read first time and referred to committee on **Appropriations**.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 808** on the part of the Senate: Senators Kreiman, Chair; Dearden, Quirmbach, Hartsuch, and Zaun.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 808** be **immediately messaged** to the House.

The Senate stood at ease at 5:32 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 6:50 p.m., President Kibbie presiding.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 601.

Senate File 601

On motion of Senator Dvorsky, **Senate File 601**, a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for fees and penalties, and providing for properly related matters, and including effective date provisions, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **Senate File 601** be **deferred**.

QUORUM CALL

Senator Lundby requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent, and a quorum present.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 513.

Senate File 513

On motion of Senator Quirnbach, **Senate File 513**, a bill for an act relating to the construction bidding procedures Act by modifying procedures and requirements for letting public improvement contracts, and making corrections, placed on the Unfinished Business Calendar on April 5, 2007, with report of committee without recommendation, was taken up for consideration.

Senator Quirnbach offered amendment S-3389, filed by him on April 19, 2007, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-3389 was adopted by a voice vote.

With the adoption of amendment S-3389, the Chair ruled the following amendments out of order:

S-3158, filed by Senator Quirnbach on March 26, 2007, to pages 1 and 4-6 of the bill;

S-3201, filed by Senator Quirnbach on March 28, 2007, to pages 7 and 9 of the bill;

S-3207, filed by Senator Olive on March 28, 2007, to page 7 of the bill; and

S-3224, filed by Senator Quirnbach on March 29, 2007, to page 1 of the bill.

Senator Quirnbach asked and received unanimous consent that **House File 830** be **substituted** for **Senate File 513**.

House File 830

On motion of Senator Quirnbach, **House File 830**, a bill for an act relating to the construction bidding procedures Act by modifying procedures and requirements for letting public improvement contracts, and making corrections, was taken up for consideration.

Senator Quirnbach offered amendment S-3410, filed by him from the floor to pages 1, 2, 4, and 6 of the bill, and moved its adoption.

Amendment S-3410 was adopted by a voice vote.

Senator Wieck asked and received unanimous consent that action on **House File 830** be **deferred**.

HOUSE AMENDMENT CONSIDERED

Senate File 49

Senator Ragan called up for consideration **Senate File 49**, a bill for an act providing for a .08 blood alcohol limit for motorboat or sailboat operating while intoxicated offenses, amended by the House in House amendment S-3387, filed April 19, 2007.

Senator Gronstal offered amendment S-3416, filed by him from the floor to page 1 of House amendment S-3387, and moved its adoption.

Amendment S-3416 was adopted by a voice vote.

Senator Ragan moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Ragan moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 49), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 830

The Senate resumed consideration of **House File 830**, a bill for an act relating to the construction bidding procedures Act by modifying procedures and requirements for letting public improvement contracts, and making corrections, previously deferred.

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. 830), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Quirnbach asked and received unanimous consent that **Senate File 513** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 549.

Senate File 549

On motion of Senator Hogg, **Senate File 549**, a bill for an act relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, ordering hearings for forcible entry and detainer actions, and forfeiting bail for failure to appear, placed on the Unfinished Business Calendar on April 5, 2007, was taken up for consideration.

Senator Hogg offered amendment S-3383, filed by him on April 19, 2007, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-3383 was adopted by a voice vote.

Senator Hogg asked and received unanimous consent that **House File 641** be **substituted** for **Senate File 549**.

House File 641

On motion of Senator Hogg, **House File 641**, a bill for an act relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, ordering hearings for forcible entry and detainer actions, and forfeiting bail for failure to appear, was taken up for consideration.

Senator Hogg withdrew amendment S-3398, filed by him on April 20, 2007, to pages 1-3 and to the title page of the bill.

Senator Hogg offered amendment S-3425, filed by him from the floor to pages 1 and 3 and to the title page of the bill, and moved its adoption.

Amendment S-3425 was adopted by a voice vote.

With the adoption of amendment S-3425, the Chair ruled amendment S-3391, filed by Senator Hogg on April 19, 2007, to page 3 and to the title page of the bill, out of order.

Senator Hogg offered amendment S-3426, filed by Senator Kreiman from the floor to page 1 and to the title page of the bill, and moved its adoption.

Amendment S-3426 was adopted by a voice vote.

Senator Hogg 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. 641), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

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 Hogg asked and received unanimous consent that **Senate File 549** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 49** and **House Files 641** and **830** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 7:52 p.m. until the completion of a meeting of the committee on Appropriations.

RECONVENED

The Senate reconvened at 8:58 p.m., President Kibbie presiding.

BUSINESS PENDING

Senate File 601

The Senate resumed consideration of **Senate File 601**, a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for fees and penalties, and providing for properly related matters, and including effective date provisions, previously deferred.

Senator Angelo offered amendment S-3413, filed by him from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3413 be adopted?” (S.F. 601), the vote was:

Yeas, 22:

Angelo	Hartsuch	McKinley	Ward
Behn	Houser	Mulder	Wieck
Boettger	Johnson	Noble	Zaun
Gaskill	Kettering	Putney	Zieman
Hahn	Lundby	Seng	
Hancock	McKibben	Seymour	

Nays, 28:

Appel	Dearden	Hogg	Ragan
Beall	Dotzler	Horn	Rielly
Black	Dvorsky	Kibbie	Schmitz
Bolkcom	Fraise	Kreiman	Schoenjahn
Connolly	Gronstal	McCoy	Stewart
Courtney	Hatch	Olive	Warnstadt
Danielson	Heckroth	Quirnbach	Wood

Absent, none.

Amendment S–3413 lost.

Senator Dvorsky offered amendment S–3428, filed by him from the floor to pages 19, 21, 22, 24, 25, 27, 32, 35, 39, 40, 42–44, 70, and 77 of the bill.

Senator Dvorsky asked and received unanimous consent that action on amendment S–3428 be deferred.

Senator McKibben offered amendment S–3409, filed by him from the floor to page 19 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3409 be adopted?” (S.F. 601), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Cannolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S-3409 lost.

The Senate stood at ease at 9:10 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:45 p.m., President Kibbie presiding.

Senator Hahn offered amendment S-3403, filed by him from the floor to page 25 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3403 be adopted?" (S.F. 601), the vote was:

Yeas, 21:

Angelo	Houser	Mulder	Wieck
Behn	Johnson	Noble	Zaun
Boettger	Kettering	Putney	Zieman
Gaskill	Lundby	Seng	
Hahn	McKibben	Seymour	
Hartsuch	McKinley	Ward	

Nays, 29:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Stewart
Bolkcom	Gronstal	McCoy	Warnstadt
Cannolly	Hancock	Olive	Wood

Courtney	Hatch	Quirmbach
Danielson	Heckroth	Ragan
Dearden	Hogg	Rielly

Absent, none.

Amendment S-3403 lost.

Senator Beall offered amendment S-3405, filed by Senators Beall and Boettger from the floor to page 25 of the bill, and moved its adoption.

Amendment S-3405 was adopted by a voice vote.

Senator Dvorsky offered amendment S-3429, filed by Senators Dvorsky, Gronstal, and Dotzler from the floor to pages 27, 28, 35, 38, 44, and 70 of the bill.

Senator Gronstal asked and received unanimous consent that action on amendment S-3429 be deferred.

Senator Danielson offered amendment S-3411, filed by him from the floor to page 32 of the bill, and moved its adoption.

Amendment S-3411 was adopted by a voice vote.

Senator Angelo offered amendment S-3415, filed by him from the floor to pages 33 and 34 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3415 be adopted?" (S.F. 601), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S-3415 lost.

Senator Connolly offered amendment S-3402, filed by him from the floor to page 35 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3402 be adopted?" (S.F. 601), the vote was:

Yeas, 29:

Appel	Dvorsky	Kibbie	Schoenjahn
Beall	Fraise	Kreiman	Seng
Black	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	
Dotzler	Horn	Schmitz	

Nays, 21:

Angelo	Hartsuch	McKinley	Wieck
Behn	Houser	Mulder	Zaun
Boettger	Johnson	Noble	Zieman
Bolkcom	Kettering	Putney	
Gaskill	Lundby	Seymour	
Hahn	McKibben	Ward	

Absent, none.

Amendment S-3402 was adopted.

Senator Dotzler offered amendment S-3412, filed by him from the floor to page 35 of the bill, and moved its adoption.

Amendment S-3412 was adopted by a voice vote.

Senator Seng withdrew amendment S-3419, filed by him from the floor to page 35 of the bill.

Senator Seng withdrew amendment S-3420, filed by him from the floor to page 35 of the bill.

Senator Angelo withdrew amendment S-3414, filed by him from the floor to page 37 of the bill.

Senator Putney offered amendment S-3423, filed by him from the floor to pages 39, 40, and 44 and to the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3423 be adopted?" (S.F. 601), the vote was:

Yeas, 24:

Angelo	Gaskill	Kibbie	Noble
Behn	Hahn	Lundby	Putney
Boettger	Hartsuch	McCoy	Seymour
Connolly	Houser	McKibben	Ward
Dearden	Johnson	McKinley	Wieck
Dotzler	Kettering	Mulder	Zieman

Nays, 26:

Appel	Fraise	Kreiman	Seng
Beall	Gronstal	Olive	Stewart
Black	Hancock	Quirnbach	Warnstadt
Bolkcom	Hatch	Ragan	Wood
Courtney	Heckroth	Rielly	Zaun
Danielson	Hogg	Schmitz	
Dvorsky	Horn	Schoenjahn	

Absent, none.

Amendment S-3423 lost.

Senator Noble offered amendment S-3404, filed by Senators Noble and Rielly from the floor to page 40 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3404 be adopted?" (S.F. 601), the vote was:

Yeas, 48:

Angelo	Fraise	Kettering	Rielly
Appel	Gaskill	Kibbie	Schmitz
Beall	Gronstal	Kreiman	Schoenjahn
Behn	Hahn	Lundby	Seng
Black	Hancock	McKibben	Seymour
Boettger	Hartsuch	McKinley	Stewart
Bolkcom	Hatch	Mulder	Ward
Connolly	Heckroth	Noble	Warnstadt
Courtney	Hogg	Olive	Wieck
Danielson	Horn	Putney	Wood
Dearden	Houser	Quirnbach	Zaun
Dotzler	Johnson	Ragan	Zieman

Nays, 2:

Dvorsky	McCoy
---------	-------

Absent, none.

Amendment S-3404 was adopted.

Senator Fraise offered amendment S-3407, filed by Senators Fraise and Behn from the floor to page 41 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3407 be adopted?" (S.F. 601), the vote was:

Yeas, 32:

Angelo	Hatch	Lundby	Seng
Behn	Heckroth	McKibben	Seymour
Boettger	Horn	McKinley	Stewart
Fraise	Houser	Mulder	Ward

Gaskill	Johnson	Noble	Wieck
Hahn	Kettering	Olive	Wood
Hancock	Kibbie	Putney	Zaun
Hartsuch	Kreiman	Schoenjahn	Zieman

Nays, 18:

Appel	Courtney	Gronstal	Rielly
Beall	Danielson	Hogg	Schmitz
Black	Dearden	McCoy	Warnstadt
Bolkcom	Dotzler	Quirnbach	
Connolly	Dvorsky	Ragan	

Absent, none.

Amendment S-3407 was adopted.

Senator Seng asked and received unanimous consent to withdraw amendment S-3408, filed by Senators Seng and Hancock from the floor to page 43 and to the title page of the bill.

Senator Seng offered amendment S-3424, filed by Senator Seng, et al., from the floor to pages 43 and 44 and to the title page of the bill, and moved its adoption.

Amendment S-3424 was adopted by a voice vote.

Senator Seng withdrew amendment S-3417, filed by him from the floor to page 44 of the bill.

Senator Seng withdrew amendment S-3418, filed by him from the floor to page 44 of the bill.

Senator Dotzler offered amendment S-3427, filed by Senator Dotzler, et al., from the floor to page 44 of the bill, and moved its adoption.

Amendment S-3427 was adopted by a voice vote.

Senator Angelo offered amendment S-3432, filed by him from the floor to pages 7 and 18 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3432 be adopted?" (S.F. 601), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Cannolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S-3432 lost.

Senator Seng offered amendment S-3430, filed by Senator Seng, et al., from the floor to page 43 and to the title page of the bill, and moved its adoption.

Amendment S-3430 was adopted by a voice vote.

Senator Gronstal offered amendment S-3431, filed by Senators Gronstal, Kibbie, and Lundby from the floor to page 43 of the bill, and moved its adoption.

Amendment S-3431 was adopted by a voice vote.

The Senate resumed consideration of amendment S-3428, previously deferred.

The Senate stood at ease at 10:57 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 11:10 p.m., President Kibbie presiding.

The Senate resumed consideration of amendment S-3428.

Senator Dvorsky moved the adoption of amendment S-3428.

A record roll call was requested.

On the question "Shall amendment S-3428 be adopted?" (S.F. 601), the vote was:

Yeas, 27:

Appel	Dearden	Heckroth	Schmitz
Beall	Dotzler	Hogg	Schoenjahn
Black	Dvorsky	Horn	Seng
Bolkcom	Fraise	Kibbie	Stewart
Connolly	Gronstal	Kreiman	Warnstadt
Courtney	Hancock	Quirnbach	Wood
Danielson	Hatch	Ragan	

Nays, 23:

Angelo	Houser	McKinley	Seymour
Behn	Johnson	Mulder	Ward
Boettger	Kettering	Noble	Wieck
Gaskill	Lundby	Olive	Zaun
Hahn	McCoy	Putney	Zieman
Hartsuch	McKibben	Rielly	

Absent, none.

Amendment S-3428 was adopted.

The Senate resumed consideration of amendment S-3429, previously deferred.

Senator Gronstal withdrew amendment S-3433, filed by him from the floor to page 10 of amendment S-3429.

Senator Gronstal offered amendment S-3437, filed by him from the floor to page 10 of amendment S-3429, and moved its adoption.

Amendment S-3437 was adopted by a voice vote.

Senator Dvorsky moved the adoption of amendment S-3429, as amended.

A record roll call was requested.

On the question "Shall amendment S-3429 be adopted?" (S.F. 601), the vote was:

Yeas, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Nays, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Absent, none.

Amendment S-3429 was adopted.

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. 601), the vote was:

Yeas, 29:

Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	
Dotzler	Horn	Schmitz	

Nays, 19:

Angelo	Houser	McKinley	Ward
Behn	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman
Hartsuch	McKibben	Seymour	

Present, 2:

Appel	Boettger
-------	----------

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 601** 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 23, 2007, **amended and passed** the following bills in which the concurrence of the House was asked:

Senate File 551, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection. (S-3436)

Senate File 575, a bill for an act relating to and making appropriations to the justice system. (S-3435)

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 11:30 p.m. until 8:45 a.m., Tuesday, April 24, 2007.

APPENDIX—2

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Seth Jacobs, Atlantic—For achieving the rank of Eagle Scout, Boy Scout Troop 54. Senator Angelo (4/23/07).

Mulford Evangelical Free Church, Muscatine—For celebrating its 150th anniversary. Senator Hahn (4/23/07).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Monday, April 23, 2007, 8:10 p.m.

Members Present: Dvorsky, Chair; McCoy, Vice Chair; Angelo, Ranking Member; Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood.

Members Absent: None.

Committee Business: Passed HF's 829 (as amended) and 910. Approved SSB 1358 (as amended).

Recessed: 8:15 p.m.

Reconvened: 8:30 p.m.

Adjourned: 8:40 p.m.

RULES AND ADMINISTRATION

Convened: Monday, April 23, 2007, 2:30 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SRs 26, 39, 43, and 44.

Adjourned: 2:36 p.m.

WAYS AND MEANS

Convened: Monday, April 23, 2007, 1:05 p.m.

Members Present: Bolkcom, Chair; McCoy, Vice Chair; McKibben, Ranking Member; Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, Ward, and Wieck.

Members Absent: None.

Committee Business: Passed HF 912 and approved SSB 1356 (as amended).

Recessed: 1:10 p.m.

Reconvened: 4:10 p.m.

Adjourned: 4:55 p.m.

STUDY BILL RECEIVED

SSB 1359 Ways and Means

Relating to revenue for the construction and maintenance of roads by establishing a TIME-21 fund for deposit of revenues credited by law to the fund, and requiring evaluation of revenue sources.

SUBCOMMITTEE ASSIGNMENTS

Senate File 597

WAYS AND MEANS: Quirmbach, Chair; Connolly and Ward

House File 907

APPROPRIATIONS: Bolkcom, Chair; Dvorsky, Hatch, Johnson, and Seymour

House File 909

APPROPRIATIONS: Hatch, Chair; Dvorsky, Johnson, Ragan, and Seymour

House File 910

APPROPRIATIONS: Ragan, Chair; Bolkcom and Seymour

House File 912

WAYS AND MEANS: Dotzler, Chair; Bolkcom and Houser

SSB 1359

WAYS AND MEANS: McCoy, Chair; Angelo and Schmitz

FINAL COMMITTEE REPORTS OF BILL ACTION**APPROPRIATIONS**

Bill Title: *HOUSE FILE 829, a bill for an act relating to the development and commercialization of businesses in the targeted industry areas of advanced manufacturing, bioscience, and information technology and including a contingent effective date provision.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3434.

Final Vote: Ayes, 24: Dvorsky, McCoy, Angelo, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, 1: Behn. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on House File 829, and they were attached to the committee report.

ALSO:

Bill Title: HOUSE FILE 910, a bill for an act relating to the creation of a task force on postnatal tissue and fluid banking, related postnatal procedures, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 25: Dvorsky, McCoy, Angelo, Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 26, a resolution commemorating the life and service of Command Sergeant Major Galen Kittleson of Toeterville, Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 43, a resolution to recognize May 2007 as American Stroke Awareness Month and National High Blood Pressure Education Month.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: HOUSE FILE 912, a bill for an act relating to providing sales, use, and property tax exemptions for a certain web search portal business.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Bolkcom, McCoy; McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, Ward, and Wieck. 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 23rd day of April, 2007:

Senate Files 175, 339, 384, 406, and 416.

MICHAEL E. MARSHALL
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 20, 2007, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 311 – Relating to an action for satisfaction of a mortgage.

Senate File 381 – Relating to judicial branch procedures, including appointments of court of appeals judges, district judges, district associate judges, associate juvenile judges, associate probate judges, magistrates, and patient advocates, and compensation to judges and other court personnel serving as fiduciaries.

Senate File 407 – Relating to the home ownership assistance program for Iowa residents who are eligible members of the armed forces of the United States.

Senate File 502 – Relating to the regulation of savings and loan associations by the division of banking of the department of commerce.

Senate File 529 – Expanding the criminal offense of possessing contraband in correctional institutions to include possessing contraband in a secure facility for the detention or custody of juveniles, a detention facility, or a jail, and providing a penalty.

ALSO:

A communication was received announcing that on April 23, 2007, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 302 – Relating to moneys appropriated to the department of economic development for regional tourism marketing purposes.

Senate File 337 – Relating to information required to be indexed in the records of the county recorder.

Senate File 463 – Concerning the licensing and operations of a manufacturer of ambulances, rescue vehicles, or fire vehicles.

Senate File 528 – Prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates.

AMENDMENTS FILED

S-3401	S.F.	530	House
S-3402	S.F.	601	Michael Connolly
S-3403	S.F.	601	James F. Hahn
S-3404	S.F.	601	Larry Noble Tom Rielly
S-3405	S.F.	601	Daryl Beall Nancy J. Boettger
S-3406	S.F.	600	Dennis H. Black
S-3407	S.F.	601	Gene Fraise Jerry Behn
S-3408	S.F.	601	Joe M. Seng Tom Hancock

S-3409	S.F.	601	Larry McKibben
S-3410	H.F.	830	Herman C. Quirmbach
S-3411	S.F.	601	Jeff Danielson
S-3412	S.F.	601	William A. Dotzler, Jr.
S-3413	S.F.	601	Jeff Angelo
S-3414	S.F.	601	Jeff Angelo
S-3415	S.F.	601	Jeff Angelo
S-3416	S.F.	49	Michael E. Gronstal
S-3417	S.F.	601	Joe M. Seng
S-3418	S.F.	601	Joe M. Seng
S-3419	S.F.	601	Joe M. Seng
S-3420	S.F.	601	Joe M. Seng
S-3421	S.F.	512	Jeff Danielson
S-3422	H.F.	912	Jeff Danielson
S-3423	S.F.	601	John Putney
S-3424	S.F.	601	Joe M. Seng Thomas G. Courtney Dave Mulder David Johnson
S-3425	H.F.	641	Robert M. Hogg
S-3426	H.F.	641	Keith A. Kreiman
S-3427	S.F.	601	William A. Dotzler, Jr. Joe M. Seng Staci Appel Paul McKinley Jeff Angelo
S-3428	S.F.	601	Robert E. Dvorsky
S-3429	S.F.	601	Robert E. Dvorsky Michael E. Gronstal William A. Dotzler, Jr.
S-3430	S.F.	601	Joe M. Seng Tom Hancock Brian Schoenjahn Tom Rielly Jeff Danielson John P. Kibbie Michael W. Connolly Frank B. Wood Dennis H. Black Robert M. Hogg Amanda Ragan

			Steve Warnstadt
			William A. Dotzler, Jr.
			Rich Olive
			William Heckroth
			Daryl Beall
			Becky Schmitz
			Roger Stewart
			Thomas G. Courtney
			Staci Appel
			Gene Fraise
			Jack Hatch
S-3431	S.F.	601	Michael E. Gronstal
			John P. Kibbie
			Mary A. Lundby
S-3432	S.F.	601	Jeff Angelo
S-3433	S.F.	601	Michael E. Gronstal
S-3434	H.F.	829	Appropriations
S-3435	S.F.	575	House
S-3436	S.F.	551	House
S-3437	S.F.	601	Michael E. Gronstal

JOURNAL OF THE SENATE

ONE HUNDRED SEVENTH CALENDAR DAY
SIXTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 24, 2007

The Senate met in regular session at 8:48 a.m., President Kibbie presiding.

Prayer was offered by Pastor David P. Loeschen of Our Savior Lutheran Church in Denison, Iowa. He was the guest of Senator Seymour.

The Journal of Monday, April 23, 2007, 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 23, 2007, **appointed the conference committee to House File 808**, a bill for an act concerning accountability requirements for entities and boards created for joint exercise of governmental powers and providing an effective date. The conference committee members on the part of the House are: the representative from Polk, Representative Huser, Chair; the representative from Wapello, Representative Gaskill; the representative from Boone, Representative D. Olson; the representative from Buchanan, Representative Rasmussen; and the representative from Polk, Representative Clute.

ALSO: That the House has on April 23, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

House File 911, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the technology reinvestment fund, and related matters, and providing an effective date.

Read first time and referred to committee on **Appropriations**.

INTRODUCTION OF RESOLUTION

Senate Resolution 46, by Courtney, a resolution designating May 2007 as Huntington's Disease Awareness Month.

Read first time and referred to committee on **Rules and Administration**.

SPECIAL GUESTS

Senator Black and Representative Huser welcomed to the Senate chamber Mike and Linda Huppenbauer and Joe and Judy Pirillo, members of the Gold Wing Road Riders Association. They were presented a proclamation regarding Motorcycle Safety Month.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:02 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:10 a.m., President Kibbie presiding.

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 22, a resolution commemorating the sesquicentennial of the Constitution of the State of Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 27, a resolution honoring the city of Lowden on its sesquicentennial.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 46, a resolution designating May 2007 as Huntington's Disease Awareness Month.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolutions 46, 22, and 27.

Senate Resolution 46

On motion of Senator Courtney, **Senate Resolution 46**, a resolution designating May 2007 as Huntington's Disease Awareness Month, with report of committee recommending passage, was taken up for consideration.

Senator Courtney moved the adoption of Senate Resolution 46, which motion prevailed by a voice vote.

Senate Resolution 22

On motion of Senator Hahn, **Senate Resolution 22**, a resolution commemorating the sesquicentennial of the Constitution of the State of Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Hahn moved the adoption of Senate Resolution 22, which motion prevailed by a voice vote.

Senate Resolution 27

On motion of Senator Hahn, **Senate Resolution 27**, a resolution honoring the city of Lowden on its sesquicentennial, with report of committee recommending passage, was taken up for consideration.

Senator Hahn moved the adoption of Senate Resolution 27, which motion prevailed by a voice vote.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 910.

House File 910

On motion of Senator Ragan, **House File 910**, a bill for an act relating to the creation of a task force on postnatal tissue and fluid banking, related postnatal procedures, and providing an effective date, 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. 910), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun

Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 575

Senator Hancock called up for consideration **Senate File 575**, a bill for an act relating to and making appropriations to the justice system, amended by the House in House amendment S-3435, filed April 23, 2007.

Senator Hancock 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 Hancock 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. 575), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 575** and **House File 910** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McKinley, until he returns, on request of Senator Kettering.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 718.

House File 718

On motion of Senator Dotzler, **House File 718**, a bill for an act relating to cigarette fire safety standards, and providing penalties, placed on the Unfinished Business Calendar on April 12, 2007, 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. 718), the vote was:

Yeas, 49:

Angelo
Appel
Beall

Fraise
Gaskill
Gronstal

Kibbie
Kreiman
Lundby

Schoenjahn
Seng
Seymour

Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Ward
Boettger	Hartsuch	Mulder	Warnstadt
Bolkcom	Hatch	Noble	Wieck
Connolly	Heckroth	Olive	Wood
Courtney	Hogg	Putney	Zaun
Danielson	Horn	Quirmbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, none.

Absent, 1:

McKinley

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 718** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:45 a.m. until 1:00 p.m.

APPENDIX—1**CERTIFICATES OF RECOGNITION**

The Secretary of the Senate issued the following certificates of recognition:

Laura Baldus, Roland—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Molly Buse, Webster City—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Daniel Cychosz, Ames—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Tom Flynn, Epworth—For achieving the rank of Eagle Scout, Boy Scout Troop 70. Senator Connolly (4/24/07).

Eric Guthrie, Nevada—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Tyson Handsaker, Nevada—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Karly Hermanson, Story City—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Katie Hoff, Nevada—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Megan Horn, Blairsburg—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Jake Hoversten, Blairsburg—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Katie Hovick, Roland—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Joseph Kurtenbach, Nevada—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Audra Lloyd, Nevada—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

John Paul McCloy II, DeWitt—For achieving the rank of Eagle Scout, Boy Scout Troop 29. Senator Wood (4/24/07).

Paul Mott, Jr., Story City—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Jake Peterson, Nevada—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

Brianna Skank, Oakland—For being nominated to attend the Junior National Leaders Conference in Washington, D.C. Senator Houser (4/24/07).

Andrew Wehrhan, Webster City—For being named a State of Iowa Scholar. Senator Olive (4/24/07).

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Tuesday, April 24, 2007, 9:05 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SJRs 5 and 6; SCR 6; and SRs 22, 27, 40, 46, and 47.

Adjourned: 9:10 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 5, by Gronstal, a joint resolution authorizing the temporary use and consumption of alcoholic beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Joint Resolution 6, by Gronstal, a joint resolution approving the permanent acknowledgement of elementary and secondary schools and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an affective date.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Concurrent Resolution 6, by Black and Zaun, a concurrent resolution requesting the establishment of an interim study committee by the legislative council to conduct a study of issues related to amyotrophic lateral sclerosis.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 47, by Ragan, a resolution encouraging the Iowa congressional delegation to support legislation to improve Medicare payments to Iowa physicians under the Medicare Part B program.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 48, by Johnson, a resolution to recognize the city of Ashton, Iowa, on its quasiquicentennial anniversary.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 602, by committee on Appropriations, a bill for an act requiring children enrolling in elementary or high school to have a dental screening and providing an effective date.

Read first time under Rule 28 and **placed on Appropriations calendar**.

Senate File 603, by Gronstal, a bill for an act relating to consumption of alcoholic beverages at the state capitol complex.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 604, by committee on Ways and Means, a bill for an act relating to the percentage of actual value at which residential property and certain commercial residential property are assessed for purposes of property taxation and providing an annual appropriation

for a specified number of years to replace commercial property tax revenues lost to counties and cities.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: SENATE FILE 602 (SSB 1358), a bill for an act requiring children enrolling in elementary or high school to have a dental screening and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 25: Dvorsky, McCoy, Angelo, Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE JOINT RESOLUTION 5, a joint resolution authorizing the temporary use and consumption of alcoholic beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Ragan, and Wieck. Nays, 1: Mulder. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE JOINT RESOLUTION 6, a joint resolution approving the permanent acknowledgement of elementary and secondary schools and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE CONCURRENT RESOLUTION 6, a concurrent resolution requesting the establishment of an interim study committee by the legislative council to conduct a study of issues related to amyotrophic lateral sclerosis.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 40, a resolution to recognize the sesquicentennial of the city of Williamsburg.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 47, a resolution encouraging the Iowa congressional delegation to support legislation to improve Medicare payments to Iowa physicians under the Medicare Part B program.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *SENATE FILE 604 (SSB 1356), a bill for an act relating to the percentage of actual value at which residential property and certain commercial residential property are assessed for purposes of property taxation and providing an annual appropriation for a specified number of years to replace commercial property tax revenues lost to counties and cities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Bolkcom, McCoy, Appel, Connolly, Dotzler, Hogg, Quirnbach, Schmitz, Seng, and Stewart. Nays, 7: McKibben, Angelo, Houser, Noble, Putney, Ward, and 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 Ways and Means Committee on Senate File 604, and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 1:05 p.m., President Kibbie presiding.

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 April 24, 2007, **passed** the following bills in which the concurrence of the House was asked:

Senate File 435, a bill for an act relating to youth deer hunting licenses.

Senate File 539, a bill for an act establishing uniform finance procedures for obligations issued by the state.

Senate File 557, a bill for an act relating to the regulation of credit unions by revising and reorganizing the Iowa credit union Act, making conforming changes, and providing for taxes, fees, and penalties.

ALSO: That the House has on April 24, 2007, **concurred in the Senate amendment and passed** the following bills in which the concurrence of the House was asked:

House File 773, a bill for an act establishing an energy city designation program.

House File 783, a bill for an act relating to certain city utilities or city enterprises by making changes to procedures for notice and collection of delinquent charges and by making changes to billing notifications for water service and other services provided to certain residential rental property.

ALSO: That the House has on April 24, 2007, **concurred in the Senate amendment to the House amendment and passed** the following bill in which the concurrence of the House was asked:

Senate File 546, a bill for an act relating to a hospital lien and providing an effective date.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration Senate Resolution 26.

Senate Resolution 26

On motion of Senator Ragan, **Senate Resolution 26**, a resolution commemorating the life and service of Command Sergeant Major Galen Kittleson of Toeterville, Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Ragan moved the adoption of Senate Resolution 26, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Ragan welcomed to the Senate chamber family and friends of Command Sergeant Major Galen Kittleson and members of the Alamo Scouts of St. Ansgar, Iowa.

The Senate rose and expressed its welcome.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration House File 829.

House File 829

On motion of Senator Stewart, **House File 829**, a bill for an act relating to the development and commercialization of businesses in the targeted industry areas of advanced manufacturing, bioscience, and information technology and including a contingent effective date provision, placed on the Unfinished Business Calendar on April 12, 2007, with reports of committees on Economic Growth and Appropriations recommending amendment and passage, was taken up for consideration.

The Senate stood at ease at 1:15 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 1:50 p.m., President Kibbie presiding.

Senator Dotzler offered amendment S-3434, filed by the committee on Appropriations on April 23, 2007, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Dotzler offered amendment S-3438, filed by him from the floor to page 6 of amendment S-3434, and moved its adoption.

Amendment S-3438 was adopted by a voice vote.

Senator Dotzler moved the adoption of amendment S-3434, as amended.

Amendment S-3434 was adopted by a voice vote.

With the adoption of amendment S-3434, the Chair ruled amendment S-3299, filed by the committee on Economic Growth on April 5, 2007, to page 4 of the bill, out of order.

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. 829), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Rielly
Appel	Fraise	Kreiman	Schmitz
Beall	Gaskill	Lundby	Schoenjahn
Behn	Gronstal	McCoy	Seng
Black	Hahn	McKibben	Seymour
Boettger	Hancock	McKinley	Stewart
Bolkcom	Hatch	Mulder	Ward
Connolly	Heckroth	Noble	Warnstadt
Courtney	Hogg	Olive	Wieck
Danielson	Horn	Putney	Wood
Dearden	Houser	Quirnbach	Zaun
Dotzler	Johnson	Ragan	Zieman

Nays, 2:

Hartsuch Kettering

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 **House File 829** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 2:08 p.m. until the completion of a meeting of the committee on State Government.

RECONVENED

The Senate reconvened at 2:51 p.m., President Kibbie presiding.

CONFERENCE COMMITTEE REPORT RECEIVED

Senate File 472

A conference committee report, signed by the following Senate and House members, was filed April 24, 2007, on **Senate File 472**, a bill for an act requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty:

On the part of the Senate:

DICK L. DEARDEN, Chair
THOMAS G. COURTNEY
STEVE WARNSTADT
PAT WARD

On the part of the House:

JIM LYKAM, Chair
DELORES M. MERTZ
TODD TAYLOR

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Dearden called up the conference committee report on **Senate File 472**, filed on April 24, 2007, and moved its adoption.

The motion prevailed by a voice vote, and the conference committee report, and the recommendations and amendments contained therein, was adopted.

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?" (S.F. 472), the vote was:

Yeas, 33:

Angelo	Dotzler	Kibbie	Schoenjahn
Appel	Dvorsky	Kreiman	Seng
Beall	Fraise	McCoy	Stewart
Black	Gronstal	Mulder	Ward
Bolkcom	Hancock	Olive	Warnstadt
Connolly	Hatch	Quirmbach	Wood
Courtney	Heckroth	Ragan	
Danielson	Hogg	Rielly	
Dearden	Horn	Schmitz	

Nays, 17:

Behn	Houser	McKinley	Zaun
Boettger	Johnson	Noble	Zieman
Gaskill	Kettering	Putney	
Hahn	Lundby	Seymour	
Hartsuch	McKibben	Wieck	

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 472** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 2:58 p.m. until the completion of a meeting of the committee on Appropriations.

APPENDIX—2

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Lorraine Bral, Denison—For celebrating her 80th birthday. Senator Seymour (4/24/07).

John and Mary Brouwer, Waterloo—For celebrating their 50th wedding anniversary. Senator Dotzler (4/24/07).

Art Dorland, Woodbine—For celebrating his 90th birthday. Senator Seymour (4/24/07).

Gladys Elliott, Waterloo—For celebrating her 80th birthday. Senator Dotzler (4/24/07).

Francis and Myrna Jacoby, Waterloo—For celebrating their 50th wedding anniversary. Senator Dotzler (4/24/07).

Gust, Jr., and Vivian Johnson, Waterloo—For celebrating their 50th wedding anniversary. Senator Dotzler (4/24/07).

Eugene “Dinty” Moore, Waterloo—For celebrating his 80th birthday. Senator Dotzler (4/24/07).

Arnold and Zetta Nielson, Waterloo—For celebrating their 60th wedding anniversary. Senator Dotzler (4/24/07).

Arlo and Marlys Riessen—For celebrating their 50th wedding anniversary. Senator Seymour (4/24/07).

Myrna Shaffer, Woodbine—For celebrating her 80th birthday. Senator Seymour (4/24/07).

Mike and Mary Jane Staebell, Waterloo—For celebrating their 60th wedding anniversary. Senator Dotzler (4/24/07).

Norbert and Marcie Trainor, Waterloo—For celebrating their 50th wedding anniversary. Senator Dotzler (4/24/07).

Julia Wakehouse, Onawa—For celebrating her 90th birthday. Senator Seymour (4/24/07).

Doak and Sherry Walker, Woodbine—For celebrating their 50th wedding anniversary. Senator Seymour (4/24/07).

REPORT OF COMMITTEE MEETING

STATE GOVERNMENT

Convened: Tuesday, April 24, 2007, 2:10 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Ziemann, Ranking Member; Appel, Behn, Black, Gaskill, Hahn, Kettering, Kibbie, McKibben, Schmitz, and Wood.

Members Absent: Danielson and Hatch (both excused).

Committee Business: Passed SF 603.

Adjourned: 2:20 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 49, by Black, Beall, Boettger, Bolkom, Behn, and Danielson, 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**.

STUDY BILL RECEIVED

SSB 1360 Government Oversight

Relating to student loans, including the protection of students and parents from certain lenders and institutions of higher education with conflicts of interest, and establishing penalties and a student lending education fund.

SUBCOMMITTEE ASSIGNMENTS

Senate File 603

STATE GOVERNMENT: Connolly, Chair; Kibbie and Ziemann

House File 911

APPROPRIATIONS: McCoy, Chair; Angelo, Dvorsky, Putney, and Warnstadt

SSB 1360

GOVERNMENT OVERSIGHT: Courtney, Chair; Connolly, Lundby, Schmitz, and Wieck

FINAL COMMITTEE REPORT OF BILL ACTION

STATE GOVERNMENT

Bill Title: SENATE FILE 603, a bill for an act relating to consumption of alcoholic beverages at the state capitol complex.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Connolly, Horn, Ziemann, Appel, Behn, Black, Gaskill, Hahn, Kettering, Kibbie, McKibben, and Wood. Nays, 1: Schmitz. Absent, 2: Danielson and Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RECONVENED

The Senate reconvened at 4:40 p.m., President Kibbie presiding.

QUORUM CALL

Senator Gronstal requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent, and a quorum present.

UNFINISHED BUSINESS
(Deferred April 19, 2007)**Senate File 455**

The Senate resumed consideration of **Senate File 455**, a bill for an act restricting the presence of a registered sex offender on the real property comprising a school or child care facility and providing a penalty, deferred April 19, 2007.

Senator Kreiman asked and received unanimous consent to withdraw amendment S-3394, filed by Senators Kreiman, Dvorsky, and Hogg on April 19, 2007, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator McKibben asked and received unanimous consent that action on **Senate File 455** be **deferred**.

CONSIDERATION OF BILLS
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 648 and 749.

House File 648

On motion of Senator Olive, **House File 648**, a bill for an act relating to distress criteria for enterprise zones, placed on the Unfinished Business Calendar on April 12, 2007, with report of committee recommending passage, was taken up for consideration.

Senator Olive 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. 648), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 749

On motion of Senator Danielson, **House File 749**, a bill for an act concerning existing and new special motor vehicle registration plates associated with military service, crediting fees from the sale of certain special motor vehicle registration plates to the emergency medical services fund and the veterans license fee fund, and providing effective dates, placed on the Unfinished Business Calendar on April 12, 2007, with report of committee recommending passage, was taken up for consideration.

Senator Black asked and received unanimous consent to withdraw amendment S-3321, filed by Senators Black and Warnstadt on April 11, 2007, to pages 2-4 of the bill.

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. 749), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Connolly asked and received unanimous consent that **House Files 648 and 749** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Connolly asked and received unanimous consent to take up for consideration Senate File 603.

Senate File 603

On motion of Senator Connolly, **Senate File 603**, a bill for an act relating to consumption of alcoholic beverages at the state capitol complex, with report of committee 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. 603), the vote was:

Yeas, 43:

Angelo	Dvorsky	Kettering	Rielly
Appel	Fraise	Kibbie	Schoenjahn
Beall	Gaskill	Lundby	Seng
Behn	Gronstal	McCoy	Seymour
Black	Hahn	McKibben	Stewart
Bolkcom	Hancock	McKinley	Ward
Connolly	Hatch	Noble	Wieck
Courtney	Heckroth	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	

Nays, 7:

Boettger	Hogg	Mulder	Warnstadt
Hartsuch	Kreiman	Schmitz	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that **Senate File 603** be **immediately messaged** to the House.

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: HOUSE FILE 906, a bill for an act requiring children enrolling in elementary or high school to have a dental screening and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 25: Dvorsky, McCoy, Angelo, Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 907, a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 25: Dvorsky, McCoy, Angelo, Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration House Files 907 and 906.

House File 907

On motion of Senator Bolkcom, **House File 907**, a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund and providing an effective date, with report of committee recommending passage, was taken up for consideration.

The Senate stood at ease at 5:18 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 5:40 p.m., President Kibbie presiding.

Senator Angelo offered amendment S-3443, filed by him from the floor to pages 7 and 8 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3443 be adopted?" (H.F. 907), the vote was:

Yeas, 21:

Angelo	Houser	Mulder	Wieck
Behn	Johnson	Noble	Zaun
Boettger	Kettering	Putney	Zieman
Gaskill	Lundby	Ragan	
Hahn	McKibben	Seymour	
Hartsuch	McKinley	Ward	

Nays, 29:

Appel	Dotzler	Horn	Schoenjahn
Beall	Dvorsky	Kibbie	Seng
Black	Fraise	Kreiman	Stewart
Bolkcom	Gronstal	McCoy	Warnstadt
Connolly	Hancock	Olive	Wood
Courtney	Hatch	Quirnbach	
Danielson	Heckroth	Rielly	
Dearden	Hogg	Schmitz	

Absent, none.

Amendment S-3443 lost.

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?" (H.F. 907), the vote was:

Yeas, 44:

Angelo	Dotzler	Johnson	Ragan
Appel	Dvorsky	Kibbie	Rielly
Beall	Fraise	Kreiman	Schmitz
Behn	Gaskill	Lundby	Schoenjahn
Black	Gronstal	McCoy	Seng
Boettger	Hahn	McKibben	Seymour
Bolkcom	Hancock	Mulder	Stewart
Connolly	Hatch	Noble	Ward
Courtney	Heckroth	Olive	Warnstadt
Danielson	Hogg	Putney	Wieck
Dearden	Horn	Quirnbach	Wood

Nays, 6:

Hartsuch	Kettering	Zaun
Houser	McKinley	Zieman

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 906

On motion of Senator Ragan, **House File 906**, a bill for an act requiring children enrolling in elementary or high school to have a dental screening and providing an effective date, 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. 906), the vote was:

Yeas, 36:

Appel	Dvorsky	Kreiman	Rielly
Beall	Fraise	Lundby	Schmitz
Black	Gronstal	McCoy	Schoenjahn
Bolkcom	Hancock	McKibben	Seng
Connolly	Hatch	Mulder	Seymour
Courtney	Hogg	Olive	Stewart
Danielson	Horn	Putney	Ward
Dearden	Houser	Quirnbach	Warnstadt
Dotzler	Kibbie	Ragan	Wood

Nays, 14:

Angelo	Hahn	Kettering	Zaun
Behn	Hartsuch	McKinley	Zieman
Boettger	Heckroth	Noble	
Gaskill	Johnson	Wieck	

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 906** and **907** 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 24, 2007, **passed** the following bills in which the concurrence of the House was asked:

Senate File 447, a bill for an act relating to incentives for school district reorganizations and shared operational functions, and making an appropriation.

Senate File 566, a bill for an act relating to historic preservation and cultural and entertainment district tax credits, making appropriations, and providing applicability date provisions.

ALSO: That the House has on April 24, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 558, a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program. (S-3442)

ALSO: That the House has on April 24, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

House File 901, a bill for an act concerning the training and certification of designated security personnel working at commercial establishments with a liquor control license or wine or beer permit.

Read first time and referred to committee on **Ways and Means**.

HOUSE AMENDMENT CONSIDERED

Senate File 558

Senator Dearden called up for consideration **Senate File 558**, a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program, amended by the House in House amendment S-3442, filed April 24, 2007.

Senator Dearden 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 Dearden 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. 558), the vote was:

Yeas, 41:

Angelo	Dvorsky	Kibbie	Rielly
Appel	Fraise	Kreiman	Schmitz
Beall	Gaskill	Lundby	Schoenjahn
Black	Gronstal	McCoy	Seng
Boettger	Hancock	McKibben	Stewart
Bolkcom	Hatch	Mulder	Ward
Connolly	Heckroth	Noble	Warnstadt
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	
Dearden	Houser	Quirmbach	
Dotzler	Johnson	Ragan	

Nays, 9:

Behn	Kettering	Wieck
Hahn	McKinley	Zaun
Hartsuch	Seymour	Zieman

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that **Senate File 558** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:00 p.m. until 8:45 a.m., Wednesday, April 25, 2007.

APPENDIX—3

CONFERENCE COMMITTEE REPORT RECEIVED

House File 808

A conference committee report, signed by the following Senate and House members, was filed April 24, 2007, on **House File 808**, a bill for an act concerning accountability requirements for entities, administrators, and boards created for joint exercise of governmental powers and providing effective dates:

On the part of the Senate:

KEITH A. KREIMAN, Chair
DICK L. DEARDEN
HERMAN C. QUIRMBACH
DAVID L. HARTSUCH
BRAD ZAUN

On the part of the House:

GERI HUSER, Chair
MARY GASKILL
DONOVAN OLSON
DAN CLUTE
DAN RASMUSSEN

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: Tuesday, April 24, 2007, 3:10 p.m.

Members Present: Dvorsky, Chair; McCoy, Vice Chair; Angelo, Ranking Member; Behn, Black, Boettger, Bolkom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood.

Members Absent: None.

Committee Business: Passed HFs 902, 907, and 909 (as amended).

Recessed: 3:15 p.m.

Reconvened: 3:55 p.m.

Adjourned: 4:25 p.m.

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: *HOUSE FILE 909, a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3445.

Final Vote: Ayes, 15: Dvorsky, McCoy, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Hatch, Hogg, Ragan, Seng, Warnstadt, and Wood. Nays, 10: Angelo, Behn, Gaskill, Hahn, Hancock, Johnson, Kettering, Putney, Seymour, and Ward. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on House File 909, 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 24th day of April, 2007:

Senate File 277.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

S-3438	H.F.	829	William Dotzler
S-3439	H.F.	912	Jeff Danielson
S-3440	S.F.	604	Jeff Angelo
S-3441	S.F.	604	Matt McCoy
S-3442	S.F.	558	House
S-3443	H.F.	907	Jeff Angelo
S-3444	S.F.	604	Joe Bolkcom
S-3445	H.F.	909	Appropriations

JOURNAL OF THE SENATE

ONE HUNDRED EIGHTH CALENDAR DAY
SIXTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 25, 2007

The Senate met in regular session at 8:57 a.m., President Kibbie presiding.

Prayer was offered by Pastor Jonathon Smith of the Tipton Bible Church in Tipton, Iowa. He was the guest of Senator Hahn.

The Journal of Tuesday, April 24, 2007, was approved.

The Senate stood at ease at 9:01 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:22 a.m., President Kibbie presiding.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 40.

Senate Resolution 40

On motion of Senator Rielly, **Senate Resolution 40**, a resolution to recognize the sesquicentennial of the city of Williamsburg, with report of committee recommending passage, was taken up for consideration.

Senator Rielly moved the adoption of Senate Resolution 40, which motion prevailed by a voice vote.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Dvorsky and Hogg, until they arrive, on request of Senator Gronstal.

CONSIDERATION OF RESOLUTIONS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Joint Resolutions 6 and 5.

Senate Joint Resolution 6

On motion of Senator Gronstal, **Senate Joint Resolution 6**, a joint resolution approving the permanent acknowledgement of elementary and secondary schools and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal 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 6, a joint resolution approving the permanent acknowledgement of elementary and secondary schools and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an effective date.

WHEREAS, the state has committed resources to the improvement of the West Capitol Terrace project and continues to develop that area for the citizens of Iowa; and

WHEREAS, work on phase 1 of this project is scheduled to be completed by June of this year in time for the 2007 Hy-Vee Triathlon—International Triathlon Union World Cup event; and

WHEREAS, the General Assembly believes all Iowans should be proud of the improvements being made and given the opportunity to participate in the completion of this project; and

WHEREAS, the Department of Administrative Services is planning an event to encourage all Iowans to participate in the

sponsorship of trees, benches, and other foliage and items to be located on the West Capitol Terrace and other areas of the Capitol grounds; NOW THEREFORE,
 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

That the department of administrative services is hereby authorized, as provided in section 8A.108, subsection 2, paragraph “b”, to establish permanent acknowledgements for contributions made by or on behalf of elementary and secondary schools and individual citizens of this state of trees, benches, and other foliage and items to be permanently located on the west capitol terrace and other areas of the capitol grounds. The type and design of plaques to be used for the permanent acknowledgements authorized by this joint resolution shall be approved by the capitol planning commission prior to placement on the west capitol terrace or other capitol grounds.

This joint resolution, being deemed of immediate importance, takes effect upon enactment.

On the question “Shall the resolution be adopted?” (S.J.R. 6), the vote was:

Yeas, 48:

Angelo	Fraise	Kibbie	Rielly
Appel	Gaskill	Kreiman	Schmitz
Beall	Gronstal	Lundby	Schoenjahn
Behn	Hahn	McCoy	Seng
Black	Hancock	McKibben	Seymour
Boettger	Hartsuch	McKinley	Stewart
Bolkcom	Hatch	Mulder	Ward
Connolly	Heckroth	Noble	Warnstadt
Courtney	Horn	Olive	Wieck
Danielson	Houser	Putney	Wood
Dearden	Johnson	Quirmbach	Zaun
Dotzler	Kettering	Ragan	Zieman

Nays, none.

Absent, 2:

Dvorsky Hogg

The resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

Senate Joint Resolution 5

On motion of Senator Gronstal, **Senate Joint Resolution 5**, a joint resolution authorizing the temporary use and consumption of alcoholic beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal 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 5, a joint resolution authorizing the temporary use and consumption of alcoholic beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date.

WHEREAS, on June 17, 2007, athletes from around the world will gather in Des Moines, Iowa, to compete for the largest purse prize in triathlon history; and

WHEREAS, the city of Des Moines has the honor of being the only city in the United States on the 2007 World Cup schedule of 16 triathlons; and

WHEREAS, Iowa's state capitol complex grounds provide a unique and memorable setting for the finish line of the triathlon and the following awards ceremony; and

WHEREAS, a champagne toast is a traditional part of the awards ceremony; and

WHEREAS, because 11 IAC 100.4(8) prohibits the consumption of alcoholic beverages on the state capitol complex grounds, it is not possible to serve champagne or other alcoholic beverage at this type of awards ceremony on the state capitol complex grounds; 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, alcoholic beverages may be used and consumed on the state capitol complex grounds at an awards ceremony, to be held on or around June 17, 2007, hosted and organized in whole or in part by Hy-Vee, Incorporated, if the person

providing the food and alcoholic beverages at the awards ceremony possesses an appropriate valid liquor control license. For the purpose of this section and section 123.95, the state capitol complex grounds is a private place.

Sec. 2. EFFECTIVE DATE. This joint resolution, being deemed of immediate importance, takes effect upon enactment.

On the question "Shall the resolution be adopted?" (S.J.R. 5), the vote was:

Yeas, 33:

Angelo	Fraise	Lundby	Stewart
Appel	Gaskill	McCoy	Ward
Behn	Gronstal	McKibben	Wieck
Bolkcom	Hatch	McKinley	Wood
Connolly	Horn	Olive	Zaun
Courtney	Houser	Ragan	Zieman
Danielson	Johnson	Rielly	
Dearden	Kettering	Seng	
Dotzler	Kibbie	Seymour	

Nays, 16:

Beall	Hancock	Kreiman	Quirmbach
Black	Hartsuch	Mulder	Schmitz
Boettger	Heckroth	Noble	Schoenjahn
Hahn	Hogg	Putney	Warnstadt

Absent, 1:

Dvorsky

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 (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 912 and Senate File 604.

House File 912

On motion of Senator Dotzler, **House File 912**, a bill for an act relating to providing sales, use, and property tax exemptions for a certain web search portal business, with report of committee recommending passage, was taken up for consideration.

Senator Danielson withdrew amendment S-3422, filed by him on April 23, 2007, to page 3 and to the title page of the bill.

With the withdrawal of amendment S-3422, the Chair ruled amendment S-3439, filed by the Senator Danielson on April 24, 2007, to page 1 of the bill, out of order.

Senator Danielson offered amendment S-3446, filed by him from the floor to page 3 and to the title page of the bill, and moved its adoption.

Amendment S-3446 was adopted by a voice vote.

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. 912), the vote was:

Yeas, 47:

Angelo	Gaskill	Kreiman	Schmitz
Appel	Gronstal	Lundby	Schoenjahn
Beall	Hahn	McCoy	Seng
Behn	Hancock	McKibben	Seymour
Black	Hatch	McKinley	Stewart
Boettger	Heckroth	Mulder	Ward
Bolkcom	Hogg	Noble	Warnstadt
Connolly	Horn	Olive	Wieck
Courtney	Houser	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dotzler	Kettering	Ragan	Zieman
Fraise	Kibbie	Rielly	

Nays, 2:

Dearden	Hartsuch
---------	----------

Absent, 1:

Dvorsky

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 604.

Senate File 604

On motion of Senator McCoy, **Senate File 604**, a bill for an act relating to the percentage of actual value at which residential property and certain commercial residential property are assessed for purposes of property taxation and providing an annual appropriation for a specified number of years to replace commercial property tax revenues lost to counties and cities, was taken up for consideration.

Senator Bolkom offered amendment S-3444, filed by him on April 24, 2007, to pages 1 and 4 and to the title page of the bill.

Senator Bolkom asked and received unanimous consent that action on amendment S-3444 be deferred.

Senator Angelo offered amendment S-3440, filed by him on April 24, 2007, to pages 2 and 3 and to the title page of the bill.

Senator Kreiman asked and received unanimous consent that action on amendment S-3440 and **Senate File 604** be **deferred**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Joint Resolutions 5** and **6** and **House File 912** be **immediately messaged** to the House.

The Senate stood at ease at 11:13 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 11:50 a.m., President Kibbie presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:53 a.m. until 3:00 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Bradley M. Duffe, Wilton—For achieving the rank of Eagle Scout, Boy Scout Troop 151. Senator Hahn (4/25/07).

David Hoffman, West Branch—For achieving the rank of Eagle Scout, Boy Scout Troop 156. Senator Hahn (4/25/07).

Jim and Louise Kerr, Tripoli—For celebrating their 60th wedding anniversary. Senator Heckroth (4/25/07).

Tyler Laughlin, West Branch—For achieving the rank of Eagle Scout, Boy Scout Troop 156. Senator Hahn (4/25/07).

Tyler O'Neil, West Branch—For achieving the rank of Eagle Scout, Boy Scout Troop 156. Senator Hahn (4/25/07).

Spencer Verlo, West Branch—For achieving the rank of Eagle Scout, Boy Scout Troop 156. Senator Hahn (4/25/07).

Charles and Joanne Wooster, Irwin—For celebrating their 50th wedding anniversary. Senator Boettger (4/25/07).

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty-two 5th and 6th grade students from East Greene Elementary School in Grand Junction, Iowa, accompanied by Brenda Onken. Senator Beall.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Wednesday, April 25, 2007, 1:10 p.m.

Members Present: Dvorsky, Chair; McCoy, Vice Chair; Angelo, Ranking Member; Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood.

Members Absent: None.

Committee Business: Passed HF 911.

Recessed: 1:15 p.m.

Reconvened: 1:35 p.m.

Adjourned: 1:40 p.m.

WAYS AND MEANS

Convened: Wednesday, April 25, 2007, 2:00 p.m.

Members Present: Bolkcom, Chair; McCoy, Vice Chair; Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, Ward, and Wieck.

Members Absent: McKibben, Ranking Member.

Committee Business: Approved SSB 1359 (as amended).

Adjourned: 2:10 p.m.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 7, by Kreiman, a concurrent resolution relating to the establishment of a criminal code revisions legislative study committee.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

AFTERNOON SESSION

The Senate reconvened at 3:16 p.m., President Kibbie presiding.

QUORUM CALL

Senator Dotzler requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent, and a quorum present.

SPECIAL GUESTS

Senator McKinley welcomed to the Senate chamber the Honorable H. Kay Hedge, former senator from Mahaska County, accompanied by his wife Alleen.

The Senate rose and expressed its welcome.

BUSINESS PENDING

Senate File 604

The Senate resumed consideration of **Senate File 604**, a bill for an act relating to the percentage of actual value at which residential property and certain commercial residential property are assessed for purposes of property taxation and providing an annual appropriation for a specified number of years to replace commercial property tax revenues lost to counties and cities, and amendment S-3444, previously deferred. (Also amendment S-3440 pending.)

Senator Bolkcom offered amendment S-3451, filed by him from the floor to page 2 of amendment S-3444, and moved its adoption.

Amendment S-3451 was adopted by a voice vote.

Senator Bolkcom called for the following division of amendment S-3444:

Division S-3444A: Page 1, line 2, through page 2, line 45, and page 3, line 2 through line 4; and

Division S-3444B: Page 2, line 46, through page 3, line 1.

Senator Bolkcom moved the adoption of amendment S-3444A.

Amendment S-3444A was adopted by a voice vote.

Senator Bolkcom withdrew amendment S-3444B.

The Senate resumed consideration of amendment S-3440, previously deferred.

Senator Quirmbach offered amendment S-3454, filed by him from the floor to page 1 of amendment S-3440, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3454 be adopted?" (S.F. 604), the vote was:

Yeas, 25:

Appel	Dearden	McCoy	Seng
Beall	Dotzler	Olive	Stewart
Black	Dvorsky	Quirmbach	Warnstadt
Bolkcom	Gronstal	Ragan	Wood
Connolly	Heckroth	Rielly	
Courtney	Hogg	Schmitz	
Danielson	Kibbie	Schoenjahn	

Nays, 24:

Angelo	Hancock	Kreiman	Putney
Behn	Hartsuch	Lundby	Seymour
Boettger	Horn	McKibben	Ward
Fraise	Houser	McKinley	Wieck
Gaskill	Johnson	Mulder	Zaun
Hahn	Kettering	Noble	Zieman

Present, 1:

Hatch

Absent, none.

Amendment S-3454 was adopted.

Senator Angelo asked and received unanimous consent that action on amendment S-3440, as amended, and **Senate File 604** be **deferred**.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 6.

Senate Concurrent Resolution 6

On motion of Senator Black, **Senate Concurrent Resolution 6**, a concurrent resolution requesting the establishment of an interim study committee by the legislative council to conduct a study of issues related to amyotrophic lateral sclerosis, with report of committee recommending passage, was taken up for consideration.

Senator Black moved the adoption of Senate Concurrent Resolution 6, which motion prevailed by a voice vote.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 671.

House File 671

On motion of Senator Dearden, **House File 671**, a bill for an act prohibiting remote control or internet hunting of wild animals, or game birds or ungulates or preserve whitetail kept on hunting preserves, and providing penalties, placed on the Unfinished Business Calendar on April 12, 2007, 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. 671), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng

Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Concurrent Resolution 6** and **House File 671** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 909.

House File 909

On motion of Senator Hatch, **House File 909**, a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

The Senate stood at ease at 4:30 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 5:16 p.m., President Kibbie presiding.

Senator Hatch offered amendment S-3445, filed by the committee on Appropriations on April 24, 2007, to pages 7, 10, 11, 14-17, 20, 23-25, 37, 38, 43, 44, 51, 72-74, 84, 86, 94-100, 106, 107, 115, and 124 of the bill.

Senator Hatch asked and received unanimous consent that action on amendment S-3445 and **House File 909** be **deferred**.

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: *HOUSE FILE 911, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the technology reinvestment fund, and related matters, and providing an effective date.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3456.

Final Vote: Ayes, 15: Dvorsky, McCoy, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hancock, Hatch, Hogg, Ragan, Seng, Warnstadt, and Wood. Nays, 8: Angelo, Behn, Boettger, Hahn, Johnson, Kettering, Seymour, and Ward. Present, 1: Putney. Absent, 1: Black.

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 House File 911, and they were attached to the committee report.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 911.

House File 911

On motion of Senator McCoy, **House File 911**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the technology reinvestment fund, and related matters, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator McCoy offered amendment S-3456, filed by the committee on Appropriations to pages 2, 4, 5, 8, 10-16, 27, and 34 of the bill.

The Senate stood at ease at 5:20 p.m. until the fall of the gavel for the purpose of party caucuses. (House File 911 and amendment S-3456 deferred.)

The Senate resumed session at 5:53 p.m., President Kibbie presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Gronstal and Rielly, until they return, on request of Senator Courtney.

BUSINESS PENDING

House File 909

The Senate resumed consideration of **House File 909**, a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions, and amendment S-3445, previously deferred.

Senator Hatch asked and received unanimous consent that action on amendment S-3445 be deferred.

Senator Johnson offered amendment S-3473, filed by Senator Johnson, et al., from the floor to pages 1 and 65 of the bill.

Senator Johnson asked and received unanimous consent that action on amendment S-3473 be deferred.

Senator McKibben offered amendment S-3467, filed by him from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3467 be adopted?" (H.F. 909), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 28:

Appel	Dearden	Hogg	Ragan
Beall	Dotzler	Horn	Schmitz
Black	Dvorsky	Kibbie	Schoenjahn
Bolkcom	Fraise	Kreiman	Seng
Connolly	Hancock	McCoy	Stewart
Courtney	Hatch	Olive	Warnstadt
Danielson	Heckroth	Quirnbach	Wood

Absent, 2:

Gronstal	Rielly
----------	--------

Amendment S-3467 lost.

The Senate resumed consideration of amendment S-3473, previously deferred.

Senator Johnson moved the adoption of amendment S-3473.

Amendment S-3473 lost by a voice vote.

Senator Warnstadt offered amendment S-3466, filed by him from the floor to pages 9 and 10 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3466 be adopted?" (H.F. 909), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kettering	Ragan
Appel	Fraise	Kibbie	Schmitz
Beall	Gaskill	Kreiman	Schoenjahn

Behn	Hahn	Lundby	Seng
Black	Hancock	McCoy	Seymour
Boettger	Hartsuch	McKibben	Stewart
Bolkcom	Hatch	McKinley	Ward
Connolly	Heckroth	Mulder	Warnstadt
Courtney	Hogg	Noble	Wieck
Danielson	Horn	Olive	Wood
Dearden	Houser	Putney	Zaun
Dotzler	Johnson	Quirnbach	Zieman

Nays, none.

Absent, 2:

Gronstal Rielly

Amendment S-3466 was adopted.

Senator Johnson offered amendment S-3476, filed by Senator Johnson, et al., from the floor to page 20 of the bill.

Senator Hatch asked and received unanimous consent that action on amendment S-3476 be deferred.

Senator Hatch offered amendment S-3447, filed by him from the floor to pages 14 and 15 of the bill, and moved its adoption.

Amendment S-3447 was adopted by a voice vote.

Senator Angelo offered amendment S-3479, filed by Senator Angelo, et al., from the floor to page 45 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3479 be adopted?" (H.F. 909), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 29:

Appel	Dotzler	Kibbie	Schoenjahn
Beall	Dvorsky	Kreiman	Seng
Black	Fraise	McCoy	Stewart
Bolkcom	Hancock	Olive	Warnstadt
Connolly	Hatch	Quirnbach	Wood
Courtney	Heckroth	Ragan	
Danielson	Hogg	Rielly	
Dearden	Horn	Schmitz	

Absent, 1:

Gronstal

Amendment S-3479 lost.

Senator Johnson offered amendment S-3475, filed by Senator Johnson, et al., from the floor to page 47 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3475 be adopted?" (H.F. 909), the vote was:

Yeas, 21:

Angelo	Hartsuch	McKinley	Wieck
Behn	Houser	Mulder	Zaun
Black	Johnson	Noble	Zieman
Boettger	Kettering	Putney	
Gaskill	Lundby	Seymour	
Hahn	McKibben	Ward	

Nays, 28:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Kibbie	Schmitz
Bolkcom	Fraise	Kreiman	Schoenjahn
Connolly	Hancock	McCoy	Seng
Courtney	Hatch	Olive	Stewart
Danielson	Heckroth	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wood

Absent, 1:

Gronstal

Amendment S-3475 lost.

Senator Mulder offered amendment S-3474, filed by Senator Mulder, et al., from the floor to pages 50 and 63 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3474 be adopted?" (H.F. 909), the vote was:

Yeas, 25:

Angelo	Hartsuch	Mulder	Ward
Appel	Houser	Noble	Wieck
Behn	Johnson	Putney	Zaun
Black	Kettering	Ragan	Zieman
Boettger	Lundby	Rielly	
Gaskill	McKibben	Schoenjahn	
Hahn	McKinley	Seymour	

Nays, 25:

Beall	Dvorsky	Horn	Seng
Bolkcom	Fraise	Kibbie	Stewart
Connolly	Gronstal	Kreiman	Warnstadt
Courtney	Hancock	McCoy	Wood
Danielson	Hatch	Olive	
Dearden	Heckroth	Quirmbach	
Dotzler	Hogg	Schmitz	

Absent, none.

Amendment S-3474 lost.

Senator Zieman offered amendment S-3478, filed by Senator Zieman, et al., from the floor to pages 50, 54, and 63 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3478 be adopted?" (H.F. 909), the vote was:

Yeas, 21:

Angelo	Hartsuch	McKinley	Wieck
Behn	Houser	Mulder	Zaun
Black	Johnson	Noble	Zieman

Boettger	Kettering	Putney
Gaskill	Lundby	Seymour
Hahn	McKibben	Ward

Nays, 29:

Appel	Dvorsky	Kibbie	Schoenjahn
Beall	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	
Dotzler	Horn	Schmitz	

Absent, none.

Amendment S-3478 lost.

Senator Zaun offered amendment S-3472, filed by Senator Zaun, et al., from the floor to pages 76 and 81 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3472 be adopted?" (H.F. 909), the vote was:

Yeas, 23:

Angelo	Hartsuch	McKinley	Ward
Behn	Houser	Mulder	Wieck
Boettger	Johnson	Noble	Wood
Gaskill	Kettering	Putney	Zaun
Hahn	Lundby	Seng	Zieman
Hancock	McKibben	Seymour	

Nays, 27:

Appel	Dearden	Hogg	Ragan
Beall	Dotzler	Horn	Rielly
Black	Dvorsky	Kibbie	Schmitz
Bolkcom	Fraise	Kreiman	Schoenjahn
Connolly	Gronstal	McCoy	Stewart
Courtney	Hatch	Olive	Warnstadt
Danielson	Heckroth	Quirnbach	

Absent, none.

Amendment S-3472 lost.

Senator Wood offered amendment S-3469, filed by Senators Wood and Hatch from the floor to page 85 of the bill, and moved its adoption.

Amendment S-3469 was adopted by a voice vote.

Senator Seymour offered amendment S-3481, filed by Senator Seymour, et al., from the floor to page 104 of the bill, and moved its adoption.

A nonrecord roll call was requested.

The ayes were 21, nays 28.

Amendment S-3481 lost.

Senator Ragan offered amendment S-3465, filed by Senator Ragan, et al., from the floor to page 124 of the bill, and moved its adoption.

Amendment S-3465 was adopted by a voice vote.

Senator Boettger offered amendment S-3471, filed by Senator Boettger, et al., from the floor to page 124 of the bill, and moved its adoption.

Amendment S-3471 was adopted by a voice vote.

Senator Kreiman withdrew amendment S-3477, filed by him from the floor to page 124 of the bill.

Senator Johnson offered amendment S-3482, filed by Senator Johnson, et al., from the floor to page 124 of the bill, and moved its adoption.

Amendment S-3482 was adopted by a voice vote.

The Senate resumed consideration of amendment S-3445, previously deferred.

Senator Hatch offered amendment S-3483, filed by him from the floor to pages 1-3, 6-8, 33, and 34 of amendment S-3445, and moved its adoption.

Amendment S-3483 was adopted by a voice vote.

Senator Seymour offered amendment S-3470, filed by Senator Seymour, et al., from the floor to pages 2 and 4 of amendment S-3445, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3470 be adopted?" (H.F. 909), the vote was:

Yeas, 21:

Angelo	Houser	Mulder	Wieck
Behn	Johnson	Noble	Zaun
Boettger	Kettering	Olive	Zieman
Gaskill	Lundby	Putney	
Hahn	McKibben	Seymour	
Hartsuch	McKinley	Ward	

Nays, 29:

Appel	Dotzler	Horn	Schoenjahn
Beall	Dvorsky	Kibbie	Seng
Black	Fraise	Kreiman	Stewart
Bolkcom	Gronstal	McCoy	Warnstadt
Connolly	Hancock	Quirnbach	Wood
Courtney	Hatch	Ragan	
Danielson	Heckroth	Rielly	
Dearden	Hogg	Schmitz	

Absent, none.

Amendment S-3470 lost.

Senator Angelo offered amendment S-3480, filed by Senator Angelo, et al., from the floor to page 2 of amendment S-3445, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3480 be adopted?" (H.F. 909), the vote was:

Yeas, 23:

Angelo	Hartsuch	McKinley	Seymour
Behn	Houser	Mulder	Ward
Black	Johnson	Noble	Wieck
Boettger	Kettering	Putney	Zaun
Gaskill	Lundby	Schoenjahn	Zieman
Hahn	McKibben	Seng	

Nays, 27:

Appel	Dotzler	Hogg	Ragan
Beall	Dvorsky	Horn	Rielly
Bolkcom	Fraise	Kibbie	Schmitz
Connolly	Gronstal	Kreiman	Stewart
Courtney	Hancock	McCoy	Warnstadt
Danielson	Hatch	Olive	Wood
Dearden	Heckroth	Quirnbach	

Absent, none.

Amendment S-3480 lost.

Senator Hatch moved the adoption of amendment S-3445, as amended.

Amendment S-3445 was adopted by a voice vote.

The Senate resumed consideration of amendment S-3476, previously deferred.

The Senate stood at ease at 8:15 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 8:32 p.m., President Kibbie presiding.

Senator Johnson moved the adoption of amendment S-3476.

A record roll call was requested.

On the question "Shall amendment S-3476 be adopted?" (H.F. 909), the vote was:

Yeas, 37:

Angelo	Hartsuch	McKinley	Seymour
Appel	Heckroth	Mulder	Stewart
Behn	Hogg	Noble	Ward
Black	Houser	Olive	Warnstadt
Boettger	Johnson	Putney	Wieck
Connolly	Kettering	Ragan	Zaun
Fraise	Kibbie	Rielly	Zieman
Gaskill	Kreiman	Schmitz	
Hahn	Lundby	Schoenjahn	
Hancock	McKibben	Seng	

Nays, 13:

Beall	Dearden	Hatch	Wood
Bolkcom	Dotzler	Horn	
Courtney	Dvorsky	McCoy	
Danielson	Gronstal	Quirmbach	

Absent, none.

Amendment S-3476 was adopted.

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. 909), the vote was:

Yeas, 33:

Appel	Dotzler	Kreiman	Seng
Beall	Dvorsky	McCoy	Seymour
Black	Fraise	Mulder	Stewart
Boettger	Gronstal	Olive	Warnstadt
Bolkcom	Hatch	Quirmbach	Wood
Connolly	Heckroth	Ragan	Zaun
Courtney	Hogg	Rielly	
Danielson	Horn	Schmitz	
Dearden	Kibbie	Schoenjahn	

Nays, 17:

Angelo	Hartsuch	McKibben	Wieck
Behn	Houser	McKinley	Zieman
Gaskill	Johnson	Noble	
Hahn	Kettering	Putney	
Hancock	Lundby	Ward	

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 April 24, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 346, a bill for an act providing for the development of a uniform health insurance application form for use by small employers.

ALSO: That the House has on April 25, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 427, a bill for an act relating to the Iowa civil rights Act and discrimination based upon a person's sexual orientation or gender identity. (S-3487)

HOUSE AMENDMENT CONSIDERED

Senate File 427

Senator Gronstal called up for consideration **Senate File 427**, a bill for an act relating to the Iowa civil rights Act and discrimination based upon a person's sexual orientation or gender identity, amended by the House in House amendment S-3487, filed April 25, 2007.

Senator Gronstal 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 Gronstal 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. 427), the vote was:

Yeas, 34:

Angelo	Dotzler	Kibbie	Schoenjahn
Appel	Dvorsky	Kreiman	Seng
Beall	Fraise	Lundby	Seymour
Black	Gaskill	McCoy	Stewart
Bolkcom	Gronstal	Olive	Ward
Connolly	Hatch	Quirnbach	Warnstadt
Courtney	Heckroth	Ragan	Wood
Danielson	Hogg	Rielly	
Dearden	Horn	Schmitz	

Nays, 16:

Behn	Hartsuch	McKibben	Putney
Boettger	Houser	McKinley	Wieck
Hahn	Johnson	Mulder	Zaun
Hancock	Kettering	Noble	Zieman

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

President Pro Tempore Danielson took the chair at 9:05 p.m.

BUSINESS PENDING

Senate File 604

The Senate resumed consideration of **Senate File 604**, a bill for an act relating to the percentage of actual value at which residential property and certain commercial residential property are assessed for purposes of property taxation and providing an annual appropriation for a specified number of years to replace commercial property tax revenues lost to counties and cities, and amendment S-3440 (as amended), previously deferred.

The Chair ruled amendment S-3484, filed by Senator Angelo from the floor striking and replacing everything after the enacting clause and amending the title page of amendment S-3440, out of order.

Senator Angelo moved the adoption of amendment S-3440.

A record roll call was requested.

On the question "Shall amendment S-3440 be adopted?" (S.F. 604), the vote was:

Yeas, 26:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Bolkcom	Fraise	McCoy	Stewart
Connolly	Gronstal	Olive	Warnstadt
Courtney	Hancock	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Nays, 23:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Black	Johnson	Mulder	Wieck
Boettger	Kettering	Noble	Zaun
Gaskill	Kreiman	Putney	Zieman
Hahn	Lundby	Seng	

Present, 1:

Hatch

Absent, none.

Amendment S-3440 was adopted.

Senator McKibben offered amendment S-3486, filed by him from the floor to pages 1 and 4 and to the title page of the bill.

Senator Connolly raised the point of order that amendment S-3486 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3486 out of order.

Senator Rielly offered amendment S-3460, filed by him from the floor to pages 1 and 3 of the bill, and moved its adoption.

Amendment S-3460 was adopted by a voice vote.

With the adoption of amendment S-3460, the Chair ruled amendment S-3457, filed by Senators Zaun and Mulder from the floor to page 3 of the bill, out of order.

Senator Angelo offered amendment S-3464, filed by him from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3464 be adopted?" (S.F. 604), the vote was:

Yeas, 24:

Angelo	Hancock	Lundby	Putney
Behn	Hartsuch	McKibben	Seymour
Black	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Kreiman	Olive	Zieman

Nays, 25:

Appel	Dotzler	Kibbie	Seng
Beall	Dvorsky	McCoy	Stewart
Bolkcom	Fraise	Quirmbach	Warnstadt
Connolly	Gronstal	Ragan	Wood
Courtney	Heckroth	Rielly	
Danielson	Hogg	Schmitz	
Dearden	Horn	Schoenjahn	

Present, 1:

Hatch

Absent, none.

Amendment S-3464 lost.

Senator McCoy offered amendment S-3441, filed by him on April 24, 2007, to page 4 and to the title page of the bill.

Senator Angelo raised the point of order that amendment S-3441 was not germane to the bill.

The Chair ruled the point not well-taken and amendment S-3441 in order.

Senator McCoy moved the adoption of amendment S-3441.

A record roll call was requested.

On the question "Shall amendment S-3441 be adopted?" (S.F. 604), the vote was:

Yeas, 26:

Appel	Dearden	Horn	Schmitz
Beall	Dotzler	Kibbie	Schoenjahn
Black	Dvorsky	McCoy	Stewart
Bolkcom	Gronstal	Olive	Warnstadt
Connolly	Hancock	Quirmbach	Wood
Courtney	Heckroth	Ragan	
Danielson	Hogg	Rielly	

Nays, 23:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Fraise	Kettering	Noble	Zaun
Gaskill	Kreiman	Putney	Zieman
Hahn	Lundby	Seng	

Present, 1:

Hatch

Absent, none.

Amendment S-3441 was adopted.

Senator Ward offered amendment S-3459, filed by her from the floor to page 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3459 be adopted?" (S.F. 604), the vote was:

Yeas, 19:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zieman
Hahn	Lundby	Putney	

Nays, 30:

Appel	Dotzler	Kibbie	Schoenjahn
Beall	Dvorsky	Kreiman	Seng
Black	Fraise	McCoy	Stewart
Bolkcom	Gronstal	Olive	Warnstadt
Connolly	Hancock	Quirnbach	Wood
Courtney	Heckroth	Ragan	Zaun
Danielson	Hogg	Rielly	
Dearden	Horn	Schmitz	

Present, 1:

Hatch

Absent, none.

Amendment S-3459 lost.

Senator Angelo offered amendment S-3492, filed by him from the floor to pages 1 and 4 and to the title page of the bill.

Senator Angelo asked and received unanimous consent that action on amendment S-3492 be deferred.

Senator Angelo offered amendment S-3493, filed by him from the floor to pages 1 and 4 and to the title page of the bill.

Senator Bolkcom raised the point of order that amendment S-3493 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3493 out of order.

Senator Angelo withdrew amendment S-3492.

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. 604), the vote was:

Yeas, 26:

Appel	Dearden	Hogg	Schmitz
Beall	Dotzler	Kibbie	Schoenjahn
Black	Dvorsky	McCoy	Stewart
Bolkcom	Fraise	Olive	Warnstadt
Connolly	Gronstal	Quirmbach	Wood
Courtney	Hancock	Ragan	
Danielson	Heckroth	Rielly	

Nays, 22:

Angelo	Horn	McKinley	Ward
Behn	Houser	Mulder	Wieck
Boettger	Johnson	Noble	Zaun
Gaskill	Kettering	Putney	Zieman
Hahn	Kreiman	Seng	
Hartsuch	McKibben	Seymour	

Present, 2:

Hatch	Lundby
-------	--------

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 Files 427** and **604** and **House File 909** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hartsuch, for the remainder of the day, on request of Senator Angelo.

HOUSE AMENDMENT CONSIDERED

Senate File 551

Senator Seng called up for consideration **Senate File 551**, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection, amended by the House in House amendment S-3436, filed April 23, 2007.

Senator Rielly asked and received unanimous consent to withdraw amendment S-3491, filed by Senators Rielly, Schoenjahn, and Wood from the floor to pages 1 and 2 of the bill.

Senator Seng asked and received unanimous consent to withdraw amendment S-3450, filed by Senators Seng, Black, and Boettger from the floor to page 1 of the bill.

Senator Seng asked and received unanimous consent to withdraw amendment S-3455, filed by Senators Seng, Boettger, and Black from the floor to page 1 of the bill.

Senator Seng offered amendment S-3494, filed by Senators Seng, Boettger, and Black from the floor to page 1 of House amendment S-3436, and moved its adoption.

Amendment S-3494 was adopted by a voice vote.

Senator Rielly offered amendment S-3495, filed by Senators Rielly, Schoenjahn, and Wood from the floor to page 2 of House amendment S-3436, and moved its adoption.

Amendment S-3495 was adopted by a voice vote.

Senator Seng moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Seng moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 551), the vote was:

Yeas, 46:

Appel	Fraise	Kibbie	Schoenjahn
Beall	Gaskill	Kreiman	Seng
Behn	Gronstal	McCoy	Seymour
Black	Hahn	McKibben	Stewart
Boettger	Hancock	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Olive	Wieck
Courtney	Hogg	Putney	Wood
Danielson	Horn	Quirnbach	Zaun
Dearden	Houser	Ragan	Zieman
Dotzler	Johnson	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, 3:

Angelo	Lundby	Noble
--------	--------	-------

Absent, 1:

Hartsuch

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 551** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 11:44 p.m. until 10:00 a.m., Thursday, April 25, 2007.

APPENDIX—2**CERTIFICATES OF RECOGNITION**

The Secretary of the Senate issued the following certificates of recognition:

Dorothy Archer, Whiting—For celebrating her 86th birthday. Senator Seymour (4/25/07).

Marvin and Norma Baughman, Indianola—For celebrating their 50th wedding anniversary. Senator Appel (4/25/07).

Coralville Fire Department—For being named the Outstanding Fire Department of the Year by the Iowa Firemen's Association. Senator Dvorsky (4/25/07).

Leonard A. and Ilene M. Greenwood—For celebrating their 50th wedding anniversary. Senator Dvorsky (4/25/07).

Stanley and Janette House, Burlington—For celebrating their 60th wedding anniversary. Senator Courtney (4/25/07).

Rozella "Lollie" Johnson—For celebrating her 80th birthday. Senator Courtney (4/25/07).

Dorothy Kramer—For celebrating her 90th birthday. Senator Courtney (4/25/07).

Mary Martin, Byron, Illinois—For celebrating her 89th birthday. Senator Seymour (4/25/07).

Ralph Neuzil, Iowa City—For celebrating 50 years as a practicing attorney. Senator Dvorsky (4/25/07).

Madelyn Shumaker—For celebrating her 85th birthday. Senator Courtney (4/25/07).

Joyce and Dick Summerwill—For receiving the 2007 Service to Mankind Award from the Old Capitol and University Sertoma Clubs of Iowa City and Coralville. Senator Dvorsky (4/25/07).

Ed and Mable Webb, Burlington—For celebrating their 60th wedding anniversary. Senator Courtney (4/25/07).

INTRODUCTION OF RESOLUTIONS

Senate Resolution 50, by Dearden, a resolution requesting the establishment of an interim study committee by the legislative council to conduct a study for purposes of determining how to best

provide for a sustainable source or sources of funding for natural resources needs in this state.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 51, by Dvorsky and Connolly, a resolution providing for the formation of a committee by the legislative council to conduct an examination of public financing for state and local elections.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 605, by committee on Government Oversight, a bill for an act relating to student loans, including the protection of students and parents from certain lenders and institutions of higher education with conflicts of interest, and establishing penalties and a student lending education fund.

Read first time under Rule 28 and **placed on calendar**.

Senate File 606, by committee on Ways and Means, a bill for an act relating to revenue for the construction and maintenance of roads by establishing a TIME-21 fund for deposit of revenues credited by law to the fund, and requiring evaluation of revenue sources.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

SUBCOMMITTEE ASSIGNMENTS

House File 896

APPROPRIATIONS: Ragan, Chair; Boettger and Dvorsky

House File 901

WAYS AND MEANS: Dotzler, Chair; Bolcom and Noble

FINAL COMMITTEE REPORTS OF BILL ACTION

GOVERNMENT OVERSIGHT

Bill Title: SENATE FILE 605 (SSB 1360), a bill for an act relating to student loans, including the protection of students and parents from certain lenders and institutions of higher education with conflicts of interest, and establishing penalties and a student lending education fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 3: Courtney, Connolly, and Schmitz. Nays, 1: Wieck. Absent, 1: Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *SENATE FILE 606 (SSB 1359), a bill for an act relating to revenue for the construction and maintenance of roads by establishing a TIME-21 fund for deposit of revenues credited by law to the fund, and requiring evaluation of revenue sources.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Bolkcom, McCoy, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. 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 Ways and Means Committee on Senate File 606, and they were attached to the committee report.

AMENDMENTS FILED

S-3446	H.F.	912	Jeff Danielson
S-3447	H.F.	909	Jack Hatch
S-3448	H.F.	918	David Johnson
S-3449	H.F.	918	David Johnson
S-3450	S.F.	551	Joe M. Seng Dennis H. Black Nancy J. Boettger
S-3451	S.F.	604	Joe Bolkcom
S-3452	H.F.	911	Tom Rielly Brian Schoenjahn Frank B. Wood

S-3453	H.F.	911	Tom Hancock Roger Stewart Michael Connolly
S-3454	S.F.	604	Herman C. Quirmbach
S-3455	S.F.	551	Joe M. Seng Nancy J. Boettger Dennis H. Black
S-3456	H.F.	911	Appropriations
S-3457	S.F.	604	Brad Zaun Dave Mulder
S-3458	H.F.	911	Tom Rielly Brian Schoenjahn Frank B. Wood
S-3459	S.F.	604	Pat Ward
S-3460	S.F.	604	Tom Rielly
S-3461	H.F.	911	Larry McKibben
S-3462	H.F.	911	Jerry Behn
S-3463	H.F.	911	Tom Hancock Roger Stewart Michael Connolly
S-3464	S.F.	604	Jeff Angelo
S-3465	H.F.	909	Amanda Ragan Dave Mulder Keith A. Kreiman Jack Hatch
S-3466	H.F.	909	Steve Warnstadt
S-3467	H.F.	909	Larry McKibben
S-3468	H.F.	911	Matt McCoy
S-3469	H.F.	909	Frank B. Wood Jack Hatch
S-3470	H.F.	909	James A. Seymour Jerry Behn E. Thurman Gaskill Larry Noble Paul McKinley Brad Zaun David Johnson Pat Ward David Hartsuch Mark Zieman Nancy J. Boettger

			John Putney
			Larry McKibben
			Jeff Angelo
			Ron Wieck
			Steve Kettering
			James F. Hahn
			Mary A. Lundby
S-3471	H.F.	909	Nancy J. Boettger
			Jerry Behn
			E. Thurman Gaskill
			James A. Seymour
			Paul McKinley
			Larry Noble
			Brad Zaun
			Dave Mulder
			David Johnson
			Pat Ward
			John Putney
			David Hartsuch
			Mark Zieman
			Larry McKibben
			Ron Wieck
			Steve Kettering
			James F. Hahn
			Mary A. Lundby
S-3472	H.F.	909	Brad Zaun
			Dave Mulder
			Pat Ward
			Paul McKinley
			Steve Kettering
			David Hartsuch
			Mark Zieman
			Nancy J. Boettger
			John Putney
			Larry McKibben
			Mary A. Lundby
			David Johnson
			Ron Wieck
			Jeff Angelo
			E. Thurman Gaskill

S-3473	H.F.	909	Larry Noble Jerry Behn David Johnson Jerry Behn E. Thurman Gaskill James A. Seymour Larry Noble Paul McKinley Brad Zaun Dave Mulder Pat Ward David Hartsuch Mark Zieman Nancy J. Boettger John Putney Larry McKibben Jeff Angelo Ron Wieck Steve Kettering James F. Hahn Mary A. Lundby
S-3474	H.F.	909	Dave Mulder Jerry Behn E. Thurman Gaskill James A. Seymour Larry Noble Paul McKinley Brad Zaun David Johnson Pat Ward David Hartsuch Mark Zieman Nancy J. Boettger John Putney Larry McKibben Jeff Angelo Ron Wieck James F. Hahn Steve Kettering Mary A. Lundby

S-3475	H.F.	909	David Johnson Jerry Behn E. Thurman Gaskill James A. Seymour Larry Noble Paul McKinley Brad Zaun Pat Ward David Hartsuch Mark Zieman Nancy J. Boettger John Putney Larry McKibben Jeff Angelo Ron Wieck Steve Kettering James F. Hahn Mary A. Lundby
S-3476	H.F.	909	David Johnson Jerry Behn E. Thurman Gaskill James A. Seymour Larry Noble Paul McKinley Brad Zaun Dave Mulder Pat Ward David Hartsuch Mark Zieman Nancy J. Boettger John Putney Larry McKibben Jeff Angelo Ron Wieck Steve Kettering James F. Hahn Mary A. Lundby
S-3477	H.F.	909	Keith A. Kreiman
S-3478	H.F.	909	Mark Zieman Jerry Behn E. Thurman Gaskill

			James A. Seymour
			Larry Noble
			Paul McKinley
			Mary A. Lundby
			James F. Hahn
			Steve Kettering
			Ron Wieck
			Jeff Angelo
			John Putney
			Brad Zaun
			David Johnson
			Pat Ward
			David Hartsuch
			Mark Zieman
			Nancy J. Boettger
			Larry McKibben
S-3479	H.F.	909	Jeff Angelo
			Jerry Behn
			E. Thurman Gaskill
			James A. Seymour
			Larry Noble
			Paul McKinley
			Brad Zaun
			Dave Mulder
			David Johnson
			Pat Ward
			David Hartsuch
			Mark Zieman
			Nancy J. Boettger
			John Putney
			Larry McKibben
			Ron Wieck
			Steve Kettering
			James F. Hahn
			Mary A. Lundby
S-3480	H.F.	909	Jeff Angelo
			Jerry Behn
			E. Thurman Gaskill
			James A. Seymour
			Larry Noble
			Paul McKinley

			Brad Zaun
			Dave Mulder
			David Johnson
			Pat Ward
			David Hartsuch
			Mark Zieman
			John Putney
			Nancy J. Boettger
			Larry McKibben
			Ron Wieck
			Steve Kettering
			James F. Hahn
			Mary A. Lundby
S-3481	H.F.	909	James A. Seymour
			Jerry Behn
			E. Thurman Gaskill
			Larry Noble
			Paul McKinley
			Brad Zaun
			David Johnson
			Pat Ward
			Dave Mulder
			Mark Zieman
			Nancy J. Boettger
			John Putney
			Larry McKibben
			Jeff Angelo
			Ron Wieck
			Steve Kettering
			James F. Hahn
			Mary A. Lundby
S-3482	H.F.	909	David Johnson
			Jerry Behn
			E. Thurman Gaskill
			James A. Seymour
			Larry Noble
			Paul McKinley
			Brad Zaun
			Pat Ward
			James F. Hahn
			David Hartsuch

			Mark Ziemann
			Nancy J. Boettger
			John Putney
			Larry McKibben
			Jeff Angelo
			Ron Wieck
			Steve Kettering
			Mary A. Lundby
S-3483	H.F.	909	Jack Hatch
S-3484	S.F.	604	Jeff Angelo
S-3485	H.F.	911	Amanda Ragan
			E. Thurman Gaskill
S-3486	S.F.	604	Larry McKibben
S-3487	S.F.	427	House
S-3488	S.F.	455	Keith Kreiman
			Robert E. Dvorsky
			Robert M. Hogg
S-3489	H.F.	911	Brad Zaun
S-3490	H.F.	556	Joe Bolkom
S-3491	S.F.	551	Tom Rielly
			Brian Schoenjahn
			Frank B. Wood
S-3492	S.F.	604	Jeff Angelo
S-3493	S.F.	604	Jeff Angelo
S-3494	S.F.	551	Joe M. Seng
			Nancy J. Boettger
			Dennis H. Black
S-3495	S.F.	551	Tom Rielly
			Brian Schoenjahn
			Frank B. Wood

JOURNAL OF THE SENATE

ONE HUNDRED NINTH CALENDAR DAY
SIXTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 26, 2007

The Senate met in regular session at 10:00 a.m., President Kibbie presiding.

Prayer was offered by the Honorable Gene Fraise, member of the Senate from Lee County, Fort Madison, Iowa.

The Journal of Wednesday, April 25, 2007, was approved.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Connolly asked and received unanimous consent to take up for consideration Senate Resolution 43.

Senate Resolution 43

On motion of Senator Hogg, **Senate Resolution 43**, a resolution to recognize May 2007 as American Stroke Awareness Month and National High Blood Pressure Education Month, with report of committee recommending passage, was taken up for consideration.

Senator Hogg moved the adoption of Senate Resolution 43, which motion prevailed by a voice vote.

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 25, 2007, **adopted the conference committee report and passed**

House File 808, a bill for an act concerning accountability requirements for entities and boards created for joint exercise of governmental powers and providing an effective date.

ALSO: That the House has on April 25, 2007, **concurred in the Senate amendment and passed** the following bills in which the concurrence of the House was asked:

House File 817, a bill for an act concerning the flag and veterans by providing for a study of regional veterans affairs offices, providing for the duties of the department of veterans affairs and the commission on veterans affairs, prohibiting certain acts involving the flag, establishing a counseling program for veterans, and providing a penalty.

House File 829, a bill for an act relating to the development and commercialization of businesses in the targeted industry areas of advanced manufacturing, bioscience, and information technology and including appropriations and an effective date provision.

ALSO: That the House has on April 25, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

House File 925, a bill for an act relating to health-related activities and regulation, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, dependent adult abuse, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees.

Read first time and referred to committee on **Ways and Means**.

RECESS

On motion of Senator Connolly, the Senate recessed at 10:20 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 10:30 a.m., President Kibbie presiding.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 47.

Senate Resolution 47

On motion of Senator Ragan, **Senate Resolution 47**, a resolution encouraging the Iowa congressional delegation to support legislation to improve Medicare payments to Iowa physicians under the Medicare Part B program, with report of committee recommending passage, was taken up for consideration.

Senator Ragan moved the adoption of Senate Resolution 47, which motion prevailed by a voice vote.

UNFINISHED BUSINESS
(Deferred April 25, 2007)

House File 911

The Senate resumed consideration of **House File 911**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the technology reinvestment fund, and related matters, and providing an effective date, and amendment S-3456, deferred April 25, 2007.

Senator McCoy offered amendment S-3468, filed by him on April 25, 2007, to pages 1-3 of amendment S-3456, and moved its adoption.

Amendment S-3468 was adopted by a voice vote.

Senator McCoy moved the adoption of amendment S-3456, as amended.

Amendment S-3456 was adopted by a voice vote.

Senator Hancock asked and received unanimous consent to withdraw amendment S-3453, filed by Senators Hancock, Stewart, and Connolly on April 25, 2007, to page 5 of the bill.

Senator Ragan offered amendment S-3485, filed by Senators Ragan and Gaskill on April 25, 2007, to page 6 of the bill, and moved its adoption.

Amendment S-3485 was adopted by a voice vote.

Senator Rielly asked and received unanimous consent to withdraw amendment S-3458, filed by Senators Rielly, Schoenjahn, and Wood on April 25, 2007, to pages 7 and 34 of the bill.

Senator Rielly asked and received unanimous consent to withdraw amendment S-3452, filed by Senators Rielly, Schoenjahn, and Wood on April 25, 2007, to pages 7 and 34 of the bill.

Senator Hancock offered amendment S-3463, filed by Senators Hancock, Stewart, and Rielly on April 25, 2007, to page 7 of the bill, and moved its adoption.

Amendment S-3463 was adopted by a voice vote.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Zaun, until he arrives, on request of Senator McKinley; and Senator Hartsuch, until he arrives, on request of Senator McKibben.

Senator Behn offered amendment S-3462, filed by him on April 25, 2007, to pages 10 and 13 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3462 be adopted?" (H.F. 911), the vote was:

Yeas, 22:

Angelo	Heckroth	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck

Gaskill	Kettering	Noble	Zieman
Hahn	Kibbie	Putney	
Hancock	Lundby	Schoenjahn	

Nays, 26:

Appel	Dearden	Horn	Schmitz
Beall	Dotzler	Kreiman	Seng
Black	Dvorsky	McCoy	Stewart
Bolkcom	Fraise	Olive	Warnstadt
Connolly	Gronstal	Quirmbach	Wood
Courtney	Hatch	Ragan	
Danielson	Hogg	Rielly	

Absent, 2:

Hartsuch	Zaun
----------	------

Amendment S-3462 lost.

Senator McKibben offered amendment S-3461, filed by him on April 25, 2007, to page 13 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3461 be adopted?" (H.F. 911), the vote was:

Yeas, 19:

Angelo	Houser	McKinley	Ward
Behn	Johnson	Mulder	Wieck
Boettger	Kettering	Noble	Zaun
Gaskill	Lundby	Putney	Zieman
Hahn	McKibben	Seymour	

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirmbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, 1:

Hartsuch

Amendment S-3461 lost.

Senator Zaun withdrew amendment S-3489, filed by him on April 25, 2007, to page 1 of the bill.

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?" (H.F. 911), the vote was:

Yeas, 31:

Appel	Dotzler	Hogg	Rielly
Beall	Dvorsky	Horn	Schmitz
Black	Fraise	Kibbie	Schoenjahn
Bolkcom	Gaskill	Kreiman	Seng
Connolly	Gronstal	McCoy	Stewart
Courtney	Hancock	Olive	Warnstadt
Danielson	Hatch	Quirmbach	Wood
Dearden	Heckroth	Ragan	

Nays, 18:

Angelo	Houser	McKinley	Wieck
Behn	Johnson	Mulder	Zaun
Boettger	Kettering	Noble	Zieman
Hahn	Lundby	Seymour	
Hartsuch	McKibben	Ward	

Present, 1:

Putney

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 April 25, 2007, **amended and passed** the following bills in which the concurrence of the House was asked:

Senate File 421, a bill for an act relating to workers' compensation laws by regulating insurance policy exclusions and debt collection practices. (S-3499)

Senate File 503, a bill for an act relating to regulation of children's services by the department of human services by increasing the age for certain children receiving child care regulated by the department and revising child welfare and juvenile justice service provisions. (S-3498)

Senate File 559, a bill for an act relating to cemetery and funeral merchandise, funeral services, and cemeteries and providing fees and penalties. (S-3497)

ALSO: That the House has on April 26, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 538, a bill for an act 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 and including an applicability date provision.

ALSO: That the House has on April 26, 2007, **adopted the conference committee report and passed Senate File 472**, a bill for an act providing for administrative rules governing close clearance conditions and railroad worker walkways.

ALSO: That the House has on April 26, 2007, **refused to concur** in the Senate amendment to the House amendment to the following bill in which the concurrence of the House was asked:

Senate File 551, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection.

ALSO: That the House has on April 26, 2007, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 909, a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions.

SENATE INSISTS

Senate File 551

Senator Seng called up for consideration **Senate File 551**, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection, amended by the House, further amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 551** on the part of the Senate: Senators Seng, Chair; Black, Rielly, Gaskill, and Houser.

SENATE INSISTS

House File 909

Senator Hatch called up for consideration **House File 909**, a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions, amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 909** on the part of the Senate: Senators Hatch, Chair; Bolcom, Dvorsky, Johnson, and Seymour.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 551** and **House File 909** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:35 a.m. until 2:00 p.m.

APPENDIX—1

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Mary Lou Aspengren, Des Moines—For celebrating her 80th birthday. Senator Boettger (4/26/07).

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: Thursday, April 26, 2007, 10:20 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SCR 7 and SRs 21, 25, 31, 42, 45, 48, 49, 50, and 51.

Adjourned: 10:30 a.m.

WAYS AND MEANS

Convened: Thursday, April 26, 2007, 11:45 a.m.

Members Present: Bolkcom, Chair; McCoy, Vice Chair; McKibben, Ranking Member; Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, Ward, and Wieck.

Members Absent: Angelo (excused).

Committee Business: Passed HFs 901 and 925.

Adjourned: 12:00 p.m.

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE CONCURRENT RESOLUTION 7, a concurrent resolution relating to the establishment of a criminal code revisions legislative study committee.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 21, a resolution urging the United States Congress and the President of the United States to take action on global warming.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Gronstal, Kibbie, Lundby, Courtney, Danielson, Dearden, Dvorsky, Mulder, and Ragan. Nays, 2: Angelo and Wieck. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 25, a resolution to declare November 2007 Iowa Diabetes Awareness Month.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 31, a resolution requesting the establishment of an interim study committee by the legislative council to conduct an examination of energy efficiency programs under the purview of the Iowa utilities board.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 42, a resolution to recognize April 28, 2007, as Workers Memorial Day.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 45, 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, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 48, a resolution to recognize the city of Ashton, Iowa, on its quasiquicentennial anniversary.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 49, a resolution supporting a free trade agreement between the Republic of China on Taiwan and the United States.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 50, a resolution requesting the establishment of an interim study committee by the legislative council to conduct a study for purposes of determining how to best provide for a sustainable source or sources of funding for natural resources needs in this state.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 51, a resolution providing for the formation of a committee by the legislative council to conduct an examination of public financing for state and local elections.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: HOUSE FILE 901, a bill for an act concerning the training and certification of designated security personnel working at commercial establishments with a liquor control license or wine or beer permit.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Bolkom, McCoy, McKibben, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, 1: Angelo.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 925, a bill for an act relating to health-related activities and regulation, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, dependent adult abuse, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Bolkom, McCoy, Appel, Connolly, Dotzler, Hogg, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, and Ward. Nays, 3: McKibben, Houser, and Wieck. Absent, 1: Angelo.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 2:08 p.m., President Pro Tempore Danielson presiding.

QUORUM CALL

Senator Gronstal requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 36 present, 14 absent, and a quorum present.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 45.

Senate Resolution 45

On motion of Senator Beall, **Senate Resolution 45**, 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 Beall moved the adoption of Senate Resolution 45, which motion prevailed by a voice vote.

CONFERENCE COMMITTEE REPORT CONSIDERED

House File 808

Senator Kreiman called up the conference committee report on **House File 808**, a bill for an act concerning accountability requirements for entities, administrators, and boards created for joint exercise of governmental powers and providing effective dates, filed on April 24, 2007, and moved its adoption.

The motion prevailed by a voice vote, and the conference committee report, and the recommendations and amendments contained therein, was adopted.

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. 808), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 864.

House File 864

On motion of Senator Wood, **House File 864**, a bill for an act providing for candidate physical ability tests for fire fighter applicants under the statewide fire and police retirement system and providing an effective date, placed on the Unfinished Business Calendar on April 12, 2007, 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. 864), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Cannolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zieman
Dearden	Houser	Quirnbach	
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, 1:

Zaun

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 808 and 864** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 49.

Senate Resolution 49

On motion of Senator Black, **Senate Resolution 49**, 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 Black moved the adoption of Senate Resolution 49, which motion prevailed by a voice vote.

HOUSE AMENDMENT CONSIDERED

Senate File 559

Senator Schoenjahn called up for consideration **Senate File 559**, a bill for an act relating to cemetery and funeral merchandise, funeral services, and cemeteries and providing fees and penalties, amended by the House in House amendment S-3497, filed April 26, 2007.

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. 559), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 421

Senator Wieck called up for consideration **Senate File 421**, a bill for an act relating to workers' compensation laws by regulating insurance policy exclusions and debt collection practices, amended by the House in House amendment S-3499, filed April 26, 2007.

Senator Wieck 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 Wieck 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. 421), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 503

Senator Schmitz called up for consideration **Senate File 503**, a bill for an act relating to regulation of children's services by the department of human services by increasing the age for certain children receiving child care regulated by the department and revising child welfare and juvenile justice service provisions, amended by the House in House amendment S-3498, filed April 26, 2007.

Senator Schmitz 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 Schmitz 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. 503), the vote was:

Yeas, 50:

Angelo	Fraiese	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 421, 503, and 559** be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Deferred April 24, 2007)**Senate File 455**

The Senate resumed consideration of **Senate File 455**, a bill for an act restricting the presence of a registered sex offender on the real property comprising a school or child care facility and providing a penalty, deferred April 24, 2007.

(Senate File 455 was deferred.)

The Senate stood at ease at 3:00 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 5:00 p.m., President Kibbie presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 26, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 904, a bill for an act relating to withholding tax and the repeal of the loan agencies tax.

Read first time and referred to committee on **Ways and Means**.

House File 923, a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales,

use, cigarette, and tobacco taxes, providing an effective date, and providing retroactive applicability date provisions.

Read first time and referred to committee on **Ways and Means**.

QUORUM CALL

Senator Courtney requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent, and a quorum present.

President Pro Tempore Danielson took the chair at 5:07 p.m.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration Senate Resolutions 48, 31, 25, and 21.

Senate Resolution 48

On motion of Senator Johnson, **Senate Resolution 48**, a resolution to recognize the city of Ashton, Iowa, on its quasiquicentennial anniversary, with report of committee recommending passage, was taken up for consideration.

Senator Johnson moved the adoption of Senate Resolution 48, which motion prevailed by a voice vote.

Senate Resolution 31

On motion of Senator Bolkcom, **Senate Resolution 31**, a resolution requesting the establishment of an interim study committee by the legislative council to conduct an examination of energy efficiency programs under the purview of the Iowa utilities board, with report of committee recommending passage, was taken up for consideration.

Senator Bolkcom moved the adoption of Senate Resolution 31, which motion prevailed by a voice vote.

Senate Resolution 25

On motion of Senator Ragan, **Senate Resolution 25**, a resolution to declare November 2007 Iowa Diabetes Awareness Month, with report of committee recommending passage, was taken up for consideration.

Senator Ragan moved the adoption of Senate Resolution 25, which motion prevailed by a voice vote.

Senate Resolution 21

On motion of Senator Bolkcom, **Senate Resolution 21**, a resolution urging the United States Congress and the President of the United States to take action on global warming, with report of committee recommending passage, was taken up for consideration.

Senator Bolkcom moved the adoption of Senate Resolution 21, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Courtney, the Senate adjourned at 5:34 p.m. until 8:45 a.m., Friday, April 27, 2007.

APPENDIX—2**MOTION TO RECONSIDER FILED**

MR. PRESIDENT: I move to reconsider the vote by which H.F. 911 passed the Senate on April 26, 2007.

MICHAEL E. GRONSTAL

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Carrol and Joanne Schwarm, Burlington—For celebrating their 50th wedding anniversary. Senator Courtney (4/26/07).

REPORT OF COMMITTEE MEETING**GOVERNMENT OVERSIGHT**

Convened: Wednesday, April 25, 2007, 2:30 p.m.

Members Present: Courtney, Chair; Connolly, Vice Chair; Wieck, Ranking Member; and Schmitz.

Members Absent: Lundby (excused).

Committee Business: Approved SSB 1360.

Adjourned: 2:45 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 52, by Kreiman, a resolution honoring the Davis County Little League All-Star Team for winning the 2006 Iowa Little League State Championship.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

SUBCOMMITTEE ASSIGNMENTS**House File 904**

WAYS AND MEANS: Schmitz, Chair; Hogg and Wieck

House File 923

WAYS AND MEANS: Stewart, Chair; Hogg and Ward

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 347, the following correction was made:

1. Page 1, lines 26–27: Text needs to run after subtitle.

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 26th day of April, 2007:

Senate Files 155, 347, 414, 485, and 489.

MICHAEL E. MARSHALL
Secretary of the Senate

GOVERNOR'S ITEM VETO MESSAGE

April 26, 2007

The Honorable John P. Kibbie
President of the Senate
State Capitol
L O C A L

Dear President Kibbie:

I hereby transmit Senate File 277, an Act 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 an administrator quality program, making appropriations, and providing an effective date.

I am unable to approve the designated portion of Section 49, paragraph 3. The designated portion of this paragraph requires that the state board of education shall adopt rules requiring implementation of the successful components of the pilots by school districts statewide upon completion of the career ladder planning and implementation pilots, subject to the sufficiency of funds. I am unable to approve this

designated portion because I do not believe these pilot projects should automatically be mandated statewide.

The bill calls for 10 pilot projects, which I support. Eight of these projects are centered on implementing the last two parts of the career ladder system. We have already put the first two parts of this ladder into place and need to take a close look at whether implementing the rest of this system will result in improved student achievement and will help to recruit and retain the best and brightest teachers. The other two projects are to test pay-for-performance compensation methods. While I generally do not agree that pay-for-performance is the right method to improve our education system, I think it is important to test this out at the local level before we make a final decision.

While I support these pilot projects, I do not support that they be mandated statewide at the end of them. The goal of the projects is to allow us to better assess whether these methods are the right ones for this state to improve education for our students. Another goal of the projects is to allow us to assess whether these methods will attract more people to the teaching profession and make sure they want to work in Iowa. We cannot make that determination now, prior to beginning the projects, and it would be irresponsible to mandate that as a part of this bill. I look forward to working with the Legislature and other education partners throughout the state to take a close look at the models developed in these projects and make a determination about statewide implementation upon their completion.

For the above reasons, I respectfully disapprove these items in accordance with Article III, Section 16, of the Constitution of the State of Iowa. All other items in Senate File 277 are hereby approved as of this date.

Sincerely,
CHESTER J. CULVER
Governor

AMENDMENTS FILED

S-3496	S.F.	512	Jeff Danielson
S-3497	S.F.	559	House
S-3498	S.F.	503	House
S-3499	S.F.	421	House
S-3500	S.F.	606	Steve Warnstadt Steve Kettering
S-3501	S.F.	606	Matt McCoy
S-3502	S.F.	455	Larry McKibben Jerry Behn E. Thurman Gaskill James A. Seymour Larry Noble Paul McKinley Brad Zaun

			Dave Mulder
			David Johnson
			Pat Ward
			David Hartsuch
			Mark Zieman
			Nancy J. Boettger
			John Putney
			Mary A. Lundby
			Ron Wieck
			Steve Kettering
			James F. Hahn
S-3503	S.F.	455	Larry McKibben
			Jerry Behn
			E. Thurman Gaskill
			James A. Seymour
			Larry Noble
			Paul McKinley
			Brad Zaun
			Dave Mulder
			David Johnson
			Pat Ward
			David Hartsuch
			Mark Zieman
			Nancy J. Boettger
			John Putney
			Mary A. Lundby
			Ron Wieck
			Steve Kettering
			James F. Hahn
S-3504	S.F.	455	Larry McKibben
			Jerry Behn
			E. Thurman Gaskill
			James A. Seymour
			Larry Noble
			Paul McKinley
			Brad Zaun
			Dave Mulder
			Ron Wieck
			David Johnson
			Pat Ward
			David Hartsuch

Mark Ziemann
Nancy J. Boettger
John Putney
Mary A. Lundby
Steve Kettering
James F. Hahn

JOURNAL OF THE SENATE

ONE HUNDRED TENTH CALENDAR DAY
SIXTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 27, 2007

The Senate met in regular session at 9:00 a.m., President Kibbie presiding.

Prayer was offered by Reverend Tom Clegg, president of the Clegg Leadership Group in Urbandale, Iowa. He was the guest of Senator Zaun.

The Journal of Thursday, April 26, 2007, 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 25, 2007, **concurred in the Senate amendment and passed** the following bill in which the concurrence of the House was asked:

House File 912, a bill for an act relating to providing sales, use, and property tax exemptions for a certain web search portal business.

ALSO: That the House has on April 26, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 592, a bill for an act relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of revenue, including administration of sales and use taxes, and providing an effective date.

ALSO: That the House has on April 26, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 344, a bill for an act relating to enforcement of certain solid waste disposal requirements and providing civil penalties. (S-3505)

The Senate stood at ease at 9:03 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:21 a.m., President Kibbie presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 26, 2007, **appointed the conference committee to Senate File 551**, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection. The conference committee members on the part of the House are: the representative from Floyd, Representative Kuhn, Chair; the representative from Keokuk, Representative De Boef; the representative from Kossuth, Representative Mertz; the representative from Clinton, Representative S. Olson; and the representative from Union, Representative Reasoner.

ALSO: That the House has on April 26, 2007, **appointed the conference committee to House File 909**, a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions. The conference committee members on the part of the House are: the representative from Linn, Representative Foege, Chair; the representative from Henry, Representative Heaton; the representative from Polk, Representative J. Oldson; the representative from Hancock, Representative Upmeyer; and the representative from Lee, Representative Wise.

ALSO: That the House has on April 26, 2007, **concurred in the Senate amendment and passed** the following bill in which the concurrence of the House was asked:

House File 830, a bill for an act relating to the construction bidding procedures Act by modifying procedures and requirements for letting public improvement contracts, and making corrections.

ALSO: That the House has on April 26, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 588, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates. (S-3506)

ALSO: that the House has on April 27, 2007, **concurred in the Senate amendment and passed** the following bills in which the concurrence of the House was asked:

House File 752, a bill for an act relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

House File 874, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities and providing an effective date.

ALSO: That the House has on April 27, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 918, a bill for an act establishing the office of energy independence and the Iowa power fund and related provisions, and providing an effective date.

Read first time and referred to committee on **Appropriations**.

House File 927, a bill for an act making appropriations for specified energy-related purposes and providing an effective date.

Read first time and referred to committee on **Appropriations**.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 42.

Senate Resolution 42

On motion of Senator Dearden, **Senate Resolution 42**, a resolution to recognize April 28, 2007, as Workers Memorial Day, with report of committee recommending passage, was taken up for consideration.

Senator Dearden moved the adoption of Senate Resolution 42, which motion prevailed by a voice vote.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:33 a.m. until 1:30 p.m.

APPENDIX—1

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

James Quarnstrom, Principal of Gilbert High School—For 23 years of dedicated service to the children and community of Gilbert. Senator Quirmbach (4/27/07).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Friday, April 27, 2007, 1:10 p.m.

Members Present: Dvorsky, Chair; Angelo, Ranking Member; Behn, Black, Boettger, Bolkcom, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood.

Members Absent: McCoy, Vice Chair; and Connolly (both excused).

Committee Business: Passed HF's 918 and 927 and approved SSB 1362.

Adjourned: 1:25 p.m.

WAYS AND MEANS

Convened: Friday, April 27, 2007, 10:40 a.m.

Members Present: Bolkcom, Chair; McKibben, Ranking Member; Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, Ward, and Wieck.

Members Absent: McCoy, Vice Chair (excused).

Committee Business: Passed HF's 904 and 923 (as amended).

Adjourned: 10:50 a.m.

INTRODUCTION OF BILL

Senate File 607, by committee on Appropriations, a bill for an act relating to increases in the reimbursement rates or amounts for certain providers under the purview of the department of human services or the department of public health, and providing appropriations.

Read first time under Rule 28 and **placed on Appropriations calendar.**

SUBCOMMITTEE ASSIGNMENTS

House File 918

APPROPRIATIONS: Dotzler, Chair; Dvorsky and Johnson

House File 927

APPROPRIATIONS: Dotzler, Chair; Dvorsky and Johnson

SSB 1362

APPROPRIATIONS: Hatch, Chair; Dvorsky, Johnson, Ragan, and Seymour

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: SENATE FILE 607 (SSB 1362), a bill for an act relating to increases in the reimbursement rates or amounts for certain providers under the purview of the department of human services or the department of public health, and providing appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 23: Dvorsky, Angelo, Behn, Black, Boettger, Bolkcom, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, 2: McCoy and Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 918, a bill for an act establishing the office of energy independence and the Iowa power fund and related provisions, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Dvorsky, Black, Boettger, Bolkcom, Danielson, Dotzler, Fraise, Gaskill, Hancock, Hatch, Hogg, Putney, Ragan, Seng, Warnstadt, and Wood. Nays, 7: Angelo, Behn, Hahn, Johnson, Kettering, Seymour, and Ward. Absent, 2: McCoy and Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 927, a bill for an act making appropriations for specified energy-related purposes and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dvorsky, Black, Boettger, Bolkcom, Danielson, Dotzler, Fraise, Hancock, Hatch, Hogg, Ragan, Seng, Warnstadt, and Wood. Nays, 9: Angelo, Behn, Gaskill, Hahn, Johnson, Kettering, Putney, Seymour, and Ward. Absent, 2: McCoy and Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: HOUSE FILE 904, a bill for an act relating to withholding tax and the repeal of the loan agencies tax.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Bolkcom, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *HOUSE FILE 923, a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes, providing an effective date, and providing retroactive applicability date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3509.

Final Vote: Ayes, 16: Bolkcom, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, 1: McCoy.

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 House File 923, and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 1:50 p.m., President Kibbie presiding.

UNFINISHED BUSINESS
(Deferred April 3, 2007)**Senate File 512**

The Senate resumed consideration of **Senate File 512**, a bill for an act relating to the regulation of pharmacy benefits managers and providing penalties, deferred April 3, 2007.

Senator Danielson offered amendment S-3507, filed by Senators Danielson, Ward, and Zieman from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-3507 was adopted by a voice vote.

With the adoption of amendment S-3507, the Chair ruled the following amendments out of order:

S-3292, filed by Senator Ward on April 5, 2007, to page 3 of the bill;

S-3293, filed by Senator Ward on April 5, 2007, to pages 3 and 4 of the bill;

S-3255, filed by Senator Zieman on April 3, 2007, to page 4 of the bill;

S-3157, filed by Senator Danielson on March 26, 2007, to page 4 of the bill;

S-3306, filed by Senator Danielson on April 9, 2007, to page 4 of the bill;

S-3496, filed by Senator Danielson on April 26, 2007, to pages 4 and 6-8 of the bill;

S-3421, filed by Senator Danielson on April 23, 2007, to pages 5 and 6 of the bill;

S-3257, filed by Senator Zieman on April 3, 2007, to page 6 of the bill;

S-3256, filed by Senator Zieman on April 3, 2007, to page 7 of the bill;
and

S-3291, filed by Senator Ward on April 5, 2007, to page 8 of the bill.

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. 512), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Beall, until he returns, on request of Senator Gronstal.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 925.

House File 925

On motion of Senator Schmitz, **House File 925**, a bill for an act relating to health-related activities and regulation, including the practices of optometry and mortuary science, establishment of a state

public health dental director and an oral health bureau, dependent adult abuse, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees, with report of committee recommending passage, was taken up for consideration.

Senator Schmitz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 925), the vote was:

Yeas, 49:

Angelo	Gaskill	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Beall

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 Courtney asked and received unanimous consent to take up for consideration Senate Resolutions 51 and 50 and Senate Concurrent Resolution 7.

Senate Resolution 51

On motion of Senator Dvorsky, **Senate Resolution 51**, a resolution providing for the formation of a committee by the legislative council to conduct an examination of public financing for state and local elections, with report of committee recommending passage, was taken up for consideration.

Senator Dvorsky moved the adoption of Senate Resolution 51, which motion prevailed by a voice vote.

Senate Resolution 50

On motion of Senator Dearden, **Senate Resolution 50**, a resolution requesting the establishment of an interim study committee by the legislative council to conduct a study for purposes of determining how to best provide for a sustainable source or sources of funding for natural resources needs in this state, with report of committee recommending passage, was taken up for consideration.

Senator Dearden moved the adoption of Senate Resolution 50, which motion prevailed by a voice vote.

Senate Concurrent Resolution 7

On motion of Senator Kreiman, **Senate Concurrent Resolution 7**, a concurrent resolution relating to the establishment of a criminal code revisions legislative study committee, with report of committee recommending passage, was taken up for consideration.

Senator Kreiman moved the adoption of Senate Concurrent Resolution 7, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that **Senate Concurrent Resolution 7**, **Senate File 512**, and **House File 925** be immediately messaged to the House.

The Senate stood at ease at 2:42 p.m. until the fall of the gavel.

The Senate resumed session at 2:57 p.m., President Kibbie presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 344

Senator Bolkcom called up for consideration **Senate File 344**, a bill for an act relating to enforcement of certain solid waste disposal requirements and providing civil penalties, amended by the House in House amendment S-3505, filed April 27, 2007.

Senator Bolkcom moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Bolkcom moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 344), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 904 and 923.

House File 904

On motion of Senator Schmitz, **House File 904**, a bill for an act relating to withholding tax and the repeal of the loan agencies tax, with report of committee recommending passage, was taken up for consideration.

Senator Schmitz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 904), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 923

On motion of Senator Stewart, **House File 923**, a bill for an act relating to the policy and technical administration of the tax and

related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes, providing an effective date, and providing retroactive applicability date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Stewart asked and received unanimous consent that action on **House File 923** be **deferred**.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 53, by Dotzler, Gronstal, Kibbie, Lundby, Kettering, and Kreiman, a resolution to recognize and honor Alyce Elmitt, Audrey Gibson, and Jo Ann West for over three decades of dedicated service to the Iowa Senate, the General Assembly, and the people of Iowa.

Read first time and referred to the committee on **Rules and Administration**.

Senate Resolution 54, by Gronstal, Kibbie, and Lundby, a resolution to recognize and honor the Senate's own Cynthia Clingan for over three decades of dedicated public service.

Read first time and referred to committee on **Rules and Administration**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 3:15 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 3:23 p.m., President Kibbie presiding.

BUSINESS PENDING

House File 923

The Senate resumed consideration of **House File 923**, a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration

of income, sales, use, cigarette, and tobacco taxes, providing an effective date, and providing retroactive applicability date provisions, previously deferred.

Senator Stewart offered amendment S-3509, filed by the committee on Ways and Means to page 1 of the bill, and moved its adoption.

Amendment S-3509 was adopted by a voice vote.

Senator Bolkom offered amendment S-3510, filed by him from the floor to page 9 of the bill, and moved its adoption.

Amendment S-3510 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. 923), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 344** and **House Files 904** and **923** be **immediately messaged** to the House.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 53, a resolution to recognize and honor Alyce Elmitt, Audrey Gibson, and Jo Ann West for over three decades of dedicated service to the Iowa Senate, the General Assembly, and the people of Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. 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 53.

Senate Resolution 53

On motion of Senator Dotzler, **Senate Resolution 53**, a resolution to recognize and honor Alyce Elmitt, Audrey Gibson, and Jo Ann West for over three decades of dedicated service to the Iowa Senate, the General Assembly, and the people of Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Dotzler moved the adoption of Senate Resolution 53, which motion prevailed by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Houser, until he returns, on request of Senator Wieck.

HOUSE AMENDMENT CONSIDERED

Senate File 588

Senator Wood called up for consideration **Senate File 588**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates, amended by the House in House amendment S-3506, filed April 27, 2007.

Senator Wood offered amendment S-3515, filed by him from the floor to pages 1-3, 7, 8, 11, and 13 of House amendment S-3506.

The Senate stood at ease at 3:49 p.m. until the fall of the gavel for the purpose of a Republican party caucus. (Senate File 588 and amendment S-3515 pending).

The Senate resumed session at 4:15 p.m., President Kibbie presiding.

Senator Wood moved the adoption of amendment S-3515.

A record roll call was requested.

On the question "Shall amendment S-3515 be adopted?" (S.F. 588), the vote was:

Yeas, 31:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Kibbie	Schmitz
Black	Fraise	Kreiman	Schoenjahn
Bolkcom	Gronstal	McCoy	Seng
Connolly	Hancock	Mulder	Stewart
Courtney	Hatch	Olive	Warnstadt
Danielson	Heckroth	Quirnbach	Wood
Dearden	Hogg	Ragan	

Nays, 18:

Angelo	Hartsuch	McKinley	Wieck
Behn	Johnson	Noble	Zaun
Boettger	Kettering	Putney	Zieman
Gaskill	Lundby	Seymour	
Hahn	McKibben	Ward	

Absent, 1:

Houser

Amendment S-3515 was adopted.

Senator Wood moved that the Senate concur in the House amendment, as amended.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (S.F. 588), the vote was:

Yeas, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Nays, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Absent, none.

The motion prevailed and the Senate **concurred** in the House amendment, as amended.

Senator Wood moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 588), the vote was:

Yeas, 37:

Appel	Dvorsky	Kreiman	Schmitz
Beall	Fraise	McCoy	Schoenjahn
Black	Gaskill	McKibben	Seng
Boettger	Gronstal	Mulder	Stewart
Bolkcom	Hancock	Noble	Ward
Connolly	Hatch	Olive	Warnstadt
Courtney	Heckroth	Putney	Wood
Danielson	Hogg	Quirmbach	
Dearden	Horn	Ragan	
Dotzler	Kibbie	Rielly	

Nays, 13:

Angelo	Houser	McKinley	Zieman
Behn	Johnson	Seymour	
Hahn	Kettering	Wieck	
Hartsuch	Lundby	Zaun	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 588** be **immediately messaged** to the House.

MOTION TO RECONSIDER ADOPTED

House File 911

Senator Gronstal called up the motion to reconsider **House File 911**, filed by him on April 26, 2007, found on page 1493 of the Senate Journal, and moved its adoption.

On the question “Shall the motion to reconsider be adopted?” (H.F. 911), the vote was:

Yeas, 32:

Appel	Dotzler	Hogg	Rielly
Beall	Dvorsky	Horn	Schmitz
Black	Fraise	Kibbie	Schoenjahn
Bolkcom	Gaskill	Kreiman	Seng
Connolly	Gronstal	McCoy	Stewart
Courtney	Hancock	Olive	Warnstadt
Danielson	Hatch	Quirmbach	Wood
Dearden	Heckroth	Ragan	Zaun

Nays, 17:

Angelo	Houser	McKinley	Wieck
Behn	Johnson	Mulder	Zieman
Boettger	Kettering	Noble	
Hahn	Lundby	Seymour	
Hartsuch	McKibben	Ward	

Present, 1:

Putney

Absent, none.

The motion prevailed.

On motion of Senator Gronstal, **House File 911**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, vertical infrastructure fund, the endowment for Iowa’s health restricted capitals fund, and the technology reinvestment fund, and related matters, and providing an effective date, was taken up for reconsideration.

Senator McCoy offered amendment S-3514, filed by him from the floor to pages 3, 8, 14, and 21 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3514 be adopted?” (H.F. 911), the vote was:

Yeas, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirmbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Nays, 19:

Angelo	Hartsuch	McKibben	Ward
Behn	Houser	McKinley	Wieck
Boettger	Johnson	Mulder	Zaun
Gaskill	Kettering	Noble	Zieman
Hahn	Lundby	Seymour	

Present, 1:

Putney

Absent, none.

Amendment S–3514 was adopted.

Senator Zaun asked and received unanimous consent that action on **House File 911** be **deferred**.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 556.

House File 556

On motion of Senator Bolkcom, **House File 556**, a bill for an act establishing the Iowa propane education and research council, providing for the development of programs and projects related to propane, providing for an assessment on the sale of odorized propane, providing criminal penalties, and providing for effective dates, placed on the Unfinished Business Calendar on April 12, 2007, with report of committee recommending passage, was taken up for consideration.

Senator Quirmbach offered amendment S–3516, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S–3516 lost by a voice vote.

Senator Bolkcom offered amendment S–3490, filed by him on April 25, 2007, to pages 2, 3, and 8 of the bill, and moved its adoption.

Amendment S–3490 was adopted by a voice vote.

Senator Quirmbach offered amendment S–3517, filed by him from the floor to pages 4, 8, and 9 of the bill.

Senator Quirmbach called for a division of amendment S–3517:

Division S–3517A: Page 1, lines 3–21 and 25–37;

Division S–3517B: Page 1, lines 22–24.

Senator Quirmbach moved the adoption of amendment S–3517A.

A record roll call was requested.

On the question “Shall amendment S–3517A be adopted?” (H.F. 556), the vote was:

Yeas, 20:

Beall	Dotzler	McCoy	Ragan
Behn	Hancock	McKinley	Rielly
Black	Hartsuch	Mulder	Schmitz
Connolly	Heckroth	Olive	Seng
Danielson	Kreiman	Quirmbach	Zaun

Nays, 30:

Angelo	Gaskill	Kettering	Stewart
Appel	Gronstal	Kibbie	Ward
Boettger	Hahn	Lundby	Warnstadt
Bolkcom	Hatch	McKibben	Wieck
Courtney	Hogg	Noble	Wood
Dearden	Horn	Putney	Zieman
Dvorsky	Houser	Schoenjahn	
Fraise	Johnson	Seymour	

Absent, none.

Amendment S–3517A lost.

Senator Quirmbach withdrew amendment S-3517B.

Senator Gronstal asked and received unanimous consent that action on **House File 556** be **deferred**.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 927.

House File 927

On motion of Senator Dotzler, **House File 927**, a bill for an act making appropriations for specified energy-related purposes and providing an effective date, 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. 927), the vote was:

Yeas, 35:

Appel	Dotzler	Horn	Ragan
Beall	Dvorsky	Kibbie	Rielly
Black	Fraise	Kreiman	Schmitz
Boettger	Gaskill	McCoy	Schoenjahn
Bolkcom	Gronstal	McKibben	Seng
Connolly	Hancock	Mulder	Stewart
Courtney	Hatch	Olive	Warnstadt
Danielson	Heckroth	Putney	Wood
Dearden	Hogg	Quirmbach	

Nays, 15:

Angelo	Houser	McKinley	Wieck
Behn	Johnson	Noble	Zaun
Hahn	Kettering	Seymour	Zieman
Hartsuch	Lundby	Ward	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 54, a resolution to recognize and honor the Senate's own Cynthia Clingan for over three decades of dedicated public service.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. 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 54.

Senate Resolution 54

On motion of Senator Gronstal, **Senate Resolution 54**, a resolution to recognize and honor the Senate's own Cynthia Clingan for over three decades of dedicated public service, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Resolution 54, which motion prevailed by a voice vote.

CONFERENCE COMMITTEE REPORT RECEIVED

Senate File 551

A conference committee report, signed by the following Senate and House members, was filed April 27, 2007, on **Senate File 551**, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection:

On the part of the Senate:

JOE M. SENG, Chair
DENNIS H. BLACK
TOM RIELLY
E. THURMAN GASKILL
HUBERT HOUSER

On the part of the House:

MARK A. KUHN, Chair
DOLORES M. MERTZ
MICHAEL J. REASONER
BETTY R. DE BOEF
STEVEN N. OLSON

CONFERENCE COMMITTEE REPORT CONSIDERED

Senate File 551

Senator Seng called up the conference committee report on **Senate File 551**, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection, filed on April 27, 2007, and moved its adoption.

The motion prevailed by a voice vote, and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator Seng moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 551), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hatch, until he returns, on request of Senator Gronstal; and Senator Seymour, until he returns, on request of Senator Lundby.

BUSINESS PENDING

House File 911

The Senate resumed consideration of **House File 911**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the technology reinvestment fund, and related matters, and providing an effective date, previously deferred.

Senator Zaun offered amendment S-3519, filed by him from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3519 be adopted?" (H.F. 911), the vote was:

Yeas, 18:

Angelo	Hartsuch	Noble	Wieck
Behn	Kettering	Rielly	Zaun
Boettger	McKibben	Schoenjahn	Zieman
Hahn	McKinley	Seng	
Hancock	Mulder	Seymour	

Nays, 31:

Appel	Dotzler	Horn	Quirnbach
Beall	Dvorsky	Houser	Ragan
Black	Fraise	Johnson	Schmitz
Bolkcom	Gaskill	Kibbie	Stewart
Connolly	Gronstal	Kreiman	Ward
Courtney	Hatch	Lundby	Warnstadt
Danielson	Heckroth	McCoy	Wood
Dearden	Hogg	Olive	

Present, 1:

Putney

Absent, none.

Amendment S-3519 lost.

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?" (H.F. 911), the vote was:

Yeas, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gaskill	McCoy	Stewart
Connolly	Gronstal	Olive	Warnstadt
Courtney	Hancock	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Nays, 17:

Angelo	Houser	McKinley	Zaun
Behn	Johnson	Mulder	Zieman
Boettger	Kettering	Noble	
Hahn	Lundby	Ward	
Hartsuch	McKibben	Wieck	

Present, 1:

Putney

Absent, 2:

Hatch Seymour

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 551** and **House Files 911** and **927** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 606 and House File 918.

Senate File 606

On motion of Senator McCoy, **Senate File 606**, a bill for an act relating to revenue for the construction and maintenance of roads by establishing a TIME-21 fund for deposit of revenues credited by law to the fund, and requiring evaluation of revenue sources, was taken up for consideration.

Senator Warnstadt offered amendment S-3500, filed by Senators Warnstadt and Kettering on April 26, 2007, to page 3 and to the title page of the bill.

Senator McCoy asked and received unanimous consent that action on amendment S-3500 and **Senate File 606** be **deferred**.

House File 918

On motion of Senator Dotzler, **House File 918**, a bill for an act establishing the office of energy independence and the Iowa power fund and related provisions, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Johnson offered amendment S-3449, filed by him on April 25, 2007, to pages 2, 3, 6, 8, and 11 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-3449 be adopted?” (H.F. 918), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Cannolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S-3449 lost.

Senator Johnson offered amendment S-3448, filed by him on April 25, 2007, to page 11 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-3448 be adopted?” (H.F. 918), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Cannolly	Hancock	Olive	Warnstadt

Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment S-3448 lost.

Senator Hogg asked and received unanimous consent to withdraw amendment S-3511, filed by Senators Hogg and Danielson from the floor to page 15 of the bill.

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. 918), the vote was:

Yeas, 39:

Appel	Dvorsky	Kibbie	Ragan
Beall	Fraise	Kreiman	Rielly
Black	Gaskill	Lundby	Schmitz
Boettger	Gronstal	McCoy	Schoenjahn
Bolkcom	Hancock	McKibben	Seng
Connolly	Hatch	Mulder	Seymour
Courtney	Heckroth	Noble	Stewart
Danielson	Hogg	Olive	Warnstadt
Dearden	Horn	Putney	Wood
Dotzler	Houser	Quirnbach	

Nays, 11:

Angelo	Hartsuch	McKinley	Zaun
Behn	Johnson	Ward	Zieman
Hahn	Kettering	Wieck	

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 April 27, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 586, a bill for an act creating a special gold star motor vehicle registration plate and providing fees.

ALSO: That the House has on April 27, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 580, a bill for an act relating to a tax amnesty program, making appropriations, and including an effective date provision. (S-3521)

ALSO: That the House has on April 27, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

House File 920, a bill for an act authorizing the state board of regents to borrow moneys and issue revenue bonds to finance the costs of certain building and facility improvement programs.

Read first time and referred to committee on **Appropriations**.

HOUSE AMENDMENT CONSIDERED

Senate File 580

Senator Dotzler called up for consideration **Senate File 580**, a bill for an act relating to a tax amnesty program, making appropriations, and including an effective date provision, amended by the House in House amendment S-3521, filed April 27, 2007.

Senator Dotzler moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Dotzler moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 580), the vote was:

Yeas, 46:

Angelo	Fraise	Kreiman	Schmitz
Appel	Gaskill	Lundby	Schoenjahn
Beall	Gronstal	McCoy	Seng
Black	Hahn	McKibben	Seymour
Boettger	Hancock	McKinley	Stewart
Bolkcom	Hatch	Mulder	Ward
Connolly	Heckroth	Noble	Warnstadt
Courtney	Hogg	Olive	Wieck
Danielson	Horn	Putney	Wood
Dearden	Houser	Quirnbach	Zaun
Dotzler	Johnson	Ragan	
Dvorsky	Kibbie	Rielly	

Nays, 4:

Behn	Hartsuch	Kettering	Zieman
------	----------	-----------	--------

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 580** and **House File 918** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 6:18 p.m. until 6:45 p.m.

RECONVENED

The Senate reconvened at 6:58 p.m., President Kibbie presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 27, 2007, **passed** the following bills in which the concurrence of the House was asked:

Senate File 499, a bill for an act relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions.

Senate File 512, a bill for an act relating to the regulation of pharmacy benefits managers and providing penalties.

Senate File 578, a bill for an act creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, and providing a tax exemption and a penalty.

ALSO: That the House has on April 27, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 593, a bill for an act relating to court procedures including conciliation proceedings and civil and criminal fees, penalties, and protective orders. (S-3523)

ALSO: That the House has on April 27, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 897, a bill for an act establishing statewide licensure and certification of electricians and installers, providing for inspections, establishing fees, and providing penalties.

Read first time and referred to committee on **Ways and Means**.

House File 924, a bill for an act relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses.

Read first time and referred to committee on **Ways and Means**.

House File 932, a bill for an act relating to revenue for the construction and maintenance of roads.

Read first time and attached to **similar Senate File 606**.

SPECIAL PRESENTATION TO SENATE PAGES

The Senate Pages were invited to the well of the Senate for a special presentation and were thanked by Senators Gronstal and Lundby for their service to the Senate.

Certificates of Excellence for serving with honor and distinction as Senate Pages during the 2007 Regular Session of the Eighty-second General Assembly were given to the following:

Shauna Agan, Caitlin Copper-Leehey, Natalie Gilkison, Anna Grimley, Josh Johnson, Shanon Kreiman, Meredith Lamberti, Sara Lewis, Stefan McCleary, Caitlin Oponski, Erin Pettit, Dorriann Prather, Robb Riggle, Susan Scieszinski, Felica Shunk, and Russell Whitney.

The Senate rose and expressed its appreciation.

BUSINESS PENDING

Senate File 606

The Senate resumed consideration of **Senate File 606**, a bill for an act relating to revenue for the construction and maintenance of roads by establishing a TIME-21 fund for deposit of revenues credited by law to the fund, and requiring evaluation of revenue sources, and amendment S-3500, previously deferred.

Senator Warnstadt moved the adoption of amendment S-3500.

Amendment S-3500 was adopted by a voice vote.

Senator Putney offered amendment S-3508, filed by him from the floor to page 3 and to the title page of the bill.

Senator McCoy raised the point of order that amendment S-3508 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3508 out of order.

Senator Putney withdrew amendment S-3512, filed by him from the floor to page 3 of the bill.

With the withdrawal of amendment S-3512, the Chair ruled amendment S-3518, filed by Senator Fraise from the floor to pages 1-3 of the bill, out of order.

Senator McCoy offered amendment S-3501, filed by him on April 26, 2007, to page 3 of the bill, and moved its adoption.

Amendment S-3501 was adopted by a voice vote.

Senator McCoy asked and received unanimous consent that **House File 932** be **substituted** for **Senate File 606**.

House File 932

On motion of Senator McCoy, **House File 932**, a bill for an act relating to revenue for the construction and maintenance of roads by establishing a TIME-21 fund for deposit of revenues credited by law to the fund, and requiring evaluation of revenue sources, was taken up for consideration.

Senator Putney withdrew amendment S-3522, filed by him from the floor to pages 3 and 4 and to the title page of the bill.

With the withdrawal of amendment S-3522, the Chair ruled amendment S-3525, filed by Senator Fraise from the floor to pages 1-3 of the bill, out of order.

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?" (H.F. 932), the vote was:

Yeas, 42:

Appel	Gaskill	Lundby	Schoenjahn
Beall	Gronstal	McCoy	Seng
Black	Hancock	McKibben	Seymour
Boettger	Hartsuch	McKinley	Stewart
Bolkcom	Hatch	Mulder	Ward
Connolly	Heckroth	Noble	Warnstadt
Courtney	Hogg	Olive	Wieck
Danielson	Horn	Putney	Wood
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kibbie	Rielly	

Nays, 8:

Angelo	Fraise	Kettering	Schmitz
Behn	Hahn	Kreiman	Zaun

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator McCoy asked and received unanimous consent that **Senate File 606** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 932** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 593

Senator Kreiman called up for consideration **Senate File 593**, a bill for an act relating to court procedures including conciliation proceedings and civil and criminal fees, penalties, and protective orders, amended by the House in House amendment S-3523, filed April 27, 2007.

Senator Kreiman 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 Kreiman 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. 593), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 556

The Senate resumed consideration of **House File 556**, a bill for an act establishing the Iowa propane education and research council, providing for the development of programs and projects related to propane, providing for an assessment on the sale of odorized propane, providing criminal penalties, and providing for effective dates, previously deferred.

Senator Connolly offered amendment S-3524, filed by Senators Connolly and Bolkom from the floor to pages 4 and 6-9 and to the title page of the bill, and moved its adoption.

Amendment S-3524 was adopted by a voice vote.

With the adoption of amendment S-3524, the Chair ruled amendment S-3520, filed by Senators Connolly and Bolkom from the floor to page 6 of the bill, out of order.

Senator Bolkom 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. 556), the vote was:

Yeas, 33:

Angelo	Dvorsky	Kettering	Seymour
Appel	Fraise	Kibbie	Stewart
Beall	Gaskill	Kreiman	Ward
Boettger	Gronstal	Lundby	Warnstadt
Bolkom	Hahn	McCoy	Wiek
Connolly	Hatch	McKibben	Zieman
Courtney	Hogg	Noble	
Dearden	Houser	Putney	
Dotzler	Johnson	Rielly	

Nays, 17:

Behn	Heckroth	Quirnbach	Wood
Black	Horn	Ragan	Zaun
Danielson	McKinley	Schmitz	
Hancock	Mulder	Schoenjahn	
Hartsuch	Olive	Seng	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: HOUSE FILE 920, a bill for an act authorizing the state board of regents to borrow moneys and issue revenue bonds to finance the costs of certain building and facility improvement programs.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dvorsky, McCoy, Angelo, Black, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Hancock, Hogg, Ragan, Seng, and Warnstadt. Nays, 9: Behn, Boettger, Gaskill, Hahn, Johnson, Kettering, Putney, Seymour, and Ward. Present, 1: Hatch. Absent, 1: Wood.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 920.

House File 920

On motion of Senator Bolkcom, **House File 920**, a bill for an act authorizing the state board of regents to borrow moneys and issue revenue bonds to finance the costs of certain building and facility improvement programs, with report of committee recommending passage, was taken up for consideration.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 920), the vote was:

Yeas, 40:

Angelo	Fraise	Kreiman	Schmitz
Appel	Gaskill	Lundby	Schoenjahn
Beall	Gronstal	McCoy	Seng
Black	Hancock	McKibben	Seymour
Bolkcom	Heckroth	Mulder	Stewart
Connolly	Hogg	Olive	Ward
Courtney	Horn	Putney	Warnstadt
Danielson	Johnson	Quirnbach	Wiek
Dotzler	Kettering	Ragan	Wood
Dvorsky	Kibbie	Rielly	Zieman

Nays, 10:

Behn	Hahn	Houser	Zaun
Boettger	Hartsuch	McKinley	
Dearden	Hatch	Noble	

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 593** and **House Files 556** and **920** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:14 p.m. until 9:00 a.m., Saturday, April 28, 2007.

APPENDIX—2

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 27, 2007, when the vote was taken on House File 911. Had I been present, I would have voted “Nay.”

JAMES SEYMOUR

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

John Paul McCloy II, DeWitt—For achieving the rank of Eagle Scout, Boy Scout Troop 29. Senator Hartsuch (4/27/07).

Brent Smoyer—For his dedicated service as an intern for Senator Putney during the 2006 and 2007 Iowa Legislative Sessions. Senator Putney (4/27/07).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Friday, April 27, 2007, 6:35 p.m.

Members Present: Dvorsky, Chair; McCoy, Vice Chair; Angelo, Ranking Member; Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, and Warnstadt.

Members Absent: Wood (excused).

Committee Business: Passed HF 896 and 920.

Adjourned: 6:50 p.m.

RULES AND ADMINISTRATION

Convened: Friday, April 27, 2007, 3:20 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Passed HF 525. Approved SRs 34, 52, and 53.

Adjourned: 3:23 p.m.

WAYS AND MEANS

Convened: Friday, April 27, 2007, 8:20 p.m.

Members Present: Bolkcom, Chair; McCoy, Vice Chair; McKibben, Ranking Member; Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck.

Members Absent: None.

Committee Business: Passed HF's 897 and 924.

Adjourned: 8:25 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 55, by Olive, a resolution to honor Webster City and Hamilton County, Iowa, on their sesquicentennial anniversary.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

STUDY BILLS RECEIVED**SSB 1361 Ways and Means**

Replacing the local option sales and services tax for school infrastructure purposes by increasing the state sales and use tax rates and using revenues, providing property tax relief, providing a penalty and including an effective date.

SSB 1362 Appropriations

Relating to increases in the reimbursement rates or amounts for certain providers under the purview of the department of human services or the department of public health, and providing appropriations.

SUBCOMMITTEE ASSIGNMENTS**House File 920**

APPROPRIATIONS: Bolkcom, Chair; Angelo and Dvorsky

SSB 1361

WAYS AND MEANS: Connolly, Chair; Angelo, Appel, McKibben, and Schmitz

SSB 1362

APPROPRIATIONS: Hatch, Chair; Dvorsky, Johnson, Ragan and Seymour

FINAL COMMITTEE REPORTS OF BILL ACTION**APPROPRIATIONS**

Bill Title: HOUSE FILE 896, a bill for an act creating a disaster aid individual assistance grant fund.

Recommendation: DO PASS.

Final Vote: Ayes, 24: Dvorsky, McCoy, Angelo, Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, and Warnstadt. Nays, none. Absent, 1: Wood.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 34, a resolution honoring the centennial of United Parcel Service of America, Inc., and recognizing the contributions of the company to the citizens of Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 52, a resolution honoring the Davis County Little League All-Star Team for winning the 2006 Iowa Little League State Championship.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 525, a bill for an act establishing an interim study committee to study the impact of unemployment on the recidivism rate of persons who have been committed to the custody of the department of corrections or assigned to the judicial district departments of correctional services.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: HOUSE FILE 897, a bill for an act establishing statewide licensure and certification of electricians and installers, providing for inspections, establishing fees, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Bolcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 924, a bill for an act relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Bolcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 26, 2007, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 175 – Relating to the disposition of seized property in a criminal proceeding.

Senate File 339 – Relating to county general obligation bonds by modifying the definition of essential county purpose and by changing the requirements under which a county may issue general county purpose bonds without an election.

Senate File 384 – Relating to statute of limitations provisions relating to minors and persons with mental illness and tort claims against a municipality and providing an applicability date.

Senate File 406 – Relating to dogs, including the right to kill a tagged dog.

Senate File 416 – Relating to city elections by providing procedures for filling a city council vacancy by special election and by providing satellite absentee voting at certain city elections.

ALSO:

A communication was received announcing that on April 27, 2007, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 155 – Relating to local governments by creating a local government innovation commission and fund, creating a center for governing excellence, and including an effective date.

Senate File 347 – Relating to the authority of creditors and credit unions in consumer credit or credit union transactions.

Senate File 414 – Concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans and allowable prizes at annual game nights by certain qualified organizations and making penalties applicable.

Senate File 485 – Relating to greenhouse gas emissions.

Senate File 489 – Creating an Alzheimer's disease task force.

AMENDMENTS FILED

S-3505	S.F.	344	House
S-3506	S.F.	588	House
S-3507	S.F.	512	Jeff Danielson Pat Ward Mark Ziemann
S-3508	S.F.	606	John Putney
S-3509	H.F.	923	Ways and Means
S-3510	H.F.	923	Joe Bolkcom
S-3511	H.F.	918	Robert M. Hogg Jeff Danielson

S-3512	S.F.	606	John Putney
S-3513	H.F.	901	William A. Dotzler, Jr.
S-3514	H.F.	911	Matt McCoy
S-3515	S.F.	588	Frank B. Wood
S-3516	H.F.	556	Herman C. Quirmbach
S-3517	H.F.	556	Herman C. Quirmbach
S-3518	S.F.	606	Gene Fraise
S-3519	H.F.	911	Brad Zaun
S-3520	H.F.	556	Michael Connolly Joe Bolkom
S-3521	S.F.	580	House
S-3522	H.F.	932	John Putney
S-3523	S.F.	593	House
S-3524	H.F.	556	Michael Connolly Joe Bolkom
S-3525	H.F.	932	Gene Fraise

JOURNAL OF THE SENATE

ONE HUNDRED ELEVENTH CALENDAR DAY
SIXTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Saturday, April 28, 2007

The Senate met in regular session at 9:15 a.m., President Kibbie presiding.

Prayer was offered by Anthony Menendez from Estherville, Iowa, who is serving as a clerk for Representative Ako Abdul-Samad in the House. He was the guest of Senator Kibbie.

The Journal of Friday, April 27, 2007, 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 27, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 590, a bill for an act relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions.

ALSO: That the House has on April 27, 2007, **adopted** the conference committee report **and passed Senate File 551**, a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection.

ALSO: That the House has on April 27, 2007, **adopted** the conference committee report **and passed House File 909**, a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions.

ALSO: That the House has on April 27, 2007, **concurred in the Senate amendment and passed**, the following bill in which the concurrence of the House was asked:

House File 556, a bill for an act establishing the Iowa propane education and research council, providing for the development of programs and projects related to propane, providing for an assessment on the sale of odorized propane, providing criminal penalties, and providing for a future repeal and for effective dates.

ALSO: That the House has on April 27, 2007, **amended the Senate amendment, concurred in the Senate amendment as amended, and passed**, the following bills in which the concurrence of the House was asked:

House File 641, a bill for an act relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, and the state, and including applicability provisions. (S-3526)

House File 923, a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes, providing an effective date, and providing retroactive applicability date provisions. (S-3527)

ALSO: That the House has on April 27, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

House File 908, a bill for an act relating to the licensing and regulation of plumbers and mechanical professionals, and providing an appropriation and penalties and providing an effective date.

Read first time and referred to committee on **Ways and Means**.

The Senate stood at ease at 9:28 a.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 10:35 a.m., President Kibbie presiding.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 52.

Senate Resolution 52

On motion of Senator Kreiman, **Senate Resolution 52**, a resolution honoring the Davis County Little League All-Star Team for winning the 2006 Iowa Little League State Championship, with report of committee recommending passage, was taken up for consideration.

Senator Kreiman moved the adoption of Senate Resolution 52, which motion prevailed by a voice vote.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 897.

House File 897

On motion of Senator Dotzler, **House File 897**, a bill for an act establishing statewide licensure and certification of electricians and installers, providing for inspections, establishing fees, and providing penalties, 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. 897), the vote was:

Yeas, 42:

Angelo	Dvorsky	Lundby	Schoenjahn
Appel	Fraise	McCoy	Seng
Beall	Gaskill	McKibben	Stewart
Behn	Gronstal	Mulder	Ward

Black	Hancock	Noble	Warnstadt
Bolkcom	Hatch	Olive	Wieck
Connolly	Heckroth	Putney	Wood
Courtney	Hogg	Quirnbach	Zaun
Danielson	Horn	Ragan	Zieman
Dearden	Kibbie	Rielly	
Dotzler	Kreiman	Schmitz	

Nays, 8:

Boettger	Hartsuch	Johnson	McKinley
Hahn	Houser	Kettering	Seymour

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 34.

Senate Resolution 34

On motion of Senator McCoy, **Senate Resolution 34**, a resolution honoring the centennial of United Parcel Service of America, Inc., and recognizing the contributions of the company to the citizens of Iowa, with report of committee recommending passage, was taken up for consideration.

Senator McCoy moved the adoption of Senate Resolution 34, which motion prevailed by a voice vote.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 924.

House File 924

On motion of Senator McCoy, **House File 924**, a bill for an act relating to qualifications for licensure as a real estate broker or salesperson upon conviction of specified offenses, with report of committee recommending passage, 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?" (H.F. 924), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 896.

House File 896

On motion of Senator Ragan, **House File 896**, a bill for an act creating a disaster aid individual assistance grant fund, 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. 896), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 896, 897, and 924** be **immediately messaged** to the House.

CONFERENCE COMMITTEE REPORT RECEIVED

House File 909

A conference committee report, signed by the following Senate and House members, was filed April 28, 2007, on **House File 909**, a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions:

On the part of the Senate:

JACK HATCH, Chair
JOE BOLKCOM
ROBERT E. DVORSKY

On the part of the House:

RO FOEGE, Chair
JO OLDSOON
PHILIP WISE

CONFERENCE COMMITTEE REPORT CONSIDERED

House File 909

Senator Hatch called up the conference committee report on **House File 909** and moved its adoption.

The motion prevailed by a voice vote, and the conference committee report, and the recommendations and amendments contained therein, was adopted.

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. 909), the vote was:

Yeas, 34:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Kibbie	Schmitz
Black	Fraise	Kreiman	Schoenjahn
Boettger	Gaskill	McCoy	Seng
Bolkcom	Gronstal	Mulder	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Putney	Wood
Danielson	Heckroth	Quirnbach	
Dearden	Hogg	Ragan	

Nays, 16:

Angelo	Houser	McKibben	Ward
Behn	Johnson	McKinley	Wieck
Hahn	Kettering	Noble	Zaun
Hartsuch	Lundby	Seymour	Zieman

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 April 28, 2007, **adopted** the following resolutions in which the concurrence of the House was asked:

Senate Joint Resolution 4, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol, and the temporary display of ceremonial banners, in conjunction with the awards ceremony of the World Food Prize Foundation.

Senate Joint Resolution 5, a joint resolution authorizing the temporary use and consumption of alcoholic beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date.

Senate Joint Resolution 6, a joint resolution approving the permanent acknowledgement of elementary and secondary schools and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an effective date.

ALSO: That the House has on April 28, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 579, a bill for an act relating to a pharmaceutical collection and disposal pilot project. (S-3528)

HOUSE AMENDMENT CONSIDERED

Senate File 579

Senator Bolkcom called up for consideration **Senate File 579**, a bill for an act relating to a pharmaceutical collection and disposal pilot project, amended by the House in House amendment S-3528, filed April 28, 2007.

Senator Bolkcom moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Bolkcom moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 579), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

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 File 579** and **House File 909** be **immediately messaged** to the House.

HOUSE AMENDMENT TO
SENATE AMENDMENT CONSIDERED**House File 923**

Senator Stewart called up for consideration **House File 923**, a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes, providing an effective date, and providing retroactive applicability date provisions, amended by the Senate and further amended by the House in House amendment S-3527 to Senate amendment H-2110, filed April 28, 2007.

Senator Stewart moved that the Senate concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Stewart moved that the bill, as amended by the Senate, further 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?" (H.F. 923), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood

Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 923** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:35 a.m. until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:35 p.m., Senator Appel presiding.

QUORUM CALL

Senator Courtney requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent, and a quorum present.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 55, a resolution to honor Webster City and Hamilton County, Iowa, on their sesquicentennial anniversary.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. 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 55.

Senate Resolution 55

On motion of Senator Olive, **Senate Resolution 55**, a resolution to honor Webster City and Hamilton County, Iowa, on their sesquicentennial anniversary, with report of committee recommending passage, was taken up for consideration.

Senator Olive moved the adoption of Senate Resolution 55, which motion prevailed by a voice vote.

The Senate stood at ease at 2:07 p.m. until the fall of the gavel.

The Senate resumed session at 5:11 p.m., President Kibbie presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 28, 2007, **passed** the following bill in which the concurrence of the House was asked:

Senate File 369, a bill for an act relating to voting machines and optical scan voting systems.

ALSO: That the House has on April 28, 2007, **concurred in the Senate amendment to the House amendment, and passed** the following bill in which the concurrence of the House was asked:

Senate File 588, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates.

ALSO: that the House has on April 28, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 510, a bill for an act concerning electrical and mechanical amusement devices and providing penalties. (S-3530)

RECESS

On motion of Senator Dotzler, the Senate recessed at 5:14 p.m. until 8:30 p.m.

EVENING SESSION

The Senate reconvened at 8:40 p.m., Senator Kreiman 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 28, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 601, a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for fees and penalties, and providing for properly related matters, and including effective date provisions. (S-3532)

ALSO: That the House has on April 28, 2007, **amended the Senate amendment, concurred in the Senate amendment as amended, and passed** the following bill in which the concurrence of the House was asked:

House File 911, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the technology reinvestment fund, and related matters, and providing an effective date. (S-3531)

QUORUM CALL

Senator Gronstal requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent, and a quorum present.

The Senate stood at ease at 8:45 p.m. until the fall of the gavel for the purpose of party caucuses.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gaskill, until he returns, on request of Senator Putney.

The Senate resumed session at 9:26 p.m., Senator Kreiman presiding.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 641

Senator Hogg called up for consideration **House File 641**, a bill for an act relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, and the state, and including applicability provisions, amended by the Senate and further amended by the House in House amendment S-3526 to Senate amendment H-1971, filed April 28, 2007.

Senator Hogg moved that the Senate concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Hogg moved that the bill, as amended by the Senate, further 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?" (H.F. 641), the vote was:

Yeas, 45:

Angelo	Dvorsky	Kreiman	Schoenjahn
Appel	Fraise	Lundby	Seng
Beall	Gronstal	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	Mulder	Ward
Boettger	Hatch	Noble	Warnstadt
Bolkcom	Heckroth	Olive	Wieck
Connolly	Hogg	Putney	Wood
Courtney	Horn	Quirmbach	Zieman
Danielson	Houser	Ragan	
Dearden	Johnson	Rielly	
Dotzler	Kibbie	Schmitz	

Nays, 4:

Hahn	Kettering	McKinley	Zaun
------	-----------	----------	------

Absent, 1:

Gaskill

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 510

Senator Wood called up for consideration **Senate File 510**, a bill for an act concerning electrical and mechanical amusement devices and providing penalties, amended by the House in House amendment S-3530, filed April 28, 2007.

Senator Wood 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 Wood 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. 510), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kettering	Ragan
Appel	Fraise	Kibbie	Rielly
Beall	Gronstal	Kreiman	Schmitz
Behn	Hahn	Lundby	Schoenjahn
Black	Hancock	McCoy	Seng
Boettger	Hartsuch	McKibben	Seymour
Bolkcom	Hatch	McKinley	Stewart
Connolly	Heckroth	Mulder	Ward
Courtney	Hogg	Noble	Warnstadt
Danielson	Horn	Olive	Wieck
Dearden	Houser	Putney	Wood
Dotzler	Johnson	Quirmbach	Zieman

Nays, 1:

Zaun

Absent, 1:

Gaskill

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: HOUSE FILE 908, a bill for an act relating to the licensing and regulation of plumbers and mechanical professionals, and providing an appropriation and penalties and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 908.

House File 908

On motion of Senator Bolkcom, **House File 908**, a bill for an act relating to the licensing and regulation of plumbers and mechanical professionals, and providing an appropriation and penalties and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 908), the vote was:

Yeas, 39:

Angelo	Dvorsky	Kreiman	Schmitz
Appel	Fraise	Lundby	Schoenjahn
Beall	Gronstal	McCoy	Seng
Black	Hancock	McKibben	Stewart
Bolkcom	Hatch	Noble	Ward
Connolly	Heckroth	Olive	Warnstadt
Courtney	Hogg	Putney	Wieck
Danielson	Horn	Quirnbach	Wood
Dearden	Johnson	Ragan	Zaun
Dotzler	Kibbie	Rielly	

Nays, 10:

Behn	Hartsuch	McKinley	Zieman
Boettger	Houser	Mulder	
Hahn	Kettering	Seymour	

Absent, 1:

Gaskill

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT TO
SENATE AMENDMENT CONSIDERED

House File 911

Senator McCoy called up for consideration **House File 911**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the technology reinvestment fund, and related matters, and providing an effective date, amended by the Senate and further amended by the House in House amendment S-3531 to Senate amendment H-2114, filed April 28, 2007.

Senator McCoy moved that the Senate concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment to the Senate amendment.

Senator McCoy moved that the bill, as amended by the Senate, further 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?" (H.F. 911), the vote was:

Yeas, 30:

Appel	Dotzler	Kibbie	Schoenjahn
Beall	Dvorsky	Kreiman	Seng
Black	Fraise	McCoy	Seymour
Bolkcom	Gronstal	Olive	Stewart
Connolly	Hatch	Quirnbach	Warnstadt
Courtney	Heckroth	Ragan	Wood
Danielson	Hogg	Rielly	
Dearden	Horn	Schmitz	

Nays, 18:

Angelo	Hartsuch	McKibben	Wieck
Behn	Houser	McKinley	Zaun
Boettger	Johnson	Mulder	Zieman
Hahn	Kettering	Noble	
Hancock	Lundby	Ward	

Present, 1:

Putney

Absent, 1:

Gaskill

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 607.

Senate File 607

On motion of Senator Hatch, **Senate File 607**, a bill for an act relating to increases in the reimbursement rates or amounts for certain providers under the purview of the department of human services or the department of public health, and providing appropriations, was taken up for consideration.

Senator Hatch offered amendment S-3529, filed by Senator Dvorsky from the floor to page 1 of the bill, and moved its adoption.

Amendment S-3529 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. 607), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck

Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirnbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Gaskill

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

The Senate stood at ease at 9:56 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:38 p.m., President Kibbie presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 601

Senator Dvorsky called up for consideration **Senate File 601**, a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for fees and penalties, and providing for properly related matters, and including effective date provisions, amended by the House in House amendment S-3532, filed April 28, 2007.

Senator Dvorsky offered amendment S-3536, filed by him from the floor to pages 2, 5, 7, and 9 of amendment S-3532.

Senator Dvorsky offered amendment S-3538, filed by him from the floor to pages 1 and 10-13 of amendment S-3536 to House amendment S-3532, and moved its adoption.

Amendment S-3538 was adopted by a voice vote.

Senator Dvorsky moved the adoption of amendment S-3536, as amended.

A record roll call was requested.

On the question "Shall amendment S-3536 be adopted?" (S.F. 601), the vote was:

Yeas, 31:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Kibbie	Schmitz
Black	Fraise	Kreiman	Schoenjahn
Bolkcom	Gronstal	McCoy	Seng
Connolly	Hancock	Mulder	Stewart
Courtney	Hatch	Olive	Warnstadt
Danielson	Heckroth	Quirnbach	Wood
Dearden	Hogg	Ragan	

Nays, 18:

Angelo	Houser	McKinley	Wieck
Behn	Johnson	Noble	Zaun
Boettger	Kettering	Putney	Zieman
Hahn	Lundby	Seymour	
Hartsuch	McKibben	Ward	

Absent, 1:

Gaskill

Amendment S-3536 was adopted.

Senator Noble offered amendment S-3535, filed by him from the floor to page 7 of amendment S-3532, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3535 be adopted?" (S.F. 601), the vote was:

Yeas, 23:

Angelo	Heckroth	McKinley	Ward
Behn	Houser	Mulder	Wieck
Boettger	Johnson	Noble	Wood
Hahn	Kettering	Olive	Zaun
Hancock	Lundby	Putney	Zieman
Hartsuch	McKibben	Seymour	

Nays, 26:

Appel	Dearden	Horn	Schmitz
Beall	Dotzler	Kibbie	Schoenjahn
Black	Dvorsky	Kreiman	Seng
Bolkcom	Fraise	McCoy	Stewart
Connolly	Gronstal	Quirnbach	Warnstadt
Courtney	Hatch	Ragan	
Danielson	Hogg	Rielly	

Absent, 1:

Gaskill

Amendment S–3535 lost.

Senator Behn offered amendment S–3534, filed by him from the floor to page 7 of amendment S–3532, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3534 be adopted?” (S.F. 601), the vote was:

Yeas, 22:

Angelo	Hartsuch	McKinley	Ward
Behn	Houser	Mulder	Wieck
Black	Johnson	Noble	Zaun
Boettger	Kettering	Putney	Zieman
Fraise	Lundby	Seng	
Hahn	McKibben	Seymour	

Nays, 27:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Kibbie	Schmitz
Bolkcom	Gronstal	Kreiman	Schoenjahn
Connolly	Hancock	McCoy	Stewart
Courtney	Hatch	Olive	Warnstadt
Danielson	Heckroth	Quirnbach	Wood
Dearden	Hogg	Ragan	

Absent, 1:

Gaskill

Amendment S–3534 lost.

Senator Wieck offered amendment S-3533, filed by Senator Wieck, et al., from the floor to page 59 of the bill.

Senator Wieck offered amendment S-3537, filed by him from the floor to page 1 of amendment S-3533, and moved its adoption.

Amendment S-3537 was adopted by a voice vote.

Senator Gronstal raised the point of order that amendment S-3533 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3533 out of order.

Senator Dvorsky moved that the Senate concur in the House amendment, as amended.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (S.F. 601), the vote was:

Yeas, 31:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Kibbie	Schmitz
Black	Fraise	Kreiman	Schoenjahn
Bolkcom	Gronstal	McCoy	Seng
Connolly	Hancock	Mulder	Stewart
Courtney	Hatch	Olive	Warnstadt
Danielson	Heckroth	Quirnbach	Wood
Dearden	Hogg	Ragan	

Nays, 18:

Angelo	Houser	McKinley	Wieck
Behn	Johnson	Noble	Zaun
Boettger	Kettering	Putney	Zieman
Hahn	Lundby	Seymour	
Hartsuch	McKibben	Ward	

Absent, 1:

Gaskill

The motion prevailed and the Senate **concurred** in the House amendment, as amended.

Senator Dvorsky moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 601), the vote was:

Yeas, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Nays, 19:

Angelo	Houser	McKinley	Ward
Behn	Johnson	Mulder	Wieck
Boettger	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman
Hartsuch	McKibben	Seymour	

Absent, 1:

Gaskill

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 510, 601, and 607** and **House Files 641, 908, and 911** be **immediately messaged** to the House.

RECESS

On motion of Senator Lundby, the Senate recessed at 11:52 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 12:03 a.m., Sunday, April 29, 2007, President Kibbie presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 8, by committee on Rules and Administration, a concurrent resolution to provide for adjournment sine die.

Read first time and **placed on calendar**.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE CONCURRENT RESOLUTION 8, a concurrent resolution to provide for adjournment sine die.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. 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 Concurrent Resolution 8.

Senate Concurrent Resolution 8

On motion of Senator Gronstal, **Senate Concurrent Resolution 8**, a concurrent resolution to provide for adjournment sine die, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Concurrent Resolution 8, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Concurrent Resolution 8** be **immediately messaged** to the House.

FINAL ADJOURNMENT

By virtue of Senate Concurrent Resolution 8, duly adopted, the day of April 29, 2007, having arrived, President Kibbie declared the 2007 Regular Session of the Eighty-second General Assembly adjourned sine die.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Ashley Miller, Tipton—For her third 800 meter title and record time at the 2007 Drake Relays. Senator Johnson (4/28/07).

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: Saturday, April 28, 2007, 11:40 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SR 55.

Adjourned: 11:45 a.m.

ALSO:

Convened: Saturday, April 28, 2007, 11:52 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Lundby, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck.

Members Absent: None.

Committee Business: Approved SCR 8.

Adjourned: 11:55 p.m.

WAYS AND MEANS

Convened: Saturday, April 28, 2007, 9:20 p.m.

Members Present: Bolkcom, Chair; McCoy, Vice Chair; McKibben, Ranking Member; Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, Ward, and Wieck.

Members Absent: None.

Committee Business: Passed HF 908.

Adjourned: 9:25 p.m.

GOVERNOR'S DEFERRAL LETTER

The following letter from the Governor was received in the office of the Secretary of the Senate on April 28, 2007:

Pursuant to Iowa Code sections 2.32(1)(a) and 455A.6, please accept this letter as the notice of deferment of the appointment to the Environmental Protection Commission, formerly held by Dale Cochran. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Sincerely,
CHESTER J. CULVER
Governor

WITHDRAWAL OF GOVERNOR'S APPOINTEES

The following letters from the Governor were received in the office of the Secretary of the Senate on April 28, 2007:

I am withdrawing the name of Dale Cochran to serve as an Environmental Protection Commission member from further consideration by the Senate.

I am withdrawing the name of Rich Eychaner to serve as an Iowa State Civil Rights Commission member from further consideration by the Senate.

Sincerely,
CHESTER J. CULVER
Governor

AMENDMENTS FILED

S-3526	H.F.	641	House
S-3527	H.F.	923	House
S-3528	S.F.	579	House
S-3529	S.F.	607	Robert E. Dvorsky
S-3530	S.F.	510	House

S-3531	H.F.	911	House
S-3532	S.F.	601	House
S-3533	S.F.	601	Ron Wieck Jeff Angelo Larry McKibben John Putney Nancy J. Boettger Mark Zieman David Hartsuch Pat Ward David Johnson Dave Mulder Paul McKinley Larry Noble James A. Seymour Jerry Behn Steve Kettering Hubert Houser James F. Hahn
S-3534	S.F.	601	Jerry Behn
S-3535	S.F.	601	Larry Noble
S-3536	S.F.	601	Robert E. Dvorsky
S-3537	S.F.	601	Ron Wieck
S-3538	S.F.	601	Robert E. Dvorsky

**SENATE REPORTS RECEIVED
AFTER ADJOURNMENT**

The following is a record of Senate reports received after the close of the 2007 Regular Session.

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 29, 2007, **adopted** the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 8, a concurrent resolution to provide for adjournment sine die.

ALSO: That the House has on April 29, 2007, **concurred in the Senate amendment to the House amendment, and passed** the following bill in which the concurrence of the House was asked:

Senate File 601, a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for tax credits, providing for fees and penalties, and providing for properly related matters, and including effective date provisions.

BILLS REFERRED TO COMMITTEE FROM CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 4, the following bills remaining on the Senate Calendar upon adjournment of the 2007 session will be removed from the calendar and referred back to the committee to which they were originally assigned:

S.F.	307	Ways and Means
S.F.	399	State Government
S.F.	440	Local Government
S.F.	455	Judiciary
S.F.	491	Judiciary
S.F.	495	Natural Resources and Environment
S.F.	550	Judiciary
S.F.	565	Ways and Means
S.F.	568	Ways and Means

S.F.	571	Ways and Means
S.F.	577	Government Oversight
S.F.	582	Ways and Means
S.F.	583	Ways and Means
S.F.	589	Ways and Means
S.F.	594	Government Oversight
S.F.	595	Ways and Means
S.F.	598	Appropriations
S.F.	602	Appropriations
S.F.	605	Government Oversight

MICHAEL E. MARSHALL
Secretary of the Senate

BILL ASSIGNED TO COMMITTEE

President Kibbie assigned **House File 344** to the committee on **State Government**. (House File 344 was attached to companion Senate File 399 on the Senate Calendar).

FINAL DISPOSITION OF MOTION TO RECONSIDER

Pursuant to Senate Rule 24, the following motion to reconsider, which remained on the Senate Calendar upon the adjournment of the 2007 Regular Session of the Eighty-second General Assembly, was determined to have **failed**:

Senate File 519, a bill for an act providing for energy performance-based contracts for certain public entities. (Senate failed to pass the bill on April 3, 2007. Motion to reconsider filed by Senator Connolly on April 3, 2007.)

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 499, the following corrections were made:

1. Page 4, line 12: Change “Environmental Protection Agency” to “environmental protection agency”.
2. Page 4, line 14: Delete space between U.S.C. and reference.
3. Page 5, line 30: Space needed between “certification.” and “An”.
4. Page 5, line 32: Space needed between “resources.” and “The”.

ALSO:

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 551, the following corrections were made:

1. Page 1, line 16: Add zero to FTEs to read “444.60”.
2. Page 8, line 26: “storm water” is two words.

ALSO:

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 562, the following correction was made:

1. Page 6, line 15: “main street” made into one word “mainstreet”.

ALSO:

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 588, the following correction was made:

1. Page 11, line 26: Changed “14.” to “13.” and renumbered through end of sec. 6.

ALSO:

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 601, the following corrections were made:

1. Page 59, line 13: Designate the new subparagraph as “(11)”.
2. Page 59, line 35: Designate the new paragraph as “1.” a lowercase “L”.
3. Page 60, lines 26 and 27: Move “Notwithstanding” paragraph to follow “EXCEPTION.” as a run-in sentence.
4. Page 65, line 13: Make the word “subsection” plural to account for the four subsections being amended.
5. Page 100, line 6: Close up the spacing between “SECTION.” and “137F.11A”.
6. Page 106, line 9: Insert a necessary space between “ballot.” and “The”.

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 resolutions and bills and 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 29th day of April, 2007:

Senate Joint Resolutions 4, 5, and 6, and Senate Files 90, 212, 254, 263, 265, 278, 304, 333, 336, 340, 344, 346, 360, 369, 403, 421, 427, 430, 435, 447, 457, 469, 472, 499, 503, 510, 512, 518, 530, 538, 539, 540, 543, 546, 551, 554, 557, 558, 559, 562, 563, 564, 566, 575, 578, 579, 580, 586, 588, 590, 592, 593, and 601.

MICHAEL E. MARSHALL
Secretary of the Senate

SENATE BILLS APPROVED, ITEM VETOED, AND
VETOED SUBSEQUENT TO ADJOURNMENT

The following is a record of action by the Governor transmitted to the Secretary of State after the close of the 2007 Regular Session:

SENATE BILLS APPROVED

Senate Joint Resolution 4 – Authorizing the temporary use and consumption of wine in the State Capitol, and the temporary display of ceremonial banners, in conjunction with the awards ceremony of the World Food Prize Foundation. Approved May 24, 2007.

Senate Joint Resolution 5 – Authorizing the temporary use and consumption of alcoholic beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date. Approved May 24, 2007.

Senate Joint Resolution 6 – Approving the permanent acknowledgement of elementary and secondary schools and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an effective date. Approved May 24, 2007.

Senate File 90 – Concerning local emergency management commission communications. Approved May 11, 2007.

Senate File 212 – Relating to county offices, by protecting certain identity information contained in documents recorded with the county recorder and by increasing salary limits for certain deputy officers and providing an applicability date. Approved May 9, 2007.

Senate File 254 – Revising family investment program requirements. Approved May 9, 2007.

Senate File 263 – Concerning gambling games on gambling structures. Approved May 25, 2007.

Senate File 265 – Relating to asbestos removal and encapsulation regulations as enforced by the labor commissioner. Approved May 9, 2007.

Senate File 278 – Relating to changes in the utility replacement tax law by redefining a new electric power generating plant, extending the life of the utility replacement tax task force, and requiring notification by the taxpayer to the department of revenue and local taxing district upon transfer of utility property. Approved May 11, 2007.

Senate File 304 – Relating to the exercise of regulatory authority by the department of natural resources and the natural resource commission within the boundaries of the Sac and Fox tribe settlement in Tama county, and providing for applicability and effective dates. Approved May 25, 2007.

Senate File 333 – 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. Approved May 9, 2007.

Senate File 336 – Allowing certain cities to appoint additional civil service commissioners. Approved May 9, 2007.

Senate File 340 – Relating to the consideration of inherited or gifted property in dissolution-of-marriage property division proceedings and including an effective date and an applicability provision. Approved May 21, 2007.

Senate File 344 – Relating to enforcement of certain solid waste disposal requirements and providing civil penalties. Approved May 11, 2007.

Senate File 346 – Providing for the development of a uniform health insurance application form for use by small employers. Approved May 24, 2007.

Senate File 360 – Relating to the regulatory duties of the division of banking of the department of commerce regarding banking, debt management, mortgage banking, industrial loan companies, and professional licensing. Approved May 24, 2007.

Senate File 369 – Relating to voting machines and optical scan voting systems. Approved May 24, 2007.

Senate File 421 – Relating to workers' compensation laws by regulating insurance policy exclusions and debt collection practices. Approved May 9, 2007.

Senate File 427 – Relating to the Iowa civil rights Act and discrimination based upon a person's sexual orientation or gender identity. Approved May 25, 2007.

Senate File 430 – Relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision. Approved May 25, 2007.

Senate File 435 – Relating to youth deer hunting licenses. Approved May 9, 2007.

Senate File 447 – Relating to incentives for school district reorganizations and shared operational functions, and making an appropriation. Approved May 9, 2007.

Senate File 457 – Relating to the rights of peace officers and public safety and emergency personnel. Approved May 15, 2007.

Senate File 469 – Concerning financial and regulatory matters, including by providing for the sale of motor homes by a manufacturer at a camping rally sponsored and conducted by the manufacturer and providing for applicability to a pilot project, and providing an effective date. Approved May 9, 2007.

Senate File 472 – Requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty. Approved May 21, 2007.

Senate File 499 – Relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions. Approved May 24, 2007.

Senate File 503 – Relating to regulation of children's services by the department of human services by increasing the age for certain children receiving child care regulated by the department and revising child welfare and juvenile justice service provisions. Approved May 24, 2007.

Senate File 510 – Concerning electrical and mechanical amusement devices and providing penalties. Approved May 24, 2007.

Senate File 512 – Relating to the regulation of pharmacy benefits managers and making penalties applicable, and providing an effective date. Approved May 25, 2007.

Senate File 518 – Reorganizing Code chapter provisions relating to the authority to engage in the business of insurance other than life insurance by transferring provisions, eliminating outdated provisions, and amending corresponding provisions, as necessary. Approved May 11, 2007.

Senate File 530 – Relating to prohibited business practices by a real estate broker or salesperson. Approved May 11, 2007.

Senate File 538 – 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 and including an applicability date provision. Approved May 9, 2007.

Senate File 539 – Establishing uniform finance procedures for obligations issued by the state. Approved May 9, 2007.

Senate File 540 – Relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions. Approved May 9, 2007.

Senate File 546 – Relating to a hospital lien. Approved May 11, 2007.

Senate File 554 – Relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date. Approved May 29, 2007.

Senate File 557 – Relating to the regulation of credit unions by revising and reorganizing the Iowa credit union Act, making conforming changes, and providing for taxes, fees, and penalties. Approved May 24, 2007.

Senate File 558 – Providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program. Approved May 25, 2007.

Senate File 559 – Relating to cemetery and funeral merchandise, funeral services, and cemeteries and providing fees and penalties. Approved May 24, 2007.

Senate File 563 – Relating to and making appropriations to the judicial branch. Approved May 24, 2007.

Senate File 564 – Regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties. Approved May 25, 2007.

Senate File 566 – Relating to historic preservation and cultural and entertainment district tax credits, and providing applicability date provisions. Approved May 21, 2007.

Senate File 578 – Creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, providing a tax exemption and a penalty, and including a retroactive applicability provision. Approved May 24, 2007.

Senate File 579 – Relating to a pharmaceutical collection and disposal pilot project and including an effective date provision. Approved May 11, 2007.

Senate File 580 – Relating to a tax amnesty program, making appropriations, and including an effective date provision. Approved May 24, 2007.

Senate File 586 – Creating a special gold star motor vehicle registration plate and providing fees and an effective date. Approved May 24, 2007.

Senate File 590 – Relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions. Approved May 15, 2007.

Senate File 592 – Relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of revenue, including administration of sales and use taxes, and providing an effective date. Approved May 24, 2007.

Senate File 593 – Relating to court procedures including conciliation proceedings and civil and criminal fees, penalties, and protective orders. Approved May 24, 2007.

GOVERNOR'S ITEM VETO MESSAGES

May 21, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit **Senate File 403**, an Act addressing financial and regulatory matters by making and revising appropriations, providing for properly related matters, and providing effective dates. Senate File 403 is approved on this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 26 in its entirety, which provides a standing limited General Fund appropriation of \$160,000 to fund the operational expenses of the Real Estate Education Program at the University of Northern Iowa. Funding the day-to-day expenses of this program with a standing appropriation effectively removes this function from annual oversight by the Governor, the Board of Regents, and the Legislature. I recommend that the Board of Regents or the presidents of the Iowa community colleges provide funding for this program from the General Fund appropriations for their operating budgets if the Real Estate Education Fund is insufficient to cover the expansion of this program contained in other sections of Division VII of Senate File 403 and if the program fits within the mission of the respective institution.

Finally, I am unable to approve the item designated as Division VIII in its entirety, including Sections 30, 31, 32, 33, 34, 35, 36, 37, and 38. This division deals with the Executive Branch's authority to dispose of real property with a fair market value of at least \$5,000,000 and imposes an additional requirement that such transactions must be approved by not only the Governor but also by a majority of each House of the General Assembly. It imposes an unnecessary legislative requirement on the Executive Branch's authority to manage state property in the best interests of the State and could, for instance, adversely affect the timing of certain transactions for the Department of Transportation and the Department of Natural Resources. For this reason, these sections of this division are unacceptable.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16, of the Constitution of the State of Iowa. All other items in Senate File 403 are hereby approved this date.

Sincerely,
CHESTER J. CULVER
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit **Senate File 551**, an Act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection. Senate File 551 is approved on this date, with the exception noted below, which I hereby disapprove.

I am unable to approve the item designated as Division XII, Section 50, in its entirety. This provision requires the director of a department or state agency included in Senate File 551 to examine employee telecommuting options, develop a telecommuter employment policy, and implement a plan designed to increase the number of telecommuting employees. Many departments maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 50 directing a department or state agency to conduct an assessment of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove of the designated item in accordance with Article III, Section 16, of the Constitution of the State of Iowa. All other items in Senate File 551 are hereby approved this date.

Sincerely,
CHESTER J. CULVER
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit **Senate File 562**, an Act relating to and making appropriations to the Department of Cultural Affairs, the Department of Economic Development, certain Board of Regents Institutions, the Department of Workforce Development, the Iowa Finance Authority, and the Public Employment Relations Board and related matters. Senate File 562 is approved on this date, with the exception noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 26 in its entirety. This provision requires the directors of a department or state agency included in Senate File 562 to examine employee telecommuting options, develop telecommuter employment policies, and implement plans designed to increase the number of telecommuting employees. Many departments maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 26 directing a department or state agency to conduct an assessment of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove the designated item in accordance with Article III, Section 16, of the Constitution of the State of Iowa. All other items in Senate File 562 are hereby approved this date.

Sincerely,
CHESTER J. CULVER
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit **Senate File 575**, an Act relating to and making appropriations to the justice system. **Senate File 575** is approved on this date, with the exception noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 20 in its entirety. This provision requires the director of a department or a state agency included in Senate File 575 to examine employee telecommuting options, develop a telecommuter employment policy, and implement a plan designed to increase the number of telecommuting employees. Many departments maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 20 directing a department or state agency to conduct an assessment of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove of the designated item in accordance with Article III, Section 16, of the Constitution of the State of Iowa. All other items in Senate File 575 are hereby approved this date.

Sincerely,
CHESTER J. CULVER
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit **Senate File 588**, an Act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters concerning the Iowa learning technology commission, providing for a related matter concerning participation in an instructional support program by school districts, and providing effective dates. Senate File 588 is approved on this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 5 in its entirety. Iowa Code section 261.20 states that the moneys in the Scholarship and Grant Reserve Fund shall only be used to alleviate a current fiscal year shortfall in appropriations for scholarship or tuition grant programs that have the same nature as the programs for which the moneys were originally appropriated. There is not a state student-aid program that serves barber schools and schools of cosmetology arts. Therefore, an allocation from the reserve fund for this purpose does not meet the requirements as defined in Iowa Code section 261.20.

I am unable to approve the item designated as Section 15 in its entirety. This provision requires the director of a department or state agency included in Senate File 588 to examine employee telecommuting options, develop telecommuter employment policies, and implement plans designed to increase the number of telecommuting employees. Many departments and agencies maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 15 directing a department or state agency to conduct assessments of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16, of the Constitution of the State of Iowa. All other items in Senate File 588 are hereby approved this date.

Sincerely,
CHESTER J. CULVER
Governor

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit **Senate File 601**, an Act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for tax credits, providing for fees and penalties, and providing for properly related matters, and including effective date provisions. Senate File 601 is approved this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 28 in its entirety. I am unable to approve this item because it requires the Supreme Court to submit a detailed listing of requested increases in salaries of all judges and magistrates annually before December 1. This designated language runs counter to budget guidelines which ask that departments or agencies not include salary increases in their budget requests. Furthermore, this provision could impact the collective-bargaining process by requiring the Supreme Court to submit salary changes prior to the completion of collective bargaining.

I am unable to approve the item designated as Section 42 in its entirety. This provision appropriates \$150,000 from the General Fund for a Fiscal Year 2007 supplemental appropriation to the Department of Natural Resources for a feasibility study on the use of plasma arc technology for the disposal of solid waste. I recommend that an application for funds for such a study be made through the Iowa Power Fund because it is important to determine the feasibility of plasma arc technology. The Iowa Power Fund Board needs to provide the proper due diligence to review this and other technologies to fulfill its mission to expand sources of alternative energy.

I am unable to approve the item designated as Section 43 in its entirety. This provision requires the director of a department or state agency who is subject to a requirement to develop a telecommuter employment policy to also develop such a policy and plans in conjunction with representatives of the collective bargaining units of the affected employees. Departmental telecommuting policies and procedures have been in place for several years and are well established. I will direct the Department of Administrative Services and the Department of Management to review the current

state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

I am unable to approve the item designated as Section 48 in its entirety. This provision increases the Department of Transportation's operations budget by \$16,800. This additional funding is no longer needed by the Department of Transportation.

I am unable to approve the item designated as Section 49 in its entirety. This provision increases the appropriation for the Department of Transportation's operations budget by \$103,200. This additional funding is no longer needed by the Department of Transportation.

I am unable to approve the item designated as Section 56 in its entirety. This provision creates a standing appropriation for the World Food Prize of \$1,000,000 annually. While I strongly support the World Food Prize, I do not believe this appropriation should be a standing appropriation not subject to annual review. This appropriation should be reviewed annually during the budgetary process. Further, I would encourage greater private sector contributions for this program.

I am unable to approve the item designated as Section 57 in its entirety. This provision statutorily creates the World Food Prize Youth Institute. While I strongly support this program, it is already in existence and does not need to receive statutory commitment.

I am unable to approve the item designated as Section 59 in its entirety. This designated provision expands the Community Attraction and Tourism program from Fiscal Year 2011 through Fiscal Year 2013 and raises the maximum multiyear commitment to an applicant from \$4 million to \$6 million. Despite this designated language, the Community Attraction and Tourism program is still authorized for another three years with a total remaining appropriation of \$36 million. I strongly support attracting tourism to our state and want to work with community and business leaders and the Legislature to develop improvements to this program or create a new program before the current program expires in Fiscal Year 2010. I am unable to support a new commitment for additional out-year spending until I have been able to evaluate this program more fully. Furthermore, I do not believe the maximum multiyear commitment to an applicant should be increased because it would reduce the number of projects and communities that can participate in this program.

I am unable to approve the item designated as Section 80 in its entirety. This provision specifies that the reimbursement rate for use of personal vehicles while on state business must fall within a range of not less than 90 percent or more than 110 percent of the maximum allowable under the federal Internal Revenue Service rules. I believe the authority to determine this rate should remain with the director of the Department of Administrative Services, and this language would establish a large unfunded mandate on state agencies. I also do not want to set the precedent of making a statutory tie to federal rates and remove this matter from the discretion of the Department of Administrative Services. I recognize the impact that rising fuel costs have on state government employees, and I will direct the director of the Department of Administrative Services to develop more effective policies to encourage state government employees to use fuel-efficient state vehicles more frequently.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16, of the Constitution of the State of Iowa. All other items in Senate File 601 are hereby approved this date.

Sincerely,
CHESTER J. CULVER
Governor

GOVERNOR'S VETO MESSAGE

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby disapprove and transmit to you Senate File 543, without my signature, in accordance with Article III, Section 16, of the Constitution of the State of Iowa. **Senate File 543**, an Act relating to the state Interagency Missouri River Authority (Authority), amends provisions of Iowa Code section 28L.1, so as to alter the means by which the authority would be governed.

There is no question that our state needs an effective Authority if we are to coordinate the important work that must be done to assure that the economic and environmental potentials of the Missouri River basin are viably and legally managed. I appreciate the efforts of the General Assembly to achieve that end. However, I believe the changes to the Authority's governance structure, as set forth in Senate File 543, would reduce our government's effectiveness in managing this vital natural resource.

As presently constituted, the governor or the governor's designee serves as the Authority's chairperson. The director of the Department of Natural Resources is responsible for coordinating the Authority's activities and serves as chairperson in the absence of the governor. Other members of the Authority—including our Secretary of Agriculture, the chairperson of the Iowa Utilities Board, and the directors of the Department of Economic Development and the Department of Transportation—add their valuable expertise to allow the Authority to arrive at policy decisions that serve the long-term best interests of our state.

Under Senate File 543, if enacted into law, this structure and process of governance would be fundamentally and, in my view, adversely affected. The bill provides for the appointment of a vice chairperson, a position that would rotate on a yearly basis, thereby depriving the Authority of a stability and efficiency of administration that have served it well over a period of years.

Further, Senate File 543 imposes an express unanimity requirement upon the Authority, thereby allowing potential political deadlock and thereby impeding the State of Iowa's ability to participate meaningfully in interstate organizations that have

been created to assure better management of the Missouri River's economic and environmental potentials.

For example, former Governor Thomas J. Vilsack, in June 2006, directed the Authority's members to join the newly-created Missouri River Association of States and Tribes (MoRAST), an organization established to assist states and tribes that border the Missouri River to address commonly shared ecosystem concerns. Under that arrangement, the State of Iowa appoints two department representatives from the Authority to MoRAST's Board of Directors.

Senate File 543 proscribes a "split" vote by Iowa's representatives on such bodies. It is anticipated that, in most instances, Iowa's departmental representatives will agree on matters of policy and practice. However, it is also true that we are governed most effectively when our distinguished departmental directors are allowed to present their view openly and to cast their votes, in good faith, with the best interests of our state as their only polestars, and not with statutory provisions that would threaten policy gridlock.

Members of the Iowa General Assembly can be assured that the Culver-Judge administration is committed to developing and implementing a balanced approach to the Missouri River, taking into account all interests, including environmental, recreational, agricultural, and economic. To that end, I have directed Lieutenant Governor Judge to convene a summit of interested stakeholders and state government agencies to consider future policies and practices with respect to how the vast resources of the Missouri River basin can be most effectively utilized in the interest of all Iowans.

Further, it should be noted that if our administration concludes that Iowa's best interests are not being represented by actions taken by MoRAST, or any other interstate agency focused on Missouri River issues, we will reserve the right to withdraw from such organizations.

Achieving our goals with respect to the Missouri River does not require—in fact, may be impeded by—the amendments to Iowa Code chapter 28L.1 that are set forth in Senate File 543. Accordingly, I hereby forward that bill to you, without my signature.

Sincerely,
CHESTER J. CULVER
Governor

AMENDMENTS FILED

EIGHTY-SECOND GENERAL ASSEMBLY 2007 REGULAR SESSION

S-3001

1 Amend House File 1, as passed by the House, as
2 follows:

3 1. Page 1, by inserting after line 28 the
4 following:

5 "Sec. ___. DEPARTMENT OF VETERANS AFFAIRS. There
6 is appropriated from the general fund of the state to
7 the department of veterans affairs for the designated
8 fiscal years of the fiscal period beginning July 1,
9 2006, and ending June 30, 2008, the following amounts,
10 or so much thereof as is necessary, to be used for the
11 purposes designated:

12 To cover the estimated fiscal impact of the minimum
13 hourly wage increases enacted in this Act on salaries
14 at the Iowa veterans home:

15 FY 2006–2007	\$	18,000
16 FY 2007–2008	\$	88,000

17 Sec. ___. DEPARTMENT OF EDUCATION. There is
18 appropriated from the general fund of the state to the
19 department of education for the designated fiscal
20 years of the fiscal period beginning July 1, 2006, and
21 ending June 30, 2008, the following amounts, or so
22 much thereof as is necessary, to be used for the
23 purposes designated:

24 To cover the estimated fiscal impact of the minimum
25 hourly wage increases enacted in this Act on salaries
26 at the community colleges established under chapter
27 260C:

28 FY 2006–2007	\$	22,000
29 FY 2007–2008	\$	410,000

30 Sec. ___. STATE BOARD OF REGENTS. There is
31 appropriated from the general fund of the state to the
32 state board of regents for the designated fiscal years
33 of the fiscal period beginning July 1, 2006, and
34 ending June 30, 2008, the following amounts, or so
35 much thereof as is necessary, to be used for the
36 purposes designated:

37 To cover the estimated fiscal impact of the minimum
38 hourly wage increases enacted in this Act on salaries
39 at the institutions under the control of the state
40 board of regents:

41 FY 2006–2007	\$	350,000
42 FY 2007–2008	\$	1,400,000

43 Sec. ___. DEPARTMENT OF HUMAN SERVICES. There is

44 appropriated from the general fund of the state to the
 45 department of human services for the designated fiscal
 46 years of the fiscal period beginning July 1, 2006, and
 47 ending June 30, 2008, the following amounts, or so
 48 much thereof as is necessary, to be used for the
 49 purposes designated:
 50 To cover the estimated fiscal impact of the minimum

Page 2

- 1 hourly wage increases enacted in this Act on salaries
- 2 for mental health care services employees:
- 3 FY 2006–2007 \$ 1,132,68
- 4 FY 2007–2008 \$ 4,908,28”.
- 5 2. Title page, line 1, by inserting after the
- 6 word “requirements” the following: “, making
- 7 appropriations to cover the estimated fiscal impact of
- 8 increases in the state minimum hourly wage,”.
- 9 3. By renumbering as necessary.

MARK ZIEMAN
 DAVID HARTSUCH
 PAUL MCKINLEY
 BRAD ZAUN
 LARRY NOBLE
 E. THURMAN GASKILL
 JERRY BEHN
 MARY A. LUNDBY
 JEFF ANGELO
 LARRY MCKIBBEN
 NANCY J. BOETTGER
 DAVID JOHNSON
 JAMES F. HAHN

S-3002

- 1 Amend House File 1, as passed by the House, as
- 2 follows:
- 3 1. Page 1, by striking lines 8 and 9 and
- 4 inserting the following:
- 5 “b. Every employer, ~~as defined in the federal Fair~~
- 6 ~~Labor Standards Act,~~ shall”.
- 7 2. Page 1, line 15, by inserting after the word
- 8 “greater.” the following: “For purposes of this
- 9 chapter, unless the context otherwise requires.

10 “employer” means a person, as defined in chapter 4,
 11 who in this state employs for wages an annual average
 12 of twelve or more natural persons.”

BRAD ZAUN
 PAUL McKINLEY
 DAVID JOHNSON
 LARRY NOBLE
 E. THURMAN GASKILL
 DAVE MULDER
 JERRY BEHN
 MARY A. LUNDBY
 JEFF ANGELO
 LARRY McKIBBEN
 NANCY J. BOETTGER
 MARK ZIEMAN
 DAVID HARTSUCH
 JAMES F. HAHN

S-3003

1 Amend House File 1, as passed by the House, as
 2 follows:
 3 1. Page 1, line 15, by inserting after the word
 4 “greater.” the following: “However, for purposes of
 5 this chapter, “employer” does not include the
 6 institutions of higher learning under the control of
 7 the state board of regents, the community colleges
 8 established under chapter 260C, or nonprofit entities
 9 exempt from federal income taxation pursuant to
 10 section 501(c)(3) of the Internal Revenue Code.”

BRAD ZAUN
 PAUL McKINLEY
 DAVID JOHNSON
 JAMES A. SEYMOUR
 LARRY NOBLE
 E. THURMAN GASKILL
 JERRY BEHN
 MARY A. LUNDBY
 DAVE MULDER
 JEFF ANGELO
 NANCY J. BOETTGER
 MARK ZIEMAN
 DAVID HARTSUCH
 STEVE KETTERING
 JAMES F. HAHN

S-3004

- 1 Amend House File 1, as passed by the House, as
 2 follows:
 3 1. Page 1, by striking lines 8 and 9 and
 4 inserting the following:
 5 “b. Every employer, ~~as defined in the federal Fair~~
 6 ~~Labor Standards Act,~~ shall”.
 7 2. Page 1, line 15, by inserting after the word
 8 “greater.” the following: “For purposes of this
 9 chapter, unless the context otherwise requires,
 10 “employer” means a person, as defined in chapter 4,
 11 who in this state employs for wages an annual average
 12 of fifty or more natural persons.”

BRAD ZAUN
 PAUL McKINLEY
 DAVID JOHNSON
 JERRY BEHN
 JEFF ANGELO
 NANCY J. BOETTGER
 MARK ZIEMAN
 DAVID HARTSUCH
 JAMES F. HAHN
 DAVE MULDER

S-3005

- 1 Amend House File 1, as passed by the House, as
 2 follows:
 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 “DIVISION I
 6 MINIMUM WAGE”
 7 2. Page 2, line 1, by inserting after the word
 8 “This” the following: “division of this”.
 9 3. Page 2, by inserting after line 2 the
 10 following:
 11 “DIVISION II
 12 UNEMPLOYMENT COMPENSATION BENEFITS
 13 Sec. ____ Section 96.4, Code 2007, is amended by
 14 adding the following new subsection:
 15 NEW SUBSECTION. 8. The individual has satisfied
 16 one one-week waiting period during the individual’s
 17 benefit year. To satisfy the one-week waiting period,
 18 the individual, with respect to the week in question,
 19 must be unemployed, have filed a claim for benefits,
 20 and be eligible for benefits from this state, but must
 21 not have received benefits from this or another state,
 22 and must not be eligible for benefits from another
 23 state.

DIVISION III
DRUG TESTING

24
25
26 Sec. ____ Section 730.5, subsection 1, paragraph
27 b, Code 2007, is amended to read as follows:
28 b. "Confirmed positive test result" means, except
29 for alcohol testing conducted pursuant to subsection
30 7, paragraph "f", subparagraph (2), the results of a
31 ~~blood, urine, or oral fluid drug~~ test in which the
32 level of controlled substances or metabolites in the
33 ~~specimen sample~~ analyzed meets or exceeds nationally
34 accepted standards for determining detectable levels
35 of controlled substances as adopted by the ~~federal~~
36 United States department of health and human services'
37 substance abuse and mental health services
38 administration. If nationally accepted standards for
39 ~~oral fluid~~ tests on a particular specimen have not
40 been adopted by the ~~federal~~ United States department
41 of health and human services' substance abuse and
42 mental health services administration, the standards
43 for determining detectable levels of controlled
44 substances for purposes of determining a confirmed
45 positive test result shall be the same standard that
46 has been ~~established cleared or approved~~ by the
47 ~~federal~~ United States department of health and human
48 services' food and drug administration for the
49 ~~measuring instrument used to perform the oral fluid~~
50 ~~test particular specimen testing utilized.~~

Page 2

1 Sec. ____ Section 730.5, subsection 1, paragraph
2 k, Code 2007, is amended to read as follows:
3 k. "Sample" means such sample from the human body
4 capable of revealing the presence of alcohol or other
5 drugs, or their metabolites, ~~which shall include only~~
6 ~~urine, saliva, breath, and blood.~~ However, "sample"
7 does not mean blood except as authorized pursuant to
8 subsection 7, paragraph "l".
9 Sec. ____ Section 730.5, subsection 7, paragraph
10 b, Code 2007, is amended to read as follows:
11 b. Collection of a ~~urine~~ sample for testing of
12 current employees shall be performed so that the
13 specimen is split into two components at the time of
14 collection in the presence of the individual from whom
15 the sample or specimen is collected. The second
16 portion of the specimen or sample shall be of
17 sufficient quantity to permit a second, independent
18 confirmatory test as provided in paragraph "i". ~~The~~
19 ~~If the sample is urine, the sample shall be split such~~
20 ~~that the primary sample contains at least thirty~~
21 ~~milliliters and the secondary sample contains at least~~
22 ~~fifteen milliliters. Both portions of the sample~~

23 shall be forwarded to the laboratory conducting the
 24 initial confirmatory testing. In addition to any
 25 requirements for storage of the initial sample that
 26 may be imposed upon the laboratory as a condition for
 27 certification or approval, the laboratory shall store
 28 the second portion of any sample until receipt of a
 29 confirmed negative test result or for a period of at
 30 least forty-five calendar days following the
 31 completion of the initial confirmatory testing, if the
 32 first portion yielded a confirmed positive test
 33 result.

34 DIVISION IV

35 DEPARTMENT OF WORKFORCE DEVELOPMENT

36 Sec. ____ Section 88.2, subsection 1, Code 2007,
 37 is amended to read as follows:

38 1. The labor commissioner, appointed pursuant to
 39 section 91.2, and the division of labor services of
 40 the department of workforce development created in
 41 section 84A.1 shall administer this chapter. The
 42 labor commissioner's primary responsibility in
 43 administering this chapter shall be to make workplace
 44 safety the predominant concern, ensuring consistent
 45 enforcement interpretations and agency policies that
 46 support the state's general business climate.

47 Sec. ____ Section 88.16, subsection 1, Code 2007,
 48 is amended to read as follows:

49 1. The commissioner shall conduct directly or by
 50 contract, educational programs to provide an adequate

Page 3

1 supply of qualified personnel to administer this
 2 chapter and informational programs on the importance
 3 of and proper use of adequate safety and health
 4 equipment. The commissioner shall provide continuous
 5 and timely documentation of all training completed by
 6 the commissioner and the commissioner's
 7 representatives, the dates on which the training was
 8 completed, a record of the commissioner's and the
 9 commissioner's representatives' inspection experience
 10 within the defined sectors of the North American
 11 industry classification system, and the dates on which
 12 the experience was obtained, and shall make the
 13 information documented available upon request."

14 4. Title page, by striking lines 1 and 2 and
 15 inserting the following: "An Act relating to the
 16 duties, responsibility, and operations of the
 17 department of workforce development, including the

18 state minimum wage law, unemployment compensation
19 benefits, and employee drug testing, and providing an
20 effective date.”

JEFF ANGELO

S-3006

1 Amend House File 1, as passed by the House, as
2 follows:
3 1. Page 1, by inserting after line 28 the
4 following:
5 “Sec. ____ Section 91D.1, subsection 1, Code 2007,
6 is amended by adding the following new paragraph:
7 NEW PARAGRAPH. e. Notwithstanding paragraphs “b”
8 and “d”, an employer is only required to pay an
9 employee under the age of eighteen eighty-five percent
10 of the applicable state hourly wage stated in
11 paragraph “a” until the employee reaches the age of
12 eighteen and completes ninety calendar days of
13 employment with the employer, at which time the
14 employer shall pay the employee the applicable state
15 hourly wage stated in paragraph “a.”
16 2. By renumbering as necessary.

JOHN PUTNEY
LARRY McKIBBEN
MARK ZIEMAN
DAVID HARTSUCH
JAMES F. HAHN
STEVE KETTERING
BRAD ZAUN
PAUL McKINLEY
DAVID JOHNSON
PAT WARD
JAMES A. SEYMOUR
LARRY NOBLE
E. THURMAN GASKILL
JERRY BEHN
MARY A. LUNDBY
JEFF ANGELO
DAVE MULDER
JAMES F. HAHN

S-3007

1 Amend House File 1, as passed by the House, as
2 follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 “Section 1. MINIMUM WAGE STUDY. The department of
6 workforce development shall assess the effects of the

7 April 1, 2007, state minimum hourly wage rate increase
 8 on the state economy, state employment levels, family
 9 poverty in Iowa, and the consumers of Iowa. The
 10 department shall report its findings and
 11 recommendations to the general assembly by February 1,
 12 2008.”

13 2. Page 1, line 7, by striking the word “January”
 14 and inserting the following: “April”.

15 3. Page 1, line 21, by striking the word
 16 “January” and inserting the following: “April”.

17 4. Page 1, line 27, by striking the word
 18 “January” and inserting the following: “April”.

19 5. Title page, line 1, by inserting after the
 20 word “requirements” the following: “, establishing a
 21 study,”.

PAUL MCKINLEY
 BRAD ZAUN
 DAVID JOHNSON
 JAMES A. SEYMOUR
 LARRY NOBLE
 E. THURMAN GASKILL
 JERRY BEHN
 MARY A. LUNDBY
 JEFF ANGELO
 LARRY MCKIBBEN
 NANCY J. BOETTGER
 MARK ZIEMAN
 DAVID HARTSUCH
 JAMES F. HAHN

S-3008

1 Amend House File 1, as passed by the House, as
 2 follows:

3 1. By striking everything after the enacting
 4 clause and inserting the following:

5 “Section 1. Section 91D.1, subsection 1, Code
 6 2007, is amended by striking the subsection and
 7 inserting in lieu thereof the following:

8 1. Every employer, as defined in the federal Fair
 9 Labor Standards Act of 1938, as amended, shall pay to
 10 each of the employer’s employees, as defined in the
 11 Fair Labor Standards Act of 1938, as amended, the
 12 current federal minimum wage, pursuant to 29 U.S.C. §
 13 206, as amended.

14 Sec. 2. Section 91D.1, subsection 2, Code 2007, is
 15 amended by striking the subsection.”

16 2. Title page, by striking lines 1 and 2 and
 17 inserting the following:
 18 “An Act eliminating the state minimum hourly wage
 19 rate.”

PAUL McKINLEY
 BRAD ZAUN
 DAVID JOHNSON
 JAMES A. SEYMOUR
 LARRY NOBLE
 E. THURMAN GASKILL
 JERRY BEHN
 MARY A. LUNDBY
 JEFF ANGELO
 LARRY McKIBBEN
 MARK ZIEMAN
 NANCY J. BOETTGER
 DAVID HARTSUCH
 JAMES F. HAHN

S-3009

1 Amend House File 1, as passed by the House, as
 2 follows:
 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 “DIVISION I”
 6 2. Page 1, by inserting after line 35 the
 7 following:
 8 “DIVISION II
 9 Sec. ____. Section 422.5, subsection 2, Code 2007,
 10 is amended to read as follows:
 11 2. However, the tax shall not be imposed on a
 12 resident or nonresident whose net income, as defined
 13 in section 422.7, is ~~thirteen seventeen~~ thousand ~~five~~
 14 nine hundred dollars or less in the case of married
 15 persons filing jointly or filing separately on a
 16 combined return, heads of household, and surviving
 17 spouses or ~~nine eleven~~ thousand two hundred dollars or
 18 less in the case of all other persons; but in the
 19 event that the payment of tax under this division
 20 would reduce the net income to less than ~~thirteen~~
 21 seventeen thousand ~~five nine~~ hundred dollars or ~~nine~~
 22 eleven thousand two hundred dollars as applicable,
 23 then the tax shall be reduced to that amount which
 24 would result in allowing the taxpayer to retain a net
 25 income of ~~thirteen seventeen~~ thousand ~~five nine~~
 26 hundred dollars or ~~nine eleven~~ thousand two hundred
 27 dollars as applicable. The preceding sentence does
 28 not apply to estates or trusts. For the purpose of
 29 this subsection, the entire net income, including any
 30 part of the net income not allocated to Iowa, shall be

31 taken into account. For purposes of this subsection,
32 net income includes all amounts of pensions or other
33 retirement income received from any source which
34 not taxable under this division as a result of the
35 government pension exclusions in section 422.7, or any
36 other state law. If the combined net income of a
37 husband and wife exceeds ~~thirteen seventeen~~ thousand
38 five nine hundred dollars, neither of them shall
39 receive the benefit of this subsection, and it is
40 immaterial whether they file a joint return or
41 separate returns. However, if a husband and wife file
42 separate returns and have a combined net income of
43 ~~thirteen seventeen~~ thousand five nine hundred dollars
44 or less, neither spouse shall receive the benefit of
45 this paragraph, if one spouse has a net operating loss
46 and elects to carry back or carry forward the loss as
47 provided in section 422.9, subsection 3. A person who
48 is claimed as a dependent by another person as defined
49 in section 422.12 shall not receive the benefit of
50 this subsection if the person claiming the dependent

Page 2

1 has net income exceeding ~~thirteen seventeen~~ thousand
2 five nine hundred dollars or ~~nine eleven~~ thousand two
3 hundred dollars as applicable or the person claiming
4 the dependent and the person's spouse have combined
5 net income exceeding ~~thirteen seventeen~~ thousand ~~five~~
6 nine hundred dollars or ~~nine eleven~~ thousand two
7 hundred dollars as applicable.

8 In addition, if the married persons' filing
9 jointly or filing separately on a combined return,
10 head of household's, or surviving spouse's net income
11 exceeds ~~thirteen seventeen~~ thousand five nine hundred
12 dollars, the regular tax imposed under this division
13 shall be the lesser of the maximum state individual
14 income tax rate times the portion of the net income in
15 excess of ~~thirteen seventeen~~ thousand five nine
16 hundred dollars or the regular tax liability computed
17 without regard to this sentence. Taxpayers electing
18 to file separately shall compute the alternate tax
19 described in this paragraph using the total net income
20 of the husband and wife. The alternate tax described
21 in this paragraph does not apply if one spouse elects
22 to carry back or carry forward the loss as provided in
23 section 422.9, subsection 3.

24 This subsection is repealed January 1, 2008.

25 Sec. __. Section 422.5, Code 2007, is amended by
26 adding the following new subsection:

27 NEW SUBSECTION. 2C. However, the tax shall not be
28 imposed on a resident or nonresident whose net income,
29 as defined in section 422.7, is twenty-two thousand

30 three hundred dollars or less in the case of married
31 persons filing jointly or filing separately on a
32 combined return, heads of household, and surviving
33 spouses or thirteen thousand four hundred dollars or
34 less in the case of all other persons; but in the
35 event that the payment of tax under this division
36 would reduce the net income to less than twenty-two
37 thousand three hundred dollars or thirteen thousand
38 four hundred dollars as applicable, then the tax shall
39 be reduced to that amount which would result in
40 allowing the taxpayer to retain a net income of
41 twenty-two thousand three hundred dollars or thirteen
42 thousand four hundred dollars as applicable. The
43 preceding sentence does not apply to estates or
44 trusts. For the purpose of this subsection, the
45 entire net income, including any part of the net
46 income not allocated to Iowa, shall be taken into
47 account. For purposes of this subsection, net income
48 includes all amounts of pensions or other retirement
49 income received from any source which is not taxable
50 under this division as a result of the government

Page 3

1 pension exclusions in section 422.7, or any other
2 state law. If the combined net income of a husband
3 and wife exceeds twenty-two thousand three hundred
4 dollars, neither of them shall receive the benefit of
5 this subsection, and it is immaterial whether they
6 file a joint return or separate returns. However, if
7 a husband and wife file separate returns and have a
8 combined net income of twenty-two thousand three
9 hundred dollars or less, neither spouse shall receive
10 the benefit of this paragraph, if one spouse has a net
11 operating loss and elects to carry back or carry
12 forward the loss as provided in section 422.9,
13 subsection 3. A person who is claimed as a dependent
14 by another person as defined in section 422.12 shall
15 not receive the benefit of this subsection if the
16 person claiming the dependent has net income exceeding
17 twenty-two thousand three hundred dollars or thirteen
18 thousand four hundred dollars as applicable or the
19 person claiming the dependent and the person's spouse
20 have combined net income exceeding twenty-two thousand
21 three hundred dollars or thirteen thousand four
22 hundred dollars as applicable.

23 In addition, if the married persons', filing
24 jointly or filing separately on a combined return,
25 head of household's, or surviving spouse's net income
26 exceeds twenty-two thousand three hundred dollars, the
27 regular tax imposed under this division shall be the
28 lesser of the maximum state individual income tax rate

29 times the portion of the net income in excess of
 30 twenty-two thousand three hundred dollars or the
 31 regular tax liability computed without regard to this
 32 sentence. Taxpayers electing to file separately shall
 33 compute the alternate tax described in this paragraph
 34 using the total net income of the husband and wife.
 35 The alternate tax described in this paragraph does not
 36 apply if one spouse elects to carry back or carry
 37 forward the loss as provided in section 422.9,
 38 subsection 3.

39 Sec. ____ Section 422.5, subsection 7, Code 2007,
 40 is amended to read as follows:

41 7. In addition to the other taxes imposed by this
 42 section, a tax is imposed on the amount of a lump sum
 43 distribution for which the taxpayer has elected under
 44 section 402(e) of the Internal Revenue Code to be
 45 separately taxed for federal income tax purposes for
 46 the tax year. The rate of tax is equal to twenty-five
 47 percent of the separate federal tax imposed on the
 48 amount of the lump sum distribution. A nonresident is
 49 liable for this tax only on that portion of the lump
 50 sum distribution allocable to Iowa. The total amount

Page 4

1 of the lump sum distribution subject to separate
 2 federal tax shall be included in net income for
 3 purposes of determining eligibility under subsections
 4 ~~2 and 2A, or 2B, and 2C~~, as applicable.

DIVISION III

6 Sec. ____ Section 422.7, Code 2007, is amended by
 7 adding the following new subsection:

8 NEW SUBSECTION. 50. a. Subtract five hundred
 9 dollars for each qualifying child, as defined in
 10 section 24(c) of the Internal Revenue Code.

11 b. (1) For the tax year beginning in the 2008
 12 calendar year and for each subsequent tax year, the
 13 dollar amount set forth in paragraph "a" shall be
 14 multiplied by the cumulative adjustment factor for
 15 that tax year. "Cumulative adjustment factor" means
 16 the product of the annual adjustment factor for the
 17 2007 calendar year and all annual adjustment factors
 18 for subsequent calendar years. The cumulative
 19 adjustment factor applies to the tax year beginning in
 20 the calendar year for which the latest annual
 21 adjustment factor has been determined.

22 (2) The annual adjustment factor for the 2007
 23 calendar year is one hundred percent. For each
 24 subsequent calendar year, the annual adjustment factor
 25 equals the annual inflation factor for the calendar
 26 year, in which the tax year begins, as computed in
 27 section 422.4 for purposes of the individual income

28 tax.

29 DIVISION IV

30 Sec. ____ NEW SECTION. 422.11T SMALL BUSINESS
31 HEALTH CARE TAX CREDIT.

32 1. a. The taxes imposed under this division, less
33 the amounts of nonrefundable credits allowed under
34 this division, shall be reduced by a small business
35 health care tax credit, to the extent available, for
36 the cost to a small business of providing health care
37 benefits or contributions to employees of the
38 business. The amount of the credit for each employee
39 equals the first one thousand dollars of the cost of
40 providing health care benefits to the employee or the
41 first one thousand dollars of the contribution made on
42 behalf of the employee to a health savings account of
43 that employee.

44 b. The total amount of all credits for all
45 employees under paragraph "a" shall not exceed
46 twenty-five thousand dollars.

47 c. For purposes of this section:

48 (1) "Health savings account" means a health
49 savings account as defined in section 223(d) of the
50 Internal Revenue Code.

Page 5

1 (2) "Small business" means a for-profit enterprise
2 that employed during the tax year less than fifty
3 full-time equivalent employees.

4 d. Any credit in excess of the tax liability shall
5 be refunded. In lieu of claiming a refund, a taxpayer
6 may elect to have the overpayment shown on the
7 taxpayer's final, completed return credited to the tax
8 liability for the following taxable year.

9 2. An individual may claim a small business health
10 care tax credit allowed a partnership, limited
11 liability company, S corporation, estate, or trust
12 electing to have the income taxed directly to the
13 individual. The amount claimed by the individual
14 shall be based upon the pro rata share of the
15 individual's earnings of the partnership, limited
16 liability company, S corporation, estate, or trust.

17 3. A taxpayer claiming a credit under this section
18 shall not be precluded, in computing taxable income,
19 from deducting the amount of costs for providing
20 health care benefits allowed under any section of the
21 Internal Revenue Code.

22 4. To receive the small business health care tax
23 credit, a small business must submit an application to
24 the department. If the taxpayer meets the criteria
25 for eligibility, the department shall issue to the
26 taxpayer a certification of entitlement for the small

27 business health care tax credit. However, the
 28 combined amount of tax credits that may be approved
 29 for a fiscal year under this section, section 422.33,
 30 subsection 24, section 422.60, subsection 13, section
 31 432.12J, and section 533.24, subsection 11, shall not
 32 exceed the amount specified in subsection 5. Tax
 33 credit certificates shall be issued on an earliest
 34 filed application basis. The certification shall
 35 contain the taxpayer's name, address, tax
 36 identification number, the amount of the credit, and
 37 tax year for which the certificate applies. The
 38 taxpayer must file the tax credit certificate with the
 39 taxpayer's tax return in order to claim the tax
 40 credit. The department shall adopt rules to
 41 administer this section and shall provide by rule for
 42 the method to be used to determine for which fiscal
 43 year the tax credits are approved.

44 5. For purposes of subsection 4, the combined
 45 amount of small business health care tax credits that
 46 may be approved in a fiscal year is as follows:
 47 a. For the fiscal year beginning July 1, 2007, the
 48 combined amount equals fifty million dollars.
 49 b. For the fiscal year beginning July 1, 2008, the
 50 combined amount equals one hundred million dollars.

Page 6

1 c. For the fiscal year beginning July 1, 2009, the
 2 combined amount equals one hundred fifty million
 3 dollars.
 4 d. For the fiscal year beginning July 1, 2010, the
 5 combined amount equals two hundred million dollars.
 6 e. For each fiscal year beginning on or after July
 7 1, 2011, the combined amount equals two hundred fifty
 8 million dollars.

9 Sec. ____ Section 422.33, Code 2007, is amended by
 10 adding the following new subsection:
 11 NEW SUBSECTION. 24. The taxes imposed under this
 12 division shall be reduced by a small business health
 13 care tax credit, to the extent available, provided for
 14 in section 422.11T. The tax credit shall be subject
 15 to the same conditions, requirements, and dollar
 16 limitations as provided for in section 422.11T.

17 Sec. ____ Section 422.60, Code 2007, is amended by
 18 adding the following new subsection:
 19 NEW SUBSECTION. 13. The taxes imposed under this
 20 division shall be reduced by a small business health
 21 care tax credit, to the extent available, provided for
 22 in section 422.11T. The tax credit shall be subject
 23 to the same conditions, requirements, and dollar
 24 limitations as provided for in section 422.11T.

25 Sec. ____ NEW SECTION. 432.12J SMALL BUSINESS

26 HEALTH CARE TAX CREDIT.

27 The taxes imposed under this chapter shall be
28 reduced by a small business health care tax credit, to
29 the extent available, provided for in section 422.11T.
30 The tax credit shall be subject to the same
31 conditions, requirements, and dollar limitations as
32 provided for in section 422.11T.

33 Sec. ____ Section 533.24, Code 2007, is amended by
34 adding the following new subsection:

35 NEW SUBSECTION. 11. The moneys and credits tax
36 imposed under this section shall be reduced by a small
37 business health care tax credit, to the extent
38 available, provided for in section 422.11T. The tax
39 credit shall be subject to the same conditions,
40 requirements, and dollar limitations as provided for
41 in section 422.11T.”

42 3. Page 2, by striking line 1 and inserting the
43 following:

44 “DIVISION V

45 Sec. ____ EFFECTIVE, RETROACTIVE, AND
46 APPLICABILITY DATES.

47 1. Division I of this Act, being deemed of”.

48 4. Page 2, by inserting after line 2 the
49 following:

50 “2. The section of division II of this Act

Page 7

1 amending section 422.5, subsection 2, applies
2 retroactively to January 1, 2007, for tax years
3 beginning on or after January 1, 2007, but before
4 January 1, 2008.

5 3. The section of division II of this Act enacting
6 section 422.5, subsection 2C, takes effect January 1,
7 2008, and applies to tax years beginning on or after
8 that date.

9 4. The section of division II of this Act amending
10 section 422.5, subsection 7, takes effect January 1,
11 2008, and applies to tax years beginning on or after
12 that date.

13 5. The section of division III of this Act
14 enacting section 422.7, subsection 50, applies
15 retroactively to January 1, 2007, for tax years
16 beginning on or after that date.

17 6. Division IV of this Act applies retroactively
18 to January 1, 2007, for tax years beginning on or
19 after that date.”

20 5. Title page, line 1, by inserting after the
21 word “to” the following: “low-income wage earners by
22 providing for a small business health care tax credit,
23 allowing a deduction for individual income tax
24 purposes for certain children, establishing the amount

25 of net income below which individual income taxes are
 26 not owed and increasing”.

27 6. Title page, line 2, by striking the words “an
 28 effective date” and inserting the following:
 29 “effective, retroactive, and applicability dates”.

PAT WARD
 JAMES A. SEYMOUR
 LARRY NOBLE
 E. THURMAN GASKILL
 JERRY BEHN
 MARY A. LUNDBY
 DAVE MULDER
 JEFF ANGELO
 LARRY McKIBBEN
 NANCY J. BOETTGER
 MARK ZIEMAN
 DAVID HARTSUCH
 DAVID JOHNSON
 PAUL McKINLEY
 JAMES F. HAHN
 BRAD ZAUN

S-3010

1 Amend House File 1, as passed by the House, as
 2 follows:
 3 1. Page 1, by inserting after line 28 the
 4 following:
 5 “Sec. ____ Section 91D.1, subsection 2, Code 2007,
 6 is amended to read as follows:
 7 2. The exemptions from the minimum wage
 8 requirements stated in 29 U.S.C. § 213 shall apply,
 9 except that the exemption in 29 U.S.C. § 213(a)(2)
 10 shall only apply to an enterprise which is comprised
 11 of one or more retail or service establishments whose
 12 annual gross volume of sales made or business done is
 13 less than ~~sixty one hundred~~ percent of the amount
 14 stated in 29 U.S.C. § 203(s)(2), exclusive of excise
 15 taxes at the retail level that are separately stated.”
 16 2. By renumbering as necessary.

PAUL McKINLEY
 JERRY BEHN
 BRAD ZAUN
 DAVID JOHNSON
 JAMES F. HAHN

S-3011

1 Amend Senate File 61 as follows:
 2 1. Page 2, line 6, by striking the words “or

3 familial status” and inserting the following:
4 “familial status, or expression protected under the
5 provisions of the first amendment to the Constitution
6 of the United States”.

DAVID HARTSUCH

S-3012

1 Amend Senate File 61 as follows:
2 1. Page 3, by inserting after line 35 the
3 following:
4 “___ CONSTRUCTION. As this section relates to
5 the authorities in charge of a nonpublic school, the
6 section shall not be construed to inhibit the teaching
7 or consideration of doctrinal matters, whether the
8 ritual and liturgy of worship or the tenets of faith
9 by a functional minister or ministerial employee
10 employed to perform the school’s spiritual functions.”
11 2. By renumbering as necessary.

JEFF ANGELO
BRAD ZAUN

S-3013

1 Amend Senate File 61 as follows:
2 1. Page 1, line 22, by striking the words “which
3 is based”.
4 2. Page 1, by striking line 23.
5 3. Page 1, line 24, by striking the words
6 “student and”.
7 4. Page 2, by striking lines 1 through 6.
8 5. By relettering as necessary.

NANCY J. BOETTGER
BRAD ZAUN
DAVE MULDER
PAUL MCKINLEY
DAVID HARTSUCH
LARRY MCKIBBEN
JAMES F. HAHN
JERRY BEHN
LARRY NOBLE
RON WIECK
MARK ZIEMAN
DAVID JOHNSON
STEVE KETTERING
JOHN PUTNEY
E. THURMAN GASKILL
JEFF ANGELO
JAMES A. SEYMOUR

S-3014

- 1 Amend Senate File 61 as follows:
 2 1. Page 4, by inserting after line 10 the
 3 following:
 4 “___ DEFENSE — INDEMNIFICATION — DAMAGES.
 5 a. With respect to implementation of the policy
 6 adopted pursuant to this section, a school district
 7 employee, school district volunteer, or person under
 8 contract with the school district shall be considered
 9 an employee of the state for purposes of chapter 669
 10 and shall be afforded protection as an employee of the
 11 state under section 669.21.
 12 b. The legal obligation of the school district
 13 employee, school district volunteer, or person under
 14 contract with the school district to pay damages
 15 resulting from a claim arising from the implementation
 16 of the policy adopted pursuant to this section shall
 17 be limited to not more than one hundred thousand
 18 dollars for any one act of harassment or bullying
 19 under all legal theories of recovery.”
 20 2. By renumbering as necessary.

DAVID HARTSUCH
 BRAD ZAUN
 PAUL McKINLEY
 DAVE MULDER
 NANCY J. BOETTGER
 JAMES F. HAHN
 MARK ZIEMAN
 JAMES A. SEYMOUR
 JEFF ANGELO
 JERRY BEHN
 DAVID JOHNSON
 STEVE KETTERING

S-3015

- 1 Amend Senate File 61 as follows:
 2 1. Page 4, by striking lines 11 through 21.
 3 2. By renumbering as necessary.

BRAD ZAUN
 PAUL McKINLEY
 NANCY J. BOETTGER
 DAVE MULDER
 RON WIECK
 DAVID HARTSUCH
 JAMES A. SEYMOUR
 MARK ZIEMAN
 DAVID JOHNSON
 JAMES F. HAHN
 STEVE KETTERING
 JERRY BEHN

S-3016

1 Amend Senate File 61 as follows:
2 1. Page 4, by inserting after line 24 the
3 following:
4 “___ . PENALTY. If the department of education
5 determines that a school district’s or nonpublic
6 school’s antiharassment and antibullying policy is not
7 being enforced, the superintendent of the school
8 district, or the authorities in charge of the
9 accredited nonpublic school violating this section
10 shall be subject to penalties in accordance with this
11 subsection. The state board of education and the
12 board of educational examiners shall adopt rules and
13 procedures to administer this subsection. A
14 superintendent in violation of this subsection is
15 subject to the following penalties:
16 a. For a first offense, a fine of not more than
17 five hundred dollars, which shall be collected by the
18 department of education.
19 b. For a second offense, mandatory revocation by
20 the board of educational examiners of the
21 superintendent’s administrator license.”
22 2. By renumbering as necessary.

MARK ZIEMAN

S-3017

1 Amend Senate File 61 as follows:
2 1. Page 4, by inserting after line 10 the
3 following:
4 “___ . POWERS. A superintendent or a
5 superintendent’s designee shall have all powers
6 necessary to carry out the functions and duties
7 specified in this section, including but not limited
8 to the power to do any of the following:
9 a. Suspend or expel a student for committing an
10 act of harassment or bullying.
11 b. Detain for disciplinary purposes a student for
12 committing an act of harassment or bullying.
13 c. Institute a policy that allows a student to be
14 excused from school for up to five hours per week for
15 the purpose of receiving off-site religious and moral
16 instruction provided by clergy from any public place
17 of worship. Notwithstanding section 256.7, subsection
18 19, the excused time shall be considered instructional
19 time.
20 d. Search a student or a student’s protected area

21 on school property except as provided in chapter 808A.
 22 e. Detain a student to prevent injury to another
 23 person until the student can safely be delivered to
 24 the student's parent or guardian."
 25 2. By renumbering as necessary.

DAVID HARTSUCH
 PAUL McKINLEY
 BRAD ZAUN
 DAVE MULDER
 NANCY J. BOETTGER
 JAMES F. HAHN
 MARK ZIEMAN
 JAMES A. SEYMOUR
 JEFF ANGELO
 DAVID JOHNSON
 JERRY BEHN
 RON WIECK
 STEVE KETTERING

S-3018

1 Amend Senate File 61 as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 "Section 1. Section 256.46, Code 2007, is amended
 5 to read as follows:
 6 256.46 RULES FOR PARTICIPATION IN EXTRACURRICULAR
 7 ACTIVITIES BY CERTAIN CHILDREN.
 8 The state board shall adopt rules that permit a
 9 child who does not meet the residence requirements for
 10 participation in extracurricular interscholastic
 11 contests or competitions sponsored or administered by
 12 an organization as defined in section 280.13 to
 13 participate in the contests or competitions
 14 immediately if the child is duly enrolled in a school,
 15 is otherwise eligible to participate, and meets one of
 16 the following circumstances or a similar circumstance:
 17 the child has been adopted; the child is placed under
 18 foster or shelter care; the child is living with one
 19 of the child's parents as a result of divorce,
 20 separation, death, or other change in the child's
 21 parents' marital relationship, or pursuant to other
 22 court-ordered decree or order of custody; the child is
 23 a foreign exchange student, unless undue influence was
 24 exerted to place the child for primarily athletic
 25 purposes; the child has been placed in a juvenile
 26 correctional facility; the child is a ward of the
 27 court or the state; the child is a participant in a
 28 substance abuse or mental health program; the child is
 29 participating in open enrollment because the child was
 30 a victim of bullying in the prior district of

31 enrollment; or the child is enrolled in an accredited
32 nonpublic high school because the child's district of
33 residence has entered into a whole grade sharing
34 agreement for the pupil's grade with another district.
35 The rules shall permit a child who is otherwise
36 eligible to participate, but who does not meet one of
37 the foregoing or similar circumstances relating to
38 residence requirements, to participate at any level of
39 competition other than the varsity level. For
40 purposes of this section and section 282.18, "varsity"
41 means the highest level of competition offered by one
42 school or school district against the highest level of
43 competition offered by an opposing school or school
44 district."

45 2. Page 4, by inserting after line 24 the
46 following:

47 "Sec. ____ Section 282.18, subsection 13, Code
48 2007, is amended to read as follows:

49 13. A pupil who participates in open enrollment
50 for purposes of attending a grade in grades nine

Page 2

1 through twelve in a school district other than the
2 district of residence is ineligible to participate in
3 varsity interscholastic athletic contests and athletic
4 competitions during the pupil's first ninety school
5 days of enrollment in the district except that the
6 pupil may participate immediately in a varsity
7 interscholastic sport if the pupil is entering grade
8 nine for the first time and did not participate in an
9 interscholastic athletic competition for another
10 school or school district during the summer
11 immediately following eighth grade, if the district of
12 residence and the other school district jointly
13 participate in the sport, if the sport in which the
14 pupil wishes to participate is not offered in the
15 district of residence, if the pupil chooses to use
16 open enrollment to attend school in another school
17 district because the district in which the student
18 previously attended school was dissolved and merged
19 with one or more contiguous school districts under
20 section 256.11, subsection 12, if the pupil
21 participates in open enrollment because the pupil's
22 district of residence has entered into a whole grade
23 sharing agreement with another district for the
24 pupil's grade, if the pupil is participating in open
25 enrollment because the pupil was a victim of bullying
26 in the prior district of enrollment, or if the parent
27 or guardian of the pupil participating in open
28 enrollment is an active member of the armed forces and
29 resides in permanent housing on government property

30 provided by a branch of the armed services. A pupil
 31 who has paid tuition and attended school, or has
 32 attended school pursuant to a mutual agreement between
 33 the two districts, in a district other than the
 34 pupil's district of residence for at least one school
 35 year is also eligible to participate immediately in
 36 interscholastic athletic contests and athletic
 37 competitions under this section, but only as a member
 38 of a team from the district that pupil had attended.
 39 For purposes of this subsection, "school days of
 40 enrollment" does not include enrollment in summer
 41 school. For purposes of this subsection, "varsity"
 42 means the same as defined in section 256.46."
 43 3. By renumbering as necessary.

MARK ZIEMAN

S-3019

HOUSE AMENDMENT TO
 SENATE CONCURRENT RESOLUTION 2

1 Amend Senate Concurrent Resolution 2, as passed by
 2 the Senate, as follows:
 3 1. Page 8, by inserting after line 16 the
 4 following:
 5 "Assistant Legal Counsel I Grade 30".
 6 2. Page 10, by inserting after line 24 the
 7 following:
 8 "Assistant Legal Counsel I Grade 30".

S-3020

1 Amend Senate File 25 as follows:
 2 1. Page 1, line 29, by inserting after the word
 3 "forwarded," the following: "However, the amount of
 4 victim restitution collected and forwarded pursuant to
 5 this paragraph shall not be of such an amount that
 6 would prevent the debtor's payment of income taxes due
 7 or to become due on the payment."

HERMAN C. QUIRMBACH
KEITH A. KREIMAN

S-3021

1 Amend Senate File 95 as follows:
 2 1. Page 1, line 12, by striking the figure
 3 "1,500,000" and inserting the following: "2,000,000".

LARRY McKIBBEN
JEFF ANGELO

S-3022

- 1 Amend Senate File 70 as follows:
 2 1. Page 1, line 11, by inserting after the word
 3 “having” the following: “provided the county attorney
 4 notice in writing that the victim has”.
 5 2. By renumbering as necessary.

BRIAN SCHOENJAHN

S-3023

- 1 Amend Senate File 109 as follows:
 2 1. Page 1, line 7, by striking the word “four”
 3 and inserting the following: “six”.
 4 2. Page 1, line 7, by inserting after the word
 5 “percent” the following: “. and of that state percent
 6 of growth an amount equal to two percentage points
 7 shall be paid completely by the state”.

JEFF ANGELO
 LARRY McKIBBEN
 JOHN PUTNEY
 E. THURMAN GASKILL
 NANCY J. BOETTGER
 MARK ZIEMAN
 DAVID JOHNSON
 MARY A. LUNDBY
 RON WIECK
 PAT WARD

S-3024

HOUSE AMENDMENT TO
 SENATE FILE 61

- 1 Amend Senate File 61, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting after line 20 the
 4 following:
 5 “—. “Electronic” means any communication
 6 involving the transmission of information by wire,
 7 radio, optical cable, electromagnetic, or other
 8 similar means. “Electronic” includes but is not
 9 limited to communication via electronic mail,
 10 internet-based communications, pager service, cell
 11 phones, and electronic text messaging.”
 12 2. Page 1, line 22, by striking the words “the
 13 same and mean”.
 14 3. Page 1, line 22, by inserting after the word
 15 “any” the following: “electronic, written, verbal, or
 16 physical act or”.

17 4. Page 3, line 5, by inserting after the word
 18 “bullying,” the following: “The description of
 19 expectations shall also include a policy for involving
 20 parents and guardians that provides for the following:
 21 (1) Ensures that communication between home and
 22 school is regular, two-way, and meaningful.
 23 (2) Promotes and supports parenting skills.
 24 (3) Recognizes and supports the integral role
 25 parents and guardians play in assisting student
 26 learning.
 27 (4) Welcomes parents and guardians into the school
 28 and seeks their support and assistance.
 29 (5) Makes parents and guardians full participants
 30 in the decisions that affect children and families.
 31 (6) Utilizes community collaborations productively
 32 and community resources prolifically to strengthen
 33 schools, families, and student learning.”
 34 5. Page 3, line 6, by inserting after the word
 35 “appropriate” the following: “disciplinary or
 36 nonjudicial”.
 37 6. Page 3, by inserting after line 35 the
 38 following:
 39 “___ CONSTRUCTION. As this section relates to
 40 the authorities in charge of a nonpublic school, the
 41 section shall not be construed to inhibit the teaching
 42 or consideration of doctrinal matters.”
 43 7. Page 4, by striking line 14 and inserting the
 44 following: “collect only data on harassment and
 45 bullying incidences which result in suspension or
 46 expulsion.”
 47 8. Page 4, lines 20 and 21, by striking the words
 48 “, as specified by the department.”
 49 9. By renumbering, relettering, or redesignating
 50 and correcting internal references as necessary.

S-3025

1 Amend the House amendment, S-3024, to Senate File
 2 61, as passed by the Senate, as follows:
 3 1. Page 1, by striking lines 17 through 48.

MICHAEL CONNOLLY

S-3026

1 Amend Senate File 110 as follows:
 2 1. Page 3, line 28, by striking the words
 3 “academy-certified”.

KEITH A. KREIMAN

S-3027

- 1 Amend the amendment, S-3025, to the House
2 amendment, S-3024, to Senate File 61, as passed by the
3 Senate, as follows:
4 1. Page 1, by striking line 3 and inserting the
5 following:
6 “___ . Page 1, by striking lines 17 through 36.
7 ___ . Page 1, by striking lines 43 through 48.”

JEFF ANGELO
LARRY McKIBBEN
DAVE MULDER
MARK ZIEMAN
BRAD ZAUN

S-3028

- 1 Amend Senate File 138 as follows:
2 1. Page 1, line 14, by striking the words “in
3 excess of thirty miles”.

GENE FRAISE
JERRY BEHN

S-3029

- 1 Amend Senate File 41 as follows:
2 1. Page 1, by inserting after line 24 the
3 following:
4 “Sec. ___. Section 556.2C, subsection 2, Code
5 2007, is amended to read as follows:
6 2. An agreement to pay compensation to recover or
7 assist in the recovery of an outstanding warrant made
8 within twenty-four months after the date the warrant
9 is canceled is unenforceable. However, an agreement
10 made after twenty-four months from the date the
11 warrant is canceled is valid if the fee or
12 compensation agreed upon is not more than ~~fifteen~~
13 twenty percent of the recoverable property, the
14 agreement is in writing and signed by the payee, and
15 the writing discloses the nature and value of the
16 property and the name and address of the person in
17 possession. This subsection does not apply to a payee
18 who has a bona fide fee contract with a practicing
19 attorney regulated under chapter 602, article 10.
20 Sec. ___. Section 556.11, subsection 10, Code
21 2007, is amended to read as follows:
22 10. All agreements to pay compensation to recover
23 or assist in the recovery of property reported under
24 this section, made within twenty-four months after the
25 date payment or delivery is made under section 556.13,
26 are unenforceable. However, such agreements made
27 after twenty-four months from the date of payment or

28 delivery are valid if the fee or compensation agreed
 29 upon is not more than ~~fifteen~~ twenty percent of the
 30 recoverable property, the agreement is in writing and
 31 signed by the owner, and the writing discloses the
 32 nature and value of the property and the name and
 33 address of the person in possession. A person shall
 34 not attempt to collect or collect a fee or
 35 compensation for discovering property presumed
 36 abandoned under this chapter unless the person is
 37 licensed as a private investigation business pursuant
 38 to chapter 80A. This section does not prevent an
 39 owner from asserting, at any time, that an agreement
 40 to locate property is based upon excessive or unjust
 41 consideration. This section does not apply to an
 42 owner who has a bona fide fee contract with a
 43 practicing attorney and counselor as described in
 44 chapter 602, article 10.”

45 2. Title page, line 2, by inserting after the
 46 word “minerals” the following: “and agreements to pay
 47 compensation to recover or assist in the recovery of
 48 unclaimed property”.

49 3. By renumbering as necessary.

50

MARY A. LUNDBY

S-3030

1 Amend the amendment, S-3025, to the House
 2 amendment, S-3024, to Senate File 61, as passed by the
 3 Senate, as follows:

4 1. Page 1, line 3, by striking the figure “48.”
 5 and inserting the following: “48 and inserting the
 6 following:

7 ____ Page 4, by striking lines 11 through 21.

8 ____ Title page, lines 2 and 3, by striking the
 9 following: “, providing data collection and reporting
 10 requirements.””

BRAD ZAUN
 PAUL McKINLEY
 DAVE MULDER

S-3031

1 Amend the amendment, S-3025, to the House
 2 amendment, S-3024, to Senate File 61, as passed by the
 3 Senate, as follows:

4 1. Page 1, line 3, by striking the figure “48”
 5 and inserting the following: “42”.

BRAD ZAUN
 PAUL McKINLEY
 DAVE MULDER

S-3032

- 1 Amend Senate File 130 as follows:
- 2 1. Page 1, line 1, by inserting after the figure
- 3 "1" the following: ", 2,".
- 4 2. Page 1, line 6, by striking the word "~~five~~",
- 5 and inserting the following: "not less than five".
- 6 3. Page 1, line 7, by inserting after the word
- 7 "~~seven~~" the following: "and".
- 8 4. Page 1, by inserting after line 11 the
- 9 following:
- 10 "~~In cities having a population of more than one~~
- 11 ~~hundred thousand, the city council may establish, by~~
- 12 ~~ordinance, the number of commission members at not~~
- 13 ~~less than five."~~
- 14 5. By renumbering as necessary.

DARYL BEALL
 DAVID HARTSUCH
 KEITH A. KREIMAN

S-3033

- 1 Amend Senate File 162 as follows:
- 2 1. Page 1, line 17, by striking the words "does
- 3 not include" and inserting the following: "includes".

JERRY BEHN
 BRAD ZAUN
 MARY A. LUNDBY
 NANCY J. BOETTGER
 JAMES A. SEYMOUR
 PAUL McKINLEY
 DAVE MULDER
 DAVID JOHNSON
 DAVID HARTSUCH
 MARK ZIEMAN
 JEFF ANGELO
 STEVE KETTERING
 RON WIECK
 HUBERT HOUSER
 JAMES F. HAHN
 LARRY McKIBBEN
 JOHN PUTNEY

S-3034

- 1 Amend Senate File 78 as follows:
- 2 1. Page 6, line 23, by inserting after the word
- 3 "registration." the following: "All penalties
- 4 collected pursuant to this section shall be forwarded
- 5 by the commission to the treasurer of state, who shall

6 place the money in the state fish and game protection
 7 fund. The money so collected is appropriated to the
 8 commission solely for the administration and
 9 enforcement of navigation laws and water safety.”
 10 2. Title page, line 3, by striking the words “and
 11 making penalties applicable” and inserting the
 12 following: “making penalties applicable, and making
 13 an appropriation”.

TOM HANCOCK
 DENNIS H. BLACK
 LARRY NOBLE

S-3035

1 Amend Senate File 169 as follows:
 2 1. Page 1, line 14, by striking the figure
 3 “11,700” and inserting the following: “10,700”.

FRANK B. WOOD

S-3036

1 Amend Senate File 7 as follows:
 2 1. Page 1, line 6, by striking the word
 3 “primarily”.

TOM HANCOCK

S-3037

1 Amend Senate File 161 as follows:
 2 1. Page 1, by striking line 3 through 8 and
 3 inserting the following:
 4 “k. To discuss information contained in records in
 5 the custody of a ~~public airport, municipal~~
 6 ~~corporation, municipal utility, jointly owned~~
 7 ~~municipal utility, or rural water district organized~~
 8 ~~under chapter 357A, governmental body that are~~
 9 confidential records pursuant to section 22.7,
 10 subsection ~~46 50. This paragraph is repealed~~
 11 ~~effective June 30, 2007.”~~
 12 2. By renumbering as necessary.

TOM RIELLY

S-3038

1 Amend Senate File 155 as follows:
 2 1. Page 4, by inserting after line 24 the
 3 following:

4 “ _____. Report to the general assembly on or before
 5 June 30, 2010, and every three years thereafter, on
 6 the accomplishments of community-wide area efforts
 7 funded by grants from the local government innovation
 8 fund authorized under section 8.67, in achieving the
 9 objectives described in subsection 2, paragraphs “a”
 10 through “e.”

11 2. Page 6, by inserting after line 11 the
 12 following:

13 “Sec. _____. NEW SECTION. 8.67A FUTURE REPEAL OF
 14 COMMISSION AND FUND.

15 Sections 8.64 through 8.67 and this section are
 16 repealed effective June 30, 2019.”

17 3. Page 7, line 9, by inserting after the figure
 18 “8.65” the following: “, or a successor agency,”.

19 4. By renumbering and correcting internal
 20 references as necessary.

BRAD ZAUN
 KEITH A. KREIMAN
 HERMAN C. QUIRMBACH

S-3039

1 Amend Senate File 110 as follows:

2 1. Page 2, by striking lines 14 through 27 and
 3 inserting the following:

4 “3. A person appointed to serve as a reserve peace
 5 officer, ~~who has received basic training as a peace~~
 6 ~~officer and has been certified by the Iowa law~~
 7 ~~enforcement academy~~ pursuant to chapter 80B and rules
 8 adopted pursuant to chapter 80B, may be exempted from
 9 completing the minimum training course at the
 10 discretion of the appointing authority ~~if the officer~~
 11 ~~meets one of the following qualifications:~~

12 a. ~~The appointee is serving as a regular peace~~
 13 ~~officer with a bona fide law enforcement agency when~~
 14 ~~the application for a reserve peace officer~~
 15 ~~appointment is made.~~

16 b. ~~The appointee has served as a regular peace~~
 17 ~~officer with a bona fide law enforcement agency within~~
 18 ~~three years of the date of application for appointment~~
 19 ~~as a reserve peace officer unless the person appointed~~
 20 ~~to serve as a reserve peace officer becomes employed~~
 21 ~~by another law enforcement agency. However, such a~~
 22 ~~person appointed to serve as a”.~~

23 2. By renumbering as necessary.

JEFF ANGELO

S-3040

- 1 Amend Senate File 263 as follows:
- 2 1. Page 3, line 3, by inserting after the word
- 3 "REQUIREMENTS" the following: "— LICENSING".
- 4 2. Page 3, line 4, by inserting before the word
- 5 "Unless" the following: "1."
- 6 3. Page 3, by inserting after line 6 the
- 7 following:
- 8 "2. A licensee authorized to conduct gambling
- 9 games on an excursion boat may convert the license to
- 10 authorize the conducting of gambling games on a
- 11 gambling structure with the approval of the
- 12 commission. In addition, a licensee authorized to
- 13 conduct gambling games on a moored barge may elect to
- 14 have the license treated to allow the conducting of
- 15 gambling games on a gambling structure with the
- 16 approval of the commission."
- 17 4. By renumbering as necessary.

JOHN P. KIBBIE
MICHAEL CONNOLLY

S-3041

- 1 Amend Senate File 208 as follows:
- 2 1. Page 1, line 4, by striking the figure
- 3 "331A.606A" and inserting the following: "331.606A".

HERMAN C. QUIRMBACH

S-3042

- 1 Amend Senate File 155 as follows:
- 2 1. Page 4, by striking line 31 and inserting the
- 3 following: "of the Tim Shields center for governing
- 4 excellence in Iowa as provided in".
- 5 2. Page 5, lines 21 and 22, by striking the words
- 6 "Iowa center for governing excellence" and inserting
- 7 the following: "Tim Shields center for governing
- 8 excellence in Iowa".
- 9 3. Page 6, by striking lines 12 through 16 and
- 10 inserting the following:
- 11 "Sec. 5. NEW SECTION. 8.68 TIM SHIELDS CENTER
- 12 FOR GOVERNING EXCELLENCE IN IOWA.
- 13 1. The commission shall establish the Tim Shields
- 14 center for governing excellence in Iowa. The purpose
- 15 of the Tim Shields center for governing excellence in

16 Iowa is to do all of the following:”
17 4. Page 7, by striking line 10 and inserting the
18 following: “Tim Shields center for governing
19 excellence in Iowa.”

ROBERT E. DVORSKY
HERMAN C. QUIRMBACH

S-3043

1 Amend Senate File 78 as follows:
2 1. Page 6, by inserting after line 7 the
3 following:
4 “Sec. ____ NEW SECTION. 462A.34B ELUDING OR
5 ATTEMPTING TO ELUDE PURSUING LAW ENFORCEMENT VESSEL.
6 1. The operator of a vessel commits a serious
7 misdemeanor if the operator willfully fails to bring
8 the vessel to a stop or otherwise eludes or attempts
9 to elude an authorized marked law enforcement vessel
10 operated by a uniformed peace officer or by a water
11 patrol officer of the department of natural resources,
12 after being given a visual and audible signal to stop.
13 The signals given by the officer shall be by
14 displaying a blue light or flashing blue and red
15 lights and by sounding a horn or siren.
16 2. The operator of a vessel commits an aggravated
17 misdemeanor if the operator willfully fails to bring
18 the vessel to a stop or otherwise eludes or attempts
19 to elude an authorized marked law enforcement vessel
20 operated by a uniformed peace officer or by a water
21 patrol officer of the department of natural resources,
22 after being given a visual and audible signal to stop
23 as provided in this section and in doing so exceeds a
24 reasonable speed.
25 3. The operator of a vessel commits a class “D”
26 felony if the operator willfully fails to bring the
27 vessel to a stop or otherwise eludes or attempts to
28 elude an authorized marked law enforcement vessel
29 operated by a uniformed peace officer or by a water
30 patrol officer of the department of natural resources,
31 after being given a visual and audible signal to stop
32 as provided in this section, and in doing so exceeds a
33 reasonable speed, and if any of the following occurs:
34 a. The operator is participating in a public
35 offense, as defined in section 702.13, that is a
36 felony.
37 b. The operator is in violation of section 462A.14
38 or 124.401.
39 c. The offense results in bodily injury to a
40 person other than the operator.”
41 2. By renumbering as necessary.

DAVID JOHNSON

S-3044

1 Amend Senate File 114 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 "Section 1. Section 88.19, Code 2007, is amended
5 to read as follows:
6 88.19 ANNUAL REPORT.
7 Within one hundred twenty days following the
8 convening of each session of each general assembly,
9 the commissioner shall prepare and submit to the
10 governor for transmittal to the general assembly a
11 report upon the subject matter of this chapter, the
12 progress toward achievement of the purpose of this
13 chapter, the needs and requirements in the field of
14 occupational safety and health, and any other relevant
15 information. Such reports may include information
16 regarding occupational safety and health standards,
17 and criteria for such standards, developed during the
18 preceding year; evaluation of standards and criteria
19 previously developed under this chapter, defining
20 areas of emphasis for new criteria and standards; and
21 evaluation of the degree of observance of applicable
22 occupational safety and health standards, and a
23 summary of inspection and enforcement activity
24 undertaken, including remedial actions taken under
25 chapter 89A; analysis and evaluation of research
26 activities for which results have been obtained under
27 governmental and nongovernmental sponsorship; an
28 analysis of major occupational diseases; evaluation of
29 available control and measurement technology for
30 hazards for which standards or criteria have been
31 developed during the preceding year; description of
32 ~~co-operative~~ cooperative efforts undertaken between
33 government agencies and other interested parties in
34 the implementation of this chapter during the
35 preceding year; a progress report on the development
36 of an adequate supply of trained personnel in the
37 field of occupational safety and health, including
38 estimates of future needs and the efforts being made
39 by government and others to meet those needs; listing
40 of all toxic substances in industrial usage for which
41 labeling requirements, criteria, or standards have not
42 yet been established; and such recommendations for
43 additional legislation as are deemed necessary to
44 protect the safety and health of the worker and
45 improve the administration of this chapter."
46 2. By renumbering as necessary.

WALLY E. HORN

S-3045

- 1 Amend Senate File 201 as follows:
2 1. Page 1, by striking lines 22 and 23 and
3 inserting the following:
4 "Sec. ____ EFFECTIVE DATE. This Act takes effect
5 on the first day of the month following enactment."
6 2. By renumbering as necessary.

ROGER STEWART

S-3046

- 1 Amend Senate File 305 as follows:
2 1. Page 1, line 7, by inserting after the word
3 "expenses" the following: ", food-related costs,".
4 2. Page 1, by striking lines 18 and 19 and
5 inserting the following:
6 "Sec. ____ EFFECTIVE DATE — RETROACTIVE
7 APPLICABILITY. This Act, being deemed of immediate
8 importance, takes effect upon enactment and applies
9 retroactively to February 23, 2007, to proclamations
10 issued by the governor on or after that date."
11 3. Title page, line 2, by striking the words
12 "providing an effective date" and inserting the
13 following: "including effective and retroactive
14 applicability date provisions".

ROBERT E. DVORSKY

S-3047

- 1 Amend Senate File 78 as follows:
2 1. Page 6, by inserting after line 23 the
3 following:
4 "Sec. ____ Section 462A.84, subsection 3, Code
5 2007, is amended by striking the subsection and
6 inserting in lieu thereof the following:
7 3. When a security interest is discharged, the
8 secured party shall note the cancellation of the
9 security interest on the face of the certificate of
10 title and send the title by first class mail to the
11 office of the county recorder where the title was
12 issued, or the secured party shall send a notarized
13 letter by first class mail to the county recorder
14 where the title was issued notifying the county
15 recorder of the cancellation of the security interest.
16 The county recorder shall note the release of the
17 security interest in the county records as evidence of
18 the release of the security interest."
19 2. By renumbering as necessary.

TOM HANCOCK

S-3048

- 1 Amend Senate File 67 as follows:
 2 1. Page 1, by striking lines 24 and 25 and
 3 inserting the following:
 4 “NEW SUBSECTION. 23A. “Medical gas” means a gas,
 5 excluding oxygen, intended for human consumption.”

DAVID HARTSUCH

S-3049

- 1 Amend Senate File 264 as follows:
 2 1. Page 1, line 12, by striking the word
 3 “district”.
 4 2. Page 1, by striking line 29, and inserting the
 5 following: “district court or the juvenile court if
 6 that”.
 7 3. Page 1, by inserting after line 32 the
 8 following:
 9 “Sec. ____ Section 600.11, subsection 2, paragraph
 10 e, Code 2007, is amended to read as follows:
 11 e. A person who has been granted visitation rights
 12 with the child to be adopted pursuant to section
 13 ~~598.35~~ 600C.1.”
 14 4. By renumbering as necessary.

DAVE MULDER
 AMANDA RAGAN
 KEITH A. KREIMAN

S-3050

HOUSE AMENDMENT TO
 SENATE FILE 70

- 1 Amend Senate File 70, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by inserting after line 4 the
 4 following:
 5 “Sec. ____ Section 422.7, Code 2007, is amended by
 6 adding the following new subsection:
 7 NEW SUBSECTION. 50. Subtract, to the extent
 8 included, the amount of victim compensation awards
 9 paid under the victim compensation program, victim
 10 restitution payments received pursuant to chapter 910
 11 or 915, and any damages awarded by a court, and
 12 received by the taxpayer, in a civil action filed by
 13 the victim against the offender, during the tax year.”
 14 2. Page 5, by inserting after line 6 the
 15 following:
 16 “Sec. ____ RETROACTIVE APPLICABILITY DATE. The

- 17 section of this Act amending section 422.7 applies
18 retroactively to January 1, 2007, for tax years
19 beginning on or after that date.”
20 3. Title page, line 1, by inserting after the
21 word “compensation” the following: “, excluding
22 certain victim compensation payments from income
23 taxation, and providing a retroactive applicability
24 date”.
25 4. By renumbering as necessary.

S-3051

- 1 Amend Senate File 128 as follows:
2 1. Page 4, line 11, by striking the words “upon
3 enactment” and inserting the following: “on the first
4 day of the month following enactment of this Act”.

DAVE MULDER

S-3052

- 1 Amend Senate File 232 as follows:
2 1. Page 1, by inserting after line 30 the
3 following:
4 “e. The state agency responsible for ensuring
5 payment for and with authority over employees within
6 an authorized employee classification authorizes the
7 payroll deduction for dues.”
8 2. By renumbering as necessary.

MARK ZIEMAN

S-3053

- 1 Amend Senate File 277 as follows:
2 1. Page 2, line 1, by inserting after the word
3 “students.” the following: “Each school district
4 shall work toward the goal of having one school nurse
5 for every seven hundred fifty students enrolled in the
6 school district.”
7 2. Page 2, by striking lines 5 through 26 and
8 inserting the following:
9 “Sec. ____ Section 256.11A, Code 2007, is amended
10 by striking the section and inserting in lieu thereof
11 the following:
12 256.11A TEACHER LIBRARIAN — GUIDANCE COUNSELOR —
13 SCHOOL NURSE — WAIVERS.
14 1. The board of directors of a school district may
15 file a written request with the department of
16 education that the department waive the following
17 requirements adopted by the state board as follows:
18 a. By August 1, 2007, for the school year
19 beginning July 1, 2007, apply for a one-year extension

20 of a waiver granted for the previous school year
21 beginning July 1, 2006, that the school district have
22 a qualified teacher librarian.

23 b. By August 1, 2007, for the school year
24 beginning July 1, 2007, that the school district have
25 a qualified guidance counselor. The board of
26 directors of the school district may, not later than
27 August 1, 2008, for the school year beginning July 1,
28 2008, apply for a one-year extension of the waiver.

29 c. By August 1, 2007, for the school year
30 beginning July 1, 2007, that the school district have
31 a school nurse. The board of directors of the school
32 district may, not later than August 1, 2008, for the
33 school year beginning July 1, 2008, apply for a
34 one-year extension of the waiver.

35 2. A request for a waiver filed by the board of
36 directors of a school district pursuant to subsection
37 1 shall describe actions being taken by the district
38 to meet the requirement for which the district has
39 requested a waiver. A school district cannot request
40 a waiver of a requirement under subsection 1 if it met
41 the requirements of section 256.11, subsection 9, 9A,
42 or 9B, as applicable, in the previous school year.”

43 3. Page 2, line 30, by striking the word “or”.

44 4. Page 2, line 32, by inserting after the word
45 and figure “9A” the following: “, or one or more
46 school nurses pursuant to section 256.11, subsection
47 9B”.

48 5. Page 3, by striking lines 34 and 35 and
49 inserting the following: “practitioner’s license
50 issued under chapter 272, or a”.

Page 2

1 6. Page 4, line 1, by striking the words “for
2 school nurses”.

3 7. Page 4, line 2, by inserting after the figure
4 “272” the following: “, excluding school nurses”.

5 8. Page 12, line 4, by inserting after the figure
6 “2008” the following: “, and each succeeding school
7 year”.

8 9. Page 13, line 9, by striking the word “or” and
9 inserting the following: “~~or~~ and”.

10 10. Page 14, by striking line 5 and inserting the
11 following: “salaries ~~due to geographic differences,~~
12 educational”.

13 11. Page 15, by inserting after line 21 the
14 following:

15 “Sec. ____ Section 284.13, subsection 1, paragraph
16 a, Code 2007, is amended to read as follows:

17 a. For each fiscal year of the fiscal period
18 beginning July 1, ~~2006~~ 2007, and ending June 30, 2009,

19 to the department of education, the amount of ~~two one~~
 20 million ~~two four~~ hundred ~~forty eighty-seven~~ thousand
 21 ~~five hundred~~ dollars for the issuance of national
 22 board certification awards in accordance with section
 23 256.44. Of the amount allocated under this paragraph,
 24 ~~up to two hundred fifty thousand dollars may be used~~
 25 ~~to support the implementation of a national board~~
 26 ~~certification support program, and~~ not less than
 27 eighty-five thousand dollars shall be used to
 28 administer the ambassador to education position in
 29 accordance with section 256.45.”

30 12. Page 15, line 25, by striking the figure
 31 “2006” and inserting the following: “~~2006~~ 2007”.

32 13. Page 17, by inserting after line 26 the
 33 following:

34 “Sec. ____ . Section 284.13, subsection 1, paragraph
 35 g, unnumbered paragraph 1, Code 2007, is amended to
 36 read as follows:

37 For purposes of the pay-for-performance program
 38 established pursuant to section 284.14, the following
 39 amounts are allocated to the department of ~~management~~
 40 education for the following fiscal years.”

41 14. By renumbering as necessary.

COMMITTEE ON APPROPRIATIONS
 ROBERT E. DVORSKY, Chair

S-3054

1 Amend Senate File 247 as follows:

2 1. Page 1, line 3, by inserting after the figure
 3 “20.” the following: “a.”

4 2. Page 1, by inserting after line 9 the
 5 following:

6 “b. Notwithstanding paragraph “a”, “fur-bearing
 7 animals” does not include a cougar in the following
 8 counties: Adair, Adams, Audubon, Buena Vista,
 9 Carroll, Cass, Cherokee, Clarke, Clay, Crawford,
 10 Decatur, Dickinson, Fremont, Guthrie, Harrison, Ida,
 11 Lyon, Mills, Monona, Montgomery, O’Brien, Osceola,
 12 Page, Plymouth, Pottawattamie, Ringgold, Sac, Shelby,
 13 Sioux, Taylor, Union, and Woodbury.”

14 3. Title page, line 1, by inserting after the
 15 word “animals” the following: “in certain areas of
 16 the state”.

STEVE KETTERING
 DAVID JOHNSON
 JAMES A. SEYMOUR
 NANCY J. BOETTGER
 DAVE MULDER
 RON WIECK
 JEFF ANGELO

S-3055

- 1 Amend Senate File 277 as follows:
- 2 1. Page 5, by striking lines 26 through 29 and
3 inserting the following:
- 4 “(3) Determine, upon consideration of the Iowa
5 professional development model, the use and
6 distribution of professional development funds
7 distributed to the school district or agency as
8 provided in section 284.13, subsection 1, paragraph
9 “d”, based upon school district or agency, attendance
10 center, and individual teacher and professional
11 development plans.”
- 12 2. Page 7, by striking lines 12 through 14 and
13 inserting the following: “providers.”
- 14 3. By striking page 8, line 33, through page 9,
15 line 3, and inserting the following: “create quality
16 professional development opportunities.”

FRANK B. WOOD
DAVE MULDER

S-3056

- 1 Amend Senate File 155 as follows:
- 2 1. Page 7, by inserting after line 10 the
3 following:
- 4 “Sec. ____ NEW SECTION. 8.69 FUTURE REPEAL OF
5 COMMISSION AND FUND AND CENTER.
6 Sections 8.64 through 8.68 and this section are
7 repealed effective June 30, 2013.”
- 8 2. Page 7, by inserting before line 11 the
9 following:
- 10 “Sec. ____ INTERIM COMMITTEE ESTABLISHED.
- 11 1. The legislative council is requested to
12 establish a study committee for the 2008 legislative
13 interim to evaluate the success of the local
14 government innovation commission and fund and of the
15 Iowa center for governing excellence. The evaluation
16 conducted by the committee should be based on
17 standards adopted by the committee including but not
18 limited to the following:
- 19 a. Cost savings to citizens, in particular
20 lowering of local government property taxes.
- 21 b. Creation of, or inducement to create,
22 high-wage, stable employment opportunities for a local
23 government’s citizens and more effective leveraging of
24 resources to improve competitive advantage.

- 25 c. Elimination of duplication of government
26 administration.
- 27 d. More efficient and effective delivery of
28 services by government, including eliminating
29 duplication of service delivery by more than one unit
30 of government in the same area and modernizing
31 services and service delivery to meet the changing
32 public service needs of the area.
- 33 e. Creation of a state-local partnership in one or
34 more areas of service delivery and governance that
35 would increase quality and efficiency on the local
36 level.
- 37 2. The legislative council shall authorize the
38 committee to hire a consultant to assist with the
39 evaluation in subsection 1.
- 40 3. Members on the committee shall be two senators
41 appointed by the majority leader of the senate, two
42 senators appointed by the minority leader of the
43 senate, two representatives appointed by the speaker
44 of the house of representatives, and two
45 representatives appointed by the minority leader of
46 the house of representatives.
- 47 4. The committee shall submit its final report,
48 including its findings and recommendations, to the
49 general assembly no later than January 15, 2009.”
- 50 3. Page 7, by inserting before line 11 the

Page 2

- 1 following:
- 2 “Sec. ____ INTERIM COMMITTEE ESTABLISHED.
- 3 1. The legislative council is requested to
4 establish a study committee for the 2010 legislative
5 interim to evaluate the success of the local
6 government innovation commission and fund and of the
7 Iowa center for governing excellence. The evaluation
8 conducted by the committee would be based on standards
9 adopted by the committee including but not limited to
10 the following:
- 11 a. Cost savings to citizens, in particular
12 lowering of local government property taxes.
- 13 b. Creation of, or inducement to create,
14 high-wage, stable employment opportunities for a local
15 government’s citizens and more effective leveraging of
16 resources to improve competitive advantage.
- 17 c. Elimination of duplication of government
18 administration.
- 19 d. More efficient and effective delivery of

20 services by government, including eliminating
21 duplication of service delivery by more than one unit
22 of government in the same area and modernizing
23 services and service delivery to meet the changing
24 public service needs of the area.

25 e. Creation of a state-local partnership in one or
26 more areas of service delivery and governance that
27 would increase quality and efficiency on the local
28 level.

29 2. The legislative council shall authorize the
30 committee to hire a consultant to assist with the
31 evaluation in subsection 1.

32 3. Members on the committee shall be two senators
33 appointed by the majority leader of the senate, two
34 senators appointed by the minority leader of the
35 senate, two representatives appointed by the speaker
36 of the house of representatives, and two
37 representatives appointed by the minority leader of
38 the house of representatives.

39 4. The committee shall submit its final report,
40 including its findings and recommendations, to the
41 general assembly no later than January 15, 2011.”

42 4. Page 7, by inserting before line 11 the
43 following:

44 “Sec. ____ INTERIM COMMITTEE ESTABLISHED.

45 1. The legislative council is requested to
46 establish a study committee for the 2012 legislative
47 interim to evaluate the success of the local
48 government innovation commission and fund and of the
49 Iowa center for governing excellence. The evaluation
50 conducted by the committee would be based on standards

Page 3

1 adopted by the committee including but not limited to
2 the following:

3 a. Cost savings to citizens, in particular
4 lowering of local government property taxes.

5 b. Creation of, or inducement to create,
6 high-wage, stable employment opportunities for a local
7 government’s citizens and more effective leveraging of
8 resources to improve competitive advantage.

9 c. Elimination of duplication of government
10 administration.

11 d. More efficient and effective delivery of
12 services by government, including eliminating
13 duplication of service delivery by more than one unit
14 of government in the same area and modernizing

15 services and service delivery to meet the changing
16 public service needs of the area.

17 e. Creation of a state-local partnership in one or
18 more areas of service delivery and governance that
19 would increase quality and efficiency on the local
20 level.

21 2. The legislative council shall authorize the
22 committee to hire a consultant to assist with the
23 evaluation in subsection 1.

24 3. Members on the committee shall be two senators
25 appointed by the majority leader of the senate, two
26 senators appointed by the minority leader of the
27 senate, two representatives appointed by the speaker
28 of the house of representatives, and two
29 representatives appointed by the minority leader of
30 the house of representatives.

31 4. The committee shall submit its final report,
32 including its findings and recommendations, to the
33 general assembly no later than January 15, 2013.”

34 5. By renumbering and correcting internal
35 references as necessary.

PAUL MCKINLEY
MARK ZIEMAN
DAVID HARTSUCH
BRAD ZAUN
DAVE MULDER
DAVID JOHNSON
PAT WARD
NANCY J. BOETTGER
JERRY BEHN
JEFF ANGELO
LARRY MCKIBBEN
STEVE KETTERING
JAMES F. HAHN
RON WIECK
JOHN PUTNEY
JAMES A. SEYMOUR
E. THURMAN GASKILL
LARRY NOBLE

S-3057

1 Amend Senate File 277 as follows:

2 1. Page 2, by inserting before line 27 the
3 following:

4 “Sec. ____ Section 256.16, subsection 1, Code
5 2007, is amended by adding the following new
6 paragraph:

7 NEW PARAGRAPH. d. Administer the Praxis II
8 examination for knowledge of pedagogies and for not
9 more than one content area as determined by the
10 practitioner preparation program to each individual

11 prior to the individual’s graduation from the
 12 practitioner preparation program. Rules adopted shall
 13 require institutions to deny graduation from the
 14 program to any individual who does not successfully
 15 pass the examination.”
 16 2. By renumbering as necessary.

JEFF ANGELO
 LARRY McKIBBEN
 RON WIECK
 JERRY BEHN
 JAMES A. SEYMOUR
 PAUL McKINLEY
 PAT WARD
 NANCY J. BOETTGER
 DAVID HARTSUCH

S-3058

1 Amend the amendment, S-3053, to Senate File 277, as
 2 follows:

3 1. Page 1, by striking lines 43 through 47 and
 4 inserting the following:

5 “__. Page 2, by striking lines 27 through 32.”

6 2. Page 2, by inserting after line 40 the
 7 following:

8 “__. Page 26, by inserting after line 26 the
 9 following:

10 “Sec. __. DEPARTMENT OF EDUCATION. There is
 11 appropriated from the general fund of the state to the
 12 department of education for the fiscal year beginning
 13 July 1, 2007, and ending June 30, 2008, the following
 14 amount, or so much thereof as is necessary, to be used
 15 for the purposes designated:

16 For distribution to school districts for purposes
 17 of implementing section 256.11, subsections 9, 9A, and
 18 9B, if subsections 9A and 9B are enacted by this Act:

19	\$	7,200,000
----------	----	-----------

20 Funds appropriated pursuant to this section shall
 21 be distributed as provided in section 284.13,
 22 subsection 1, paragraph “h”.”

23 3. By renumbering as necessary.

JEFF ANGELO
 DAVID JOHNSON

S-3059

1 Amend the amendment, S-3053, to Senate File 277, as
 2 follows:

3 1. By striking page 1, line 2, through page 2,
 4 line 40 and inserting the following:

5 “___ . By striking page 1, line 1, through page
6 26, line 16 and inserting the following:
7 “Section 1. Section 284.13, subsection 1,
8 paragraphs d and h, Code 2007, are amended to read as
9 follows:
10 d. (1) For the each fiscal year of the fiscal
11 period beginning July 1, 2006 2007, and ending June
12 30, 2007 2012, up to ten million dollars to the
13 department of education for use by school districts to
14 add one additional teacher contract day to the school
15 calendar. The department shall distribute funds
16 allocated for the purpose of this paragraph based on
17 the average per diem contract salary for each district
18 as reported to the department for the school year
19 beginning July 1, 2005, multiplied by the total number
20 of full time equivalent teachers in the base year.
21 The department shall adjust each district's average
22 per diem salary by the allowable growth rate
23 established under section 257.8 for the fiscal year
24 beginning July 1, 2006. The contract salary amount
25 shall be the amount paid for their regular
26 responsibilities but shall not include pay for
27 extracurricular activities. School districts shall
28 distribute funds to teachers based on individual
29 teacher per diem amounts. These funds for a raising
30 student achievement grant program that encourages
31 school districts to collaborate on innovative methods
32 and measures to improve student achievement and that
33 provides assistance to school districts to encourage
34 implementation of those methods and measures as
35 demonstration projects and innovative programs, such
36 as teacher academies and regional academies.
37 (2) The department shall determine an application
38 process grant criteria for the selection of grant
39 recipients. A school district or a consortium of
40 school districts may apply to the department on forms
41 approved by the department.
42 (3) Funds distributed to school districts pursuant
43 to this paragraph shall not supplant existing funding
44 for professional development activities.
45 Notwithstanding any provision to the contrary, moneys
46 received by a school district under this paragraph
47 shall not revert but shall remain available for the
48 same purpose in the succeeding fiscal year.
49 (4) A school district which receives funds
50 pursuant to this paragraph shall submit a report to

Page 2

1 the department in a manner determined by the
2 department describing its use of the funds received
3 under this paragraph.

4 (5) The department shall submit a report on school
5 district use of the moneys distributed pursuant to
6 this paragraph to the ~~chairpersons and ranking members~~
7 ~~of the house and senate standing committees on~~
8 ~~education, the joint appropriations subcommittee on~~
9 ~~education, and the legislative services agency not~~
10 ~~later than January 15, 2007~~ general assembly by
11 January 15 annually.

12 (6) The legislative council is requested to
13 provide for a study of the innovative programs and
14 collaborative efforts implemented with funds received
15 by school districts pursuant to this paragraph. The
16 study shall review the effects of the funds allocated
17 pursuant to this paragraph on student achievement
18 levels, including but not limited to the amount by
19 which student achievement levels were changed, by
20 subject area, in the school districts and attendance
21 centers receiving grants under the program. The study
22 shall include a report describing the uses and
23 distribution of the funds allocated under this
24 paragraph to be submitted to the general assembly by
25 January 15, 2014.

26 h. For each fiscal year in which funds are
27 appropriated for purposes of this chapter, the moneys
28 remaining after distribution as provided in paragraphs
29 "a" through "g" shall be allocated to school districts
30 for salaries and ~~career~~ professional development ~~in~~
31 ~~accordance with the following formula:~~

32 ~~(1) Fifty percent of the allocation shall be in~~
33 ~~the proportion that the basic enrollment of a school~~
34 ~~district bears to the sum of the basic enrollments of~~
35 ~~all school districts in the state for the budget year.~~

36 ~~(2) Fifty percent of the allocation shall be based~~
37 ~~upon the proportion that the number of full time~~
38 ~~equivalent teachers employed by a school district~~
39 ~~bears to the sum of the number of full-time equivalent~~
40 ~~teachers who are employed by all school districts in~~
41 ~~the state for the base year. Each school district~~
42 ~~shall develop a plan for teacher salary enhancements~~
43 ~~based on increased student achievement levels and for~~
44 ~~professional development efforts designed to assist~~
45 ~~teachers to increase student achievement levels which~~
46 ~~shall be aligned with the school district's~~
47 ~~professional development plan. The school district~~
48 ~~shall determine which teachers shall receive salary~~
49 ~~enhancements. Funds appropriated pursuant to this~~
50 ~~paragraph shall be used by a school district to reward~~

Page 3

1 teachers or teams of teachers with salary enhancements
 2 for their ability to raise student achievement levels
 3 and reduce achievement gaps between students, and to
 4 provide for professional development designed to
 5 assist teachers in efforts to increase student
 6 achievement.”
 7 _____. By striking page 26, line 27, through page
 8 27, line 16.”
 9 2. Title page, by striking lines 1 through 6 and
 10 inserting the following: “An Act relating to the
 11 student achievement and teacher quality program and
 12 making appropriations.”

PAUL McKINLEY
 BRAD ZAUN
 STEVE KETTERING
 MARK ZIEMAN
 DAVID HARTSUCH
 DAVID JOHNSON
 JERRY BEHN
 NANCY J. BOETTGER
 PAT WARD
 LARRY NOBLE
 JAMES F. HAHN
 JOHN PUTNEY
 JEFF ANGELO
 RON WIECK

S-3060

1 Amend the amendment, S-3053, to Senate File 277, as
 2 follows:
 3 1. Page 1, by striking lines 39 through 42 and
 4 inserting the following: “requested a waiver.”
 5 2. Page 1, by inserting before line 43 the
 6 following:
 7 “Sec. _____. Section 256.11A, Code 2007, is amended
 8 by adding the following new subsection:
 9 NEW SUBSECTION. 3. Notwithstanding the waiver and
 10 waiver extension deadlines established pursuant to
 11 subsection 1, until an appropriation is enacted for
 12 distribution to school districts in an amount
 13 sufficient to fully offset the school districts’
 14 additional costs of complying with the requirements of
 15 section 256.11, subsection 9, 9A, or 9B, a school
 16 district may apply for a waiver of the requirements of

17 section 256.11, subsection 9, 9A, or 9B, and for an
 18 extension of that waiver in succeeding school years.””
 19 3. By renumbering as necessary.

MARK ZIEMAN
 BRAD ZAUN
 DAVID JOHNSON
 PAUL MCKINLEY
 DAVID HARTSUCH
 LARRY NOBLE
 LARRY MCKIBBEN
 PAT WARD
 JAMES F. HAHN
 RON WIECK
 JERRY BEHN

S-3061

1 Amend the amendment, S-3053, to Senate File 277, as
 2 follows:

3 1. By striking page 1, line 48, through page 2,
 4 line 4, and inserting the following:

5 “___ . By striking page 3, line 31, through page
 6 4, line 14, and inserting the following:

7 “Sec. ___ . Section 284.2, subsection 11, Code
 8 2007, is amended to read as follows:

9 11. “Teacher” means an individual holding a
 10 practitioner’s license issued under chapter 272, who
 11 is employed in a nonadministrative position as a
 12 teacher, teacher librarian, preschool teacher, or
 13 counselor by a school district or area education
 14 agency pursuant to a contract issued by a board of
 15 directors under section 279.13. However, an
 16 individual who is employed by an area education agency
 17 shall only be considered a teacher for purposes of
 18 this chapter if the individual directly delivers
 19 program instruction to school district or accredited
 20 nonpublic school students, exclusive of corrective and
 21 support services, for fifty percent or more of the
 22 individual’s contracted time. A teacher may be
 23 employed in both an administrative and a
 24 nonadministrative position by a board of directors and
 25 shall be considered a part-time teacher for the
 26 portion of time that the teacher is employed in a
 27 nonadministrative position. “Teacher” includes a
 28 licensed individual employed on a less than full-time
 29 basis by a school district through a contract between
 30 the school district and an institution of higher
 31 education with a practitioner preparation program in
 32 which the licensed teacher is enrolled.””

33 2. Page 2, by inserting after line 40 the
 34 following:

35 “ ____ . Page 26, by inserting after line 26, the
 36 following:
 37 “Sec. ____ . DEPARTMENT OF EDUCATION. There is
 38 appropriated from the general fund of the state to the
 39 department of education for the fiscal year beginning
 40 July 1, 2007, and ending June 30, 2008, the following
 41 amount, or so much thereof as is necessary, to be used
 42 for the purposes designated:
 43 For distribution to school districts to supplement
 44 funds allocated pursuant to section 284.13, subsection
 45 1, paragraph “h”:
 46 \$ 3,800,000
 47 Funds appropriated pursuant to this section shall
 48 be distributed as provided in section 284.13,
 49 subsection 1, paragraph “h.””
 50 3. By renumbering as necessary.

DAVID JOHNSON

S-3062

1 Amend the amendment, S-3053, to Senate File 277, as
 2 follows:
 3 1. Page 2, by inserting after line 4 the
 4 following:
 5 “ ____ . Page 4, line 6, by inserting after the
 6 figure “279.13” the following: “or by the school for
 7 the deaf or the Iowa braille and sight saving
 8 school.”
 9 2. By renumbering as necessary.

JOHN PUTNEY
 ROBERT E. DVORSKY
 FRANK B. WOOD

S-3063

1 Amend Senate File 333 as follows:
 2 1. Page 23, by inserting after line 2 the
 3 following:
 4 “Sec. ____ . Section 232.133, subsection 2, Code
 5 2007, is amended to read as follows:
 6 2. Except for appeals from orders entered in child
 7 in need of assistance proceedings or orders entered
 8 pursuant to section 232.117, appellate procedures
 9 shall be governed by the same provisions applicable to
 10 appeals from the district court. The supreme court
 11 may prescribe rules to expedite the resolution of
 12 appeals from ~~final~~ orders entered in child in need of
 13 assistance proceedings or orders entered pursuant to
 14 section 232.117.”
 15 2. Page 34, line 27, by striking the word

- 16 “twice,” and inserting the following: “twice”.
- 17 3. Page 34, line 32, by striking the word
- 18 “twice,” and inserting the following: “twice”.
- 19 4. Page 49, by striking lines 31 through 35.
- 20 5. By renumbering as necessary.

COMMITTEE ON JUDICIARY
KEITH A. KREIMAN, Chair

S-3064

- 1 Amend Senate File 277 as follows:
- 2 1. Page 19, by inserting after line 10 the
- 3 following:
- 4 “Sec. ____ Section 284.13, Code 2007, is amended
- 5 by adding the following new subsection:
- 6 NEW SUBSECTION. 4. a. There is created an Iowa
- 7 elite teacher program to be administered by the
- 8 department. The program shall consist of four pilot
- 9 projects. The department shall develop an application
- 10 process and criteria for the selection of school
- 11 districts to participate in the program. The criteria
- 12 developed shall include a prerequisite that
- 13 participation in the program has been agreed to by the
- 14 applicant school district’s administrators and by a
- 15 majority of the teachers employed by the school
- 16 district or, if the licensed employees of the school
- 17 district are organized under chapter 20 for collective
- 18 bargaining purposes, by the employee organization.
- 19 b. For the fiscal year beginning July 1, 2007, the
- 20 department shall select two school districts located
- 21 in urban areas and two school districts located in
- 22 rural areas to participate in the pilot projects.
- 23 c. For the fiscal year beginning July 1, 2008, the
- 24 department shall select four school districts located
- 25 in urban areas and four school districts located in
- 26 rural areas to participate in the pilot projects.
- 27 d. The funds distributed to the selected school
- 28 districts shall be equally divided between the
- 29 selected school districts. Each school district
- 30 selected to participate in the program shall
- 31 distribute the amount received pursuant to this
- 32 subsection equally to the teachers in the school
- 33 district who, as identified by the committee
- 34 established pursuant to paragraph “e”, rank in the top
- 35 ten percent of the teachers employed by the school
- 36 district.
- 37 e. Each school district selected to participate in
- 38 the program shall establish a five-member elite
- 39 teacher selection committee. The committee shall
- 40 consist of an administrator, a school board member, a
- 41 teacher assigned to a grade level from kindergarten to

42 grade four, a teacher assigned to a grade level from
 43 grade five to grade eight, and a teacher assigned to a
 44 grade level or subject area from grade nine to grade
 45 twelve. The committee shall establish criteria for
 46 ranking teachers employed by the school district. The
 47 committee, based upon the criteria established, shall
 48 identify teachers who rank in the top ten percent of
 49 the teachers employed in the school district in
 50 accordance with paragraph "d".

Page 2

1 f. Teachers identified as provided in paragraph
 2 "e" shall be offered an extended contract in
 3 accordance with section 279.13. As provided in
 4 paragraph "d", the school district shall distribute
 5 funds as a salary enhancement to a teacher who accepts
 6 the extended contract. The extended contract shall
 7 require the teacher to take measures to increase
 8 student achievement through various summer school
 9 initiatives including but not limited to curriculum
 10 study and remedial work. Any student who receives a
 11 failing grade in the school district's core curriculum
 12 areas shall be encouraged to attend the summer school
 13 program.

14 g. Teachers holding an initial or regular
 15 practitioner license are eligible to receive salary
 16 enhancements under the program.

17 h. Each school district participating in the
 18 program shall submit a report to the department upon
 19 conclusion of the pilot project. The department shall
 20 submit a final report to the general assembly within
 21 thirty days of completion of the program.

22 i. Notwithstanding any provision to the contrary,
 23 up to forty percent of the amount allocated for the
 24 fiscal year beginning July 1, 2007, and for the fiscal
 25 year beginning July 1, 2008, pursuant to subsection 1,
 26 paragraph "g", subparagraphs (2) and (3), shall be
 27 used by the department for purposes of the Iowa elite
 28 teacher program."

29 2. By renumbering as necessary.

DAVE MULDER
 FRANK B. WOOD

S-3065

1 Amend Senate File 128 as follows:

2 1. Page 1, by inserting before line 1, the
 3 following:

4 "Section 1. NEW SECTION. 249A.19A HOSPITAL
 5 REIMBURSEMENT.

6 Beginning July 1, 2007, the department shall
 7 reimburse hospitals as defined in section 135B.1 for
 8 provision of services under the medical assistance
 9 program at the reimbursement level allowed under the
 10 Medicare program, subject to the medical assistance
 11 program upper payment limit. The reimbursement level
 12 shall be adjusted annually, on July 1, in accordance
 13 with the requirements of this section and shall
 14 provide for reimbursement that is not less than the
 15 reimbursement provided under the Medicare program,
 16 subject to the medical assistance program upper
 17 payment limit.”

18 2. By striking page 2, line 35, through page 3,
 19 line 1, and inserting the following:

20 “Moneys in the fund shall be used only for the
 21 purposes of the medical assistance program.
 22 There is appropriated, annually, from the health
 23 care trust fund to the department of human services,
 24 an amount necessary to provide for the reimbursement
 25 of hospitals for provision of services under the
 26 medical assistance program as provided in section
 27 249A.19A.”

28 3. Title page, line 3, by striking the word
 29 “fund,” and inserting the following: “fund including
 30 a limitation on the purposes of the fund to the
 31 medical assistance program including a standing
 32 appropriation for certain services provided under the
 33 medical assistance program.”.

34 4. By renumbering, redesignating, and correcting
 35 internal references as necessary.

LARRY McKIBBEN
 JEFF ANGELO

S-3066

1 Amend Senate File 128 as follows:

2 1. By striking page 1, line 35, through page 2,
 3 line 16, and inserting the following:
 4 “453A.35 TAX AND FEES PAID TO GENERAL FUND ==
 5 STANDING APPROPRIATION TO HEALTH CARE TRUST FUND.
 6 1. The proceeds derived from the sale of stamps
 7 and the payment of taxes, fees and penalties provided
 8 for under this chapter, and the permit fees received
 9 from all permits issued by the department, shall be
 10 credited to the general fund of the state. However,
 11 beginning July 1, 2007, of the revenues generated from
 12 the tax on cigarettes pursuant to section 453A.6,
 13 subsection 1, and from the tax on tobacco products as
 14 specified in section 453A.43, subsections 1 and 2, and
 15 credited to the general fund of the state under this
 16 subsection, there is appropriated, annually, to the

17 health care trust fund created in section 453A.35A,
18 the first one hundred twenty-seven million six hundred
19 thousand dollars.

20 2. All permit fees provided for in this chapter
21 and collected by cities in the issuance of permits
22 granted by the cities shall be paid to the treasurer
23 of the city where the permit is effective, or to
24 another city officer as designated by the council, and
25 credited to the general fund of the city. Permit fees
26 so collected by counties shall be paid to the county
27 treasurer.”

28 2. Page 2, by striking lines 19 through 22, and
29 inserting the following: “treasurer of state. The
30 fund consists of the revenues generated from the tax
31 on cigarettes pursuant to section 453A.6, subsection
32 1, and from the tax on tobacco products as specified
33 in section 453A.43, subsections 1 and 2, that are
34 credited to the general fund of the state and
35 appropriated to the health care trust fund, annually,
36 pursuant to section 453A.35. Moneys in the fund shall
37 be”.

38 3. By striking page 2, line 35, through page 3,
39 line 1, and inserting the following:
40 “Moneys in the fund shall be used only for purposes
41 related to health care, substance abuse treatment and
42 prevention, and tobacco use prevention, cessation, and
43 control.”

44 4. By striking page 3, line 15, through page 4,
45 line 4, and inserting the following:

46 “Sec. __. Section 453A.43, subsections 1, 2, and
47 3, Code 2007, are amended to read as follows:

48 1. a. A tax is imposed upon all tobacco products
49 in this state and upon any person engaged in business
50 as a distributor of tobacco products, at the rate of

Page 2

1 twenty-two percent of the wholesale sales price of the
2 tobacco products, except little cigars as defined in
3 section 453A.42.

4 b. In addition to the tax imposed under paragraph
5 “a”, a tax is imposed upon all tobacco products in
6 this state and upon any person engaged in business as
7 a distributor of tobacco products, at the rate of
8 twenty-eight percent of the wholesale sales price of
9 the tobacco products, except little cigars as defined
10 in section 453A.42, with the limitation that if the
11 tobacco product is a cigar, the additional tax shall
12 not exceed fifty cents per cigar.

13 c. Little cigars shall be subject to the same rate
14 of tax imposed upon cigarettes in section 453A.6,
15 payable at the time and in the manner provided in

16 section 453A.6; and stamps shall be affixed as
17 provided in division I of this chapter.

18 d. The ~~tax~~ taxes on tobacco products, excluding
19 little cigars, shall be imposed at the time the
20 distributor does any of the following:

21 ~~a.~~ (1) Brings, or causes to be brought, into this
22 state from without the state tobacco products for
23 sale.

24 ~~b.~~ (2) Makes, manufactures, or fabricates tobacco
25 products in this state for sale in this state.

26 ~~c.~~ (3) Ships or transports tobacco products to
27 retailers in this state, to be sold by those
28 retailers.

29 2. a. A tax is imposed upon the use or storage by
30 consumers of tobacco products in this state, and upon
31 the consumers, at the rate of twenty-two percent of
32 the cost of the tobacco products.

33 b. In addition to the tax imposed in paragraph
34 "a", a tax is imposed upon the use or storage by
35 consumers of tobacco products in this state, and upon
36 the consumers, at a rate of twenty-eight percent of
37 the cost of the tobacco products, with the limitation
38 that if the tobacco product is a cigar, the additional
39 tax shall not exceed fifty cents per cigar.

40 c. The ~~tax~~ taxes imposed by this subsection shall
41 not apply if the ~~tax~~ taxes imposed by subsection 1 on
42 the tobacco products ~~has~~ have been paid.

43 d. ~~This tax~~ The taxes imposed under this
44 subsection shall not apply to the use or storage of
45 tobacco products in quantities of:

46 ~~a.~~ (1) Less than 25 cigars.

47 ~~b.~~ (2) Less than 10 oz. snuff or snuff powder.

48 ~~c.~~ (3) Less than 1 lb. smoking or chewing tobacco
49 or other tobacco products not specifically mentioned
50 herein, in the possession of any one consumer.

Page 3

1 3. Any tobacco product with respect to which a tax
2 has once been imposed under this division shall not
3 again be subject to tax under ~~said this~~ division,
4 except as provided in section 453A.40."

5 5. Title page, line 3, by inserting after the
6 word "fund," the following: "providing for a standing
7 appropriation,".

8 6. By renumbering as necessary.

S-3067

1 Amend Senate File 128 as follows:

2 1. By striking page 2, line 35, through page 3,
3 line 1, and inserting the following:

4 "Moneys in the fund shall be used only for the
5 purposes of the medical assistance program, including
6 provider reimbursements. There is appropriated from
7 the health care trust fund, annually, an amount
8 specified in an appropriation by the general assembly
9 from the health care trust fund for reimbursement to
10 specified providers and for specified services under
11 the medical assistance program."

12 2. Page 4, by inserting after line 9 the
13 following:

14 "Sec. ____ MEDICAL ASSISTANCE PROVIDER
15 REIMBURSEMENTS — APPROPRIATION. There is
16 appropriated from the health care trust fund created
17 in section 453A.35A, as created in this Act, to the
18 department of human services for the fiscal year
19 beginning July 1, 2007, and ending June 30, 2008, the
20 following amount or so much thereof as is necessary,
21 to be used for the purpose designated:

22 To provide reimbursement in an amount that is three
23 percent greater than the reimbursement amount provided
24 for the fiscal period beginning June 30, 2006, to the
25 following providers and for the following services:

- 26 Inpatient and outpatient hospital services;
- 27 disproportionate share hospitals, indirect medical
- 28 education and direct medical education; home health
- 29 services; physician services; psychiatric services;
- 30 family planning services; early periodic screening,
- 31 diagnosis, and treatment; dental services; optometric
- 32 services; supplies; ambulance services; practitioner
- 33 services; podiatric services; chiropractic services;
- 34 clinic services; community mental health centers; home
- 35 and community-based waiver services; the Iowa plan for
- 36 behavioral health; health maintenance organizations;
- 37 nursing facilities; case management services;
- 38 rehabilitative treatment services; adult
- 39 rehabilitative option services; and pharmacy
- 40 dispensing fees:

41 \$ 19,777,329"

42 3. Title page, line 3, by striking the word
43 "fund," and inserting the following: "fund including
44 a limitation on the purposes of the fund to those
45 purposes related to the medical assistance program

46 including an appropriation for provider
 47 reimbursements.”
 48 4. By renumbering as necessary.

JAMES A. SEYMOUR
 DAVID JOHNSON

S-3068

1 Amend Senate file 128 as follows:
 2 1. Page 1, line 4, by striking the word “eight”
 3 and inserting the following: “twenty-five”.
 4 2. Page 1, line 12, by striking the word “four”
 5 and inserting the following: “fifteen”.
 6 3. By striking page 1, line 18, through page 4,
 7 line 11, and inserting the following:
 8 “Sec. ____ EFFECTIVE DATE. This Act, being deemed
 9 of immediate importance, takes effect the first day of
 10 the month following enactment of this Act.”
 11 4. Title page, line 1, by inserting after the
 12 word “the” the following: “minimum”.
 13 5. Title page, by striking lines 2 through 4, and
 14 inserting the following: “providing an effective
 15 date.”

LARRY MCKIBBEN

S-3069

1 Amend Senate File 128 as follows:
 2 1. Page 3, line 1, by inserting after the word
 3 “care” the following: “including those related to
 4 smoking cessation. In addition to any other moneys
 5 appropriated for this purpose, there is appropriated
 6 from the health care trust fund to the department of
 7 public health each fiscal year beginning July 1, 2007,
 8 five million dollars for smoking cessation products
 9 and services”.
 10 2. Title page, line 3, by striking the word
 11 “fund,” and inserting the following: “fund including
 12 the purposes of the fund which include smoking
 13 cessation and providing a standing appropriation for
 14 this purpose.”

JAMES A. SEYMOUR
 DAVID JOHNSON

S-3070

1 Amend Senate File 128 as follows:
 2 1. Page 1, by striking line 27 and inserting the
 3 following: “~~thousand, eighteen mills~~ equal to three”

- 4 and six-tenths cents’.
- 5 2. Page 2, line 18, by striking the word “A” and
6 inserting the following:
7 “1. A”.
- 8 3. Page 2, line 35, by striking the word “Moneys”
9 and inserting the following:
10 “2. Moneys”.
- 11 4. Page 3, by inserting after line 1 the
12 following:
13 “3. There is appropriated from the health care
14 trust fund to the agencies specified, the following
15 amounts for each fiscal year beginning July 1, 2007,
16 for the purposes specified:
17 a. To the department of public health:
18 (1) Ten million dollars for the use of the
19 division of tobacco use prevention and control.
20 (2) Four million dollars for addictive disorders.
21 (3) Six million dollars for smoking cessation.
22 (4) Three million five hundred thousand dollars
23 for substance abuse prevention for children.
24 b. To the department of human services, thirty-six
25 million dollars for the healthy and well kids in Iowa
26 program.”
- 27 5. Title page, line 3, by inserting after the
28 word “fund” the following: “including standing
29 appropriations from the fund for health-related
30 purposes.”
- 31 6. By renumbering as necessary.

MARK ZIEMAN

S-3071

- 1 Amend Senate File 128 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 “DIVISION I
5 CIGARETTE AND TOBACCO PRODUCTS PROVISIONS”
- 6 2. Page 3, by inserting after line 1 the
7 following:
8 “There is appropriated from the health care trust
9 fund, annually, to the department of revenue, the
10 amount specified in section 422.11T, subsection 5, for
11 the applicable fiscal year, for deposit in the general
12 fund of the state to offset the reduction in tax
13 revenues due to the allowance of small business health
14 care tax credits.”
- 15 3. Page 4, line 10, by inserting after the word
16 “This” the following: “division of this”.
- 17 4. Page 4, by inserting after line 11 the
18 following:
19 “DIVISION II

20 HEALTH CARE — SMALL BUSINESS TAX CREDIT
21 Sec. ____ NEW SECTION. 422.11T SMALL BUSINESS
22 HEALTH CARE TAX CREDIT.
23 1. a. The taxes imposed under this division, less
24 the amounts of nonrefundable credits allowed under
25 this division, shall be reduced by a small business
26 health care tax credit, to the extent available, for
27 the cost to a small business of providing health care
28 benefits or contributions to employees of the
29 business. The amount of the credit for each employee
30 equals the first one thousand dollars of the cost of
31 providing health care benefits to the employee or the
32 first one thousand dollars of the contribution made on
33 behalf of the employee to a health savings account of
34 that employee.
35 b. The total amount of all credits for all
36 employees under paragraph “a” shall not exceed
37 twenty-five thousand dollars.
38 c. For purposes of this section:
39 (1) “Health savings account” means a health
40 savings account as defined in section 223(d) of the
41 Internal Revenue Code.
42 (2) “Small business” means a for-profit enterprise
43 that employed during the tax year less than fifty
44 full-time equivalent employees.
45 d. Any credit in excess of the tax liability shall
46 be refunded. In lieu of claiming a refund, a taxpayer
47 may elect to have the overpayment shown on the
48 taxpayer’s final, completed return credited to the tax
49 liability for the following taxable year.
50 2. An individual may claim a small business health

Page 2

1 care tax credit allowed a partnership, limited
2 liability company, S corporation, estate, or trust
3 electing to have the income taxed directly to the
4 individual. The amount claimed by the individual
5 shall be based upon the pro rata share of the
6 individual’s earnings of the partnership, limited
7 liability company, S corporation, estate, or trust.
8 3. A taxpayer claiming a credit under this section
9 shall not be precluded, in computing taxable income,
10 from deducting the amount of costs for providing
11 health care benefits allowed under any section of the
12 Internal Revenue Code.
13 4. To receive the small business health care tax
14 credit, a small business must submit an application to
15 the department. If the taxpayer meets the criteria
16 for eligibility, the department shall issue to the
17 taxpayer a certification of entitlement for the small
18 business health care tax credit. However, the

19 combined amount of tax credits that may be approved
20 for a fiscal year under this section, section 422.33,
21 subsection 24, section 422.60, subsection 13, section
22 432.12J, and section 533.24, subsection 11, shall not
23 exceed the amount specified in subsection 5. Tax
24 credit certificates shall be issued on an earliest
25 filed application basis. The certification must
26 contain the taxpayer's name, address, tax
27 identification number, the amount of the credit, and
28 tax year for which the certificate applies. The
29 taxpayer shall file the tax credit certificate with
30 the taxpayer's tax return in order to claim the tax
31 credit. The department shall adopt rules to
32 administer this section and shall provide by rule for
33 the method to be used to determine for which fiscal
34 year the tax credits are approved.

35 5. For purposes of subsection 4, the combined
36 amount of small business health care tax credits that
37 may be approved in a fiscal year is as follows:

38 a. For the fiscal year beginning July 1, 2007, the
39 combined amount equals one hundred seventy-five
40 million dollars.

41 b. For the fiscal year beginning July 1, 2008, the
42 combined amount equals two hundred million dollars.

43 c. For each fiscal year beginning on or after July
44 1, 2009, the combined amount equals two hundred fifty
45 million dollars.

46 Sec. ____. Section 422.33, Code 2007, is amended by
47 adding the following new subsection:

48 NEW SUBSECTION. 24. The taxes imposed under this
49 division shall be reduced by a small business health
50 care tax credit, to the extent available, provided for

Page 3

1 in section 422.11T. The tax credit shall be subject
2 to the same conditions, requirements, and dollar
3 limitations as provided for in section 422.11T.

4 Sec. ____. Section 422.60, Code 2007, is amended by
5 adding the following new subsection:

6 NEW SUBSECTION. 13. The taxes imposed under this
7 division shall be reduced by a small business health
8 care tax credit, to the extent available, provided for
9 in section 422.11T. The tax credit shall be subject
10 to the same conditions, requirements, and dollar
11 limitations as provided for in section 422.11T.

12 Sec. ____. NEW SECTION. 432.12J SMALL BUSINESS
13 HEALTH CARE TAX CREDIT.

14 The taxes imposed under this chapter shall be
15 reduced by a small business health care tax credit, to
16 the extent available, provided for in section 422.11T.

17 The tax credit shall be subject to the same

18 conditions, requirements, and dollar limitations as
 19 provided for in section 422.11T.

20 Sec. ____ Section 533.24, Code 2007, is amended by
 21 adding the following new subsection:

22 NEW SUBSECTION. 11. The moneys and credits tax
 23 imposed under this section shall be reduced by a small
 24 business health care tax credit, to the extent
 25 available, provided for in section 422.11T. The tax
 26 credit shall be subject to the same conditions,
 27 requirements, and dollar limitations as provided for
 28 in section 422.11T.

29 Sec. ____ EFFECTIVE AND RETROACTIVE APPLICABILITY
 30 DATE. This division of this Act applies retroactively
 31 to January 1, 2007, for tax years beginning on or
 32 after that date.”

33 5. Title page, by striking lines 3 and 4 and
 34 inserting the following: “products, creating a health
 35 care trust fund, providing a small business health
 36 care tax credit, making appropriations, and including
 37 effective and retroactive and other applicability
 38 provisions.”

39 6. By renumbering as necessary.

LARRY McKIBBEN

S-3072

1 Amend Senate File 128 as follows:

2 1. Page 1, by inserting before line 1, the
 3 following:

4 “DIVISION I
 5 CIGARETTE AND TOBACCO PRODUCTS PROVISIONS”

6 2. Page 4, line 10, by inserting after the word
 7 “This” the following: “division of this”.

8 3. Page 4, by inserting after line 11 the
 9 following:

10 “DIVISION II
 11 HEALTH SAVINGS ACCOUNT LOAN FUND PROVISIONS
 12 Sec. ____ NEW SECTION. 421.48 PURPOSE — PROGRAM
 13 ESTABLISHMENT.

14 1. The purpose of this section and sections 421.49
 15 through 421.51 is to assist resident account
 16 beneficiaries of health savings accounts to be able to
 17 fund, as quickly as possible, the amount of the annual
 18 deductible and maximum out-of-pocket amounts under the
 19 beneficiary’s high deductible health plan.

20 2. To fulfill the purpose of this section and
 21 sections 421.49 through 421.51, the department shall
 22 establish a health savings account loan program.

23 Sec. ____ NEW SECTION. 421.49 DEFINITIONS.

24 For purposes of sections 421.48 through 421.51,
 25 unless the context otherwise requires:

26 1. "Account beneficiary", "health savings
27 account", and "high deductible health plan" mean the
28 same as defined in section 223 of the Internal Revenue
29 Code.

30 2. "Internal Revenue Code" means the same as
31 defined in section 422.3.

32 Sec. ____ NEW SECTION. 421.50 HEALTH SAVINGS
33 ACCOUNT LOAN FUND.

34 1. A health savings account loan fund is created
35 under the authority of the department of revenue. The
36 fund shall consist of appropriations made to the fund
37 and transfers of interest, earnings, and moneys from
38 other funds as provided by law. The fund shall be
39 separate from the general fund of the state and the
40 balance in the fund shall not be considered part of
41 the balance of the general fund of the state.
42 However, the fund shall be considered a special
43 account for the purposes of section 8.53, relating to
44 generally accepted accounting principles.

45 2. Notwithstanding section 12C.7, subsection 2,
46 interest or earnings on moneys in the fund shall be
47 credited to the fund.

48 3. The moneys in the health savings account loan
49 fund are appropriated to the department for purposes
50 of providing loans to resident account beneficiaries

Page 2

1 of health savings accounts pursuant to section 421.51.
2 Sec. ____ NEW SECTION. 421.51 LOANS — PENALTY.
3 1. a. A resident of the state who is an account
4 beneficiary and whose balance in the health savings
5 account is less than the deductible under the account
6 beneficiary's high deductible health plan may apply to
7 the department for a loan in an amount not to exceed
8 the difference.
9 b. An individual seeking a loan under this section
10 shall apply for the loan on a form approved by the
11 department and provide the following information:
12 (1) The amount of the deductible, the balance in
13 the health savings account, and the loan sought.
14 (2) A list of the major assets and liabilities of
15 the individual and the individual's household. The
16 department shall establish by rule what constitutes a
17 major asset or liability.
18 (3) Any other health coverage of the individual
19 and the corresponding deductible.
20 (4) Other information deemed necessary by the
21 department.
22 c. If the department determines that the applicant
23 qualifies for a loan and sufficient funds are
24 available, the department shall provide the applicant

25 with a loan equal to the amount requested by the
 26 applicant, not to exceed the limit specified in
 27 paragraph “a”. The loan shall be on terms set by rule
 28 of the department with interest at the rate
 29 established under section 421.7. The loan shall be
 30 deposited into the applicant’s health savings account.
 31 As part of the loan agreement, the applicant shall
 32 agree that moneys shall not be deposited by the
 33 applicant into the applicant’s health savings account
 34 until after the loan has been repaid.

35 2. If an applicant or other person knowingly makes
 36 a false statement for the purpose of enabling the
 37 applicant to receive a loan under this section, the
 38 applicant or other person is guilty of a fraudulent
 39 practice as described in section 714.8.

40 Sec. ____ APPROPRIATION — HEALTH SAVINGS ACCOUNT
 41 LOAN FUND. There is appropriated from the health care
 42 trust fund created in section 453A.35A, as enacted by
 43 this Act, to the health savings account loan fund
 44 created in section 421.50, as enacted by this Act, for
 45 the fiscal year beginning July 1, 2007, and ending
 46 June 30, 2008, the following amount or so much thereof
 47 as is necessary, for deposit in the fund:

48 \$ 10,000,000”

49 4. Title page, line 3, by inserting after the
 50 word “fund,” the following: “providing for a health

Page 3

1 savings account loan program and fund, providing an
 2 appropriation.”

3 5. By renumbering as necessary.

RON WIECK

S-3073

1 Amend Senate File 128 as follows:

2 1. Page 1, by inserting before line 1, the
 3 following:

4 “DIVISION I
 5 CIGARETTE AND TOBACCO PRODUCTS
 6 TAX PROVISIONS”

7 2. Page 4, line 10, by inserting after the word
 8 “This” the following: “division of this”.

9 3. Page 4, by inserting after line 11 the
 10 following:

11 “DIVISION II
 12 CIGARETTE AND TOBACCO PRODUCTS
 13 REGULATORY PROVISIONS

14 Sec. ____ Section 453A.2, subsections 1, 2, and 3,
 15 Code 2007, are amended to read as follows:

16 1. A person shall not sell, give, or otherwise
 17 supply any tobacco, tobacco products, or cigarettes to
 18 any person under ~~eighteen~~ twenty-one years of age.

19 2. A person under ~~eighteen~~ twenty-one years of age
 20 shall not smoke, use, possess, purchase, or attempt to
 21 purchase any tobacco, tobacco products, or cigarettes.

22 3. Possession of cigarettes or tobacco products by
 23 an individual under ~~eighteen~~ twenty-one years of age
 24 does not constitute a violation under this section if
 25 the individual under ~~eighteen~~ twenty-one years of age
 26 possesses the cigarettes or tobacco products as part
 27 of the individual's employment and the individual is
 28 employed by a person who holds a valid permit under
 29 this chapter or who lawfully offers for sale or sells
 30 cigarettes or tobacco products.

31 Sec. ____ Section 453A.2, subsection 8, paragraph
 32 b, Code 2007, is amended to read as follows:

33 b. The compliance effort is conducted with the
 34 advance knowledge of law enforcement officers and
 35 reasonable measures are adopted by those conducting
 36 the effort to ensure that use of cigarettes or tobacco
 37 products by individuals under ~~eighteen~~ twenty-one
 38 years of age does not result from participation by any
 39 individual under ~~eighteen~~ twenty-one years of age in
 40 the compliance effort.

41 Sec. ____ Section 453A.4, subsections 1 and 3,
 42 Code 2007, are amended to read as follows:

43 1. If a person holding a permit under this chapter
 44 or an employee of such a permittee has a reasonable
 45 belief based on factual evidence that a driver's
 46 license as defined in section 321.1, subsection 20A,
 47 ~~or a~~ nonoperator's identification card issued pursuant
 48 to section 321.190, or a cigarette and tobacco product
 49 purchaser identification card issued pursuant to
 50 section 453.5A offered by a person who wishes to

Page 2

1 purchase cigarettes or tobacco products is altered or
 2 falsified or belongs to another person, the permittee
 3 or employee may retain the driver's license ~~or~~
 4 nonoperator's identification card, or cigarette and
 5 tobacco product purchaser identification card. Within
 6 twenty-four hours, the card shall be delivered to the
 7 appropriate city or county law enforcement agency of
 8 the jurisdiction in which the permittee's premises are
 9 located, and the permittee shall file a written report
 10 of the circumstances under which the card was
 11 retained. The local law enforcement agency may
 12 investigate whether a violation of section 321.216,
 13 321.216A, ~~or~~ 321.216C, or 453A.5A has occurred. If an
 14 investigation is not initiated or probable cause is

15 not established by the local law enforcement agency,
 16 the driver's license ~~or~~, nonoperator's identification
 17 card, or cigarette and tobacco product purchaser
 18 identification card shall be delivered to the person
 19 to whom it was issued. The local law enforcement
 20 agency may forward the card with the report to the
 21 state department of transportation or department of
 22 public health for investigation, in which case, the
 23 state department of transportation or department of
 24 public health may investigate whether a violation of
 25 section 321.216, 321.216A, ~~or~~ 321.216C, or 453A.5A has
 26 occurred. The state department of transportation
 27 shall return the card to the person to whom it was
 28 issued if an investigation is not initiated or
 29 probable cause is not established.

30 3. A person holding a permit under this chapter or
 31 an employee of such a permittee is not subject to
 32 criminal prosecution for, or to civil liability for
 33 damages alleged to have resulted from, the retention
 34 and delivery of a driver's license ~~or a~~, nonoperator's
 35 identification card, or cigarette and tobacco product
 36 purchaser identification card which is taken pursuant
 37 to subsections 1 and 2. This section shall not be
 38 construed to relieve a permittee or an employee of
 39 such a permittee from civil liability for damages
 40 resulting from the use of unreasonable force in
 41 obtaining the alleged altered or falsified driver's
 42 license ~~or~~, identification card, or cigarette and
 43 tobacco product purchaser identification card or the
 44 driver's license, ~~or~~ identification card, or cigarette
 45 and tobacco product purchaser identification card
 46 believed to belong to another person.

47 Sec. ____ Section 453A.5, subsection 1, Code 2007,
 48 is amended to read as follows:

49 1. The alcoholic beverages division of the
 50 department of commerce shall develop a tobacco

Page 3

1 compliance employee training program not to exceed two
 2 hours in length for employees and prospective
 3 employees of retailers, as defined in sections 453A.1
 4 and 453A.42, to inform the employees about state and
 5 federal laws and regulations regarding the sale of
 6 cigarettes and tobacco products to persons under
 7 ~~eighteen~~ twenty-one years of age and compliance with
 8 and the importance of laws regarding the sale of
 9 cigarettes and tobacco products to persons under
 10 ~~eighteen~~ twenty-one years of age.

11 Sec. ____ **NEW SECTION.** 453A.5A APPLICATION FOR
 12 AND ISSUANCE OF CIGARETTE AND TOBACCO PRODUCT
 13 PURCHASER IDENTIFICATION CARD — DUPLICATE — RENEWAL.

- 14 1. A resident of this state shall not purchase
15 cigarettes or tobacco products in this state without
16 first applying for and obtaining a cigarette and
17 tobacco product purchaser identification card in
18 accordance with this section.
- 19 2. Every applicant for a cigarette and tobacco
20 product purchaser identification card shall do all of
21 the following:
- 22 a. Make application on a form provided by the
23 department of public health which shall include the
24 applicant's full name, signature, current mailing
25 address, current residential address, date of birth,
26 social security number, and physical description
27 including sex, height, and eye color. The application
28 shall include a statement for the applicant to sign
29 that acknowledges the applicant's knowledge of the
30 requirement to notify the department of a mailing
31 address change. The application may contain other
32 information the department may require by rule.
33 Pursuant to procedures established by the department
34 and for an applicant who is a foreign national
35 temporarily present in this state, the department may
36 waive the requirement that the application include the
37 applicant's social security number.
- 38 b. Surrender all other cigarette and tobacco
39 product purchaser identification cards.
- 40 c. Certify that the applicant has no other
41 cigarette and tobacco product identification cards.
- 42 d. Certify that the applicant is not currently
43 subject to suspension, revocation, or cancellation of
44 any cigarette and tobacco product identification cards
45 and has committed no offense and has not acted in a
46 manner which either alone or with previous actions or
47 offenses could result in suspension, revocation, or
48 cancellation of any such card.
- 49 e. Certify that the applicant is not currently a
50 recipient of state public assistance or benefits.

Page 4

- 1 3. a. The department of public health shall, upon
2 application and payment of the required fee, issue to
3 an applicant a cigarette and tobacco product purchaser
4 identification card. To be valid the card shall bear
5 a distinguishing number other than a social security
6 number assigned to the cardholder, the full name, date
7 of birth, sex, current residential address, a physical
8 description and a colored photograph of the
9 cardholder, the usual signature of the cardholder, and
10 such other information as the department may require
11 by rule. The card shall be issued to the applicant at
12 the time of application pursuant to procedures

13 established by rule.

14 b. The department shall use a process or processes
15 for issuance of a cigarette and tobacco product
16 purchaser identification card, that prevent, as nearly
17 as possible, the opportunity for alteration or
18 reproduction of, and the superimposition of a
19 photograph on the card without ready detection.

20 c. The fee for a cigarette and tobacco product
21 purchaser identification card shall be ten dollars and
22 the card shall be valid for a period of one year from
23 the date of issuance. A cigarette and tobacco product
24 purchaser identification card shall be issued without
25 expiration to anyone age seventy or older. If an
26 applicant for a card is a foreign national who is
27 temporarily present in this state, the card shall be
28 issued only for the length of time the foreign
29 national is authorized to be present as determined by
30 the department, not to exceed two years. The
31 cigarette and tobacco product purchaser identification
32 card fees shall be transmitted by the department to
33 the treasurer of state who shall credit the fees to
34 the general fund of the state.

35 4. A cardholder shall notify the department when
36 the cardholder's mailing address changes and provide
37 the new address within thirty days of obtaining the
38 new address.

39 5. The department of public health shall not issue
40 a cigarette and tobacco product purchaser
41 identification card to an applicant who is receiving
42 state public assistance or benefits.

43 6. The department shall cancel a person's
44 cigarette and tobacco product purchaser identification
45 card upon determining the person was not entitled to
46 be issued the card, did not provide correct
47 information, committed fraud in applying for the card,
48 or unlawfully used a cigarette and tobacco product
49 purchaser identification card. Upon cancellation, the
50 cardholder shall immediately return the card to the

Page 5

1 department.

2 7. If a cigarette and tobacco product purchaser
3 identification card issued under this section is lost
4 or destroyed, the person to whom the card was issued
5 may, upon payment of a fee of three dollars, obtain a
6 duplicate, or substitute, upon furnishing proof
7 satisfactory to the department that the card has been
8 lost or destroyed. A fee of one dollar shall be
9 charged for the voluntary replacement of a card.

10 8. A cigarette and tobacco product purchaser
11 identification card expires one year from the

12 cardholder's birthday anniversary occurring in the
13 year of issuance. If a cardholder is a foreign
14 national who is temporarily present in this state, the
15 card shall be issued only for the length of time the
16 foreign national is authorized to be present as
17 determined by the department, not to exceed two years.

18 9. A cigarette and tobacco product purchaser
19 identification card is renewable without penalty
20 within a period of sixty days after its expiration. A
21 person shall not be considered to be purchasing
22 cigarettes or tobacco products with an invalid card
23 during a period of sixty days following the card's
24 expiration date. However, for a card renewed within
25 the sixty-day period, the date of issuance shall be
26 considered to be the previous birthday anniversary on
27 which the card expired. For the purposes of this
28 subsection, the birthday anniversary of a person born
29 on February 29 shall be deemed to occur on March 1.

30 10. It is a simple misdemeanor punishable as a
31 scheduled violation under section 805.8C, subsection
32 3, paragraph "d", for any person:

33 a. To display or cause or permit to be displayed
34 or have in the person's possession a canceled,
35 revoked, suspended, fictitious, or fraudulently
36 altered cigarette and tobacco product purchaser
37 identification card.

38 b. To lend that person's cigarette and tobacco
39 product purchaser identification card to another
40 person or knowingly permit the use of the cigarette
41 and tobacco product purchaser identification card by
42 another.

43 c. To display or represent as one's own a
44 cigarette and tobacco product purchaser identification
45 card not issued to that person.

46 d. To fail or refuse to surrender to the
47 department upon its lawful demand a cigarette and
48 tobacco product purchaser identification card which
49 has been suspended, revoked, or canceled.

50 e. To permit an unlawful use of a cigarette and

Page 6

1 tobacco product purchaser identification card issued
2 to that person.

3 11. It is a serious misdemeanor for a person to do
4 any of the following:

5 a. Make a cigarette and tobacco product purchaser
6 identification card if the person has no authority or
7 right to make the cigarette and tobacco product
8 purchaser identification card.

9 b. Obtain, possess, or have in the person's
10 control or on the person's premises, cigarette and

11 tobacco product purchaser identification card forms.
12 c. Obtain, possess, or have in the person's
13 control or on the person's premises, a cigarette and
14 tobacco product purchaser identification card which
15 has been made by a person having no authority or right
16 to make the cigarette and tobacco product purchaser
17 identification card.
18 d. Use a false or fictitious name in any
19 application for a cigarette and tobacco product
20 purchaser identification card or to knowingly make a
21 false statement or knowingly conceal a material fact
22 or otherwise commit fraud on an application.
23 12. A person who is under the age of twenty-one,
24 who alters or displays or has in the person's
25 possession a fictitious or fraudulently altered
26 cigarette and tobacco product purchaser identification
27 card and who uses the cigarette and tobacco product
28 purchaser identification card to violate or attempt to
29 violate section 453A.2, subsection 2, commits a simple
30 misdemeanor punishable as a scheduled violation under
31 section 805.8C, subsection 3, paragraph "e". The
32 court shall forward a copy of the conviction to the
33 department.
34 13. The department of public health shall adopt
35 rules to administer this section and shall collaborate
36 with the department of transportation to replicate, to
37 the maximum extent possible, the provisions relating
38 to driver's licenses and nonoperator's identification
39 cards pursuant to chapter 321 in developing and
40 administering the cigarette and tobacco product
41 purchaser identification card provisions of this
42 section.
43 Sec. _____. Section 453A.36, subsection 6, Code
44 2007, is amended to read as follows:
45 6. Any sales of cigarettes or tobacco products
46 made through a cigarette vending machine are subject
47 to rules and penalties relative to retail sales of
48 cigarettes and tobacco products provided for in this
49 chapter. No cigarettes shall be sold through any
50 cigarette vending machine unless the cigarettes have

Page 7

1 been properly stamped or metered as provided by this
2 division, and in case of violation of this provision,
3 the permit of the dealer authorizing retail sales of
4 cigarettes shall be canceled. Payment of the license
5 fee as provided in section 453A.13 authorizes a
6 cigarette vendor to sell cigarettes or tobacco
7 products through vending machines. However,
8 cigarettes or tobacco products shall not be sold
9 through a vending machine unless the vending machine

10 is located in a place where the retailer ensures that
11 no person younger than ~~eighteen~~ twenty-one years of
12 age is present or permitted to enter at any time.
13 This section does not require a retail licensee to buy
14 a cigarette vendor's permit if the retail licensee is
15 in fact the owner of the cigarette vending machines
16 and the machines are operated in the location
17 described in the retail permit.

18 Sec. ____ Section 453A.39, subsection 2,
19 paragraphs b and c, Code 2007, are amended to read as
20 follows:

21 b. A manufacturer, distributor, wholesaler,
22 retailer, or distributing agent or agent thereof shall
23 not give away any cigarettes or tobacco products to
24 any person under ~~eighteen~~ twenty-one years of age, or
25 within five hundred feet of any playground, school,
26 high school, or other facility when such facility is
27 being used primarily by persons under age ~~eighteen~~
28 twenty-one for recreational, educational, or other
29 purposes.

30 c. Proof of age shall be required if a reasonable
31 person could conclude on the basis of outward
32 appearance that a prospective recipient of a sample
33 may be under ~~eighteen~~ twenty-one years of age.

34 Sec. ____ Section 805.8C, subsection 3, Code 2007,
35 is amended by adding the following new paragraphs:

36 NEW PARAGRAPH. d. For violations of section
37 453A.5A, subsection 9, the scheduled fine is
38 seventy-five dollars, and is a civil penalty, and the
39 criminal penalty surcharge under section 911.1 shall
40 not be added to the penalty, and the court costs
41 pursuant to section 805.9, subsection 6, shall not be
42 imposed. If the civil penalty assessed for a
43 violation of section 453A.5A, subsection 9, is not
44 paid in a timely manner, a citation shall be issued
45 for the violation in the manner provided in section
46 804.1. However, a person under the age of eighteen
47 shall not be detained in a secure facility for failure
48 to pay the civil penalty. The complainant shall not
49 be charged a filing fee.

50 NEW PARAGRAPH. e. For violations of section

Page 8

1 453A.5A, subsection 11, the scheduled fine is one
2 hundred dollars, and is a civil penalty, and the
3 criminal penalty surcharge under section 911.1 shall
4 not be added to the penalty, and the court costs
5 pursuant to section 805.9, subsection 6, shall not be
6 imposed. If the civil penalty assessed for a
7 violation of section 453A.5A, subsection 11, is not
8 paid in a timely manner, a citation shall be issued

9 for the violation in the manner provided in section
 10 804.1. However, a person under the age of eighteen
 11 shall not be detained in a secure facility for failure
 12 to pay the civil penalty. The complainant shall not
 13 be charged a filing fee.”

14 4. Title page, line 1, by inserting after the
 15 word “to” the following: “cigarettes and tobacco
 16 products including regulatory provisions.”

17 5. Title page, line 3, by inserting after the
 18 word “fund,” the following: “providing penalties.”

DAVID HARTSUCH

S-3074

1 Amend Senate file 128 as follows:

2 1. Page 1, by striking line 27, and inserting the
 3 following: “~~thousand, eighteen mills~~ equal to
 4 twenty-five cents”.

MARK ZIEMAN

S-3075

1 Amend Senate File 202 as follows:

2 1. By striking page 1, line 10, through page 3,
 3 line 2.

4 2. By renumbering as necessary.

WALLY E. HORN

S-3076

1 Amend the amendment, S-3066, to Senate File 128 as
 2 follows:

3 1. Page 1, by striking line 14 and inserting the
 4 following: “specified in section 453A.43, subsections
 5 1, 2, 3, and 4, and”.

6 2. Page 1, by striking line 33 and inserting the
 7 following: “in section 453A.43, subsections 1, 2, 3,
 8 and 4, that are”.

9 3. Page 1, by striking lines 46 and 47 and

10 inserting the following:

11 ““Sec. ____ Section 453A.42, Code 2007, is amended

12 by adding the following new subsection:

13 NEW SUBSECTION. 11A. “Snuff” means any finely
 14 cut, ground, or powdered tobacco that is not intended
 15 to be smoked.

16 Sec. ____ Section 453A.42, subsection 14, Code
 17 2007, is amended to read as follows:

18 14. “Tobacco products” means cigars; little cigars
 19 as defined herein; cheroots; stogies; periques;

20 granulated, plug cut, crimp cut, ready rubbed, and
 21 other smoking tobacco; snuff; ~~snuff flour~~; cavendish;
 22 plug and twist tobacco; fine-cut and other chewing
 23 tobaccos; shorts; refuse scraps, clippings, cuttings
 24 and sweepings of tobacco, and other kinds and forms of
 25 tobacco, prepared in such manner as to be suitable for
 26 chewing or smoking in a pipe or otherwise, or both for
 27 chewing and smoking; but shall not include cigarettes
 28 as defined in section 453A.1, subsection 3.

29 Sec. __. Section 453A.43, Code 2007, is amended
 30 to read as follows:

31 453A.43 TAX ON TOBACCO PRODUCTS.”

32 4. Page 2, line 2, by inserting after the word
 33 “cigars” the following: “and snuff”.

34 5. Page 2, line 9, by inserting after the word
 35 “cigars” the following: “and snuff”.

36 6. Page 2, line 17, by inserting after the word
 37 “chapter.” the following: “Snuff shall be subject to
 38 the tax as provided in subsections 3 and 4.”

39 7. Page 2, line 19, by inserting after the word
 40 “cigars” the following: “and snuff”.

41 8. Page 2, line 22, by striking the word
 42 “without” and inserting the following: “~~without~~
 43 outside”.

44 9. Page 2, line 46, by striking the figure “25”
 45 and inserting the following: “~~25~~ twenty-five”.

46 10. Page 2, by striking line 47 and inserting the
 47 following:

48 “~~b. Less than 10 oz. snuff or snuff powder.~~”

49 11. Page 2, by striking line 48, and inserting
 50 the following:

Page 2

1 “~~e. (2) Less than ~~1 lb.~~ one pound smoking or~~
 2 ~~chewing tobacco~~”.

3 12. Page 2, by inserting after line 50, the
 4 following:

5 “3. A tax is imposed upon all snuff in this state
 6 and upon any person engaged in business as a
 7 distributor of snuff at the rate of one dollar and
 8 thirteen cents per ounce, with a proportionate tax at
 9 the same rate on all fractional parts of an ounce of
 10 snuff. The tax shall be computed based on the net
 11 weight listed by the manufacturer. The tax on snuff
 12 shall be imposed at the time the distributor does any
 13 of the following:

14 a. Brings or causes to be brought into this state
 15 from outside the state, snuff for sale.

16 b. Makes, manufactures, or fabricates snuff in
 17 this state for sale in this state.

18 c. Ships or transports snuff to retailers in this

19 state, to be sold by those retailers.
 20 4. A tax is imposed upon the use or storage by
 21 consumers of snuff in this state, and upon the
 22 consumers, at the rate of one dollar and thirteen
 23 cents per ounce with a proportionate tax at the same
 24 rate on all fractional parts of an ounce of snuff.
 25 The tax shall be computed based on the net weight as
 26 listed by the manufacturer.

27 The tax imposed by this subsection shall not apply
 28 if the tax imposed by subsection 3 on snuff has been
 29 paid.

30 The tax shall not apply to the use or storage of
 31 snuff in quantities of less than ten ounces.”

32 13. Page 3, by striking lines 1 through 4 and
 33 inserting the following:

34 ~~3. 5.~~ Any tobacco product with respect to which
 35 a tax has once been imposed under this division shall
 36 not again be subject to tax under ~~said this~~ division,
 37 except as provided in section 453A.40.

38 ~~4. 6.~~ The tax imposed by this section shall not
 39 apply with respect to any tobacco product which under
 40 the Constitution and laws of the United States may not
 41 be made the subject of taxation by this state.

42 ~~5. 7.~~ The tax imposed by this section shall be in
 43 addition to all other occupation or privilege taxes or
 44 license fees now or hereafter imposed by any city or
 45 county.

46 ~~6. 8.~~ All excise taxes collected under this
 47 chapter by a distributor or any individual are deemed
 48 to be held in trust for the state of Iowa.”

49 14. By renumbering as necessary.

MICHAEL E. GRONSTAL

S-3077

1 Amend the amendment, S-3066, to Senate File 128 as
 2 follows:

3 1. Page 1, by striking line 14 and inserting the
 4 following: “specified in section 453A.43, subsections
 5 1, 2, 3, and 4, and”.

6 2. Page 1, by striking line 33 and inserting the
 7 following: “in section 453A.43, subsections 1, 2, 3,
 8 and 4, that are”.

9 3. Page 1, by striking lines 46 and 47 and
 10 inserting the following:

11 ““Sec. ____ Section 453A.42, Code 2007, is amended
 12 by adding the following new subsection:

13 NEW SUBSECTION. 11A. “Snuff” means any finely
 14 cut, ground, or powdered tobacco that is not intended
 15 to be smoked.

16 Sec. ____ Section 453A.42, subsection 14, Code

17 2007, is amended to read as follows:

18 14. "Tobacco products" means cigars; little cigars
19 as defined herein; cheroots; stogies; periques;
20 granulated, plug cut, crimp cut, ready rubbed, and
21 other smoking tobacco; snuff; ~~snuff flour~~; cavendish;
22 plug and twist tobacco; fine-cut and other chewing
23 tobaccos; shorts; refuse scraps, clippings, cuttings
24 and sweepings of tobacco, and other kinds and forms of
25 tobacco, prepared in such manner as to be suitable for
26 chewing or smoking in a pipe or otherwise, or both for
27 chewing and smoking; but shall not include cigarettes
28 as defined in section 453A.1, subsection 3.

29 Sec. ____ Section 453A.43, Code 2007, is amended
30 to read as follows:

31 453A.43 TAX ON TOBACCO PRODUCTS."

32 4. Page 2, line 2, by inserting after the word
33 "cigars" the following: "and snuff".

34 5. Page 2, line 9, by inserting after the word
35 "cigars" the following: "and snuff".

36 6. Page 2, line 17, by inserting after the word
37 "chapter." the following: "Snuff shall be subject to
38 the tax as provided in subsections 3 and 4."

39 7. Page 2, line 19, by inserting after the word
40 "cigars" the following: "and snuff".

41 8. Page 2, line 22, by striking the word
42 "without" and inserting the following: "~~without~~
43 outside".

44 9. Page 2, line 46, by striking the figure "25"
45 and inserting the following: "~~25~~ twenty-five".

46 10. Page 2, by striking line 47 and inserting the
47 following:

48 "~~b. Less than 10 oz. snuff or snuff powder.~~"

49 11. Page 2, by striking line 48, and inserting
50 the following:

Page 2

1 "~~e. (2) Less than 1 lb. one pound~~ smoking or
2 chewing tobacco".

3 12. Page 2, by inserting after line 50, the
4 following:

5 "3. A tax is imposed upon all snuff in this state
6 and upon any person engaged in business as a
7 distributor of snuff at the rate of one dollar and
8 nineteen cents per ounce, with a proportionate tax at
9 the same rate on all fractional parts of an ounce of
10 snuff. The tax shall be computed based on the net
11 weight listed by the manufacturer. The tax on snuff
12 shall be imposed at the time the distributor does any
13 of the following:

14 a. Brings or causes to be brought into this state
15 from outside the state, snuff for sale.

16 b. Makes, manufactures, or fabricates snuff in
 17 this state for sale in this state.
 18 c. Ships or transports snuff to retailers in this
 19 state, to be sold by those retailers.
 20 4. A tax is imposed upon the use or storage by
 21 consumers of snuff in this state, and upon the
 22 consumers, at the rate of one dollar and nineteen
 23 cents per ounce with a proportionate tax at the same
 24 rate on all fractional parts of an ounce of snuff.
 25 The tax shall be computed based on the net weight as
 26 listed by the manufacturer.
 27 The tax imposed by this subsection shall not apply
 28 if the tax imposed by subsection 3 on snuff has been
 29 paid.
 30 The tax shall not apply to the use or storage of
 31 snuff in quantities of less than ten ounces.”
 32 13. Page 3, by striking lines 1 through 4 and
 33 inserting the following:
 34 ~~3.~~ 5. Any tobacco product with respect to which
 35 a tax has once been imposed under this division shall
 36 not again be subject to tax under ~~said this~~ this division,
 37 except as provided in section 453A.40.
 38 ~~4.~~ 6. The tax imposed by this section shall not
 39 apply with respect to any tobacco product which under
 40 the Constitution and laws of the United States may not
 41 be made the subject of taxation by this state.
 42 ~~5.~~ 7. The tax imposed by this section shall be in
 43 addition to all other occupation or privilege taxes or
 44 license fees now or hereafter imposed by any city or
 45 county.
 46 ~~6.~~ 8. All excise taxes collected under this
 47 chapter by a distributor or any individual are deemed
 48 to be held in trust for the state of Iowa.”
 49 14. By renumbering as necessary.

MICHAEL E. GRONSTAL

S-3078

1 Amend Senate File 128 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 “Section 1. Section 421B.2, subsection 3,
 5 paragraph b, Code 2007, is amended to read as follows:
 6 b. The cost of doing business by the retailer is
 7 presumed to be ~~six~~ twenty-five percent of the basic
 8 cost of cigarettes in the absence of proof of a lesser
 9 or higher cost plus the full face value of any stamps
 10 which may be required by any cigarette tax act of this
 11 state to the extent not already included in the basic
 12 cost of cigarettes.
 13 Sec. 2. Section 421B.2, subsection 4, paragraph b,

14 Code 2007, is amended to read as follows:

15 b. The cost of doing business by the wholesaler is
16 presumed to be ~~three~~ fifteen percent of the basic cost
17 of cigarettes in the absence of proof of a lesser or
18 higher cost, which includes cartage to the retail
19 outlet, plus the full face value of any stamps which
20 may be required by any cigarette tax act of this state
21 to the extent not already included in the basic cost
22 of cigarettes.

23 Sec. 3. EFFECTIVE DATE. This Act, being deemed of
24 immediate importance, takes effect the first day of
25 the month following enactment of this Act.”

26 2. Title page, line 1, by inserting after the
27 word “the” the following: “minimum”.

28 3. Title page, by striking lines 2 through 4, and
29 inserting the following: “providing an effective
30 date.”

31 4. By renumbering as necessary.

LARRY McKIBBEN

S-3079

1 Amend the amendment, S-3066, to Senate File 128 as
2 follows:

3 1. Page 1, by striking lines 40 through 43 and
4 inserting the following:

5 “Moneys in the fund shall be used only for the
6 purposes of the medical assistance program, including
7 provider reimbursements. There is appropriated from
8 the health care trust fund, annually, an amount
9 specified in an appropriation by the general assembly
10 from the health care trust fund for reimbursement to
11 specified providers and for specified services under
12 the medical assistance program.”

13 2. Page 3, by inserting after line 4 the
14 following:

15 “ . Page 4, by inserting before line 5 the
16 following:

17 “Sec. . MEDICAL ASSISTANCE PROVIDER
18 REIMBURSEMENTS — APPROPRIATION. There is
19 appropriated from the health care trust fund created
20 in section 453A.35A, as created in this Act, to the
21 department of human services for the fiscal year
22 beginning July 1, 2007, and ending June 30, 2008, the
23 following amount or so much thereof as is necessary,
24 to be used for the purpose designated:

25 To provide reimbursement in an amount that is three
26 percent greater than the reimbursement amount provided
27 for the fiscal period beginning June 30, 2006, to the
28 following providers and for the following services:

29 Inpatient and outpatient hospital services;

30 disproportionate share hospitals, indirect medical
31 education and direct medical education; home health
32 services; physician services; psychiatric services;
33 family planning services; early periodic screening,
34 diagnosis, and treatment; dental services; optometric
35 services; supplies; ambulance services; practitioner
36 services; podiatric services; chiropractic services;
37 clinic services; community mental health centers; home
38 and community-based waiver services; the Iowa plan for
39 behavioral health; health maintenance organizations;
40 nursing facilities; case management services;
41 rehabilitative treatment services; adult
42 rehabilitative option services; and pharmacy
43 dispensing fees:
44 \$ 19,777,329”

45 3. Page 3, line 7, by inserting after the word
46 “appropriation,” the following: “providing a
47 limitation on the purposes of the fund to those
48 purposes related to the medical assistance program
49 including an appropriation for provider
50 reimbursements.”.

Page 2

1 4. By renumbering as necessary.

JAMES A. SEYMOUR
DAVID JOHNSON

S-3080

1 Amend the amendment, S-3066, to Senate File 128, as
2 follows:
3 1. Page 1, by inserting after line 1 the
4 following:
5 “___ Page 1, by inserting before line 1 the
6 following:
7 “Section 1. NEW SECTION. 249A.19A HOSPITAL
8 REIMBURSEMENT.
9 Beginning July 1, 2007, the department shall
10 reimburse hospitals as defined in section 135B.1 for
11 provision of services under the medical assistance
12 program at the reimbursement level allowed under the
13 Medicare program, subject to the medical assistance
14 program upper payment limit. The reimbursement level
15 shall be adjusted annually, on July 1, in accordance
16 with the requirements of this section and shall
17 provide for reimbursement that is not less than the
18 reimbursement provided under the Medicare program,
19 subject to the medical assistance program upper
20 payment limit.””
21 2. By striking page 1, lines 40 through 43 and

22 inserting the following:

23 ““Moneys in the fund shall be used only for the
24 purposes of the medical assistance program.
25 There is appropriated, annually, from the health
26 care trust fund to the department of human services,
27 an amount necessary to provide for the reimbursement
28 of hospitals for provision of services under the
29 medical assistance program as provided in section
30 249A.19A.””

31 3. Page 3, line 7, by inserting after the word
32 “appropriation,” the following: “providing for a
33 limitation on the purposes of the fund to the medical
34 assistance program including a standing appropriation
35 for certain services provided under the medical
36 assistance program,”.

37 4. By renumbering, redesignating, and correcting
38 internal references as necessary.

LARRY McKIBBEN

S-3081

1 Amend Senate File 128 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 “DIVISION I
5 CIGARETTE AND TOBACCO PRODUCTS PROVISIONS”

6 2. Page 3, by inserting after line 1 the
7 following:

8 “There is appropriated from the health care trust
9 fund, annually, to the department of revenue, the
10 amount specified in section 422.11T, subsection 5, for
11 the applicable fiscal year, for deposit in the general
12 fund of the state to offset the reduction in tax
13 revenues due to the allowance of small business health
14 care tax credits.”

15 3. Page 4, line 10, by inserting after the word
16 “This” the following: “division of this”.

17 4. Page 4, by inserting after line 11 the
18 following:

19 “DIVISION II
20 HEALTH CARE — SMALL BUSINESS TAX CREDIT
21 Sec. __. NEW SECTION. 422.11T SMALL BUSINESS
22 HEALTH CARE TAX CREDIT.

23 1. a. The taxes imposed under this division, less
24 the amounts of nonrefundable credits allowed under
25 this division, shall be reduced by a small business
26 health care tax credit, to the extent available, for
27 the cost to a small business of providing health care
28 benefits or contributions to employees of the
29 business. The amount of the credit for each employee
30 equals the first one thousand dollars of the cost of

31 providing health care benefits to the employee or the
32 first one thousand dollars of the contribution made on
33 behalf of the employee to a health savings account of
34 that employee.

35 b. The total amount of all credits for all
36 employees under paragraph "a" shall not exceed
37 twenty-five thousand dollars.

38 c. For purposes of this section:

39 (1) "Health savings account" means a health
40 savings account as defined in section 223(d) of the
41 Internal Revenue Code.

42 (2) "Small business" means a for-profit enterprise
43 that employed during the tax year less than fifty
44 full-time equivalent employees.

45 d. Any credit in excess of the tax liability shall
46 be refunded. In lieu of claiming a refund, a taxpayer
47 may elect to have the overpayment shown on the
48 taxpayer's final, completed return credited to the tax
49 liability for the following taxable year.

50 2. An individual may claim a small business health

Page 2

1 care tax credit allowed a partnership, limited
2 liability company, S corporation, estate, or trust
3 electing to have the income taxed directly to the
4 individual. The amount claimed by the individual
5 shall be based upon the pro rata share of the
6 individual's earnings of the partnership, limited
7 liability company, S corporation, estate, or trust.

8 3. A taxpayer claiming a credit under this section
9 shall not be precluded, in computing taxable income,
10 from deducting the amount of costs for providing
11 health care benefits allowed under any section of the
12 Internal Revenue Code.

13 4. To receive the small business health care tax
14 credit, a small business must submit an application to
15 the department. If the taxpayer meets the criteria
16 for eligibility, the department shall issue to the
17 taxpayer a certification of entitlement for the small
18 business health care tax credit. However, the
19 combined amount of tax credits that may be approved
20 for a fiscal year under this section, section 422.33,
21 subsection 24, section 422.60, subsection 13, section
22 432.12J, and section 533.24, subsection 11, shall not
23 exceed the amount specified in subsection 5. Tax
24 credit certificates shall be issued on an earliest
25 filed application basis. The certification must
26 contain the taxpayer's name, address, tax
27 identification number, the amount of the credit, and
28 tax year for which the certificate applies. The
29 taxpayer shall file the tax credit certificate with

30 the taxpayer's tax return in order to claim the tax
31 credit. The department shall adopt rules to
32 administer this section and shall provide by rule for
33 the method to be used to determine for which fiscal
34 year the tax credits are approved.

35 5. For purposes of subsection 4, the combined
36 amount of small business health care tax credits that
37 may be approved in a fiscal year is as follows:

38 a. For the fiscal year beginning July 1, 2007, the
39 combined amount equals one hundred million dollars.

40 b. For each fiscal year beginning on or after July
41 1, 2008, the combined amount equals one hundred
42 twenty-seven million dollars.

43 Sec. ____. Section 422.33, Code 2007, is amended by
44 adding the following new subsection:

45 NEW SUBSECTION. 24. The taxes imposed under this
46 division shall be reduced by a small business health
47 care tax credit, to the extent available, provided for
48 in section 422.11T. The tax credit shall be subject
49 to the same conditions, requirements, and dollar
50 limitations as provided for in section 422.11T.

Page 3

1 Sec. ____. Section 422.60, Code 2007, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 13. The taxes imposed under this
4 division shall be reduced by a small business health
5 care tax credit, to the extent available, provided for
6 in section 422.11T. The tax credit shall be subject
7 to the same conditions, requirements, and dollar
8 limitations as provided for in section 422.11T.

9 Sec. ____. NEW SECTION. 432.12J SMALL BUSINESS
10 HEALTH CARE TAX CREDIT.

11 The taxes imposed under this chapter shall be
12 reduced by a small business health care tax credit, to
13 the extent available, provided for in section 422.11T.
14 The tax credit shall be subject to the same
15 conditions, requirements, and dollar limitations as
16 provided for in section 422.11T.

17 Sec. ____. Section 533.24, Code 2007, is amended by
18 adding the following new subsection:

19 NEW SUBSECTION. 11. The moneys and credits tax
20 imposed under this section shall be reduced by a small
21 business health care tax credit, to the extent
22 available, provided for in section 422.11T. The tax
23 credit shall be subject to the same conditions,
24 requirements, and dollar limitations as provided for
25 in section 422.11T.

26 Sec. ____. EFFECTIVE AND RETROACTIVE APPLICABILITY
27 DATE. This division of this Act applies retroactively
28 to January 1, 2007, for tax years beginning on or

29 after that date.”

30 5. Title page, by striking lines 3 and 4 and
 31 inserting the following: “products, creating a health
 32 care trust fund, providing a small business health
 33 care tax credit, making appropriations, and including
 34 effective and retroactive and other applicability
 35 provisions.”

36 6. By renumbering as necessary.

LARRY McKIBBEN

S-3082

1 Amend the amendment, S-3066, to Senate File 128 as
 2 follows:

3 1. Page 1, by inserting after line 1 the
 4 following:

5 “___. Page 1, by striking line 27 and inserting
 6 the following: “~~thousand, eighteen mills equal to~~
 7 three and six-tenths cents.”

8 2. Page 1, by inserting after line 27 the
 9 following:

10 “___. Page 2, line 18, by striking the word “A”
 11 and inserting the following:

12 “1. A.”

13 3. Page 1, line 40, by inserting before the word
 14 “Moneys” the following:

15 “2.”

16 4. Page 1, by inserting after line 43 the
 17 following:

18 “___. Page 3, by inserting after line 1 the
 19 following:

20 “3. There is appropriated from the health care
 21 trust fund to the agencies specified, the following
 22 amounts for each fiscal year beginning July 1, 2007,
 23 for the purposes specified:

24 a. To the department of public health:

25 (1) Ten million dollars for the use of the
 26 division of tobacco use prevention and control.

27 (2) Four million dollars for addictive disorders.

28 (3) Six million dollars for smoking cessation.

29 (4) Three million five hundred thousand dollars
 30 for substance abuse prevention for children.

31 b. To the department of human services, thirty-six
 32 million dollars for the healthy and well kids in Iowa
 33 program.””

34 5. Page 3, by striking lines 6 and 7 and
 35 inserting the following: “word “fund,” the following:

36 “including standing appropriations from the fund for
37 health-related purposes, providing for a standing
38 appropriation to the fund,’”.
39 6. By renumbering as necessary.

MARK ZIEMAN

S-3083

1 Amend Senate File 138 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 “Section 1. Section 607A.8, Code 2007, is amended
5 by striking the section and inserting in lieu thereof
6 the following:
7 607A.8 FEES AND EXPENSES FOR JURORS.
8 1. A grand juror and a petit juror in all courts
9 shall receive thirty dollars as compensation for each
10 day’s service or attendance, including attendance
11 required for the purpose of being considered for
12 service. The supreme court may adopt rules that allow
13 additional compensation for jurors whose attendance
14 and service exceeds seven days.
15 2. A grand juror and a petit juror in all courts
16 shall receive reimbursement for mileage expenses at
17 the rate specified in section 602.1509 for each mile
18 traveled each day to and from the residence of the
19 juror to the place of service or attendance, and shall
20 receive reimbursement for actual expenses of parking,
21 as determined by the clerk of the district court. A
22 juror who is a person with a disability may receive
23 reimbursement for the costs of alternate
24 transportation from the residence of the juror to the
25 place of service or attendance. A juror shall not
26 receive reimbursement for mileage expenses or actual
27 expenses of parking when the juror travels in a
28 vehicle for which another juror is receiving
29 reimbursement for mileage and parking expenses.
30 3. A grand juror or a petit juror in all courts
31 may waive the right of the juror to receive
32 compensation under subsection 1 or reimbursement under
33 subsection 2.
34 Sec. 2. NEW SECTION. 607A.47 JUROR
35 QUESTIONNAIRE.
36 The court may, on its own motion, or upon the
37 motion of a party to the case or upon the request of a
38 juror, order the sealing or partial sealing of a
39 completed juror questionnaire, if the court finds that
40 it is necessary to protect the safety or privacy of a

41 juror or a family member of a juror.”

42 2. Title page, lines 2 and 3, by striking the
43 words “and exempting certain governmental employees
44 from jury service compensation”.

GENE FRAISE

S-3084

1 Amend Senate File 128 as follows:

2 1. Page 1, by striking line 27 and inserting the
3 following: “~~thousand, eighteen mills~~ equal to four
4 and nine-tenths cents”.

PAT WARD

S-3085

1 Amend Senate File 128 as follows:

2 1. Page 1, by inserting before line 1, the
3 following:

4 “DIVISION I
5 CIGARETTE AND TOBACCO PRODUCTS
6 TAX PROVISIONS”

7 2. Page 4, line 10, by inserting after the word
8 “This” the following: “division of this”.

9 3. Page 4, by inserting after line 11 the
10 following:

11 “DIVISION II
12 CIGARETTE AND TOBACCO PRODUCTS
13 REGULATORY PROVISIONS

14 Sec. ____ Section 453A.2, subsections 1, 2, and 3,
15 Code 2007, are amended to read as follows:

16 1. A person shall not sell, give, or otherwise
17 supply any tobacco, tobacco products, or cigarettes to
18 any person under ~~eighteen~~ twenty-one years of age.

19 2. A person under ~~eighteen~~ twenty-one years of age
20 shall not smoke, use, possess, purchase, or attempt to
21 purchase any tobacco, tobacco products, or cigarettes.

22 3. Possession of cigarettes or tobacco products by
23 an individual under ~~eighteen~~ twenty-one years of age
24 does not constitute a violation under this section if
25 the individual under ~~eighteen~~ twenty-one years of age
26 possesses the cigarettes or tobacco products as part
27 of the individual’s employment and the individual is
28 employed by a person who holds a valid permit under
29 this chapter or who lawfully offers for sale or sells
30 cigarettes or tobacco products.

31 Sec. ____ Section 453A.2, subsection 8, paragraph
32 b, Code 2007, is amended to read as follows:

33 b. The compliance effort is conducted with the
34 advance knowledge of law enforcement officers and

35 reasonable measures are adopted by those conducting
36 the effort to ensure that use of cigarettes or tobacco
37 products by individuals under ~~eighteen~~ twenty-one
38 years of age does not result from participation by any
39 individual under ~~eighteen~~ twenty-one years of age in
40 the compliance effort.

41 Sec. ____ Section 453A.5, subsection 1, Code 2007,
42 is amended to read as follows:

43 1. The alcoholic beverages division of the
44 department of commerce shall develop a tobacco
45 compliance employee training program not to exceed two
46 hours in length for employees and prospective
47 employees of retailers, as defined in sections 453A.1
48 and 453A.42, to inform the employees about state and
49 federal laws and regulations regarding the sale of
50 cigarettes and tobacco products to persons under

Page 2

1 ~~eighteen~~ twenty-one years of age and compliance with
2 and the importance of laws regarding the sale of
3 cigarettes and tobacco products to persons under
4 ~~eighteen~~ twenty-one years of age.

5 Sec. ____ Section 453A.36, subsection 6, Code
6 2007, is amended to read as follows:

7 6. Any sales of cigarettes or tobacco products
8 made through a cigarette vending machine are subject
9 to rules and penalties relative to retail sales of
10 cigarettes and tobacco products provided for in this
11 chapter. No cigarettes shall be sold through any
12 cigarette vending machine unless the cigarettes have
13 been properly stamped or metered as provided by this
14 division, and in case of violation of this provision,
15 the permit of the dealer authorizing retail sales of
16 cigarettes shall be canceled. Payment of the license
17 fee as provided in section 453A.13 authorizes a
18 cigarette vendor to sell cigarettes or tobacco
19 products through vending machines. However,
20 cigarettes or tobacco products shall not be sold
21 through a vending machine unless the vending machine
22 is located in a place where the retailer ensures that
23 no person younger than ~~eighteen~~ twenty-one years of
24 age is present or permitted to enter at any time.
25 This section does not require a retail licensee to buy
26 a cigarette vendor's permit if the retail licensee is
27 in fact the owner of the cigarette vending machines
28 and the machines are operated in the location
29 described in the retail permit.

30 Sec. ____ Section 453A.39, subsection 2,
31 paragraphs b and c, Code 2007, are amended to read as
32 follows:

33 b. A manufacturer, distributor, wholesaler,

34 retailer, or distributing agent or agent thereof shall
 35 not give away any cigarettes or tobacco products to
 36 any person under ~~eighteen~~ twenty-one years of age, or
 37 within five hundred feet of any playground, school,
 38 high school, or other facility when such facility is
 39 being used primarily by persons under age ~~eighteen~~
 40 twenty-one for recreational, educational, or other
 41 purposes.

42 c. Proof of age shall be required if a reasonable
 43 person could conclude on the basis of outward
 44 appearance that a prospective recipient of a sample
 45 may be under ~~eighteen~~ twenty-one years of age.”

46 4. Title page, line 1, by inserting after the
 47 word “to” the following: “cigarettes and tobacco
 48 products including regulatory provisions,”.

BRAD ZAUN
 DAVID HARTSUCH
 JERRY BEHN
 NANCY J. BOETTGER
 PAUL MCKINLEY

S-3086

1 Amend Senate File 403 as follows:

2 1. By striking page 2, line 35, through page 3,
 3 line 13.

4 2. Page 10, by inserting after line 21 the
 5 following:
 6 “INFRASTRUCTURE, TECHNOLOGY, AND EQUIPMENT
 7 REBUILD IOWA INFRASTRUCTURE FUND

8 Sec. ____ IOWA JUVENILE HOME. There is
 9 appropriated from the rebuild Iowa infrastructure fund
 10 to the department of administrative services for the
 11 fiscal year beginning July 1, 2006, and ending June
 12 30, 2007, the following amount, or so much thereof as
 13 is necessary, to be used for the purpose designated:

14 For the Iowa juvenile home powerhouse:
 15 \$ 7,035,000

16 Notwithstanding section 8.33, moneys appropriated
 17 in this section that remain unencumbered or
 18 unobligated at the close of the fiscal year shall not
 19 revert but shall remain available for expenditure for
 20 the purposes designated until the close of the fiscal
 21 year that begins July 1, 2010, or until the project
 22 for which the appropriation was made is completed,
 23 whichever is earlier.”

24 3. Page 12, by inserting after line 32 the
 25 following:

26 “____. There is appropriated from the general fund
 27 of the state to the department of human services for
 28 the fiscal year beginning July 1, 2006, and ending

29 June 30, 2007, the following amount, or so much
30 thereof as is necessary, to be used for the purposes
31 designated:

32 For allocation to a county as provided in this
33 section:

34 \$ 52,265”

35 4. Page 12, line 33, by striking the word
36 “appropriation” and inserting the following:
37 “appropriations”.

38 5. Page 15, line 25, by striking the word “ten”
39 and inserting the following: “five”.

40 6. Page 16, line 19, by striking the word “ten”
41 and inserting the following: “five”.

42 7. Page 16, line 34, by striking the word “ten”
43 and inserting the following: “five”.

44 8. Page 17, line 11, by striking the word “ten”
45 and inserting the following: “five”.

46 9. Page 17, line 25, by striking the word “ten”
47 and inserting the following: “five”.

48 10. Page 18, line 4, by striking the word “ten”
49 and inserting the following: “five”.

50 11. Page 19, line 2, by striking the word “ten”

Page 2

1 and inserting the following: “five”.

2 12. Page 19, line 12, by striking the word “ten”
3 and inserting the following: “five”.

4 13. Page 19, line 25, by striking the word “ten”
5 and inserting the following: “five”.

6 14. By renumbering as necessary.

ROBERT E. DVORSKY

S-3087

1 Amend Senate File 403 as follows:

2 1. Page 2, by striking lines 12 through 31.

3 2. By renumbering as necessary.

JEFF ANGELO

S-3088

1 Amend Senate File 403 as follows:

2 1. Page 13, by inserting after line 12 the
3 following:

4 “DIVISION ____
5 VIETNAM VETERANS BONUS

6 Sec. ____ Section 35A.8, Code 2007, is amended by
7 adding the following new subsection:

8 NEW SUBSECTION. 5. a. The executive director

9 shall provide for the administration of the bonus
10 authorized in this subsection. The commission shall
11 adopt rules, pursuant to chapter 17A, as necessary to
12 administer this subsection including but not limited
13 to application procedures, investigation, approval or
14 disapproval, and payment of claims.

15 b. (1) A person who served on active duty for not
16 less than one hundred twenty days in the armed forces
17 of the United States at any time between July 1, 1973,
18 and May 31, 1975, both dates inclusive, and who at the
19 time of entering into active duty service was a legal
20 resident of the state of Iowa, and who had maintained
21 the person's residence in this state for a period of
22 at least six months immediately before entering into
23 active duty service, and was honorably discharged or
24 separated from active duty service, or is still in
25 active service in an honorable status, or has been
26 retired, or has been furloughed to a reserve, or has
27 been placed on inactive status is entitled to receive
28 from moneys appropriated for that purpose the sum of
29 seventeen dollars and fifty cents for each month that
30 the person was on active duty service in the Vietnam
31 service area, within the dates specified in this
32 subparagraph, if the veteran earned either a Vietnam
33 service medal or an armed forces expeditionary medal-
34 Vietnam or can otherwise establish service in the
35 Vietnam service area during that period. Compensation
36 under this subparagraph shall not exceed a total sum
37 of five hundred dollars. Compensation for a fraction
38 of a month shall not be considered unless the fraction
39 is sixteen days or more, in which case the fraction
40 shall be computed as a full month.

41 (2) A person otherwise qualified under this
42 paragraph "b" except that the person did not earn
43 either a Vietnam service medal or an armed forces
44 expeditionary medal-Vietnam, and did not serve in the
45 Vietnam service area during the period between July 1,
46 1973, and May 31, 1975, both dates inclusive, is
47 entitled to receive from moneys appropriated for that
48 purpose the sum of twelve dollars and fifty cents for
49 each month that the person was on active duty service,
50 within the dates specified in subparagraph (1).

Page 2

1 Compensation under this subparagraph shall not exceed
2 a total sum of three hundred dollars. Compensation
3 for a fraction of a month shall not be considered
4 unless the fraction is sixteen days or more, in which
5 case the fraction shall be computed as a full month.

6 (3) A person is not entitled to compensation
7 pursuant to this subsection if the person received a

8 bonus or compensation similar to that provided in this
9 subsection from another state.

10 (4) A person is not entitled to compensation
11 pursuant to this subsection if the person was on
12 active duty service after July 1, 1973, and the person
13 refused on conscientious, political, religious, or
14 other grounds, to be subject to military discipline.

15 (5) The surviving unremarried widow or widower,
16 child or children, mother, father, or person standing
17 in loco parentis, in the order named and none other,
18 of any deceased person shall be paid the compensation
19 that the deceased person would be entitled to pursuant
20 to this subsection, if living. However, if any person
21 has died or shall die, or is disabled, from
22 service-connected causes incurred during the period
23 and in the area from which the person is entitled to
24 receive compensation pursuant to this subsection, the
25 person or the first survivor as designated by this
26 subparagraph, and in the order named, shall be paid
27 five hundred dollars or three hundred dollars,
28 whichever maximum amount would have applied pursuant
29 to subparagraph (1) or (2), regardless of the length
30 of service.

31 (6) The maximum compensation a person may receive
32 pursuant to this subsection shall be reduced by the
33 amount of any Vietnam veterans bonus received from the
34 state for service prior to July 1, 1973.

35 c. A person who knowingly makes a false statement
36 relating to a material fact in supporting an
37 application under this subsection is guilty of a
38 serious misdemeanor. A person convicted pursuant to
39 this subsection shall forfeit all benefits to which
40 the person may have been entitled under this
41 subsection.

42 d. All payments and allowances made under this
43 subsection shall be exempt from taxation, levy, and
44 sale on execution.

45 e. The bonus compensation authorized under this
46 subsection shall be paid from moneys appropriated for
47 that purpose.

48 f. A Vietnam Conflict veterans bonus fund is
49 created in the state treasury. The Vietnam Conflict
50 veterans bonus fund shall consist of all moneys

Page 3

1 appropriated to the fund to pay the bonus compensation
2 authorized in this subsection. Notwithstanding
3 section 12C.7, interest or earnings on investments or
4 time deposits of the moneys in the Vietnam Conflict
5 veterans bonus fund shall be credited to the bonus
6 fund. Section 8.33 does not apply to moneys

7 appropriated to the Vietnam Conflict veterans bonus
8 fund.
9 Sec. ____ VIETNAM CONFLICT VETERANS BONUS FUND
10 APPROPRIATION. There is appropriated from the general
11 fund of the state to the department of veterans
12 affairs for the fiscal year beginning July 1, 2006,
13 and ending June 30, 2007, the following amount, or so
14 much thereof as is necessary, to be used for the
15 purpose designated:
16 For deposit in the Vietnam Conflict veterans bonus
17 fund:
18 \$ 500,000
19 The amount credited to the Vietnam Conflict
20 veterans bonus fund pursuant to this section is
21 appropriated to the department to be used for the
22 purposes of section 35A.8, subsection 5, as enacted in
23 this division of this Act.”
24 2. By renumbering as necessary.

LARRY McKIBBEN
JAMES A. SEYMOUR

S-3089

1 Amend Senate File 355 as follows:
2 1. Page 3, line 15, by striking the word
3 “minimum” and inserting the following: “maximum”.
4 2. Page 3, line 23, by striking the word
5 “minimum” and inserting the following: “maximum”.
6 3. Page 4, line 4, by striking the word “fewer”
7 and inserting the following: “more”.
8 4. Page 4, by striking lines 17 through 27 and
9 inserting the following:
10 “5. PROJECT SIZE”.
11 5. Page 4, line 28, by striking the word “b.”
12 6. Page 6, line 15, by striking the word
13 “kilowatts” and inserting the following: “kilovolts”.
14 7. By renumbering, relettering, or redesignating
15 and correcting internal references as necessary.

COMMITTEE ON NATURAL RESOURCES
AND ENVIRONMENT
DENNIS H. BLACK, Chair

S-3090

1 Amend Senate File 403 as follows:
2 1. Page 13, by inserting after line 12 the
3 following:
4 “DIVISION ____
5 ENERGY UTILITY ASSESSMENT AND RESOLUTION PROGRAM
6 Sec. ____ NEW SECTION. 216A.104 ENERGY UTILITY

7 ASSESSMENT AND RESOLUTION PROGRAM.
8 1. The general assembly finds that provision of
9 assistance to prevent utility disconnections will also
10 prevent the development of public health risks due to
11 such disconnections. The division shall establish an
12 energy utility assessment and resolution program
13 administered by each community action agency for
14 persons with low incomes who have or need a deferred
15 payment agreement or are in need of an emergency fuel
16 delivery to address home energy utility costs.
17 2. A person must meet all of the following
18 requirements to be eligible for the program:
19 a. The person is eligible for the federal
20 low-income home energy assistance program.
21 b. The person is a residential customer of an
22 energy utility approved for the program by the
23 division.
24 c. The person has or is in need of a deferred
25 payment agreement to address the person's home energy
26 utility costs.
27 d. The person is able to maintain or regain
28 residential energy utility service in the person's own
29 name.
30 e. The person provides the information necessary
31 to determine the person's eligibility for the program.
32 f. The person complies with other eligibility
33 requirements adopted in rules by the division.
34 3. The program components shall include but are
35 not limited to all of the following:
36 a. Analysis of a program participant's current
37 financial situation.
38 b. Review of a program participant's resource and
39 money management options.
40 c. Skills development and assistance for a program
41 participant in negotiating a deferred payment
42 agreement with the participant's energy utility.
43 d. Development of a written household energy
44 affordability plan.
45 e. Provision of energy conservation training and
46 assistance.
47 f. A requirement that a program participant must
48 make uninterrupted, regular utility payments while
49 participating in the program.
50 4. The division shall implement accountability

Page 2

1 measures for the program and require regular reporting
2 on the measures by the community action agencies.
3 5. The division shall implement the program
4 statewide, subject to the funding made available for
5 the program.

6 Sec. ____ ENERGY UTILITY ASSESSMENT AND RESOLUTION
 7 PROGRAM — APPROPRIATION. There is appropriated from
 8 the general fund of the state to the division of
 9 community action agencies of the department of human
 10 rights for the fiscal year beginning July 1, 2006, and
 11 ending June 30, 2007, the following amount, or so much
 12 thereof as is necessary, to be used for the purpose
 13 designated:

14 For implementation of the energy utility assessment
 15 and resolution program in accordance with section
 16 216A.104, as enacted by this division of this Act:
 17 \$ 1,000,000

18 Notwithstanding section 8.33, moneys appropriated
 19 in this section that remain unencumbered or
 20 unobligated at the close of the fiscal year shall not
 21 revert but shall remain available for the purposes
 22 designated until the close of the succeeding fiscal
 23 year.”

24 2. By renumbering as necessary.

JEFF ANGELO

S-3091

- 1 Amend Senate File 417 as follows:
 2 1. Page 1, by inserting after line 11 the
 3 following:
 4 “NEW SUBSECTION. 6C. “Helper/apprentice” means a
 5 person who assists a licensed contractor or mechanic
 6 and who works under the general supervision of the
 7 licensed contractor or mechanic.”
 8 2. Page 1, line 18, by inserting after the word
 9 “mechanics” the following: “, and to establish the
 10 scope of work for a helper/apprentice.”
 11 3. Page 1, line 23, by inserting after the word
 12 “section.” the following: “This subsection does not
 13 apply to a helper/apprentice working under the general
 14 supervision of a licensed contractor or mechanic”.
 15 4. Page 1, line 31, by inserting after the word
 16 “section.” the following: “This subsection does not
 17 apply to a helper/apprentice working under the general
 18 supervision of a licensed contractor or mechanic”.
 19 5. By renumbering as necessary.

DICK L. DEARDEN

S-3092

- 1 Amend Senate File 354 as follows:
 2 1. Page 1, line 3, by striking the word “Retain”
 3 and inserting the following: “After adopting a
 4 resolution to implement and administer underpayments

5 and overpayments of moneys paid to the county, waive
6 underpayments and retain”.

7 2. Page 1, line 4, by striking the words “,
8 unless” and inserting the following: “. If”.

9 3. Page 1, line 5, by inserting after the word
10 “overpayment” the following: “, the county shall
11 refund the overpayment”.

12 4. Page 1, line 8, by striking the word “Each”
13 and inserting the following: “After adopting a policy
14 consistent with the resolution adopted by the board of
15 supervisors to implement and administer underpayments
16 and overpayments of moneys paid to the county, each”.

17 5. Page 1, line 9, by inserting after the word
18 “shall” the following: “waive underpayments and”.

19 6. Page 1, line 11, by striking the word “,
20 unless” and inserting the following: “. If”.

21 7. Page 1, line 12, by inserting after the word
22 “overpayment” the following: “, the elective officer
23 shall refund the overpayment”.

24 8. Title page, by inserting after the word
25 “certain” the following: “underpayments and”.

PAUL MCKINLEY

S-3093

1 Amend Senate File 412 as follows:

2 1. Page 1, line 9, by striking the words “a
3 junior or senior” and inserting the following: “at
4 least seventeen years of age and a student”.

FRANK B. WOOD

S-3094

1 Amend Senate File 443 as follows:

2 1. Page 1, line 34, by striking the word
3 “sailor’s” and inserting the following: “navy and
4 marine corps”.

5 2. Page 8, line 6, by striking the word
6 “SAILOR’S” and inserting the following: “NAVY AND
7 MARINE CORPS”.

8 3. Page 8, line 8, by striking the word
9 “sailor’s” and inserting the following: “navy and
10 marine corps”.

11 4. Page 8, line 12, by striking the word
12 “sailor’s” and inserting the following: “navy and
13 marine corps”.

14 5. Page 8, line 17, by striking the word
15 “sailor’s” and inserting the following: “navy and
16 marine corps”.

17 6. Page 8, line 26, by striking the word

18 “sailor’s” and inserting the following: “navy and
 19 marine corps”.
 20 7. Title page, line 4, by striking the word
 21 “sailor’s” and inserting the following: “navy and
 22 marine corps”.

STEVE WARNSTADT
 JAMES A. SEYMOUR

S-3095

1 Amend Senate File 444 as follows:
 2 1. Title page, lines 1 and 2, by striking the
 3 words “by making technical changes and”.

KEITH A. KREIMAN

S-3096

1 Amend Senate File 383 as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 “Section 1. Section 273.8, subsection 4,
 5 unnumbered paragraph 1, Code 2007, is amended to read
 6 as follows:
 7 The board of directors of each area education
 8 agency shall meet and organize at the first regular
 9 meeting in October of each year at a suitable place
 10 designated by the president. Directors whose terms
 11 commence at the organization meeting shall qualify by
 12 taking the oath of office required by section 277.28
 13 at or before the organization meeting. The
 14 organizational meeting shall not be held on the day of
 15 a general election as defined in section 39.1.”
 16 2. Page 1, by inserting after line 5 the
 17 following:
 18 “Sec. ____ Section 347.11, Code 2007, is amended
 19 to read as follows:
 20 347.11 ORGANIZATION — MEETINGS — QUORUM.
 21 Said trustees shall qualify by taking the usual
 22 oath of office as provided in chapter 63, but no bond
 23 shall be required of them, except as hereafter
 24 provided, and organize by the election of one of their
 25 number as chairperson and one as secretary, and one as
 26 treasurer. The secretary and treasurer shall each
 27 file with the chairperson of the board a surety bond
 28 in such penal sum as the board of trustees may require
 29 and with sureties to be approved by the board for the
 30 use and benefit of the county public hospital. The
 31 reasonable cost of such bonds shall be paid from
 32 operating funds of the hospital. The secretary shall
 33 report to the county auditor and treasurer the names

34 of the chairperson, secretary and treasurer of the
35 board of hospital trustees as soon as practicable
36 after the qualification of each. Said board shall
37 meet at least once each month, but not on the day of a
38 general election as defined in section 39.1. Four
39 members of said board shall constitute a quorum for
40 the transaction of business. The secretary shall keep
41 a complete record of its proceedings.”

42 3. Title page, line 1, by inserting after the
43 word “conferences” the following: “, hospital board
44 meetings, and area education agency meetings”.

45 4. By renumbering as necessary.

DAVID JOHNSON

S-3097

1 Amend Senate File 383 as follows:

2 1. Page 1, lines 1 and 2, by striking the words
3 “PARENT-TEACHER CONFERENCES” and inserting the
4 following: “SCHOOL-RELATED ACTIVITIES”.

5 2. Page 1, line 4, by inserting after the word
6 “conferences” the following: “, extracurricular
7 performances, or regional or district contests”.

8 3. Page 1, by inserting after line 5 the
9 following:

10 “The department of education shall not schedule
11 state contests or performances on the day of a general
12 election as defined in section 39.1.”

13 4. Title page, line 1, by striking the words
14 “parent-teacher conferences”, and inserting the
15 following: “the scheduling of school-related
16 activities”.

DAVID JOHNSON

S-3098

1 Amend Senate File 383 as follows:

2 1. Page 1, line 2, by inserting after the word
3 “CONFERENCES” the following: “AND SPORTS EVENTS”.

4 2. Page 1, line 4, by inserting after the word
5 “conferences” the following: “and sports events”.

6 3. Title page, line 1, by inserting after the
7 word “conferences” the following: “and sports
8 events”.

DAVID JOHNSON

S-3099

- 1 Amend Senate File 383 as follows:
 2 1. Page 1, line 2, by inserting after the word
 3 “CONFERENCES” the following: “AND STANDARDIZED
 4 TESTS”.
 5 2. Page 1, line 4, by inserting after the word
 6 “conferences” the following: “or standardized tests”.
 7 3. Title page, line 1, by inserting after the
 8 word “conferences” the following: “and standardized
 9 tests”.

DAVID JOHNSON

S-3100

- 1 Amend Senate File 383 as follows:
 2 1. Page 1, line 2, by inserting after the word
 3 “CONFERENCES” the following: “AND SCHOOL BOARD
 4 MEETINGS”.
 5 2. Page 1, line 4, by inserting after the word
 6 “conferences” the following: “or school board
 7 meetings”.
 8 3. Page 1, by inserting after line 5 the
 9 following:
 10 “Sec. ____ Section 331.213, Code 2007, is amended
 11 by adding the following new subsection:
 12 NEW SUBSECTION. 3. The board shall not schedule a
 13 meeting on the day of a general election as defined in
 14 section 39.1.
 15 Sec. ____ Section 372.13, Code 2007, is amended by
 16 adding the following new subsection:
 17 NEW SUBSECTION. 12. The council shall not
 18 schedule a meeting on the day of a general election as
 19 defined in section 39.1.”
 20 4. Title page, line 1, by inserting after the
 21 word “conferences” the following: “and school board,
 22 county board of supervisors, and city council
 23 meetings”.
 24 5. By renumbering as necessary.

DAVID JOHNSON

S-3101

- 1 Amend Senate File 383 as follows:
 2 1. Page 1, line 5, by inserting after the figure
 3 “39.1” the following: “, on the day of a national
 4 collegiate athletic association’s men’s or women’s
 5 basketball championship game, or on the day of the

- 6 bowl championship series national championship game”.
- 7 2. Title page, line 2, by inserting after the
- 8 word “election” the following: “or a national
- 9 collegiate basketball or football championship game”.

DAVID JOHNSON

S-3102

- 1 Amend Senate File 383 as follows:
- 2 1. Page 1, line 5, by inserting after the figure
- 3 “39.1” the following: “, on the day of a city
- 4 election as defined in section 376.1, or on the day of
- 5 a school election as defined in section 277.1”.
- 6 2. Title page, line 2, by inserting after the
- 7 word “general” the following: “or local”.

DAVID JOHNSON

S-3103

- 1 Amend Senate File 200 as follows:
- 2 1. Page 1, lines 14 and 15, by striking the words
- 3 “livestock owner’s control” and inserting the
- 4 following: “land where the livestock are kept”.
- 5 2. Page 1, line 19, by striking the words
- 6 “livestock owner’s control” and inserting the
- 7 following: “land where the livestock are kept”.
- 8 3. Page 1, line 22, by striking the words
- 9 “livestock owner’s control” and inserting the
- 10 following: “land where the livestock are kept”.
- 11 4. Page 2, line 27, by striking the words
- 12 “livestock owner’s control” and inserting the
- 13 following: “land where the livestock are kept”.
- 14 5. By renumbering as necessary.

BRIAN SCHOENJAHN

S-3104

- 1 Amend Senate File 488 as follows:
- 2 1. Page 1, line 9, by striking the words “without
- 3 first bargaining to impasse”.

MICHAEL CONNOLLY

S-3105

- 1 Amend Senate File 236 as follows:
- 2 1. Page 1, line 2, by striking the word
- 3 “subsection” and inserting the following:

- 4 “subsections”.
- 5 2. Page 1, by inserting after line 2 the
6 following:
7 “NEW SUBSECTION. 1A. “Child care facility” means
8 child care facility as defined in section 237A.1.
9 NEW SUBSECTION. 1B. “Child care home” means child
10 care home as defined in section 237A.1.”
- 11 3. Page 1, line 3, by striking the figure “1A.”
12 and inserting the following: “1C.”
- 13 4. Page 1, by striking lines 27 and 28, and
14 inserting the following: “facilities; ~~hospitals,~~
15 ~~clinics, nursing homes, and other health care and~~
16 ~~medical facilities~~ health care provider locations; and
17 auditoriums,”
- 18 5. Page 2, line 15, by inserting after the word
19 “requirements” the following: “for public places or
20 public meetings”.
- 21 6. Page 2, line 16, by striking the words: “for
22 public places or public meetings”.

HERMAN C. QUIRMBACH

S-3106

- 1 Amend Senate File 426 as follows:
- 2 1. Page 1, by inserting before line 1 the
3 following:
4 “Section 1. Section 39.17, unnumbered paragraph 1,
5 Code 2007, is amended to read as follows:
6 There shall be elected in each county at the
7 general election to be held in the year 1976 and every
8 four years thereafter, an auditor ~~and a sheriff, each~~
9 to hold office for a term of four years.
10 Sec. ____ Section 39.21, Code 2007, is amended to
11 read as follows:
12 39.21 NONPARTISAN OFFICES.
13 1. There shall be elected at each general
14 election, on a nonpartisan basis, the following
15 officers:
16 ~~1. a.~~ County public hospital trustees as required
17 by section 347.25.
18 ~~2. b.~~ Soil and water conservation district
19 commissioners as required by section 161A.5.
20 ~~3. c.~~ County agricultural extension council
21 members as provided in section 176A.6.
22 ~~4. d.~~ Township officers as provided in section
23 39.22, subsection 2.
24 2. There shall be elected in each county at the
25 general election to be held in the year 2008 and every
26 four years thereafter, on a nonpartisan basis, a
27 sheriff to hold office for a term of four years.”
- 28 2. Page 1, by inserting after line 19 the

29 following:

30 “Sec. ____ Section 69.14A, subsection 2,
31 unnumbered paragraph 1, Code 2007, is amended to read
32 as follows:

33 A vacancy in any of the offices listed in section
34 39.17 or in the office of county sheriff shall be
35 filled by one of the two following procedures:

36 Sec. ____ Section 97B.49C, subsection 1, paragraph
37 e, Code 2007, is amended to read as follows:

38 e. “Sheriff” means a county sheriff as ~~defined~~
39 described in section ~~39.17~~ 39.21.

40 Sec. ____ Section 97B.49G, subsection 7, paragraph
41 a, unnumbered paragraph 3, subparagraph (1), Code
42 2007, is amended to read as follows:

43 (1) As a county sheriff as ~~defined~~ described in
44 section ~~39.17~~ 39.21.

45 Sec. ____ Section 331.651, subsection 1,
46 unnumbered paragraph 1, Code 2007, is amended to read
47 as follows:

48 The office of sheriff is ~~an~~ a nonpartisan elective
49 office. However, if a vacancy occurs in the office,
50 the first deputy shall assume the office after

Page 2

1 qualifying as provided in this section. The first
2 deputy shall hold the office until a successor is
3 appointed or elected to the unexpired term as provided
4 in chapter 69. If a sheriff is suspended from office,
5 the district court may appoint a sheriff until a
6 temporary appointment is made by the board as provided
7 in section 66.19.

8 Sec. ____ Section 331.661, subsection 3, Code
9 2007, is amended to read as follows:

10 3. The office of multicounty sheriff is created
11 effective on January 1 of the year following the next
12 general election at which the county sheriff is
13 elected as provided by this section and section ~~39.17~~
14 39.21.”

15 3. Title page, line 1, by inserting after the
16 words “relating to” the following: “nonpartisan
17 offices by providing for election of county sheriff on
18 a nonpartisan basis and by modifying”.

NANCY J. BOETTGER

S-3107

1 Amend Senate File 426 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 “Section 1. Section 39.21, Code 2007, is amended

5 to read as follows:

6 39.21 NONPARTISAN OFFICES.

7 1. There shall be elected at each general
8 election, on a nonpartisan basis, the following
9 officers:

10 ~~1. a.~~ County public hospital trustees as required
11 by section 347.25.

12 ~~2. b.~~ Soil and water conservation district
13 commissioners as required by section 161A.5.

14 ~~3. c.~~ County agricultural extension council
15 members as provided in section 176A.6.

16 ~~4. d.~~ Township officers as provided in section
17 39.22, subsection 2.

18 2. There shall be elected biennially in counties,
19 on a nonpartisan basis, members of the board of
20 supervisors to succeed those whose terms of office
21 will expire on the first day of January following the
22 election which is not a Sunday or legal holiday. The
23 term of office of each supervisor shall be four years,
24 except as otherwise provided by section 331.208 or
25 331.209."

26 2. Page 1, by inserting after line 19 the
27 following:

28 "Sec. ____ Section 69.14A, subsection 1, paragraph
29 "b", unnumbered paragraph 2, Code 2007, is amended to
30 read as follows:

31 However, if a vacancy on the board of supervisors
32 occurs ~~after the date of the primary election and~~ more
33 than seventy-three days before the general election, a
34 special election to fill the vacancy shall not be
35 called by the committee or by petition. If the term
36 of office in which the vacancy exists will expire more
37 than seventy days after the general election, the
38 office shall be listed on the ballot, as "For Board of
39 Supervisors, To Fill Vacancy". The person elected at
40 the general election shall assume office as soon as a
41 certificate of election is issued and the person has
42 qualified by taking the oath of office. The person
43 shall serve the balance of the unexpired term.

44 Sec. ____ Section 331.201, subsection 3, Code
45 2007, is amended to read as follows:

46 3. The office of supervisor is ~~an~~ a nonpartisan
47 elective office except that if a vacancy occurs on the
48 board, a successor shall be appointed to the unexpired
49 term as provided in chapter 69.

50 Sec. ____ Section 39.18, Code 2007, is repealed."

Page 2

- 1 3. Title page, line 1, by inserting after the
- 2 words "relating to" the following: "nonpartisan
- 3 offices by providing for the election of county
- 4 supervisors on a nonpartisan basis and by modifying".
- 5 4. By renumbering as necessary.

BRAD ZAUN

S-3108

HOUSE AMENDMENT TO
SENATE FILE 78

- 1 Amend Senate File 78, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 9, by inserting after line 29 the
- 4 following:
- 5 "Sec. ____ Section 481A.134, Code 2007, is amended
- 6 to read as follows:
- 7 481A.134 AUTHORITY TO CANCEL, SUSPEND, OR REVOKE
- 8 LICENSE — POINT SYSTEM.
- 9 The department shall establish rules pursuant to
- 10 chapter 17A providing for the suspension or revocation
- 11 of licenses issued by the department. The rules may
- 12 include procedures for summary cancellation of a
- 13 license based on documentation that the licensee
- 14 failed to pay the applicable fee for the license. For
- 15 purposes of determining when to suspend or revoke a
- 16 license issued by the department under this section,
- 17 the department shall adopt a point system pursuant to
- 18 chapter 17A for the purpose of weighing the
- 19 seriousness of violations of the provisions of this
- 20 chapter or chapter 481B, 482, 483A, 484A, or 484B, or
- 21 of committing trespass as defined in section 716.7
- 22 while hunting deer, other than farm deer as defined in
- 23 section 170.1 or preserve whitetail as defined in
- 24 section 484C.1. The weighted scale may be amended
- 25 from time to time as experience dictates.
- 26 Sec. ____ Section 481A.135, subsections 2, 3, and
- 27 4, Code 2007, are amended to read as follows:
- 28 2. A person who pleads guilty or is convicted of a
- 29 violation of any provision of this chapter or chapter
- 30 481B, 482, 483A, 484A, or 484B, or trespass as defined
- 31 in section 716.7 while hunting deer, other than farm
- 32 deer as defined in section 170.1 or preserve whitetail
- 33 as defined in section 484C.1, while the person's
- 34 license or licenses are suspended or revoked is guilty
- 35 of a simple misdemeanor if the person has no other
- 36 violations within the previous three years which
- 37 occurred while the person's license or licenses have

38 been suspended or revoked.

39 3. A person who pleads guilty or is convicted of a
40 violation of any provision of this chapter or chapter
41 481B, 482, 483A, 484A, or 484B, or trespass as defined
42 in section 716.7 while hunting deer, other than farm
43 deer as defined in section 170.1 or preserve whitetail
44 as defined in section 484C.1, while the person's
45 license or licenses are suspended or revoked is guilty
46 of a serious misdemeanor if the person has one other
47 violation within the previous three years which
48 occurred while the person's license or licenses have
49 been suspended or revoked.

50 4. A person who pleads guilty or is convicted of a

Page 2

1 violation of any provision of this chapter or chapter
2 481B, 482, 483A, 484A, or 484B, or trespass as defined
3 in section 716.7 while hunting deer, other than farm
4 deer as defined in section 170.1 or preserve whitetail
5 as defined in section 484C.1, while the person's
6 license or licenses are suspended or revoked is guilty
7 of an aggravated misdemeanor when the person has had
8 two or more convictions within the previous three
9 years which occurred while the person's license or
10 licenses have been suspended or revoked."

11 2. Page 10, by inserting after line 17, the
12 following:

13 "Sec. ____ Section 716.7, subsection 2, paragraph
14 a, Code 2007, is amended to read as follows:

15 a. Entering upon or in property without the
16 express permission of the owner, lessee, or person in
17 lawful possession with the intent to commit a public
18 offense, to use, remove therefrom, alter, damage,
19 harass, or place thereon or therein anything animate
20 or inanimate, or to hunt, fish or trap on or in the
21 property, including the act of taking or attempting to
22 take a deer, other than a farm deer as defined in
23 section 170.1 or preserve whitetail as defined in
24 section 484C.1, which is on or in the property by a
25 person who is outside the property. This paragraph
26 does not prohibit the unarmed pursuit of game or
27 ~~fur-bearing~~ fur-bearing animals by a person who
28 lawfully injured or killed the game or fur-bearing
29 animal which come comes to rest on or escape escapes
30 to the property of another.

31 Sec. ____ Section 716.8, Code 2007, is amended by
32 adding the following new subsection:

33 NEW SUBSECTION. 5. A person who commits a
34 trespass as defined in section 716.7, subsection 2,
35 paragraph "a", and takes a deer, other than a farm
36 deer as defined in section 170.1 or preserve whitetail

37 as defined in section 484C.1, shall also be subject to
 38 civil penalties as provided in sections 481A.130 and
 39 481A.131. A deer taken by a person while committing
 40 such a trespass shall be subject to seizure as
 41 provided in section 481A.12.”
 42 3. By renumbering as necessary.

S-3109

1 Amend Senate File 467 as follows:
 2 1. Page 1, by striking line 24 and inserting the
 3 following: “members of a particular ambulance
 4 rescue, or first response team or unit may”.

WILLIAM A. DOTZLER, JR.

S-3110

1 Amend Senate File 450 as follows:
 2 1. Page 1, line 5, by inserting after the word
 3 “delinquent” the following: “real property”.
 4 2. Title page, line 2, by inserting after the
 5 word “delinquent” the following: “real”.

KEITH A. KREIMAN
 DAVID HARTSUCH

S-3111

1 Amend Senate File 446 as follows:
 2 1. Page 1, line 4, by inserting after the words
 3 “at ~~any~~” the following: “the general election”.
 4 2. Page 1, line 5, by striking the word “or” and
 5 inserting the following: “or”.
 6 3. Page 1, by inserting after line 9 the
 7 following:
 8 “Sec. ____ Section 388.2, Code 2007, is amended by
 9 adding the following new unnumbered paragraph after
 10 unnumbered paragraph 2:
 11 NEW UNNUMBERED PARAGRAPH. If the special election
 12 is to establish a gas or electric utility pursuant to
 13 this section, or if such a proposal is to be included
 14 on the ballot at the regular city or general election,
 15 the mayor or council shall give notice as required by
 16 section 376.1 to the county commissioner of elections
 17 and to any utility whose property would be affected by
 18 such election not less than sixty days before the
 19 proposed date of the special, regular city, or general
 20 election.”
 21 4. By renumbering as necessary.

JACK HATCH

S-3112

- 1 Amend Senate File 236 as follows:
 2 1. Page 2, by inserting after line 9 the
 3 following:
 4 “Sec. ____ NEW SECTION. 142B.5 SMOKING IN MOTOR
 5 VEHICLES.
 6 A person shall not smoke in a motor vehicle in
 7 which a child who is required to be secured in a child
 8 restraint system in accordance with section 321.446,
 9 subsection 1, is a passenger.”
 10 2. Page 2, line 11, by striking the word
 11 “paragraph.” and inserting the following: “paragraph
 12 and inserting in lieu thereof the following:
 13 A violation of section 142B.5 is a simple
 14 misdemeanor punishable by a fine of one hundred fifty
 15 dollars.”
 16 3. Title page, line 1, by inserting after the
 17 word “smoking” the following: “, and providing a
 18 penalty.”
 19 4. By renumbering as necessary.

BRAD ZAUN

S-3113

- 1 Amend Senate File 236 as follows:
 2 1. Page 1, line 2, by striking the word
 3 “subsection” and inserting the following:
 4 “subsections”.
 5 2. Page 1, by inserting after line 2, the
 6 following:
 7 “NEW SUBSECTION. 1A. “Child care facility” means
 8 child care facility as defined in section 237A.1.
 9 NEW SUBSECTION. 1B. “Child care home” means child
 10 care home as defined in section 237A.1.”
 11 3. Page 1, line 3, by striking the figure “1A.”
 12 and inserting the following: “1C.”
 13 4. Page 2, line 17, by inserting after the word
 14 “chapter” the following: “only as specified in
 15 subsection 2”.
 16 5. Page 2, line 19, by inserting after the word
 17 “include” the following: “only”.

BRAD ZAUN

S-3114

- 1 Amend Senate File 236 as follows:
 2 1. Page 1, by striking lines 1 through 16.
 3 2. Page 2, by striking lines 7 through 9 and

- 4 inserting the following: “place” does not include a
5 private residence.”
6 3. By renumbering as necessary.

BRAD ZAUN

S-3115

- 1 Amend Senate File 236 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 “Section 1. Section 142B.1, subsection 1, Code
5 2007, is amended to read as follows:
6 1. “Bar” means ~~an a legal-age-restricted~~
7 ~~establishment or portion of an establishment where one~~
8 ~~can purchase and consume~~ that is primarily devoted to
9 the serving of alcoholic beverages as defined in
10 section 123.3, subsection 4, but excluding any
11 establishment or portion of the establishment having
12 table and seating facilities for serving of meals to
13 more than fifty people at one time and where, in
14 consideration of payment, meals are served at tables
15 to the public to guests on the premises and in which
16 the serving of food is incidental to the consumption
17 of those beverages, including but not limited to
18 taverns, nightclubs, cocktail lounges, and cabarets.”
19 2. By striking page 1, line 19, through page 2,
20 line 9, and inserting the following:
21 “3. “Public place” means any enclosed indoor area
22 used by the general public or serving as a place of
23 work containing two hundred fifty or more square feet
24 of floor space, including, but not limited to, all
25 restaurants with a seating capacity greater than
26 fifty, all retail stores, lobbies and malls, offices,
27 including waiting rooms, and other commercial
28 establishments; public conveyances with departures,
29 travel, and destination entirely within this state;
30 educational facilities; hospitals, clinics, nursing
31 homes, and other health care and medical facilities;
32 and auditoriums, elevators, theaters, libraries, art
33 museums, concert halls, indoor arenas, and meeting
34 rooms. “Public place” does not include ~~a:~~
35 a. A retail store at which fifty percent or more
36 of the sales result from the sale of tobacco or
37 tobacco products, ~~the,~~
38 b. The portion of a retail store where tobacco or
39 tobacco products are sold, ~~a.~~
40 c. A private, enclosed office occupied exclusively
41 by smokers even though the office may be visited by
42 nonsmokers, ~~a.~~
43 d. A room used primarily as the residence of
44 students or other persons at an educational facility,

45 a sleeping room in a motel or hotel, or each
 46 resident's room in a health care facility. The person
 47 in custody or control of the facility shall provide a
 48 sufficient number of rooms in which smoking is not
 49 permitted to accommodate all persons who desire such
 50 rooms.

Page 2

1 e. A bar.
 2 f. A business location licensed under chapter 99D
 3 or 99F.
 4 g. A private residence unless used as a child care
 5 facility, a child care home, or a health care provider
 6 location.
 7 Sec. ____ Section 142B.2, subsection 3, unnumbered
 8 paragraph 1, Code 2007, is amended to read as follows:
 9 Where smoking areas are designated, existing
 10 physical barriers and existing ventilation systems
 11 shall be used to minimize the toxic effect of smoke in
 12 adjacent nonsmoking areas. In the case of public
 13 places consisting of a single room, the provisions of
 14 this law shall be considered met if one side of the
 15 room is reserved and posted as a no-smoking area. No
 16 public place ~~other than a bar~~ shall be designated as a
 17 smoking area in its entirety. ~~If a bar has within its~~
 18 ~~premises a nonsmoking area, this designation shall be~~
 19 ~~posted on all entrances normally used by the public.”~~
 20 3. Page 2, line 26, by striking the words “or a
 21 bar”.
 22 4. By renumbering as necessary.

PAT WARD
 MARY A. LUNDBY

S-3116

1 Amend Senate File 236 as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 “Section 1. Section 142B.1, subsection 1, Code
 5 2007, is amended to read as follows:
 6 1. “Bar” means an a legal-age-restricted
 7 ~~establishment or portion of an establishment where one~~
 8 ~~can purchase and consume that is primarily devoted to~~
 9 the serving of alcoholic beverages as defined in
 10 section 123.3, subsection 4, but excluding any
 11 ~~establishment or portion of the establishment having~~
 12 ~~table and seating facilities for serving of meals to~~
 13 ~~more than fifty people at one time and where, in~~
 14 ~~consideration of payment, meals are served at tables~~
 15 ~~to the public to guests on the premises and in which~~

16 the serving of food is incidental to the consumption
 17 of those beverages, including but not limited to
 18 taverns, nightclubs, cocktail lounges, and cabarets.”

19 2. Page 2, line 9, by inserting after the word
 20 “location,” the following: ““Public place” does not
 21 include a bar.””

22 3. Page 2, by inserting after line 9, the
 23 following:

24 “Sec. ____ Section 142B.2, subsection 3,
 25 unnumbered paragraph 1, Code 2007, is amended to read
 26 as follows:

27 Where smoking areas are designated, existing
 28 physical barriers and existing ventilation systems
 29 shall be used to minimize the toxic effect of smoke in
 30 adjacent nonsmoking areas. In the case of public
 31 places consisting of a single room, the provisions of
 32 this law shall be considered met if one side of the
 33 room is reserved and posted as a no-smoking area. No
 34 public place ~~other than a bar~~ shall be designated as a
 35 smoking area in its entirety. ~~If a bar has within its~~
 36 ~~premises a nonsmoking area, this designation shall be~~
 37 ~~posted on all entrances normally used by the public.”~~

38 4. Page 2, line 26, by striking the words “or a
 39 bar”.

40 5. By renumbering as necessary.

BRAD ZAUN

S-3117

1 Amend Senate File 236 as follows:

2 1. Page 2, line 17, by inserting after the word
 3 “chapter” the following: “but only as specified in
 4 subsection 2”.

5 2. Page 2, line 19, by inserting after the word
 6 “include” the following: “only”.

BRAD ZAUN

S-3118

1 Amend Senate File 431 as follows:

2 1. Page 24, by inserting after line 29 the
 3 following:

4 “Sec. ____ Section 428A.8, unnumbered paragraphs 1
 5 and 2, Code 2007, are amended to read as follows:

6 On or before the tenth day of each month the county
 7 recorder shall determine and pay to the treasurer of
 8 state ~~eighty-two and three-fourths~~ sixty-five percent
 9 of the receipts from the real estate transfer tax
 10 collected during the preceding month and the treasurer
 11 of state shall deposit ~~ninety-five~~ ninety percent of

12 the receipts in the general fund of the state and
 13 transfer ~~five ten~~ percent of the receipts to the
 14 shelter assistance fund created in section 15.349.
 15 The county recorder shall deposit the remaining
 16 ~~seventeen and one fourth~~ thirty-five percent of the
 17 receipts in the county general fund.”

18 2. Title page, by striking line 1 and inserting
 19 the following: “An Act relating to real property by
 20 modifying the disposition of real estate transfer tax
 21 revenues and modifying the programs, funds, authority,
 22 and duties of the”.

23 3. By renumbering as necessary.

JAMES F. HAHN

S-3119

1 Amend Senate File 236 as follows:

- 2 1. Page 2, line 9, by inserting after the word
- 3 “location,” the following: ““Public place” does not
- 4 include the location of a fraternal benefit society as
- 5 defined in section 512B.3.”

MARK ZIEMAN

S-3120

1 Amend Senate File 468 as follows:

- 2 1. Page 1, line 22, by inserting before the word
- 3 “model” the following: “voluntary”.
- 4 2. Page 1, line 30, by inserting before the word
- 5 “model” the following: “voluntary”.
- 6 3. Page 1, line 33, by inserting before the word
- 7 “model” the following: “voluntary”.
- 8 4. Page 2, line 5, by inserting before the word
- 9 “model” the following: “voluntary”.
- 10 5. Page 2, line 6, by inserting after the word
- 11 “involvement” the following: “, including, but not
- 12 limited to representatives from the private sector and
- 13 the business community.”
- 14 6. Page 2, line 7, by inserting before the word
- 15 “model” the following: “voluntary”.
- 16 7. Page 2, line 10, by inserting before the word
- 17 “model” the following: “voluntary”.
- 18 8. Page 2, line 27, by striking the words “shall
- 19 strive” and inserting the following: “are strongly
- 20 encouraged”.
- 21 9. Page 2, by striking lines 31 and 32 and
- 22 inserting the following:
- 23 “Sec. ____ Section 279.61, Code 2007, is amended
- 24 to read as follows:
- 25 279.61 STUDENT PLAN FOR PROGRESS TOWARD UNIVERSITY

- 26 ADMISSIONS — REPORT.”
- 27 10. Page 3, line 3, by inserting before the word
- 28 “model” the following: “voluntary”.
- 29 11. Page 3, by inserting after line 12 the
- 30 following:
- 31 “2. For the school year beginning July 1, ~~2006~~
- 32 2007, and each succeeding school year, the board of
- 33 directors of each school district shall report
- 34 annually to each student enrolled in grades nine
- 35 through twelve in the school district, and, if the
- 36 student is under the age of eighteen, to each
- 37 student’s parent or guardian, the student’s progress
- 38 toward meeting the goal of successfully completing the
- 39 voluntary model core curriculum developed by the state
- 40 board of education pursuant to section 256.7,
- 41 subsection 26.”
- 42 12. Page 3, by striking lines 13 through 28.
- 43 13. Page 3, line 29, by inserting before the word
- 44 “MODEL” the following: “VOLUNTARY”.
- 45 14. Page 3, line 31, by inserting before the word
- 46 “model” the following: “voluntary”.
- 47 15. Page 4, line 1, by inserting before the word
- 48 “model” the following: “voluntary”.
- 49 16. Page 4, line 3, by inserting before the word
- 50 “model” the following: “voluntary”.

Page 2

- 1 17. Page 4, line 7, by inserting before the word
- 2 “model” the following: “voluntary”.
- 3 18. Title page, by striking lines 2 and 3 and
- 4 inserting the following: “content standards and a
- 5 voluntary model core curriculum.”
- 6 19. By renumbering as necessary.

BRIAN SCHOENJAHN

S-3121

- 1 Amend Senate File 361 as follows:
- 2 1. Page 7, lines 26 and 27, by striking the words
- 3 “three years” and inserting the following: “eighteen
- 4 months”.

MICHAEL CONNOLLY

S-3122

- 1 Amend Senate File 541 as follows:
- 2 1. Page 2, line 24, by inserting after the word
- 3 “EXEMPTION” the following: “— CLAIMS AGAINST
- 4 ASSIGNEES OR PURCHASERS OF LOANS”.

5 2. Page 2, line 26, by inserting after the word
 6 “institutions” the following: “or their subsidiaries
 7 or affiliates, or to loans originated by federally
 8 insured depository institutions or their subsidiaries
 9 or affiliates. No claim or defense under this chapter
 10 may be asserted by the attorney general or any
 11 consumer against an assignee or purchaser of a
 12 mortgage loan for value unless one of the following
 13 applies:

14 1. The violation was committed by the assignee or
 15 purchaser.

16 2. The assignee or purchaser is affiliated by
 17 common control with the seller of the loan at the time
 18 of such assignment or purchase.”

19 3. Page 2, line 31, by inserting after the word
 20 “chapter” the following: “, acting only in an
 21 individual capacity,”.

22 4. Page 3, by inserting after line 34 the
 23 following:

24 “6. A lender, mortgage banker, or mortgage broker
 25 in a consumer home loan who, when acting in good
 26 faith, fails to comply with the provisions of this
 27 chapter does not violate this chapter if, within sixty
 28 days of receiving notice of the failure to comply, the
 29 lender, mortgage banker, or mortgage broker makes
 30 appropriate restitution and whatever adjustments are
 31 necessary to correct the violation.”

STEVE WARNSTADT

S-3123

1 Amend Senate File 551 as follows:

2 1. Page 20, by inserting after line 35 the
 3 following:

4 “DIVISION IX

5 STATE EMPLOYEE TELECOMMUTING

6 Sec. ____ STATE EMPLOYEE TELECOMMUTING — POLICY
 7 DEVELOPMENT — IMPLEMENTATION.

8 1. The director of a department or state agency to
 9 which appropriations are made pursuant to the
 10 provisions of this Act shall assess the extent to
 11 which job classifications or individual employment
 12 positions with the department or agency might be
 13 effectively performed from an employee’s residence or
 14 other remote location through telecommuting, thereby
 15 increasing office space within the department or
 16 agency and reducing administrative costs. The
 17 assessment shall include an estimate of the number of
 18 department or agency employees whose job
 19 responsibilities could be effectively performed on a
 20 telecommuting basis, projected costs of establishing

21 and maintaining work stations at an employee's
22 residence or other remote location and providing
23 telecommuter support, anticipated savings to the
24 department or agency through a reduction in the
25 office-based workforce, and anticipated time and cost
26 savings to telecommuting employees. A report
27 summarizing the assessment shall be submitted to the
28 director of the department of administrative services,
29 and the members of the general assembly, by November
30 1, 2007.

31 2. Based on the assessment conducted pursuant to
32 subsection 1, the director shall develop a
33 telecommuter employment policy for the department or
34 agency and a timeline for initial policy
35 implementation and plans for expanding the number of
36 telecommuting employees. Specific office-based
37 workforce reduction percentages shall be left to the
38 discretion of the director, but the director shall
39 implement a policy transferring some number of
40 office-based employees to telecommuter status by
41 January 1, 2008. The director shall report to the
42 director of the department of administrative services
43 and the members of the general assembly on an annual
44 basis beginning January 1, 2009, the number of
45 telecommuting employees, cost savings achieved by the
46 department or agency, and plans for continued transfer
47 of office-based employees to telecommuter status."

JEFF ANGELO
ROBERT E. DVORSKY

S-3124

1 Amend Senate File 554 as follows:

2 1. Page 2, by striking line 11 and inserting the
3 following:

4 "(4) Regardless of whether the services are
5 bundled, packaged, or functionally integrated with
6 cable service or video service, any revenues derived
7 by the holder of a certificate of".

8 2. Page 2, by striking lines 20 and 21 and
9 inserting the following: "accordance with the
10 holder's books and records kept in the regular course
11 of business and any applicable rules, regulations,
12 standards, or orders."

13 3. Page 4, by striking line 23 and inserting the
14 following: "provider or a competitive cable service
15 provider or any video programming provided solely as
16 part of, and via, a service that enables users to
17 access content, information, electronic mail, or other
18 services offered over the public internet."

19 4. Page 5, by striking line 16 and inserting the

20 following: “or had executed an unexpired franchise
21 agreement with that municipality as of the effective
22 date of this Act.”

23 5. Page 6, line 29, by inserting after the words
24 “video service,” the following: “to the extent
25 consistent with this chapter.”.

26 6. Page 8, line 2, by inserting after the word
27 “authority.” the following: “Neither the board nor an
28 affected municipality shall have authority to review
29 or require approval of such transfer.”

30 7. Page 8, line 5, by inserting after the word
31 “board” the following: “and any affected
32 municipality. Neither the board nor an affected
33 municipality shall have authority to review or require
34 approval of such termination”.

35 8. Page 13, by inserting after line 24 the
36 following:

37 “3. A video service provider operating under a
38 certificate of franchise authority that is using
39 telecommunication facilities to provide video services
40 and has more than five hundred thousand
41 telecommunication access lines in this state shall
42 extend its system to a potential subscriber, at no
43 cost to the potential subscriber, if all of the
44 following criteria are met:

45 a. The potential subscriber is located within its
46 authorized service area.

47 b. At least two hundred fifty dwelling units are
48 located within four thousand feet of a remote
49 terminal.

50 c. These dwelling units do not have cable or video

Page 2

1 service available from another cable service provider
2 or video service provider.

3 This subsection shall be applicable only after the
4 first date on which the video service provider
5 operating under a certificate of franchise authority
6 is providing cable service or video service to more
7 than fifty percent of all cable and video subscribers
8 receiving cable or video service from the holders of
9 certificates of franchise authority and any other
10 providers of cable or video services operating under
11 franchise agreements with a municipality.”

STEVE WARNSTADT

S-3125

- 1 Amend Senate File 412 as follows:
2 1. Page 1, line 27, by striking the words
3 “election precinct” and inserting the following:
4 “precinct election”.

JOHN P. KIBBIE

S-3126

- 1 Amend Senate File 554 as follows:
2 1. Page 3, by inserting after line 25 the
3 following:
4 “9A. “Institutional network” or “I-Net” means the
5 system of dedicated fibers, coaxial cables, or wires
6 constructed and maintained by an incumbent cable
7 provider, or a competitive cable service provider or
8 competitive video service provider, and related to its
9 cable system or video services, which is not generally
10 available to subscribers but which is reserved and
11 dedicated by the franchise to serve the municipal and
12 institutional facilities described in section 477A.3.”
13 2. Page 8, line 6, by striking the word “only”.
14 3. Page 8, line 9, by inserting after the word
15 “applicant” the following: “except for the following:
16 a. If the applicant is applying for a franchise as
17 a competitive cable service provider or competitive
18 video service provider that will be providing cable
19 service or video service in competition with an
20 incumbent cable provider that provides an I-Net and
21 I-Net support to a municipality listed in the
22 application, the application shall also include the
23 terms pursuant to which the applicant proposes to
24 provide I-Net and I-Net support equivalent to that
25 provided by the incumbent cable provider for the
26 purposes of police and fire communications and
27 educational institution support.
28 b. If the application is submitted by an incumbent
29 cable provider, the application shall include the
30 terms by which the applicant proposes to provide
31 ongoing I-Net and I-Net support for the purposes of
32 police and fire communications and educational
33 institution support equivalent to that provided under
34 any franchise agreements that were in effect on
35 January 1, 2007.
36 7. This chapter does not prohibit an incumbent
37 cable provider and a competitive cable service

38 provider or a competitive video service provider from
 39 cooperatively using facilities to provide I-Nets and
 40 I-Net support for the purposes of police and fire
 41 communications and educational institutional support”.

JEFF DANIELSON
 FRANK B. WOOD

S-3127

1 Amend Senate File 347 as follows:
 2 1. Page 1, by inserting after line 25 the
 3 following:
 4 “Sec. ____ IMPLEMENTATION OF LAW.
 5 The provisions of this Act amending section 533.4
 6 shall be deemed to amend section 533.301, relating to
 7 powers of credit unions, if enacted in 2007 Iowa Acts,
 8 Senate File 557, or successor legislation, and the
 9 Code editor shall harmonize the provisions as
 10 necessary.”
 11 2. By renumbering as necessary.

JOE BOLKCOM

S-3128

1 Amend Senate File 505 as follows:
 2 1. Page 1, by striking line 31 and inserting the
 3 following:
 4 “2. The following persons or entities, while
 5 acting reasonably and in good faith, who”.
 6 2. Page 2, by striking lines 3 through 5 and
 7 inserting the following: “moved to or from an
 8 emergency shelter.”
 9 3. By renumbering as necessary.

KEITH A. KREIMAN

S-3129

1 Amend House File 5, as passed by the House, as
 2 follows:
 3 1. By striking everything after the enacting
 4 clause and inserting the following:
 5 “Section 1. NEW SECTION. 536B.1 PURPOSE.
 6 It is the policy of this state and the purpose of
 7 this chapter to provide consumer protection against
 8 abusive lending practices by motor vehicle equity line
 9 of credit lenders and to provide for a sound system of
 10 the business of providing motor vehicle equity lines
 11 of credit under open-ended credit by providing for the
 12 licensing of motor vehicle equity line of credit

13 lenders by the superintendent.

14 Sec. 2. **NEW SECTION.** 536B.2 DEFINITIONS.

15 As used in this chapter, unless the context
16 otherwise requires:

17 1. "Borrower" means the person obligated to repay
18 the loan obligation under a motor vehicle equity line
19 of credit agreement.

20 2. "Control" means possession, direct or indirect,
21 of the power to direct or cause the direction of
22 management and policies of an entity whether through
23 the ownership of voting securities by contract or
24 otherwise; provided, that a person shall not be deemed
25 to control an entity solely on account of being a
26 director, officer, or employee of such entity.

27 For purposes of this subsection, a person who,
28 directly or indirectly, owns, controls, holds the
29 power to vote, or holds proxies representing twenty-
30 five percent or more of the then outstanding voting
31 securities issued by an entity is presumed to control
32 such entity.

33 For purposes of this subsection, the superintendent
34 may determine whether a person, in fact, controls an
35 entity.

36 3. "Controlling person" means any person in
37 control of a motor vehicle equity line of credit
38 lender.

39 4. "Lender" means a motor vehicle equity line of
40 credit lender.

41 5. "Motor vehicle" means any automobile,
42 motorcycle, mobile home, truck, van, or other vehicle
43 operated on public highways and streets.

44 6. "Motor vehicle equity line of credit agreement"
45 means an agreement under which a lender does all of
46 the following:

47 a. Extends an open-end credit plan or loan to a
48 consumer that is secured by an interest in a motor
49 vehicle.

50 b. Imposes interest on the outstanding balance of

Page 2

1 the credit plan or loan.

2 c. Reasonably contemplates repeated transactions.

3 d. Provides an amount of credit that may be
4 extended up to any limit set by the lender that is
5 generally available to the borrower to the extent that
6 any outstanding balance is repaid.

7 7. "Motor vehicle equity line of credit lender"
8 means a person engaged in the business of making motor
9 vehicle equity line of credit agreements with
10 borrowers.

11 8. "Motor vehicle equity line of credit office"

12 means the location at which a motor vehicle equity
13 line of credit lender regularly conducts business.

14 9. "Superintendent" means the superintendent of
15 banking.

16 Sec. 3. NEW SECTION. 536B.3 LICENSE REQUIRED.

17 1. A person shall not engage in the business of
18 motor vehicle equity line of credit lending without
19 having first obtained a license from the
20 superintendent under this chapter. A separate license
21 shall be required for each motor vehicle equity line
22 of credit office from which such business is
23 conducted.

24 2. Any motor vehicle equity line of credit
25 agreement made without first having obtained a license
26 is void and the person making the agreement forfeits
27 the right to collect any moneys, including principal,
28 interest, and any other fee paid by the borrower in
29 connection with the agreement. The person making the
30 agreement shall return to the borrower the titled
31 motor vehicle, or the fair market value of such motor
32 vehicle, and all principal, interest, and any other
33 fees paid by the borrower.

34 Sec. 4. NEW SECTION. 536B.4 AUTHORITY OF
35 LICENSED MOTOR VEHICLE EQUITY LINE OF CREDIT LENDERS.

36 1. A motor vehicle equity line of credit lender
37 licensed pursuant to this chapter has the power to
38 make motor vehicle equity line of credit agreements in
39 accordance with the provisions of this chapter.

40 2. A motor vehicle equity line of credit lender
41 licensed pursuant to this chapter shall not have the
42 powers enumerated in this chapter unless the motor
43 vehicle equity line of credit agreement complies with
44 section 536B.9. A motor vehicle equity line of credit
45 lender exercising any of the powers in compliance with
46 this chapter shall not be deemed in violation of any
47 usury law.

48 Sec. 5. NEW SECTION. 536B.5 ELIGIBILITY
49 REQUIREMENTS FOR LICENSE — APPLICATIONS — ISSUANCE
50 OF LICENSE.

Page 3

1 1. To qualify for a license under this chapter, an
2 applicant shall satisfy all of the following
3 requirements:

4 a. The applicant has a tangible net worth of not
5 less than seventy-five thousand dollars for each motor
6 vehicle equity line of credit office.

7 b. The financial responsibility, financial
8 condition, business experience, character, and general
9 fitness of the applicant shall reasonably warrant the
10 belief that the applicant's business will be conducted

11 lawfully. In determining whether the requirements of
12 this paragraph have been met, and for the purpose of
13 investigating compliance with this chapter, the
14 superintendent may review and approve all of the
15 following:

16 (1) The relevant business records and the capital
17 adequacy of the applicant.

18 (2) The financial responsibility, financial
19 condition, business experience, character, and general
20 fitness of any person who is a director, officer, or
21 five percent or more shareholder of the applicant, or
22 owns or controls the applicant.

23 (3) Any adjudication against the applicant or any
24 person referred to in subparagraph (2) of any criminal
25 activity, any fraud or other act of personal
26 dishonesty, or any act, omission, or practice which
27 constitutes a breach of a fiduciary duty.

28 2. The requirements set forth in subsection 1 are
29 continuing in nature.

30 3. Each application for a license shall be in
31 writing and under oath to the superintendent, in a
32 form prescribed by the superintendent, and shall
33 include all of the following information:

34 a. The legal name, residence and business address
35 of the applicant and, if the applicant is an entity,
36 of every member, partner, officer, managing employee,
37 director, trustee, and person who controls the entity.

38 b. The address where the registered agent of the
39 applicant shall be located, if any.

40 c. Other data and information the superintendent
41 may reasonably require with respect to the applicant,
42 its directors, trustees, officers, members, partners,
43 managing employees, or controlling persons.

44 d. A copy of each document or form to be used in
45 providing a motor vehicle equity line of credit
46 agreement.

47 4. Each application for a license shall be
48 accompanied by all of the following:

49 a. A filing fee, in an amount prescribed by the
50 superintendent by rule but not to exceed one thousand

Page 4

1 dollars, which shall not be subject to refund but
2 which, if the license is granted, shall constitute the
3 license fee for the first license year or part
4 thereof.

5 b. An accounting balance sheet for the immediately
6 preceding fiscal year prepared in accordance with
7 generally accepted accounting principles.

8 c. A surety bond in the principal sum of twenty-
9 five thousand dollars per motor vehicle equity line of

10 credit office. The bond shall be in a form
11 satisfactory to the superintendent and shall be issued
12 by a bonding company or insurance company authorized
13 to do business in this state. The bond shall cover
14 the performance of the obligations of the applicant
15 and the applicant's agents in connection with loan
16 activities under this chapter. An applicant or
17 licensee may, in lieu of filing a bond, provide the
18 superintendent with an irrevocable letter of credit in
19 the amount of twenty-five thousand dollars per motor
20 vehicle equity line of credit office, issued by any
21 bank, trust company, savings and loan association, or
22 credit union operating in this state in a form
23 acceptable to the superintendent.

24 5. Upon the filing of an application in a form
25 prescribed by the superintendent, accompanied by the
26 fee and documents required in this section, the
27 superintendent shall investigate to ascertain whether
28 the qualifications prescribed by this section have
29 been satisfied. If the superintendent finds that the
30 qualifications have been satisfied, the superintendent
31 shall issue to the applicant a license to engage in
32 the motor vehicle equity line of credit lending
33 business in this state.

34 6. If the superintendent determines that an
35 applicant is not qualified to receive a license, the
36 superintendent shall notify the applicant in writing
37 that the application has been denied, stating the
38 basis for denial. If the superintendent denies an
39 application, or if the superintendent fails to act on
40 an application within ninety days after the filing of
41 a properly completed application, the applicant may
42 make written demand to the superintendent for a
43 hearing before the superintendent on the question of
44 whether the license should be granted. Any hearing
45 shall be conducted pursuant to the provisions of
46 chapter 17A. A decision of the superintendent
47 following any hearing on the denial of license is
48 subject to review under chapter 17A.

49 7. A license shall be required for each motor
50 vehicle equity line of credit office in this state.

Page 5

1 The license shall be conspicuously posted at each
2 motor vehicle equity line of credit office of the
3 licensee.

4 8. A license is not transferable or assignable
5 except as allowed by rule of the superintendent.

6 9. A license issued pursuant to this section shall
7 expire each year on May 31, unless the licensee
8 submits a timely renewal application, or unless

9 earlier surrendered, suspended, or revoked pursuant to
10 this chapter. Each license may be renewed upon
11 application by the license holder, submitted at least
12 thirty days prior to the renewal date, showing
13 continued compliance with the requirements of this
14 section and the payment to the superintendent of the
15 annual license fee in an amount prescribed by the
16 superintendent by rule but not to exceed one thousand
17 dollars for each licensed motor vehicle equity line of
18 credit office in this state.

19 10. The superintendent may establish a biennial
20 licensing arrangement for the filing of the
21 application for license renewal but the license fee
22 shall not be payable for more than one year at a time.

23 Sec. 6. NEW SECTION. 536B.6 NOTICE OF CHANGE IN
24 CONTROL AND PRINCIPAL PLACE OF BUSINESS.

25 1. Except when a change of control is beyond the
26 control of the motor vehicle equity line of credit
27 lender, or in the case of an emergency as determined
28 by the superintendent, a change in control of a motor
29 vehicle equity line of credit lender shall require
30 fifteen days prior written notice to the
31 superintendent. In the case of a publicly traded
32 corporation, such notification shall be made in
33 writing within thirty days of the change or
34 acquisition of control of the motor vehicle equity
35 line of credit lender.

36 2. Upon notification of a change in control, the
37 superintendent may require such information as deemed
38 necessary to determine whether to approve a new
39 controlling person. The superintendent may disapprove
40 the new person for any reason the superintendent could
41 deny a license. If the superintendent disapproves any
42 person, the superintendent shall allow a reasonable
43 time for the licensee to remove such person as
44 controlling person.

45 3. Costs incurred by the superintendent in
46 investigating a change of control notification shall
47 be paid by the person requesting such approval.

48 4. Whenever control of a motor vehicle equity line
49 of credit lender is acquired or exercised in violation
50 of this chapter, the licensee of the motor vehicle

Page 6

1 equity line of credit lender may be subject to
2 penalties under section 536B.16.

3 5. Each motor vehicle equity line of credit lender
4 shall notify the superintendent fifteen days prior to
5 any change in the principal place of business of a
6 motor vehicle equity line of credit lender, except in
7 a case of an emergency as defined by the

8 superintendent.

9 Sec. 7. NEW SECTION. 536B.7 REPORTING
10 REQUIREMENTS.

11 1. Within fifteen days of the occurrence of any of
12 the events listed below, a motor vehicle equity line
13 of credit lender shall file a written report with the
14 superintendent describing such event and the expected
15 impact on the activities of the motor vehicle equity
16 line of credit lender in this state:

17 a. The filing for bankruptcy or reorganization by
18 the motor vehicle equity line of credit lender.

19 b. Any felony indictment or conviction of the
20 motor vehicle equity line of credit lender or any of
21 its officers, directors, or controlling persons.

22 2. Each motor vehicle equity line of credit lender
23 shall file a report with the superintendent by May 1
24 after being licensed pursuant to this chapter and
25 every odd numbered year thereafter, containing the
26 following information:

27 a. The names and addresses of all controlling
28 persons of the motor vehicle equity line of credit
29 lender.

30 b. Accounting balance sheets as required by the
31 superintendent.

32 c. If the motor vehicle equity line of credit
33 lender is a corporation, the names and addresses of
34 its officers and directors; if the motor vehicle
35 equity line of credit lender is a partnership, the
36 names and addresses of the partners; and if the motor
37 vehicle equity line of credit lender is a limited
38 liability company, the names and addresses of the
39 members of the limited liability company; or if the
40 motor vehicle equity line of credit lender is any
41 other form of entity, the names and addresses of all
42 persons who generally manage or control the business.

43 d. If the motor vehicle equity line of credit
44 lender holds two or more licenses or is affiliated
45 with other motor vehicle equity line of credit
46 lenders, a composite report may be filed.

47 3. All reports required under this section shall
48 be filed in such form as may reasonably be required by
49 the superintendent and shall be sworn to by a
50 responsible officer of the motor vehicle equity line

Page 7

1 of credit lender.

2 4. The information submitted by motor vehicle
3 equity line of credit lenders pursuant to this section
4 shall be confidential and shall not be considered
5 public records under chapter 22. However, the
6 superintendent is authorized to disclose information

7 obtained pursuant to the authority granted under this
8 chapter to any local, state, or federal agency as the
9 superintendent deems necessary.

10 Sec. 8. NEW SECTION. 536B.8 RECORDS OF
11 AGREEMENTS — RELEASE OF LIENS.

12 1. Every motor vehicle equity line of credit
13 lender shall keep a numbered record of each and every
14 motor vehicle equity line of credit agreement executed
15 by the motor vehicle equity line of credit lender and
16 a borrower. Such record, as well as the motor vehicle
17 equity line of credit agreement, shall include the
18 following information:

19 a. The make, model, and year of the motor vehicle
20 provided as security under the agreement.

21 b. The vehicle identification number, or other
22 comparable identification number, along with the motor
23 vehicle registration plate number, if applicable, of
24 the motor vehicle.

25 c. The name, residential address, date of birth,
26 and physical description of the borrower.

27 d. The date the motor vehicle equity line of
28 credit agreement is executed by the motor vehicle
29 equity line of credit lender and the borrower.

30 2. The motor vehicle equity line of credit lender
31 shall release any lien obtained pursuant to a motor
32 vehicle equity line of credit agreement immediately
33 upon full cash payment of the amount due under the
34 agreement by the borrower and shall release any lien
35 upon the clearance of any other form of payment from
36 the financial institution issuing the payment in any
37 form other than cash.

38 Sec. 9. NEW SECTION. 536B.9 AGREEMENT
39 REQUIREMENTS.

40 1. All of the following information shall be
41 printed on a motor vehicle equity line of credit
42 agreement:

43 a. The name and physical address of the motor
44 vehicle equity line of credit lender and office.

45 b. In not less than fourteen point bold type, the
46 name and address of the superintendent as well as a
47 toll-free telephone number of the motor vehicle equity
48 line of credit lender to which consumers may address
49 complaints.

50 c. The following statement in not less than

Page 8

1 fourteen point bold type:

2 "THIS LOAN IS NOT INTENDED TO MEET LONG-TERM
3 FINANCIAL NEEDS. YOU SHOULD USE THIS LOAN ONLY TO
4 MEET SHORT-TERM CASH NEEDS. INTEREST WILL CONTINUE TO
5 ACCRUE AS LONG AS THERE IS A BALANCE OUTSTANDING.

6 THIS LOAN IS A HIGHER-INTEREST RATE LOAN. YOU ARE
7 PLACING AT RISK YOUR CONTINUED OWNERSHIP OF THE MOTOR
8 VEHICLE YOU ARE PROVIDING AS SECURITY FOR THIS LOAN.
9 IF YOU FAIL TO REPAY THE LOAN IN ACCORDANCE WITH THE
10 TERMS OF THE AGREEMENT, THE LENDER MAY TAKE POSSESSION
11 OF THE MOTOR VEHICLE AND SELL IT IN THE MANNER
12 PROVIDED BY LAW. YOU HAVE A LEGAL RIGHT OF RECISSION.
13 THIS MEANS YOU MAY CANCEL YOUR AGREEMENT AT NO COST TO
14 YOU BY RETURNING THE ORIGINAL CHECK OR CASH YOU
15 BORROWED BY THE NEXT BUSINESS DAY AFTER THE DATE OF
16 YOUR LOAN.”

17 d. The following statement:

18 “The borrower represents and warrants, to the best
19 of the borrower’s knowledge, that the motor vehicle is
20 not stolen and has no liens or encumbrances against
21 it, the borrower has the right to enter into this
22 transaction, and the borrower will not apply for a
23 duplicate certificate of title while the motor vehicle
24 equity line of credit agreement is in effect.”

25 e. In not less than fourteen point type, or in
26 accordance with federal truth-in-lending requirements,
27 the annual percentage rate, method of computing the
28 balance and calculating finance charges, and any other
29 information required by federal truth-in-lending laws.

30 f. An explanation of how interest is calculated,
31 when the payments are due, how payments are to be
32 applied, and what forms of payment are acceptable.

33 g. A disclosure of all fees charged by the lender
34 that are associated with opening the account.

35 2. The motor vehicle equity line of credit lender
36 shall provide in writing, as an additional disclosure
37 on a separate form, for each advance, the annual
38 percentage rate, the amount of interest charged on a
39 daily basis and the amount of interest charged in a
40 thirty-day period, and shall have the borrower sign
41 the form and initial acceptance of the interest rates.

42 3. The borrower shall sign the motor vehicle
43 equity line of credit agreement, shall sign or initial
44 all other loan documents, shall be provided with a
45 copy of such agreement and all other loan documents,
46 and shall acknowledge in writing receipt of copies of
47 the documents. The motor vehicle equity line of
48 credit agreement shall also be signed by the motor
49 vehicle equity line of credit lender’s employee or
50 agent. Each signature shall be accompanied by the

Page 9

1 date and time of signing.

2 4. A borrower may cancel a motor vehicle equity
3 line of credit agreement without cost by returning the
4 full principal amount borrowed to the motor vehicle

5 equity line of credit lender within twenty-four hours
6 after signing an agreement pursuant to subsection 2.
7 Sec. 10. NEW SECTION. 536B.10 FEES AND CHARGES
8 — DISCLOSURE FORM.

9 1. The motor vehicle equity line of credit lender
10 may contract for and receive interest at the rate the
11 parties agree to in writing.

12 2. A motor vehicle equity line of credit lender
13 may assess and collect from a borrower amounts paid to
14 a governmental agency to record the lender's lien on
15 the certificate of title to the motor vehicle provided
16 as security under a motor vehicle equity line of
17 credit agreement, and amounts paid to independent
18 third parties to repossess and sell the motor vehicle.

19 3. In accordance with chapter 17A, the
20 superintendent shall adopt rules requiring each motor
21 vehicle equity line of credit lender to issue a
22 standardized consumer notification and disclosure form
23 in compliance with federal truth-in-lending laws prior
24 to entering into any motor vehicle equity line of
25 credit agreement. The required style, content, and
26 method of executing the form shall be prescribed by
27 rule and shall be designed to ensure that the
28 borrower, prior to entering into such agreement,
29 receives and acknowledges an accurate and complete
30 notification and disclosure of the itemized and total
31 amounts of all interest, fees, charges, and other
32 costs that will or potentially could be imposed as a
33 result of such agreement.

34 4. The motor vehicle equity line of credit lender
35 shall post in a conspicuous manner the disclosure
36 required in section 536B.9, subsection 1, paragraph
37 "c". The posting shall be on a sign that is at least
38 three feet wide by three feet high. The motor vehicle
39 equity line of credit lender shall also post in a
40 conspicuous manner the toll-free telephone number
41 required by section 536B.9, subsection 1, paragraph
42 "b".

43 Sec. 11. NEW SECTION. 536B.11 RIGHT TO REDEEM.

44 Except as otherwise provided in this chapter, a
45 borrower, upon presentation of suitable
46 identification, shall be entitled to redeem the motor
47 vehicle provided as security under the motor vehicle
48 equity line of credit agreement or certificate of
49 title described therein upon satisfaction of all
50 outstanding obligations pursuant to the motor vehicle

Page 10

1 equity line of credit agreement.
2 Sec. 12. NEW SECTION. 536B.12 MANDATORY
3 PRINCIPAL REDUCTION PAYMENT.

4 1. For each payment period under a motor vehicle
5 equity line of credit agreement, the borrower shall be
6 required to make a principal reduction payment in a
7 amount equal to at least ten percent of the principal
8 outstanding on the motor vehicle equity line of credit
9 agreement as of the last payment date in addition to
10 the lien fee and fees associated with repossession and
11 sale.

12 2. Interest authorized by this chapter at each
13 successive billing cycle shall be calculated on the
14 outstanding principal balance.

15 3. Payments in excess of a principal reduction
16 payment shall be credited to the outstanding principal
17 on the day received. If on a payment date, the
18 borrower has not made previous principal reduction
19 payments adequate to satisfy the current required
20 principal reduction payment, and the borrower cannot
21 repay at least ten percent of the principal balance
22 outstanding as of the billing date and any outstanding
23 interest and fees authorized by this chapter, the
24 motor vehicle equity line of credit lender may, but
25 shall not be obligated to, defer any required
26 principal payment, but shall not charge additional
27 interest or fees on the principal amount deferred.

28 4. The motor vehicle equity line of credit lender
29 shall send a monthly billing statement to the borrower
30 until the total amount owed by the borrower is paid in
31 full or the lender closes the borrower's account.

32 Sec. 13. NEW SECTION. 536B.13 DEFAULT —
33 REPOSSESSION AND SALE — RIGHT TO REDEEM.

34 1. The motor vehicle equity line of credit lender
35 may declare a default pursuant to the requirements of
36 section 537.5109.

37 2. Prior to serving a notice to cure default, the
38 motor vehicle equity line of credit lender shall
39 attempt to contact the borrower by telephone or
40 certified mail to warn the borrower of the default by
41 the borrower, and shall keep a record of all written
42 correspondence.

43 3. Prior to taking possession of the motor
44 vehicle, the motor vehicle equity line of credit
45 lender shall mail a notice to cure default to the
46 borrower pursuant to the requirements of sections
47 537.5110 and 537.5111. If the motor vehicle used to
48 secure the line of credit is the only motor vehicle in
49 the borrower's household, the motor vehicle equity
50 line of credit lender shall allow the borrower at

Page 11

1 least thirty days to cure the default.

2 4. If the borrower does not cure the default

3 within the time provided in the notice to cure, the
4 motor vehicle equity line of credit lender may
5 repossess the motor vehicle pursuant to the motor
6 vehicle equity line of credit agreement and in
7 compliance with chapter 554, article 9, part 6.
8 However, prior to repossessing the motor vehicle, the
9 lender shall afford the borrower an opportunity to
10 make the motor vehicle available to the lender at a
11 place, date, and time reasonably convenient to the
12 lender and the borrower. In taking possession, the
13 motor vehicle equity line of credit lender, or the
14 lender's agent or independent contractor, may proceed
15 without judicial process if repossession can be
16 accomplished without breach of the peace, or the
17 lender may proceed by action to obtain judicial
18 process. After the lender, agent, or independent
19 contractor takes possession of the motor vehicle, the
20 lender shall without charge require that any personal
21 belongings left within the motor vehicle are removed,
22 inventoried, and made available to the borrower for at
23 least fifteen days after the written notice of right
24 to redemption is sent to the borrower.

25 5. There shall be no further interest charged to
26 the borrower after repossession of the motor vehicle.

27 6. After repossession, the motor vehicle equity
28 line of credit lender shall mail a notice of right to
29 redeem to the borrower, notifying the borrower that
30 the borrower must redeem the certificate of title to
31 the motor vehicle within ten days by paying all
32 outstanding principal, interest, and fees authorized
33 by this chapter owed by the borrower to the motor
34 vehicle equity line of credit lender, plus all
35 repossession charges and informing the borrower where
36 and how to recover personal belongings left in the
37 vehicle. If the borrower exercises the right of
38 redemption, the borrower shall be given possession of
39 the motor vehicle and the certificate of title without
40 further charge. If the borrower fails to redeem the
41 motor vehicle, the motor vehicle equity line of credit
42 lender shall proceed to sell the motor vehicle.

43 7. The motor vehicle equity line of credit lender
44 shall sell the motor vehicle in a commercially
45 reasonable manner and in compliance with chapter 554,
46 article 9, part 6. The proceeds of the sale shall be
47 applied to the principal, interest, and all fees
48 authorized by this chapter owed by the borrower to the
49 motor vehicle equity line of credit lender, including
50 the actual repossession costs and cost of the sale.

2 be remitted to the borrower after such sale and shall
3 not be retained by the motor vehicle equity line of
4 credit lender.

5 8. Upon voluntary surrender of the motor vehicle,
6 the motor vehicle equity line of credit lender shall
7 send a notice to cure default or notice of right to
8 redeem to the borrower.

9 Sec. 14. NEW SECTION. 536B.14 PROHIBITED
10 ACTIONS.

11 A motor vehicle equity line of credit lender shall
12 not do any of the following:

13 1. Enter into a motor vehicle equity line of
14 credit agreement with a person less than eighteen
15 years of age or a person who appears to be intoxicated
16 or under the influence of a controlled substance.

17 2. Enter into a motor vehicle equity line of
18 credit agreement without first considering the
19 applicant's household income and ability to repay the
20 loan, obtaining a statement of indebtedness from the
21 applicant, and requiring the applicant to disclose
22 whether the motor vehicle being used to secure the
23 line of credit is the only motor vehicle in the
24 applicant's household.

25 3. Charge any hidden fees.

26 4. Make any agreement giving the motor vehicle
27 equity line of credit lender any recourse against the
28 borrower other than the motor vehicle equity line of
29 credit lender's right to take possession of the motor
30 vehicle and certificate of title upon the borrower's
31 default or failure to redeem, and to sell or otherwise
32 dispose of the motor vehicle in accordance with the
33 provisions of this chapter, except where the borrower
34 prevented repossession of the vehicle, damaged the
35 vehicle, or committed fraud.

36 5. Enter into a motor vehicle equity line of
37 credit agreement in which the amount of money loaned,
38 when combined with the outstanding balance of other
39 outstanding motor vehicle equity line of credit
40 agreements the borrower has with the same lender
41 secured by any single certificate of title, exceeds
42 seven thousand five hundred dollars.

43 6. Accept any waiver, in writing or otherwise, of
44 any right or protection accorded a borrower under this
45 chapter.

46 7. Fail to exercise reasonable care to protect
47 from loss or damage the certificate of title in the
48 physical possession of the motor vehicle equity line
49 of credit lender.

50 8. Purchase a motor vehicle that was repossessed

Page 13

- 1 in the operation of the lender's business.
- 2 9. Maintain more than one motor vehicle equity
- 3 line of credit office for each motor vehicle equity
- 4 line of credit lender under each license, provided,
- 5 however, any such motor vehicle equity line of credit
- 6 lender may move a motor vehicle equity line of credit
- 7 office as provided in this chapter.
- 8 10. Enter into a motor vehicle equity line of
- 9 credit agreement unless the borrower presents a clear
- 10 title to the motor vehicle at the time that the loan
- 11 is made, and such title is retained in the physical
- 12 possession of the motor vehicle equity line of credit
- 13 lender. If the motor vehicle equity line of credit
- 14 lender files a lien against such motor vehicle without
- 15 possession of a clear title to the motor vehicle, the
- 16 resulting lien shall be void.
- 17 11. Capitalize or add any accrued interest to the
- 18 principal not otherwise allowed under this chapter,
- 19 charge interest on interest, or charge interest in
- 20 excess of the number of days the loan is outstanding.
- 21 12. Sell or otherwise charge for any type of
- 22 insurance, membership, or other product in connection
- 23 with a motor vehicle equity line of credit agreement.
- 24 13. Charge a prepayment penalty or late fee.
- 25 14. Require a borrower to provide any additional
- 26 guaranty as a condition to entering into a motor
- 27 vehicle equity line of credit agreement.
- 28 15. Refuse to provide a receipt when payment is
- 29 made.
- 30 16. Charge interest for more than one year on any
- 31 advance on the line of credit.
- 32 17. Make multiple loans or engage in loan layering
- 33 on the same motor vehicle, provided that this
- 34 subsection shall not prohibit a motor vehicle equity
- 35 line of credit lender from making a subsequent advance
- 36 on an existing line of credit, or from increasing a
- 37 borrower's credit limit.
- 38 18. Hire an employee involved in the loan process
- 39 without requiring the employee to submit to a criminal
- 40 background check, drug screening, and credit check.
- 41 19. Fail to provide training to an employee
- 42 involved in the process of making motor vehicle equity
- 43 line of credit agreements.
- 44 20. Pursue a deficiency judgment against a
- 45 borrower, except where the borrower prevented
- 46 repossession of the vehicle, damaged the vehicle, or
- 47 committed fraud.
- 48 21. Enter into a sale lease-back type of
- 49 arrangement.
- 50 22. Refuse a voluntary vehicle surrender which

Page 14

- 1 shall not waive the borrower's notice of right to
2 redeem.
- 3 23. Violate any state law regulating advertising.
- 4 24. Use any collection tactics in violation of the
5 federal Fair Debt Collection Practices Act, 15 U.S.C.
6 § 1692, et seq., or any other applicable law.
- 7 25. Use any device or agreement, including an
8 agreement with an affiliated motor vehicle equity line
9 of credit lender, with the intent to obtain greater
10 charges than otherwise would be authorized by this
11 chapter.
- 12 26. Intentionally violate the provisions of this
13 chapter or any rule adopted by the superintendent.
- 14 27. Violate any applicable provision of chapter
15 537 or chapter 554, article 9, part 6.
- 16 Sec. 15. NEW SECTION. 536B.15 CRIMINAL PENALTY.
- 17 A person who intentionally violates any provision
18 of this chapter is guilty of a serious misdemeanor.
- 19 Sec. 16. NEW SECTION. 536B.16 VIOLATIONS —
20 LICENSE SANCTIONS — CIVIL PENALTY.
- 21 1. The superintendent may, after notice and
22 opportunity for a hearing, suspend or revoke any
23 license issued pursuant to this chapter if the
24 superintendent finds that the motor vehicle equity
25 line of credit lender has knowingly, or through lack
26 of due care, done any of the following:
- 27 a. Engaged in conduct of a manner which would
28 warrant the denial of an application for a license.
- 29 b. Refused to permit the superintendent to make
30 any examination authorized by this chapter.
- 31 c. Failed to pay the annual license fee imposed by
32 this chapter, or an examination fee imposed by the
33 superintendent under the authority of this chapter.
- 34 d. Committed any fraudulent act.
- 35 e. Made a false statement in an application for a
36 license under this chapter or failed to give a true
37 reply to a question in the application.
- 38 f. Demonstrated incompetence or untrustworthiness
39 to act as a motor vehicle equity line of credit lender
40 in the reasonable opinion of the superintendent.
- 41 g. Violated any provision of this chapter or any
42 rule adopted hereunder or violated any other law in
43 the course of such motor vehicle equity line of credit
44 lender's dealings as a motor vehicle equity line of
45 credit lender.
- 46 2. If, after notice and opportunity for a hearing,
47 the superintendent finds that a person has violated
48 any provision of this chapter or any rule adopted
49 hereunder, the superintendent may take any or all of
50 the following actions:

Page 15

- 1 a. Order the person to cease and desist violating
- 2 the provision of this chapter or rule.
- 3 b. Require the refund of any fees collected by
- 4 such person in violation of this chapter.
- 5 c. Order the person to pay the superintendent a
- 6 civil penalty of not more than one thousand dollars
- 7 for each transaction in violation of this chapter.
- 8 3. A motor vehicle equity line of credit lender
- 9 shall have ten business days to request a hearing upon
- 10 receiving a notice of intent to suspend or revoke a
- 11 license or issue a civil penalty from the
- 12 superintendent. If requested, a hearing shall be held
- 13 on written notice given at least twenty days prior to
- 14 the date of the hearing and shall be conducted in
- 15 accordance with chapter 17A.
- 16 4. The superintendent may enter into consent
- 17 orders at any time with any person to resolve any
- 18 matter arising under this chapter. A consent order
- 19 shall be signed by all parties to the consent order,
- 20 or a duly authorized representative, and shall
- 21 indicate agreement to the terms contained therein. A
- 22 consent order need not constitute an admission by any
- 23 person that any provision of this chapter, or any rule
- 24 or order adopted or issued hereunder, has been
- 25 violated, nor need it constitute a finding by the
- 26 superintendent that such person has violated any
- 27 provision of this chapter or any rule or order adopted
- 28 or issued under this chapter.
- 29 5. In cases involving extraordinary circumstances
- 30 requiring immediate action, the superintendent may
- 31 take any enforcement action authorized by this chapter
- 32 without providing the opportunity for a prior hearing,
- 33 but shall promptly afford a subsequent hearing upon an
- 34 application to rescind the action taken which is filed
- 35 with the superintendent within twenty days after
- 36 receipt of the notice of the superintendent's
- 37 emergency action.
- 38 6. Any person aggrieved by the conduct of a motor
- 39 vehicle equity line of credit lender under this
- 40 chapter in connection with the motor vehicle equity
- 41 line of credit lender's regulated activities may file
- 42 a written complaint with the superintendent, who may
- 43 investigate the complaint, and may pursue any other
- 44 remedy available to the person allowed by law.
- 45 7. In the course of the investigation of a
- 46 complaint, the superintendent may do any of the
- 47 following:
 - 48 a. Subpoena witnesses.
 - 49 b. Administer oaths.
 - 50 c. Examine any individual under oath.

Page 16

1 d. Subpoena the production of records, books,
2 papers, contracts, or other documents relevant to such
3 investigation.

4 8. If any person fails to comply with a subpoena
5 of the superintendent issued pursuant to subsection 7
6 or to testify concerning any matter about which the
7 person may be questioned under this chapter, the
8 superintendent may petition any court of competent
9 jurisdiction for enforcement.

10 9. The license of any motor vehicle equity line of
11 credit lender under this chapter who fails to comply
12 with a subpoena of the superintendent may be suspended
13 pending compliance with the subpoena.

14 10. The superintendent may investigate and enforce
15 any and all complaints filed by any person which are
16 not criminal in nature, which complaint relates to the
17 business of motor vehicle equity line of credit
18 lending.

19 11. The superintendent, after notice and
20 opportunity for hearing, may censure, suspend for a
21 period not to exceed twelve months, or bar a person
22 from any position of employment, management, or
23 control of any motor vehicle equity line of credit
24 lender, if the superintendent finds any of the
25 following:

26 a. That censure, suspension, or bar is in the
27 public interest and that the person has intentionally
28 committed or caused a violation of this chapter or any
29 rule or order of the superintendent.

30 b. Any of the following has occurred:

31 (1) The person has been convicted of, pled guilty
32 to, pled nolo contendere to, or received a deferred
33 judgment for any crime in this or any other state if
34 the crime involved any offense reasonably related to
35 the qualifications, functions, or duties of a person
36 engaged in the business in accordance with this
37 chapter.

38 (2) The person has been held liable in any civil
39 action by final judgment, or any order by any public
40 agency, if the judgment or order involved any offense
41 reasonably related to the qualifications, functions,
42 or duties of a person engaged in the business in
43 accordance with the provisions of this chapter.

44 12. Persons suspended or barred under subsection
45 11 are prohibited from participating in any business
46 activity of a motor vehicle equity line of credit
47 lender and from engaging in any business activity on
48 the premises where a motor vehicle equity line of
49 credit lender is conducting its business in this
50 state. This subsection shall not be construed to

Page 17

1 prohibit a suspended or barred person from having
2 personal transactions processed by a motor vehicle
3 equity line of credit lender.

4 Sec. 17. NEW SECTION. 536B.17 RULEMAKING —
5 INSPECTION OF BOOKS AND RECORDS.

6 1. The superintendent may adopt reasonable rules
7 in accordance with chapter 17A for the administration
8 and enforcement of this chapter. A copy of any rule
9 adopted by the superintendent shall be mailed to each
10 licensee under this chapter at least thirty days prior
11 to the effective date of the rule.

12 2. To assure compliance with the provisions of
13 this chapter, the superintendent may examine the
14 relevant business books and records of any motor
15 vehicle equity line of credit lender. The
16 superintendent may charge and collect reasonable and
17 actual expenses for any compliance examination
18 conducted under this chapter.

19 3. The superintendent is authorized to examine
20 persons licensed under this chapter and persons
21 reasonably suspected by the superintendent of
22 conducting business which requires a license under
23 this chapter, including all relevant books, records,
24 and papers employed by such persons in the transaction
25 of the person's business, and to summon and examine
26 witnesses under oath concerning matters relating to
27 the business of such persons, or such other matters as
28 may be relevant to the discovery of violations of this
29 chapter, including the conduct of a business without a
30 license as required under this chapter.

31 4. All books and records required to be preserved
32 by this chapter or any rules of the superintendent or
33 required by any federal statute, regulation, or
34 regulatory guideline, as applicable to each motor
35 vehicle equity line of credit lender, shall be
36 preserved and made available to the superintendent as
37 provided in this chapter, for a period of twenty-four
38 months from the date the motor vehicle equity line of
39 credit agreement was executed or the date the last
40 payment was received, whichever is later. The motor
41 vehicle equity line of credit lender may cause any or
42 all records at any time in its custody to be
43 reproduced and or preserved by the lender or by any
44 other person who agrees in writing to submit its
45 operations to the examination of the superintendent to
46 the extent that such operations directly affect such
47 recordkeeping. Any reproduced or preserved record
48 kept by microphotographic process, or electronic or
49 mechanical data storage technique, shall have the same
50 force and effect as the original record and be

Page 18

1 admitted into evidence equally with the original. All
2 records of a motor vehicle equity line of credit
3 lending business shall be maintained separately by the
4 motor vehicle equity line of credit lender from any
5 other business in which the motor vehicle equity line
6 of credit lender may engage.

7 Sec. 18. NEW SECTION. 536B.18 PREEMPTION OVER
8 LOCAL ENACTMENTS — CONFLICTING PROVISIONS.

9 1. An incorporated municipality, city, or county
10 in this state shall not enact an ordinance or
11 resolution or adopt any rules relating to this
12 chapter. The provisions of any ordinance, resolution,
13 or rules of any municipality, city, or county relative
14 to motor vehicle equity line of credit lending are
15 superseded by the provisions of this chapter.

16 2. Notwithstanding any other provision of the Code
17 to the contrary, this chapter shall apply to all motor
18 vehicle equity line of credit agreements made in this
19 state and shall govern in the event of any conflict
20 with any other provision of law.

21 Sec. 19. NEW SECTION. 536B.19 APPLICABILITY.

22 The following entities, if incorporated under the
23 laws of this or any other state or federal law, may
24 engage in the business of motor vehicle equity line of
25 credit lending and shall not be required to be
26 licensed or regulated under this chapter:

- 27 1. A bank.
- 28 2. A savings and loan association.
- 29 3. A credit union.
- 30 4. An affiliate of a bank, savings and loan
31 association, or credit union.

32 Sec. 20. NEW SECTION. 536B.20 BORROWER
33 INFORMATION.

34 A motor vehicle equity line of credit lender shall,
35 in addition to obtaining a statement of indebtedness
36 to determine a borrower's ability to repay a loan, and
37 all fees and expenses incident to the loan, obtain
38 certification from the borrower that the borrower
39 either does not have access to any form of
40 conventional financing such as through a bank, credit
41 union, or other source of funding, or in the event the
42 borrower has access to such forms or sources the
43 borrower elects not to utilize them and certifies the
44 ability to pay the indebtedness incurred. A motor
45 vehicle equity line of credit loan shall not be issued
46 by a lender unless the statement of indebtedness and
47 certification have been received by the lender. In
48 addition to the civil and criminal penalty provisions
49 of sections 536B.15 and 536B.16, a motor vehicle
50 equity line of credit lender who violates this section

Page 19

1 shall be subject to the civil and criminal violation
2 of disclosure provisions of sections 537.5203 and
3 537.5302.”
4 2. Title page, by striking lines 1 through 3 and
5 inserting the following: “An Act providing for
6 licensing and regulation of motor vehicle equity line
7 of credit lenders, providing for fees, and providing
8 for specified consumer financial certification.”

MATT McCOY
RON WIECK

S-3130

1 Amend House File 5 as follows:
2 1. Page 2, by inserting after line 9 the
3 following:
4 “Sec. ____ Section 537.2501, subsection 1, Code
5 2007, is amended by adding the following new
6 paragraph:
7 NEW PARAGRAPH. j. A regulated car title lender
8 pursuant to chapter 536 may charge an application fee
9 not to exceed the lesser of ten percent of the amount
10 financed or thirty dollars. If the loan is not
11 approved, the application fee shall not exceed the
12 lesser of ten percent of the amount applied for by the
13 applicant or thirty dollars.”
14 2. Title page, line 3, by inserting after the
15 word “vehicle” the following: “, related application
16 fees,”.
17 3. By renumbering as necessary.

STEVE KETTERING
MATT McCOY

S-3131

1 Amend Senate File 535 as follows:
2 1. By striking page 2, line 15, through page 4,
3 line 5, and inserting the following:
4 “554.1105 TERRITORIAL APPLICABILITY — PARTIES’
5 POWER TO CHOOSE APPLICABLE LAW.
6 1. Except as otherwise provided in this section,
7 when a transaction bears a reasonable relation to this
8 state and also to another state or nation the parties
9 may agree that the law either of this state or of such
10 other state or nation shall govern their rights and
11 duties.
12 2. In the absence of an agreement effective under
13 subsection 1, and except as provided in subsection 3,

14 this chapter applies to transactions bearing an
 15 appropriate relation to this state.
 16 3. If one of the following provisions of this
 17 chapter specifies the applicable law, that provision
 18 governs and a contrary agreement is effective only to
 19 the extent permitted by the law so specified:
 20 a. Section 554.2402;
 21 b. Section 554.4102;
 22 c. Section 554.5116;
 23 d. Section 554.8110;
 24 e. Sections 554.9301 through 554.9307;
 25 f. Section 554.12507;
 26 g. Sections 554.13105 and 554.13106.”
 27 2. Page 19, line 24, by striking the figures and
 28 word “5, and 6,” and inserting the following: “and
 29 5,”.
 30 3. Page 20, line 34, by striking the word
 31 “agreement” and inserting the following:
 32 “agreement_s”.
 33 4. Page 30, line 23, by striking the word
 34 “evidence” and inserting the following: “evidenced”.
 35 5. Page 33, line 12, by striking the word
 36 “followings” and inserting the following:
 37 “following”.

KEITH A. KREIMAN

S-3132

1 Amend Senate File 345 as follows:
 2 1. Page 4, line 12, by striking the word
 3 “economics” and inserting the following: “economies”.

TOM RIELLY

S-3133

1 Amend Senate File 504 as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 “Section 1. Section 22.7, Code 2007, is amended by
 5 adding the following new subsection:
 6 NEW SUBSECTION. 58. A record obtained by the
 7 department of agriculture and land stewardship or the
 8 office of attorney general as a result of an
 9 inspection of a covered packer conducted by the
 10 department pursuant to section 202D.6.”
 11 2. Page 1, line 7, by striking the word “before”
 12 and inserting the following: “before the”.
 13 3. Page 1, by striking lines 8 through 10 and
 14 inserting the following: “premiums or discounts.”
 15 4. Page 1, line 19, by striking the words “a

16 processing” and inserting the following: “an in-state
17 processing”.

18 5. Page 1, by striking lines 20 and 21 and
19 inserting the following: “thousand swine per business
20 day.”

21 6. Page 1, line 23, by striking the word
22 “covered”.

23 7. Page 1, line 25, by striking the word
24 “covered”.

25 8. Page 1, by inserting after line 31 the
26 following:

27 “__. “In-state processing plant” means the
28 premises located in this state where swine are
29 slaughtered or otherwise prepared for food, if all of
30 the following apply:

31 a. The premises is subject to inspection by the
32 United States department of agriculture pursuant to
33 federal law including the federal Meat Inspection Act,
34 and is not generally subject to inspection by the
35 department of agriculture and land stewardship under
36 chapter 189A.

37 b. An average of at least one hundred thousand
38 in-state-produced swine per year are slaughtered on
39 the premises during the immediately preceding five
40 calendar years or the premises had the capacity to
41 slaughter that number of in-state-produced swine in
42 any one of those years.”

43 9. Page 1, by inserting after line 34 the
44 following:

45 “__. “In-state swine operation” means the
46 premises located in this state where swine are fed or
47 otherwise maintained, including a building, lot, yard,
48 or corral; and swine fed or otherwise maintained at
49 the premises.”

50 10. Page 2, by striking lines 10 through 15 and

Page 2

1 inserting the following:

2 “__. The producer does not own the packer, does
3 not hold a controlling interest in the packer, and is
4 not an officer, director, or employee of the packer.
5 If the producer is a business association, an officer,
6 director, or employee of the producer is not also an
7 officer, director, or employee of the packer.”

8 11. Page 2, line 23, by striking the words “swine
9 operation in this state” and inserting the following:
10 “in-state swine operation”.

11 12. Page 2, line 24, by striking the words “swine
12 operation in this state” and inserting the following:
13 “in-state swine operation”.

14 13. Page 2, line 27, by striking the words “swine

15 operation in this state” and inserting the following:
16 “in-state swine operation”.

17 14. Page 3, line 8, by striking the words “swine
18 operation in this state” and inserting the following:
19 “in-state swine operation”.

20 15. Page 3, lines 14 and 15, by striking the
21 words “swine operation in this state” and inserting
22 the following: “in-state swine operation”.

23 16. Page 3, line 18, by striking the words “swine
24 operation in this state” and inserting the following:
25 “in-state swine operation”.

26 17. Page 3, line 23, by striking the words “swine
27 operation in this state” and inserting the following:
28 “in-state swine operation”.

29 18. Page 3, line 29, by striking the word
30 “acting” and inserting the following: “and acting”.

31 19. By striking page 3, line 31, through page 4,
32 line 7.

33 20. Page 4, by inserting after line 23 the
34 following:

35 “___ . “Record” means information stored or
36 preserved in any medium, including in an electronic or
37 paper format. A record includes but is not limited to
38 documents, books, publications, accounts,
39 correspondence, memoranda, agreements, computer files,
40 film, microfilm, photographs, and audio or visual
41 tapes.”

42 21. Page 4, by striking lines 24 through 33 and
43 inserting the following:

44 “___ . “Spot market sale” means the purchase of
45 in-state-produced swine by a packer from a producer
46 according to an oral or written agreement by the
47 packer and producer, if all of the following apply:

48 a. The in-state-produced swine are located in this
49 state at the time the packer and producer enter into
50 the agreement.

Page 3

1 b. The in-state-produced swine are purchased at a
2 base price which is a fixed dollar amount expressed
3 per hundred weight in pounds as calculated using a
4 live weight basis method or hot carcass method
5 provided in the agreement.

6 c. The in-state-produced swine are slaughtered at
7 an in-state processing plant not more than fourteen
8 days after the date that the packer and producer enter
9 into the agreement, under circumstances in which the
10 producer has a reasonably competitive bidding
11 opportunity on the date of entering into the
12 agreement.”

13 22. By striking page 4, line 34, through page 5,

14 line 2.

15 23. Page 5, line 6, by striking the word “swine”
16 and inserting the following: “in-state-produced swine
17 in this state”.

18 24. Page 5, by striking lines 10 through 12 and
19 inserting the following: “purchases in-state-produced
20 swine in this state, the covered packer shall purchase
21 at least twenty percent of all in-state-produced swine
22 from nonaffiliated producers by spot market sale.”

23 25. Page 5, line 19, by striking the figure
24 “2008” and inserting the following: “2009”.

25 26. Page 5, line 22, by striking the figure
26 “2009” and inserting the following: “2011”.

27 27. Page 5, by striking lines 25 through 27.

28 28. Page 5, line 29, by striking the figure
29 “2011” and inserting the following: “2012”.

30 29. Page 5, by striking lines 30 and 31 and
31 inserting the following:

32 “___ In-state-produced swine which are received
33 by a covered packer pursuant to a custom slaughter
34 agreement shall not be used to calculate a percentage
35 of in-state-produced swine that the packer is required
36 to purchase under this section.

37 Sec. ___. NEW SECTION. 202D.5 ADMINISTRATION —
38 RULEMAKING.

39 The department may adopt rules as necessary to
40 administer this chapter.

41 Sec. ___. NEW SECTION. 202D.6 ADMINISTRATION —
42 INSPECTION OF RECORDS.

43 1. To every extent permitted by 7 U.S.C. § 1635 et
44 seq., and 7 C.F.R., pt. 59, the department may provide
45 for the inspection and reproduction of records
46 maintained by a covered packer necessary to ensure
47 compliance with this chapter. The department may
48 enter onto the premises of a covered packer during
49 regular business hours to inspect and reproduce such
50 records, provide for the inspection and reproduction

Page 4

1 of such records maintained outside of this state, or
2 otherwise provide for the inspection and reproduction
3 of such records.

4 2. A record of a covered packer obtained by the
5 department under this section is confidential and is
6 not subject to disclosure except as follows:

7 a. Upon the waiver by the covered packer.

8 b. Upon request by the office of attorney general
9 which shall maintain confidentiality of the records in
10 the same manner as required by the department.

11 c. In an enforcement action commenced by the
12 attorney general as provided in section 202D.9.

- 13 d. When required by subpoena or court order,
 14 including as part of a civil action as provided in
 15 section 202D.7.”
- 16 30. Page 5, line 32, by striking the figure
 17 “202D.5” and inserting the following: “202D.7”.
- 18 31. Page 5, line 34, by striking the word
 19 “reporting” and inserting the following: “business”.
- 20 32. Page 6, line 10, by striking the word “swine”
 21 and inserting the following: “in-state-produced
 22 swine”.
- 23 33. Page 6, line 17, by striking the figure
 24 “202D.6” and inserting the following: “202D.8”.
- 25 34. Page 6, line 22, by striking the figure
 26 “202D.7” and inserting the following: “202D.9”.
- 27 35. Page 7, line 8, by striking the figure
 28 “202D.6” and inserting the following: “202D.8”.
- 29 36. By renumbering as necessary.

JOHN P. KIBBIE

S-3134

- 1 Amend Senate File 504 as follows:
- 2 1. Page 1, by inserting before line 1 the
 3 following:
- 4 “Section 1. Section 22.7, Code 2007, is amended by
 5 adding the following new subsection:
 6 NEW SUBSECTION. 58. A record obtained by the
 7 department of agriculture and land stewardship or the
 8 office of attorney general as a result of an
 9 inspection of a covered packer conducted by the
 10 department pursuant to section 202D.6.”
- 11 2. Page 1, line 7, by striking the word “before”
 12 and inserting the following: “before the”.
- 13 3. Page 1, by striking lines 8 through 10 and
 14 inserting the following: “premiums or discounts.”
- 15 4. Page 1, by striking lines 19 through 21 and
 16 inserting the following: “interest in an in-state
 17 processing plant.”
- 18 5. Page 1, line 23, by striking the word
 19 “covered”.
- 20 6. Page 1, line 25, by striking the word
 21 “covered”.
- 22 7. Page 1, by inserting after line 31 the
 23 following:
- 24 “___ “In-state processing plant” means the
 25 premises located in this state where swine are
 26 slaughtered or otherwise prepared for food, if all of
 27 the following apply:
- 28 a. The premises is subject to inspection by the
 29 United States department of agriculture pursuant to
 30 federal law including the federal Meat Inspection Act,

31 and is not generally subject to inspection by the
32 department of agriculture and land stewardship under
33 chapter 189A.

34 b. An average of at least one hundred thousand
35 swine per year are slaughtered on the premises during
36 the immediately preceding five calendar years or the
37 premises had the capacity to slaughter that number of
38 swine in any one of those years.”

39 8. Page 1, by inserting after line 34 the
40 following:

41 “___ “In-state swine operation” means the
42 premises located in this state where swine are fed or
43 otherwise maintained, including a building, lot, yard,
44 or corral; and swine fed or otherwise maintained at
45 the premises.”

46 9. Page 2, by striking lines 10 through 15 and
47 inserting the following:

48 “___ The producer does not hold a controlling
49 interest in the packer, and is not an officer,
50 director, or employee of the packer. If the producer

Page 2

1 is a business association, an officer, director, or
2 employee of the producer is not also an officer,
3 director, or employee of the packer.”

4 10. Page 2, line 23, by striking the words “swine
5 operation in this state” and inserting the following:
6 “in-state swine operation”.

7 11. Page 2, line 24, by striking the words “swine
8 operation in this state” and inserting the following:
9 “in-state swine operation”.

10 12. Page 2, line 27, by striking the words “swine
11 operation in this state” and inserting the following:
12 “in-state swine operation”.

13 13. Page 3, line 8, by striking the words “swine
14 operation in this state” and inserting the following:
15 “in-state swine operation”.

16 14. Page 3, lines 14 and 15, by striking the
17 words “swine operation in this state” and inserting
18 the following: “in-state swine operation”.

19 15. Page 3, line 18, by striking the words “swine
20 operation in this state” and inserting the following:
21 “in-state swine operation”.

22 16. Page 3, line 23, by striking the words “swine
23 operation in this state” and inserting the following:
24 “in-state swine operation”.

25 17. Page 3, line 29, by striking the word
26 “acting” and inserting the following: “and acting”.

27 18. By striking page 3, line 31, through page 4,
28 line 7.

29 19. Page 4, by striking lines 9 through 14 and

30 inserting the following: “interest in a business or
31 controlling interest in a business association that
32 operates an in-state swine operation.”

33 20. Page 4, by inserting after line 23 the
34 following:

35 “___ . “Record” means information stored or
36 preserved in any medium, including in an electronic or
37 paper format. A record includes but is not limited to
38 documents, books, publications, accounts,
39 correspondence, memoranda, agreements, computer files,
40 film, microfilm, photographs, and audio or visual
41 tapes.”

42 21. Page 4, by striking lines 24 through 33 and
43 inserting the following:

44 “___ . “Spot market sale” means the purchase of
45 in-state-produced swine by a packer from a producer
46 according to an oral or written agreement by the
47 packer and producer, if all of the following apply:

48 a. The in-state-produced swine are located in this
49 state at the time the packer and producer enter into
50 the agreement.

Page 3

1 b. The in-state-produced swine are purchased at a
2 base price which is a fixed dollar amount expressed
3 per hundred weight in pounds as calculated using a
4 live weight basis method or hot carcass method
5 provided in the agreement.

6 c. The in-state-produced swine are slaughtered at
7 an in-state processing plant not more than fourteen
8 days after the date that the packer and producer enter
9 into the agreement, under circumstances in which the
10 producer has a reasonably competitive bidding
11 opportunity on the date of entering into the
12 agreement.”

13 22. By striking page 4, line 34, through page 5,
14 line 2.

15 23. Page 5, line 6, by striking the word “swine”
16 and inserting the following: “in-state-produced swine
17 in this state”.

18 24. Page 5, by striking lines 10 through 12 and
19 inserting the following: “purchases in-state-produced
20 swine in this state, the covered packer shall purchase
21 at least twenty percent of all in-state-produced swine
22 from nonaffiliated producers by spot market sale.”

23 25. Page 5, line 19, by striking the figure
24 “2008” and inserting the following: “2009”.

25 26. Page 5, line 22, by striking the figure
26 “2009” and inserting the following: “2011”.

27 27. Page 5, by striking lines 25 through 27.

28 28. Page 5, line 29, by striking the figure

29 “2011” and inserting the following: “2012”.

30 29. Page 5, by striking lines 30 and 31 and
31 inserting the following:

32 “___ In-state-produced swine which are received
33 by a covered packer pursuant to a custom slaughter
34 agreement shall not be used to calculate a percentage
35 of in-state-produced swine that the packer is required
36 to purchase under this section.

37 Sec. ___ NEW SECTION. 202D.5 ADMINISTRATION —
38 RULEMAKING.

39 The department may adopt rules as necessary to
40 administer this chapter.

41 Sec. ___ NEW SECTION. 202D.6 ADMINISTRATION —
42 INSPECTION OF RECORDS.

43 1. To every extent permitted by 7 U.S.C. § 1635 et
44 seq., and 7 C.F.R., pt. 59, the department may provide
45 for the inspection and reproduction of records
46 maintained by a covered packer necessary to ensure
47 compliance with this chapter. The department may
48 enter onto the premises of a covered packer during
49 regular business hours to inspect and reproduce such
50 records, provide for the inspection and reproduction

Page 4

1 of such records maintained outside of this state, or
2 otherwise provide for the inspection and reproduction
3 of such records.

4 2. A record of a covered packer obtained by the
5 department under this section is confidential and is
6 not subject to disclosure except as follows:

- 7 a. Upon the waiver by the covered packer.
- 8 b. Upon request by the office of attorney general
9 which shall maintain confidentiality of the records in
10 the same manner as required by the department.
- 11 c. In an enforcement action commenced by the
12 attorney general as provided in section 202D.9.
- 13 d. When required by subpoena or court order,
14 including as part of a civil action as provided in
15 section 202D.7.”

16 30. Page 5, line 32, by striking the figure
17 “202D.5” and inserting the following: “202D.7”.

18 31. Page 5, line 34, by striking the word
19 “reporting” and inserting the following: “business”.

20 32. Page 6, line 10, by striking the word “swine”
21 and inserting the following: “in-state-produced
22 swine”.

23 33. Page 6, line 17, by striking the figure
24 “202D.6” and inserting the following: “202D.8”.

25 34. Page 6, line 22, by striking the figure
26 “202D.7” and inserting the following: “202D.9”.

27 35. Page 7, line 8, by striking the figure

28 “202D.6” and inserting the following: “202D.8”.

29 36. By renumbering as necessary.

JOHN P. KIBBIE

S-3135

1 Amend Senate File 554 as follows:

2 1. Page 10, line 26, by inserting after the word
3 “FEES” the following: “— FINANCIAL SUPPORT”.

4 2. Page 12, by inserting after line 25 the
5 following:

6 “4. If an incumbent cable provider provides
7 support for an institutional network for the purposes
8 of police and fire communications and educational
9 institutional support, any subsequent holder of a
10 certificate of franchise authority shall provide
11 support on a pro rata basis per customer. Any
12 financial support provided for an institutional
13 network shall only be for the ongoing support of the
14 existing institutional network. This subsection shall
15 be applicable only to a competitive cable service
16 provider’s or competitive video service provider’s
17 first certificate of franchise authority issued under
18 this chapter, and shall not apply to any subsequent
19 renewals.”

STEVE WARNSTADT

S-3136

1 Amend Senate File 445 as follows:

2 1. Page 1, line 5, by striking the word “shall”
3 and inserting the following: “~~shall~~ may”.

4 2. Page 1, by striking lines 6 through 8, and
5 inserting the following: “not to exceed ~~two hundred~~
6 ~~dollars~~ one and one-half times the amount of the
7 rental deposit, in addition to actual damages.”

8 3. Page 1, line 13, by striking the word “shall”
9 and inserting the following: “~~shall~~ may”.

10 4. Page 1, by striking lines 14 through 16, and
11 inserting the following: “not to exceed ~~two hundred~~
12 ~~dollars~~ one and one-half times the amount of the
13 rental deposit, in addition to actual damages.”

ROBERT E. DVORSKY
KEITH A. KREIMAN

S-3137

1 Amend Senate File 554 as follows:
2 1. Page 3, by inserting after line 25 the
3 following:
4 "9A. "Institutional network" or "I-Net" means the
5 system of dedicated fibers, coaxial cables, or wires
6 constructed and maintained by an incumbent cable
7 provider, or a competitive cable service provider or
8 competitive video service provider, and related to its
9 cable system or video services, which is not generally
10 available to subscribers but which is reserved and
11 dedicated by the franchise to serve the municipal and
12 institutional facilities described in section 477A.3."
13 2. Page 8, line 6, by striking the word "only".
14 3. Page 8, line 9, by inserting after the word
15 "applicant" the following: "except for the following:
16 a. If the applicant is applying for a franchise as
17 a competitive cable service provider or competitive
18 video service provider that will be providing cable
19 service or video service in competition with an
20 incumbent cable provider that provides an I-Net and
21 I-Net support to a municipality listed in the
22 application, the application shall also include the
23 terms pursuant to which the applicant proposes to
24 provide I-Net and I-Net support equivalent to that
25 provided by the incumbent cable provider for the
26 purposes of police and fire communications and
27 educational institution support.
28 b. If the application is submitted by an incumbent
29 cable provider, the application shall include the
30 terms by which the applicant proposes to provide
31 ongoing I-Net and I-Net support for the purposes of
32 police and fire communications and educational
33 institution support equivalent to that provided under
34 any franchise agreements that were in effect on
35 January 1, 2007.
36 c. The board shall enforce the provisions of the
37 franchise and shall hear consumer complaints pursuant
38 to section 477A.8.
39 7. This chapter does not prohibit an incumbent
40 cable provider and a competitive cable service
41 provider or a competitive video service provider from
42 cooperatively using facilities to provide I-Nets and
43 I-Net support for the purposes of police and fire
44 communications and educational institutional support".
45 4. By striking page 12, line 34, through page 13,
46 line 3, and inserting the following: "resolved
47 through this informal process, a customer may file a
48 complaint with the board pursuant to section 476.3.
49 If the complaint involves an allegation of
50 discrimination pursuant to section 477A.10, or an

Page 2

1 allegation of anticompetitive practices, the board
 2 shall include the office of consumer advocate in any
 3 proceeding used to determine the validity of the
 4 complaint.”

JEFF DANIELSON
 WILLIAM A. DOTZLER, JR.
 JACK HATCH
 FRANK B. WOOD
 ROBERT E. DVORSKY
 BRIAN SCHOENJAHN

S-3138

1 Amend House File 368, as passed by the House, as
 2 follows:
 3 1. Page 1, by inserting after line 16 the
 4 following:
 5 “Sec. ____ Section 89.4, subsection 1, Code 2007,
 6 is amended by adding the following new paragraph:
 7 NEW PARAGRAPH. i. Water heaters used for potable
 8 water if the capacity is less than fifty gallons, the
 9 burner input is less than fifty thousand British
 10 thermal units, and the maximum allowable working
 11 pressure is less than one hundred sixty pounds per
 12 square inch.”
 13 2. By renumbering as necessary.

THOMAS G. COURTNEY

S-3139

1 Amend Senate File 535 as follows:
 2 1. By striking page 2, line 15, through page 4,
 3 line 5, and inserting the following:
 4 “554.1105 TERRITORIAL APPLICABILITY — PARTIES’
 5 POWER TO CHOOSE APPLICABLE LAW.
 6 1. Except as otherwise provided in this section,
 7 when a transaction bears a reasonable relation to this
 8 state and also to another state or nation the parties
 9 may agree that the law either of this state or of such
 10 other state or nation shall govern their rights and
 11 duties.
 12 2. In the absence of an agreement effective under
 13 subsection 1, and except as provided in subsection 3,
 14 this chapter applies to transactions bearing an
 15 appropriate relation to this state.
 16 3. If one of the following provisions of this
 17 chapter specifies the applicable law, that provision
 18 governs and a contrary agreement is effective only to
 19 the extent permitted by the law so specified:

20 a. Section 554.2402;
 21 b. Section 554.4102;
 22 c. Section 554.5116;
 23 d. Section 554.8110;
 24 e. Sections 554.9301 through 554.9307;
 25 f. Section 554.12507;
 26 g. Sections 554.13105 and 554.13106.”
 27 2. Page 19, line 24, by striking the figures and
 28 word “5, and 6,” and inserting the following: “and
 29 5.”
 30 3. Page 20, line 34, by striking the word
 31 “agreement” and inserting the following:
 32 “agreement.”
 33 4. Page 30, line 23, by striking the word
 34 “evidence” and inserting the following: “evidenced”.
 35 5. Page 31, by striking lines 9 through 13, and
 36 inserting the following:
 37 “___ If 2007 Iowa Acts, House File 716 is
 38 enacted, notwithstanding section 4.1, all of the
 39 following apply:”
 40 6. Page 31, by striking lines 22 through 24, and
 41 inserting the following: “26, and 27, Code 2007, as
 42 enacted in 2007 Iowa Acts, House File 716.”
 43 7. Page 31, by striking lines 29 and 30, and
 44 inserting the following: “enacted in 2007 Iowa Acts,
 45 House File 716.”
 46 8. Page 31, by striking lines 31 through 35, and
 47 inserting the following:
 48 “___ If 2007 Iowa Acts, House File 716 is not
 49 enacted, notwithstanding section 4.8, the amendments
 50 to section 554.1201, subsections 5, 6, 14,”.

Page 2

1 9. Page 33, line 12, by striking the word
 2 “followings” and inserting the following:
 3 “following”.

KEITH A. KREIMAN
 LARRY McKIBBEN

S-3140

1 Amend Senate File 545 as follows:
 2 1. Title page, by striking lines 1 through 5 and
 3 inserting the following: “An Act relating to a sex
 4 act committed with a person assigned to the judicial
 5 district department of correctional services or a
 6 person under the dominion and control of a peace
 7 officer, eliminating certain reporting requirements,
 8 and providing penalties.”

KEITH A. KREIMAN

S-3141

- 1 Amend Senate File 517 as follows:
 2 1. Page 2, line 5, by inserting after the word
 3 “buildings” the following: “and structures”.
 4 2. Page 2, line 6, by inserting after the word
 5 “requirements” the following: “during the routine
 6 inspection of buildings and structures conducted since
 7 July 1, 2007”.

ROBERT M. HOGG

S-3142

- 1 Amend Senate File 540 as follows:
 2 1. Page 14, line 3, by striking the figure
 3 “635.11,”.
 4 2. Page 14, line 32, by striking the figure
 5 “635.11,”.

LARRY NOBLE

S-3143

- 1 Amend Senate Concurrent Resolution 4 as follows:
 2 1. Page 3, by inserting after line 12 the
 3 following:
 4 “BE IT FURTHER RESOLVED, That the federal farm bill
 5 of 2007 include limitations on farm program payments;
 6 and”.
 7 2. By renumbering as necessary.

DAVID JOHNSON
 GENE FRAISE
 JOHN P. KIBBIE
 E. THURMAN GASKILL

S-3144

- 1 Amend Senate File 520 as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 “Section 1. Section 714.16, subsection 2,
 5 paragraph a, unnumbered paragraph 4, Code 2007, is
 6 amended by striking the paragraph.”
 7 2. Page 1, by inserting after line 17 the
 8 following:
 9 “__. “Puffery” means a statement that
 10 exaggerates, blusters, or boasts, but upon which no
 11 reasonable consumer would rely when purchasing a
 12 product.”

- 13 3. Page 2, line 2, by inserting after the figure
14 “2” the following: “, paragraphs “b” through “d” and
15 “f” through “n.”
- 16 4. Page 2, by striking lines 22 and 23 and
17 inserting the following:
18 “c. Conduct that constitutes puffery.
19 d. Insurance companies subject to Title XIII.
20 e. Federally insured depository institutions.
21 f. An individual licensed, certified, or
22 registered under chapter 148, 150A, 153, 542, 542B,
23 544A, 544B, or 544C, while engaged in the practice of
24 the profession for which the individual is licensed,
25 certified, or registered.
26 g. An attorney licensed to practice law in this
27 state while engaged in the practice of that
28 profession.”
- 29 5. Page 2, line 31, by striking the word “five”
30 and inserting the following: “eight”.
- 31 6. Page 3, by striking lines 6 through 11 and
32 inserting the following:
33 “1. A consumer who suffers an ascertainable loss
34 of money or property, real or personal, as the result
35 of a prohibited practice in violation of this chapter
36 may bring an action at law to recover actual economic
37 damages. The court may order”.
- 38 7. Page 4, line 6, by inserting after the word
39 “finds” the following: “by a preponderance of clear,
40 convincing, and satisfactory evidence”.
- 41 8. Page 4, line 9, by inserting after the word
42 “actual” the following: “economic”.
- 43 9. Page 4, line 10, by inserting after the word
44 “actual” the following: “economic”.
- 45 10. Page 5, line 19, by inserting before the word
46 “In” the following: “1.”
- 47 11. Page 5, by inserting after line 26 the
48 following:
49 “2. Each plaintiff seeking to serve as a
50 representative party on behalf of a class shall

Page 2

- 1 provide a sworn certification personally signed by
2 such plaintiff and filed with the petition that does
3 all of the following:
4 a. States that the plaintiff has reviewed the
5 petition and has authorized the filing of the
6 petition.
7 b. States that the plaintiff did not purchase the
8 merchandise that is the subject of the petition at the
9 direction of plaintiff’s counsel or in order to
10 participate in any private action arising under this
11 chapter.

12 c. States that the plaintiff is willing to serve
13 as a representative party on behalf of a class
14 including providing testimony at deposition and trial,
15 if necessary.

16 d. Identifies any other action under this chapter
17 filed during the three-year period preceding the date
18 on which the certification is signed by the plaintiff
19 in which the plaintiff has sought to serve as a
20 representative party on behalf of a class.

21 3. The certification filed pursuant to subsection
22 2 shall not be construed to be a waiver of the
23 attorney-client privilege.

24 4. a. Not later than twenty days after the date
25 on which the petition is filed, the plaintiff or
26 plaintiffs shall cause to be published, in a newspaper
27 of general circulation in the county in which the
28 petition is filed, a notice advising members of the
29 purported class of all of the following:

30 (1) Of the pendency of the action, the claims
31 asserted therein, and the purported class period.

32 (2) That not later than sixty days after the date
33 on which the notice is published any member of the
34 purported class may move the court to appoint the
35 member to serve as lead plaintiff of the purported
36 class.

37 b. If more than one action on behalf of a class
38 asserting substantially the same claim or claims
39 arising under this chapter is filed, only the
40 plaintiff or plaintiffs in the first filed action
41 shall be required to cause notice to be published in
42 accordance with paragraph "a".

43 c. Any notices required by this subsection shall
44 be in addition to any notice required pursuant to the
45 rules of civil procedure.

46 5. a. Not later than ninety days after the date
47 on which a notice is published under subsection 4, the
48 court shall consider any motion made by a purported
49 class member in response to the notice, including any
50 motion by a class member who is not individually named

Page 3

1 as a plaintiff in the petition or petitions, and shall
2 appoint as lead plaintiff the member or members of the
3 purported plaintiff class the court determines to be
4 most capable of adequately representing the interests
5 of class members, who shall be known as the most
6 adequate plaintiff.

7 b. If more than one action on behalf of a class
8 asserting substantially the same claim or claims
9 arising under this chapter has been filed and any
10 party has sought to consolidate those actions for

11 pretrial purposes or for trial, the court shall not
12 make a determination of the most adequate plaintiff
13 until after the decision on the motion to consolidate
14 is rendered. As soon as practicable after such
15 decision is rendered, the court shall appoint the most
16 adequate plaintiff as lead plaintiff for the
17 consolidated actions in accordance with this
18 paragraph.

19 c. (1) The court shall adopt a presumption that
20 the most adequate plaintiff in any private action
21 arising under this chapter is the person or group of
22 persons that meets all of the following requirements:

23 (a) Has either filed the petition or made a motion
24 in response to a notice required pursuant to
25 subsection 4.

26 (b) In the determination of the court, has the
27 largest financial interest in the relief sought by the
28 class.

29 (c) Otherwise satisfies the requirements of the
30 rules of civil procedure relating to class actions.

31 (2) The presumption regarding the most adequate
32 plaintiff described in subparagraph (1) may be
33 rebutted only upon proof by a member of the purported
34 plaintiff class of one of the following:

35 (a) The presumptively most adequate plaintiff will
36 not fairly and adequately protect the interests of the
37 class.

38 (b) The presumptively most adequate plaintiff is
39 subject to unique defenses that render such plaintiff
40 incapable of adequately representing the class.

41 d. For purposes of this subsection, discovery
42 relating to whether a member or members of the
43 purported plaintiff class is the most adequate
44 plaintiff may be conducted by a plaintiff only if the
45 plaintiff first demonstrates a reasonable basis for a
46 finding that the presumptively most adequate plaintiff
47 is incapable of adequately representing the class.

48 e. The most adequate plaintiff shall, subject to
49 the approval of the court, select and retain counsel
50 to represent the class.

Page 4

1 6. Except as the court may otherwise permit,
2 consistent with the purposes of this section, a person
3 who files a class action under this section may be a
4 lead plaintiff or an officer, director, or fiduciary
5 of a lead plaintiff, in no more than five class
6 actions brought as plaintiff class actions pursuant to
7 the federal or Iowa rules of civil procedure during
8 any three-year period.

9 7. Total attorney fees and expenses awarded by the

10 court to counsel for the plaintiff class shall not
11 exceed a reasonable percentage of the amount of any
12 damages and prejudgment interest actually paid to the
13 class.

14 8. Any proposed or final settlement agreement that
15 is published or otherwise disseminated to the class
16 shall include each of the following statements along
17 with a cover page summarizing the information
18 contained in such statements:

19 a. If reasonably subject to determination, the
20 amount of the settlement proposed to be distributed to
21 the parties to the action determined in the aggregate
22 and on an average per share basis. If the settlement
23 amount or average settlement amount per share to be
24 disclosed pursuant to this subsection is not
25 reasonably subject to determination at the time of the
26 publication or dissemination of the proposed or final
27 settlement agreement, the method by which the
28 settlement amount or average settlement amount per
29 share will be determined.

30 b. (1) If the settling parties agree on the
31 average settlement amount per share that would be
32 recoverable if the plaintiff prevailed on each claim
33 alleged under this chapter, a statement concerning the
34 average settlement amount per share.

35 (2) If the parties do not agree on the average
36 settlement amount per share that would be recoverable
37 if the plaintiff prevailed on each claim alleged under
38 this chapter, a statement from each settling party
39 concerning the issue or issues on which the parties
40 disagree.

41 c. If any of the settling parties or their counsel
42 intend to apply to the court for an award of attorney
43 fees or costs from any fund established as part of the
44 settlement, a statement indicating which parties or
45 counsel intend to make such an application, the amount
46 of fees and costs that will be sought including the
47 amount of such fees and costs determined on an average
48 per share basis, and a brief explanation supporting
49 the fees and costs sought. Such information shall be
50 clearly summarized on the cover page of any notice to

Page 5

1 a party of any proposed or final settlement agreement.

2 d. The name, telephone number, and address of one
3 or more representatives of counsel for the plaintiff
4 class who will be reasonably available to answer
5 questions from class members concerning any matter
6 contained in any notice of settlement published or
7 otherwise disseminated to the class.

8 e. A brief statement explaining the reasons why

- 9 the parties are proposing the settlement.
- 10 f. Such other information as may be required by
11 the court.
- 12 9. In any private action arising under this
13 chapter that is certified as a class action pursuant
14 to the rules of civil procedure, the court may require
15 an undertaking from the attorneys for the plaintiff
16 class, the plaintiff class, or both, or from the
17 attorneys for the defendant, the defendant, or both,
18 in such proportions and at such times as the court
19 determines are just and equitable, for the payment of
20 fees and expenses that may be awarded under this
21 section.
- 22 10. This section applies to each action arising
23 under this chapter that is brought as a class action
24 pursuant to the rules of civil procedure.”
- 25 12. Title page, line 1, by striking the word
26 “creating” and inserting the following: “relating to
27 consumer frauds including the creation of”.
- 28 13. By renumbering as necessary.

KEITH A. KREIMAN

S-3145

- 1 Amend Senate File 540 as follows:
- 2 1. Page 14, line 29, by striking the word “July”
3 and inserting the following: “September”.
- 4 2. Page 14, line 30, by striking the figure “1”
5 and inserting the following: “30”.
- 6 3. By renumbering as necessary.

LARRY NOBLE

S-3146

- 1 Amend Senate File 518 as follows:
- 2 1. Page 5, line 7, by striking the word “exhibit”
3 and inserting the following: “exhibit.”
- 4 2. Page 5, line 11, by striking the words “or
5 that fails to” and inserting the following: “; and”.
- 6 3. Page 5, line 12, by striking the word
7 “exhibit”.
- 8 4. Page 5, line 29, by inserting after the words
9 “acquire insurance” the following: “other than life
10 insurance, life annuity, or accident and health
11 insurance.”.
- 12 5. Page 11, by striking line 3 and inserting the
13 following: “limitations or restrictions related to
14 the pleading or proving of any”.
- 15 6. Page 11, by striking line 10 and inserting the
16 following:

- 17 “1. The form of all policies, and of applications,
 18 and of agreements or”.
- 19 7. Page 11, line 18, by inserting after the word
 20 “unnecessary” the following: “to achieve the purpose
 21 of this section”.
- 22 8. Page 11, line 27, by striking the word “for”
 23 and inserting the following: “and”.
- 24 9. Page 11, lines 29 and 30, by striking the
 25 words “and for” and inserting the following: “or”.
- 26 10. Page 11, line 31, by striking the word
 27 “rates” and inserting the following: “rates,”.

MATT McCOY

S-3147

- 1 Amend Senate File 516 as follows:
 2 1. By striking page 2, line 33, through page 3,
 3 line 6, and inserting the following:
 4 “c. The provisions of this subsection shall be
 5 implemented uniformly throughout the state. The
 6 provisions of this subsection shall preempt any local
 7 county or municipal ordinance regarding keg
 8 registration or the sale of beer in kegs. In
 9 addition, a county or municipality shall not adopt or
 10 continue in effect an ordinance regarding keg
 11 registration or the sale of beer in kegs.
 12 d. The division shall establish by rule”.
 13 2. By renumbering as necessary.

MATT McCOY

S-3148

- 1 Amend Senate File 207 as follows:
 2 1. Page 1, line 9, by inserting after the word
 3 “services” the following: “through an agreement
 4 entered into under chapter 28E”.

TOM RIELLY
 DAVID HARTSUCH

S-3149

- 1 Amend Senate File 530 as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 “Section 1. Section 543B.60A, subsection 5, Code
 5 2007, is amended to read as follows:
 6 5. This section does not address relationships
 7 between a broker and the broker associates or
 8 salespersons licensed under, employed by, or otherwise

9 associated with the broker in a real estate brokerage
10 agency in this state or another state or foreign
11 country.
12 Sec. 2. Section 543B.60A, Code 2007, is amended by
13 adding the following new subsection:
14 NEW SUBSECTION. 5A. This section does not address
15 contractual relationships between a broker licensed
16 under this chapter and a relocation service holding a
17 valid real estate license in this state or another
18 state or foreign country.”
19 2. By renumbering as necessary.

PAT WARD

S-3150

1 Amend Senate File 546 as follows:
2 1. Page 3, by striking lines 4 through 15.
3 2. Title page, lines 1 and 2, by striking the
4 words “and providing an effective date”.
5 3. By renumbering as necessary.

ROBERT M. HOGG

S-3151

1 Amend Senate File 90 as follows:
2 1. Page 1, line 9, by inserting after the word
3 “services” the following: “through an agreement
4 entered into under chapter 28E”.

TOM RIELLY
DAVID HARTSUCH

S-3152

1 Amend Senate File 544 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 “Section 1. Section 12.28, subsection 6, Code
5 2007, is amended to read as follows:
6 6. The maximum principal amount of financing
7 agreements which the treasurer of state can enter into
8 shall be one million dollars per state agency in a
9 fiscal year, subject to the requirements of section
10 8.46. For the fiscal year, the treasurer of state
11 shall not enter into more than one million dollars of
12 financing agreements per state agency, not considering
13 interest expense. However, the treasurer of state may
14 enter into financing agreements in excess of the one
15 million dollar per agency per fiscal year limit if a
16 constitutional majority of each house of the general

17 assembly, or the legislative council if the general
 18 assembly is not in session, and the governor,
 19 authorize the treasurer of state to enter into
 20 additional financing agreements above the one million
 21 dollar authorization contained in this section. The
 22 treasurer of state shall not enter into a financing
 23 agreement for real or personal property which is to be
 24 constructed for use as a prison or prison-related
 25 facility without prior authorization by a
 26 constitutional majority of each house of the general
 27 assembly and approval by the governor of the use,
 28 location, and maximum cost, not including interest
 29 expense, of the real or personal property to be
 30 financed. However, financing agreements for an energy
 31 conservation measure, as defined in section 7D.34, or
 32 for an energy management improvement, as defined in
 33 section 473.19, or for costs associated with projects
 34 under section 473.13A, are exempt from the provisions
 35 of this subsection, but are subject to the
 36 requirements of section 7D.34 or 473.20A. In
 37 addition, financing agreements funded through the
 38 materials and equipment revolving fund established in
 39 section 307.47 are exempt from the provisions of this
 40 subsection.

41 Sec. 2. Section 455E.11, subsection 2, paragraph
 42 e, Code 2007, is amended to read as follows:

43 e. An oil overcharge account. The oil overcharge
 44 moneys distributed by the United States department of
 45 energy, and approved for the energy related components
 46 of the groundwater protection strategy available
 47 through the energy conservation ~~trust fund~~ created in
 48 section 473.11, shall be deposited in the oil
 49 overcharge account as appropriated by the general
 50 assembly.

Page 2

1 Sec. 3. Section 473.1, Code 2007, is amended by
 2 adding the following new subsections:
 3 NEW SUBSECTION. 4A. "Renewable energy" means
 4 solar power, photovoltaic power, wind power,
 5 geothermal power, hydropower, landfill gas,
 6 refuse-derived fuel pellets, biomass fuel, fuel cell
 7 powered by a renewable energy resource, or conversion
 8 of municipal, industrial, or agricultural organic
 9 wastes.

10 NEW SUBSECTION. 4B. "Renewable fuel" means an
 11 energy source at least in part derived from a
 12 nonfossil-based organic compound capable of powering
 13 machinery, including an engine or power plant.

14 Sec. 4. Section 473.1, subsection 5, Code 2007, is
 15 amended to read as follows:

16 5. "Supplier" means any person engaged in the
 17 business of selling, importing, storing, or generating
 18 energy sources, renewable energy, or renewable fuel in
 19 Iowa.

20 Sec. 5. Section 473.2, subsection 1, paragraph a,
 21 Code 2007, is amended to read as follows:

22 a. Physical, human, natural, and financial
 23 resources are allocated efficiently.

24 Sec. 6. Section 473.3, Code 2007, is amended to
 25 read as follows:

26 473.3 ENERGY EFFICIENCY RESOURCE MANAGEMENT GOAL.

27 1. The goal of this state is to ~~more~~ efficiently
 28 utilize energy resources, ~~especially those that are~~
 29 ~~nonrenewable or that have negative environmental~~
 30 ~~impacts, in order~~ to enhance the economy of the state
 31 ~~and to decrease by decreasing~~ the state's dependence
 32 on nonrenewable energy resources from outside the
 33 state and by reducing the amount of energy used. This
 34 goal is to be implemented through the execution of a
 35 statewide energy plan that shall include the
 36 development of policies and programs that promote
 37 energy efficiency and ~~energy conservation~~ renewable
 38 energy use by all Iowans, through the development and
 39 enhancement of an energy efficiency and renewable
 40 energy industry, through the ~~development of indigenous~~
 41 commercialization of energy resources and technologies
 42 that are economically and environmentally viable, and
 43 through the development and implementation of
 44 effective public information and education programs.

45 2. State government shall be a model and testing
 46 ground for the use of energy efficiency and renewable
 47 energy systems.

48 Sec. 7. Section 473.7, subsections 4, 5, 11, 12,
 49 and 14, Code 2007, are amended to read as follows:

50 4. a. Establish a central depository within the

Page 3

1 state for energy data. The central depository shall
 2 be located at or accessible through a library which is
 3 a member of an interlibrary loan program to facilitate
 4 access to the data and information contained in the
 5 central depository. The department shall collect and
 6 analyze data necessary to forecast to use in
 7 forecasting future energy demands in demand and supply
 8 for the state. The department may require a A
 9 supplier is required to provide information pertaining
 10 to the supply, storage, distribution, and sale of
 11 energy sources in this state when requested by the
 12 department. The information shall be furnished on a
 13 periodic basis, shall be of a nature which directly
 14 relates to the supply, storage, distribution, and sale

15 of energy sources, and shall not include any records,
 16 documents, books, or other data which relate to the
 17 financial position of the supplier. ~~Provided the The~~
 18 department, prior to requiring any supplier to furnish
 19 it with such information, shall make every reasonable
 20 effort to determine if ~~the same~~ such information is
 21 available from any other governmental source. If it
 22 finds such information is available, the department
 23 shall not require submission of the ~~same~~ information
 24 from a supplier. Notwithstanding the provisions of
 25 chapter 22, information and reports obtained under
 26 this section shall be confidential except when used
 27 for statistical purposes without identifying a
 28 specific supplier and when release of the information
 29 will not give an advantage to competitors and serves a
 30 public purpose. The department shall use this data to
 31 conduct energy forecasts which shall be included in
 32 the biennial update required by this section and which
 33 shall also be made available through the department's
 34 internet website.

35 b. The department may subpoena witnesses,
 36 administer oaths, and require the production of
 37 records, books, and documents for examination in order
 38 to obtain information required to be submitted under
 39 this section. In case of failure or refusal on the
 40 part of any person to comply with a subpoena issued by
 41 the department, or in case of the refusal of any
 42 witness to testify as to any matter regarding which
 43 the witness may be interrogated under this chapter,
 44 the district court, upon the application of the
 45 department, may order the person to show cause why the
 46 person should not be held in contempt for failure to
 47 testify or comply with a subpoena, and may order the
 48 person to produce the records, books, and documents
 49 for examination, and to give testimony. The courts
 50 may punish for contempt as in the case of disobedience

Page 4

1 to a like subpoena issued by the court, or for refusal
 2 to testify.

3 5. Develop, recommend, and implement with
 4 appropriate agencies public and professional education
 5 and communication programs in energy efficiency,
 6 energy conservation, and conversion to ~~alternative~~
 7 ~~sources of energy~~ renewable energy.

8 11. Develop a program to annually give public
 9 recognition to innovative methods of energy
 10 ~~conservation~~ management and renewable energy
 11 production.

12 12. Administer and coordinate federal funds for
 13 energy ~~conservation~~ management and renewable energy

14 programs including, but not limited to, the
 15 institutional conservation program, state energy
 16 conservation program, and energy extension service
 17 program, and related programs which provide energy
 18 management and conservation assistance to schools,
 19 hospitals, health care facilities, communities, and
 20 the general public.

21 14. ~~Perform~~ Provide information from monthly fuel
 22 surveys which establish a statistical average of motor
 23 fuel prices for various motor fuels provided
 24 throughout the state. Additionally, the department
 25 shall ~~perform provide~~ monthly fuel ~~surveys~~ survey
 26 information in cities with populations of over fifty
 27 thousand which establish a statistical average of
 28 motor fuel prices for various motor fuels provided in
 29 those individual cities. The survey results shall be
 30 publicized in a monthly press release issued by the
 31 department.

32 Sec. 8. Section 473.7, subsections 2, 3, and 15,
 33 Code 2007, are amended by striking the subsections.

34 Sec. 9. Section 473.11, Code 2007, is amended to
 35 read as follows:

36 473.11 ENERGY CONSERVATION ~~TRUST FUND~~ ESTABLISHED
 37 — RECEIPTS AND DISBURSEMENTS.

38 ~~1. a.~~ The energy conservation ~~trust fund~~ is
 39 created within the state treasury under the control of
 40 the department. This state, on behalf of itself, its
 41 citizens, and its political subdivisions, accepts any
 42 moneys awarded or allocated to the state, its
 43 citizens, and its political subdivisions as a result
 44 of the federal court decisions and United States
 45 department of energy settlements resulting from
 46 alleged violations of federal petroleum pricing
 47 regulations and deposits the moneys in the energy
 48 conservation ~~trust fund~~. The fund shall also consist
 49 of any moneys appropriated by the general assembly and
 50 any other moneys, including grants and gifts from

Page 5

1 government and nonprofit organizations, available to
 2 and obtained or accepted by the department for
 3 placement in the fund. Moneys in the fund are not
 4 subject to section 8.33. Notwithstanding section
 5 12C.7, interest or earnings on moneys in the fund
 6 shall be credited to the energy conservation fund.

7 ~~b.~~ The energy conservation trust is established to
 8 ~~provide for an orderly, efficient, and effective~~
 9 ~~mechanism to make maximum use of moneys available to~~
 10 ~~the state, in order to increase energy conservation~~
 11 ~~efforts and thereby to save the citizens of this state~~
 12 ~~energy expenditures. The moneys in the funds in the~~

~~13 trust shall be expended only upon appropriation by the
14 general assembly and only for programs which will
15 benefit citizens who may have suffered economic
16 penalties resulting from the alleged petroleum
17 overcharges.~~

~~18 e. The moneys awarded or allocated from each court
19 decision or settlement shall be placed in a separate
20 fund in the energy conservation trust.~~

~~21 Notwithstanding section 12C.7, interest and earnings
22 on investments from moneys in the trust shall be
23 credited proportionately to the funds in the trust.~~

~~24 d. Unless prohibited by the conditions applying to
25 a settlement, the petroleum overcharge moneys in the
26 energy conservation trust may be used for the payment
27 of attorney fees and expenses incurred by the state to
28 obtain the moneys and shall be paid by the director of
29 the department of administrative services from the
30 available moneys in the trust subject to the approval
31 of the attorney general.~~

~~32 e. However, petroleum overcharge moneys received
33 pursuant to claims filed on behalf of the state, its
34 institutions, departments, agencies, or political
35 subdivisions shall be deposited in the general fund of
36 the state to be disbursed directly to the appropriate
37 claimants in accordance with federal guidelines and
38 subject to the approval of the attorney general.~~

~~39 f. The moneys deposited under section 473.16 in
40 the general fund of the state shall be used for
41 research and development of selected projects to
42 improve Iowa's energy independence by developing
43 improved methods of energy efficiency, or by increased
44 development and use of Iowa's renewable
45 nonresource depleting energy resources. The moneys
46 credited to the general fund of the state under
47 section 556.18, subsection 3, shall be used for energy
48 conservation and alternative energy resource projects.
49 The projects shall be selected by the director and
50 administered by the department. Selection criteria~~

Page 6

~~1 for funded projects shall include consideration of
2 indirect restitution to those persons in the state in
3 the utility customer classes and the utility service
4 territories affected by unclaimed utility refunds or
5 deposits.~~

~~6 Moneys deposited into the general fund of the state
7 under sections 473.16, 476.51, and 556.18, subsection
8 3, are subject to the requirements of section 8.60.~~

~~9 2. The treasurer of state shall be the custodian
10 of the energy conservation trust and shall invest the
11 moneys in the trust, in consultation with the energy~~

12 ~~fund disbursement council established in subsection 3~~
13 ~~and the investment board of the Iowa public employees'~~
14 ~~retirement system, in accordance with the following~~
15 ~~guidelines:~~

16 ~~a. To maximize the rate of return on moneys in the~~
17 ~~trust while providing sufficient liquidity to make~~
18 ~~fund disbursements, including contingency~~
19 ~~disbursements.~~

20 ~~b. To absolutely insure the trust against loss.~~

21 ~~c. To use such investment tools as are necessary~~
22 ~~to achieve these purposes.~~

23 ~~3. An energy fund disbursement council is~~
24 ~~established. The council shall be composed of the~~
25 ~~governor or the governor's designee, the director of~~
26 ~~the department of management, who shall serve as the~~
27 ~~council's chairperson, the administrator of the~~
28 ~~division of community action agencies of the~~
29 ~~department of human rights, a designee of the director~~
30 ~~of the department of natural resources who is~~
31 ~~knowledgeable in the field of energy conservation, and~~
32 ~~a designee of the director of transportation who is~~
33 ~~knowledgeable in the field of energy conservation.~~
34 ~~The council shall include as nonvoting members two~~
35 ~~members of the senate appointed by the president of~~
36 ~~the senate, after consultation with the majority~~
37 ~~leader and the minority leader of the senate, and two~~
38 ~~members of the house of representatives appointed by~~
39 ~~the speaker of the house, after consultation with the~~
40 ~~majority leader and the minority leader of the house.~~
41 ~~The legislative members shall be appointed upon the~~
42 ~~convoning and for the period of each general assembly.~~
43 ~~Not more than one member from each house shall be of~~
44 ~~the same political party. The council shall be~~
45 ~~staffed by the department of natural resources. The~~
46 ~~attorney general shall provide legal assistance to the~~
47 ~~council.~~

48 ~~The council shall do all of the following:~~

49 ~~a. Oversee the investment of moneys deposited in~~
50 ~~the energy conservation trust.~~

Page 7

1 ~~b. Make recommendations to the governor and the~~
2 ~~general assembly regarding annual appropriations from~~
3 ~~the energy conservation trust.~~

4 ~~c. Work with the department of natural resources~~
5 ~~in adopting administrative rules necessary to~~
6 ~~administer expenditures from the trust, encourage~~
7 ~~applications for grants and loans, review and select~~
8 ~~proposals for the funding of competitive grants and~~
9 ~~loans from the energy conservation trust, and evaluate~~
10 ~~their comparative effectiveness.~~

11 ~~d. Monitor expenditures from the trust.~~
 12 ~~e. Approve any grants or contracts awarded from~~
 13 ~~the energy conservation trust in excess of five~~
 14 ~~thousand dollars.~~
 15 ~~f. Prepare, in conjunction with the department of~~
 16 ~~natural resources, an annual report to the governor~~
 17 ~~and the general assembly regarding earnings of and~~
 18 ~~expenditures from the energy conservation trust.~~
 19 ~~4. The director of the department of natural~~
 20 ~~resources or the director's designee shall be the~~
 21 ~~administrator of the energy conservation trust. The~~
 22 ~~administrator shall disburse moneys appropriated by~~
 23 ~~the general assembly from the funds in the trust in~~
 24 ~~accordance with the federal court orders, law and~~
 25 ~~regulation, or settlement conditions applying to the~~
 26 ~~moneys in that fund, and subject to the approval of~~
 27 ~~the energy fund disbursement council if such approval~~
 28 ~~is required. The council, after consultation with the~~
 29 ~~attorney general, shall immediately approve the~~
 30 ~~disbursement of moneys from the funds in the trust for~~
 31 ~~projects which meet the federal court orders, law and~~
 32 ~~regulations, or settlement conditions which apply to~~
 33 ~~that fund.~~
 34 ~~5. The following funds are established in the~~
 35 ~~energy conservation trust:~~
 36 ~~a. The Warner/Imperial fund.~~
 37 ~~b. The Exxon fund.~~
 38 ~~c. The Stripper Well fund.~~
 39 ~~d. The Diamond Shamrock fund.~~
 40 ~~e. The office of hearings and appeals second stage~~
 41 ~~settlement fund.~~
 42 ~~6. The moneys in the fund in the energy~~
 43 ~~conservation trust distributed to the state as a~~
 44 ~~result of the federal court decisions finding oil~~
 45 ~~companies in violation of federal petroleum pricing~~
 46 ~~regulations shall be expended expeditiously, until all~~
 47 ~~the receipts are depleted and shall be disbursed for~~
 48 ~~projects which meet the strict guidelines of the five~~
 49 ~~existing federal energy conservation programs~~
 50 ~~specified in Pub. L. No. 97-377, § 155, 96 Stat.~~

Page 8

1 ~~1830, 1919 (1982). The council shall approve the~~
 2 ~~disbursement of moneys from the fund in the trust for~~
 3 ~~other projects only if the projects meet one or more~~
 4 ~~of the following conditions:~~
 5 ~~a. The projects meet the guidelines for allowable~~
 6 ~~projects under a modification order entered by the~~
 7 ~~federal court in the case involving Exxon corporation.~~
 8 ~~b. The projects meet the guidelines for allowable~~
 9 ~~projects under a directive order entered by the~~

10 federal court in the case involving Exxon corporation.
 11 e. ~~The projects meet the guidelines for allowable~~
 12 ~~projects under the regulations adopted or written~~
 13 ~~clarifications issued by the United States department~~
 14 ~~of energy.~~

15 d. ~~The projects meet the guidelines for allowable~~
 16 ~~projects under the petroleum violation settlement~~
 17 ~~agreement expenditure plan approved by the United~~
 18 ~~States department of energy.~~

19 7. ~~On June 30, 2003, the energy fund disbursement~~
 20 ~~council established in subsection 3 shall be~~
 21 ~~dissolved. At that time, the The department of~~
 22 natural resources shall be responsible for the
 23 disbursement of any funds either received or remaining
 24 in the energy conservation ~~trust fund~~. These
 25 disbursements shall be for projects and programs
 26 consistent with the legally determined allowable uses
 27 for the former energy conservation trust, section
 28 473.11, Code 2005. Also, at that time, and annually
 29 thereafter, ~~the The~~ state department of transportation
 30 shall report to the department of natural resources on
 31 the status of the intermodal revolving loan fund
 32 established in the department on an annual basis. In
 33 the fiscal year beginning July 1, 2019, the department
 34 of natural resources shall assume responsibility for
 35 funds remaining in the intermodal revolving loan fund
 36 and disburse them for energy ~~conservation projects and~~
 37 programs consistent with the legally determined
 38 allowable uses for the former energy conservation
 39 trust.

40 Sec. 10. Section 473.13A, Code 2007, is amended to
 41 read as follows:

42 473.13A ENERGY CONSERVATION MEASURES MANAGEMENT
 43 AND RENEWABLE ENERGY OPPORTUNITIES IDENTIFIED AND
 44 IMPLEMENTED.

45 1. The state, All state agencies, political
 46 subdivisions of the state, school districts, area
 47 education agencies, and community colleges shall
 48 identify and implement, ~~through energy audits and~~
 49 ~~engineering analyses,~~ all energy ~~conservation measures~~
 50 ~~identified management improvements~~ for which financing

Page 9

1 is ~~made~~ available by through the department ~~to be~~
 2 ~~entity~~. Identification of energy management
 3 improvements shall be made through energy analyses as
 4 approved by the department. The energy ~~conservation~~
 5 ~~measure financings~~ management improvement financing
 6 shall be supported through payments from energy
 7 savings and shall be for a term defined by the
 8 department in rule.

9 2. Except for a garage, storage facility or brine
10 production facility, a building owned by a state
11 agency shall be analyzed by the state agency for
12 energy management improvement opportunities based on
13 the guidelines established pursuant to section 473.19.
14 The results of the analysis shall be submitted to the
15 department by August 1, 2009. An updated analysis
16 shall be submitted to the department every five years
17 thereafter if appropriations, allocations, or grants
18 are provided for the cost of the analysis. Based on
19 the findings of the energy analysis and the updates,
20 the state agency shall, with assistance from the
21 department, develop an energy management plan. The
22 energy management plan shall identify the energy
23 management improvements to be implemented by the state
24 agency, establish a timeline for their implementation,
25 and identify a funding source. The department shall
26 submit a report to the governor and the general
27 assembly by January 1, 2010, and every five years
28 thereafter, that analyzes all information collected
29 pursuant to this subsection and includes
30 recommendations for future programs.
31 3. Any new construction or renovation of existing
32 facilities intended for use by the state shall meet
33 green or sustainable building requirements established
34 in rules adopted pursuant to chapter 17A by the
35 department after consultation with the state building
36 code commissioner established in section 103A.4. The
37 rules shall meet or exceed the energy conservation
38 requirements established in the state building code
39 pursuant to section 103A.10. Any rules of the fire
40 marshal established pursuant to section 100.1, 100.35,
41 101.1, or 101A.5, the state building code established
42 pursuant to chapter 103A, the state plumbing code
43 established pursuant to section 135.11, subsection 5,
44 requirements for elevators established pursuant to
45 chapter 89A, or requirements for boilers and pressure
46 vessels established pursuant to chapter 89, shall
47 supersede any conflicting provision of the rules
48 established pursuant to this subsection. The
49 department shall adopt rules that take effect on July
50 1, 2008. The rules shall not apply to a garage,

Page 10

1 storage facility, correctional facility, other secure
2 facility, or brine production facility.
3 4. Pending the adoption of rules pursuant to
4 subsection 3, it is the intent of the general assembly
5 that all new construction or renovation of existing
6 facilities for state agency use should meet or exceed
7 the energy requirements for the United States green

8 building council leadership in energy and
9 environmental design silver certification.

10 5. For purposes of this section, "renovation"
11 means any change to a facility with costs equal to
12 more than fifty percent of the value of the facility
13 or an addition to the facility in excess of twenty
14 thousand square feet.

15 6. The department shall not require a state
16 agency, political subdivision of the state, school
17 district, community college, or area education agency,
18 city, or county to perform an engineering energy
19 analysis if the state agency, political subdivision of
20 the state, school district, community college, or area
21 education agency, city, or county demonstrates to the
22 department that the facility which is the subject of
23 the proposed engineering energy analysis at issue is
24 not currently in use or is unlikely to be in use or
25 operation in six four years by the governmental entity
26 currently using or occupying the facility.

27 7. If a state agency leases or otherwise occupies
28 a building, other than a garage, storage facility,
29 correctional facility, other secure facility, or brine
30 production facility, the agency shall prepare a plan
31 not later than August 1, 2009, designed to reduce
32 energy use and utility costs at the building.

33 Sec. 11. Section 473.15, Code 2007, is amended to
34 read as follows:

35 473.15 ANNUAL REPORT.

36 The department shall include in the complete an
37 annual report required under section 455A.4 an
38 assessment of to assess the progress achieved by
39 public agencies of state agencies, political
40 subdivisions of the state, school districts, area
41 education agencies, and community colleges in
42 implementing energy management improvements, renewable
43 energy systems, and life cycle cost analyses under
44 chapter 470, and on the use of renewable fuels. The
45 department shall work with stakeholders to use
46 available information to minimize the cost of
47 preparing the report for the department and
48 stakeholders. The department shall also provide an
49 assessment of the economic and environmental impact of
50 the progress made by state agencies, political

Page 11

1 subdivisions of the state, school districts, area
2 education agencies, and community colleges related to
3 energy management and renewable energy, along with
4 recommendations on technological opportunities and
5 policies necessary for continued improvement in these
6 areas.

7 Sec. 12. Section 473.19, Code 2007, is amended to
8 read as follows:

9 473.19 ENERGY BANK PROGRAM.

10 1. The energy bank program is established by the
11 department. The energy bank program consists of the
12 following forms of assistance for the state, state
13 agencies, political subdivisions of the state, school
14 districts, area education agencies, community
15 colleges, and nonprofit organizations:

16 ~~1. a. Promoting program availability.~~
17 ~~b. Developing or identifying guidelines and model~~
18 ~~energy techniques for the completion of energy~~
19 ~~analyses for state agencies, political subdivisions of~~
20 ~~the state, school districts, area education agencies,~~
21 ~~community colleges, and nonprofit organizations.~~
22 ~~c. Providing moneys from the petroleum overcharge~~
23 ~~fund technical assistance for conducting energy audits~~
24 ~~analyses for school districts under section 270.44,~~
25 ~~for conducting comprehensive engineering analyses for~~
26 ~~school districts and for conducting energy audits and~~
27 ~~comprehensive engineering analyses for state agencies,~~
28 ~~and political subdivisions of the state agencies,~~
29 ~~political subdivisions of the state, school districts,~~
30 ~~area education agencies, community colleges, and~~
31 ~~nonprofit organizations.~~

32 ~~2. d. Providing Facilitating loans, leases, and~~
33 ~~other methods of alternative financing from under the~~
34 ~~energy loan fund established in section 473.20 and~~
35 ~~section 473.20A program for the state, state agencies,~~
36 ~~political subdivisions of the state, school districts,~~
37 ~~area education agencies, community colleges, and~~
38 ~~nonprofit organizations to implement energy~~
39 ~~conservation measures management improvements.~~

40 ~~3. Serving as a source of technical support for~~
41 ~~energy conservation management.~~

42 ~~4. e. Providing assistance for obtaining~~
43 ~~insurance on the energy savings expected to be~~
44 ~~realized from the implementation of energy~~
45 ~~conservation measures management improvements.~~

46 ~~5. f. Providing Facilitating self-liquidatin g~~
47 ~~financing for the state, state agencies, political~~
48 ~~subdivisions of the state, school districts, area~~
49 ~~education agencies, community colleges, and nonprofit~~
50 ~~organizations pursuant to section 473.20A.~~

Page 12

1 ~~g. Assisting the treasurer of state with financing~~
2 ~~agreements entered into by the treasurer of state on~~
3 ~~behalf of state agencies to finance energy management~~
4 ~~improvements pursuant to section 12.28.~~

5 ~~2. For the purpose of this section, section~~

6 473.20, and section 473.20A, “energy ~~conservation~~
 7 ~~measure~~ management improvement” means construction,
 8 rehabilitation, acquisition, or modification of an
 9 installation in a facility or vehicle which is
 10 intended to reduce energy consumption, or energy
 11 costs, or both, or allow the use of ~~an alternative~~
 12 ~~energy source, which may contain integral renewable~~
 13 ~~energy.~~ “Energy management improvement” may include
 14 control and measurement devices. “Nonprofit
 15 organization” means an organization exempt from
 16 federal income taxation under section 501(c)(3) of the
 17 Internal Revenue Code.

18 Sec. 13. Section 473.20, unnumbered paragraph 1,
 19 Code 2007, is amended to read as follows:

20 An energy loan ~~fund program~~ is established in the
 21 ~~office of the treasurer of state to~~ and shall be
 22 administered by the department.

23 Sec. 14. Section 473.20, subsections 1, 5, and 6,
 24 Code 2007, are amended to read as follows:

25 1. The department may ~~make loans to the state,~~
 26 ~~state agencies, facilitate the loan process for~~
 27 political subdivisions of the state, school districts,
 28 area education agencies, community colleges, and
 29 nonprofit organizations for implementation of energy
 30 ~~conservation measures~~ management improvements
 31 identified in ~~a comprehensive engineering an energy~~
 32 analysis. Loans shall be ~~made facilitated~~ for all
 33 cost-effective energy management improvements. For
 34 ~~the state, state agencies,~~ political subdivisions of
 35 the state, school districts, area education agencies,
 36 community colleges, and nonprofit organizations to
 37 receive ~~a loan from the fund~~ assistance under the
 38 program, the department shall require completion of an
 39 energy management plan including an energy ~~audit and a~~
 40 ~~comprehensive engineering~~ analysis. The department
 41 shall approve loans ~~made facilitated~~ under this
 42 section.

43 5. ~~The state, state agencies, political~~ Political
 44 subdivisions of the state, school districts, area
 45 education agencies, and community colleges shall
 46 design and construct the most energy cost-effective
 47 facilities feasible and ~~shall use the financing made~~
 48 ~~available~~ may use financing facilitated by the
 49 department to cover the incremental costs above
 50 minimum building code energy efficiency standards of

Page 13

- 1 purchasing energy efficient devices and materials
- 2 unless other lower cost financing is available. As
- 3 used in this section, “facility” means a structure
- 4 that is heated or cooled by a mechanical or electrical

5 system, or any system of physical operation that
 6 consumes energy to carry out a process.
 7 6. The department shall not require the state,
 8 state agencies, political subdivisions of the state,
 9 school districts, area education agencies, and
 10 community colleges to implement a specific energy
 11 ~~conservation measure~~ management improvement identified
 12 in ~~a comprehensive engineering~~ an energy analysis if
 13 the entity which prepared the analysis demonstrates to
 14 the department that the facility which is the subject
 15 of the energy ~~conservation measure~~ management
 16 improvement is unlikely to be used or operated for the
 17 full period of the expected savings payback of all
 18 costs associated with implementing the energy
 19 conservation measure management improvement, including
 20 without limitation, any fees or charges of the
 21 department, engineering firms, financial advisors,
 22 attorneys, and other third parties, and all financing
 23 costs including interest, if financed.

24 Sec. 15. Section 473.20, subsection 3, Code 2007,
 25 is amended by striking the subsection.

26 Sec. 16. Section 473.20A, Code 2007, is amended to
 27 read as follows:

28 473.20A SELF-LIQUIDATING FINANCING.

29 1. The department of natural resources may ~~enter~~
 30 ~~into~~ facilitate financing agreements that may be
 31 entered into with ~~the state, state agencies,~~ political
 32 subdivisions of the state, school districts, area
 33 education agencies, community colleges, or nonprofit
 34 organizations ~~in order to provide the financing to pay~~
 35 finance the costs of furnishing energy conservation
 36 measures management improvements on a self-liquidating
 37 basis. The provisions of section 473.20 defining
 38 eligible energy conservation measures and the method
 39 of repayment of the loans management improvements
 40 apply to financings under this section.

41 The financing agreement may contain provisions,
 42 including interest, term, and obligations to make
 43 payments on the financing agreement beyond the current
 44 budget year, as may be ~~agreed upon between the~~
 45 ~~department of natural resources and the state, state~~
 46 agencies, acceptable to political subdivisions of the
 47 state, school districts, area education agencies,
 48 community colleges, or nonprofit organizations.

49 2. ~~For the purpose of funding its obligation to~~
 50 ~~furnish moneys under the financing agreements, or to~~

Page 14

1 ~~fund the energy loan fund created in section 473.20,~~
 2 ~~the treasurer of state, with the assistance of the~~
 3 ~~department of natural resources, or the treasurer of~~

4 state's duly authorized agents or representatives, may
5 incur indebtedness or enter into master lease
6 agreements or other financing arrangements to borrow
7 to accomplish energy conservation measures, or the
8 department of natural resources may enter into master
9 lease agreements or other financing arrangements to
10 permit the state, state agencies, political
11 subdivisions of the state, school districts, area
12 education agencies, community colleges, or nonprofit
13 organizations to borrow sufficient funds to accomplish
14 the energy conservation measure. The obligations may
15 be in such form, for such term, bearing such interest
16 and containing such provisions as the department of
17 natural resources, with the assistance of the
18 treasurer of state, deems necessary or appropriate.
19 Funds remaining after the payment of all obligations
20 have been redeemed shall be paid into the energy loan
21 fund. The department shall assist the treasurer of
22 state with financing agreements entered into by the
23 treasurer of state on behalf of state agencies
24 pursuant to section 12.28 to finance energy management
25 improvements being implemented by state agencies.
26 3. ~~The state, state agencies, political~~ Political
27 subdivisions of the state, school districts, area
28 education agencies, community colleges, and nonprofit
29 organizations may enter into financing agreements and
30 issue obligations necessary to carry out the
31 provisions of the chapter. Chapter 75 shall not be
32 applicable.
33 Sec. 17. Section 476.6, subsection 16, paragraph
34 a, Code 2007, is amended to read as follows:
35 a. Gas and electric utilities required to be
36 rate-regulated under this chapter shall file energy
37 efficiency plans with the board. An energy efficiency
38 plan and budget shall include a range of programs,
39 tailored to the needs of all customer classes,
40 including residential, commercial, and industrial
41 customers, for energy efficiency opportunities. The
42 plans shall include programs for qualified low-income
43 persons including a cooperative program with any
44 community action agency within the utility's service
45 area to implement countywide or communitywide energy
46 efficiency programs for qualified low-income persons
47 and may include cooperative programs with any
48 community action agency within the utility's service
49 area to implement programs to provide assessment,
50 resolution, and energy efficiency training for

Page 15

1 qualified low-income persons for managing home energy
2 utility costs. Rate-regulated gas and electric

3 utilities shall utilize Iowa agencies and Iowa
 4 contractors to the maximum extent cost-effective in
 5 their energy efficiency plans filed with the board.
 6 Sec. 18. NEW SECTION. 476A.17 COAL-FIRED
 7 MERCHANT POWER PLANTS.
 8 1. For purposes of this section, “coal-fired
 9 merchant power plant” means a power plant that burns
 10 coal located in this state that is not owned or
 11 operated by a public utility, municipally owned
 12 utility, municipal power agency, or electric
 13 cooperative corporation or association and which is
 14 not subject to rate regulation pursuant to chapter
 15 476.
 16 2. As a condition of a permit issued by the board
 17 pursuant to this chapter, the board shall order an
 18 owner or operator of a coal-fired merchant power plant
 19 to do all of the following:
 20 a. Provide or purchase alternative energy
 21 production, as defined in sections 476.41 through
 22 476.45, equal to eight percent of the capacity of the
 23 coal-fired merchant power plant.
 24 b. Provide one-tenth of one percent of annual
 25 gross revenues for the support of the Iowa energy
 26 center created in section 266.39C and the center for
 27 global and regional environmental research created by
 28 the state board of regents.
 29 c. Provide two percent of annual gross revenues
 30 for an energy management improvement grant program to
 31 be administered by the center for energy and
 32 environmental education at the University of Northern
 33 Iowa.
 34 3. The board, after consultation with the
 35 department of natural resources, may waive all or part
 36 of the requirements of subsection 2 upon finding that
 37 the coal-fired merchant power plant has achieved other
 38 methods to offset its production of greenhouse gases
 39 and other pollutants.
 40 4. The board shall adopt rules pursuant to chapter
 41 17A prescribing regulatory standards and
 42 implementation procedures relating to the application
 43 of the requirements in subsection 2.
 44 Sec. 19. Sections 473.13, 473.16, 473.17, 473.42,
 45 and 473.44, Code 2007, are repealed.”

ROBERT M. HOGG

S-3153

1 Amend Senate File 352 as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 “Section 1. Section 39A.2, subsection 1, paragraph

5 a, Code 2007, is amended to read as follows:

6 a. REGISTRATION FRAUD.

7 (1) Produces, procures, submits, or accepts a
8 voter registration application that is known by the
9 person to be materially false, fictitious, forged, or
10 fraudulent.

11 (2) Falsely swears to an oath required pursuant to
12 section 48A.7A.

13 2. Page 1, line 9, by inserting after the word
14 "b." the following: "(1)".

15 3. Page 1, by striking lines 13 through 20 and
16 inserting the following: "presenting any of the
17 following current and valid forms of identification if
18 such identification contains the person's photograph
19 and a validity expiration date:

20 (a) An out-of-state driver's license or
21 nonoperator's identification card.

22 (b) A United States passport.

23 (c) A United States military identification card.

24 (d) An identification card issued by an employer.

25 (e) A student identification card issued by an
26 Iowa high school or an Iowa postsecondary educational
27 institution.

28 (2) If the photographic identification presented
29 does not contain the person's current address in the
30 precinct, the person shall also present one of the
31 following documents that shows the person's name and
32 address in the precinct:

33 (a) Residential lease.

34 (b) Property tax statement.

35 (c) Utility bill.

36 (d) Bank statement.

37 (e) Paycheck.

38 (f) Government check.

39 (g) Other government document."

40 4. Page 2, by striking lines 16 and 17 and

41 inserting the following:

42 "4. a. The form of the written oath required of
43 the person registering under this section shall read
44 as follows:

45 I, (name of registrant), do solemnly swear or affirm all of
46 the following:

47 I am a resident of the precinct, ward
48 or township, city of, county of, Iowa.

49 I am the person named above.

50 I live at the address listed below.

Page 2

1 I do not claim the right to vote anywhere else.

2 I have not voted and will not vote in any other

3 precinct in this election.

4 I understand that any false statement in this oath
5 is a class "D" felony punishable by no more than five
6 years in confinement and a fine of at least seven
7 hundred fifty dollars but not more than seven thousand
8 five hundred dollars.

9
10 Signature of Registrant
11
12 Address
13
14 Telephone (optional to provide)

15 Subscribed and sworn before me on (date).
16

17 Signature of Precinct Election Official

18 b. The form of the written oath required of a
19 person attesting to the identity and residency of the
20 registrant shall read as follows:

21 I, (name of registered voter), do solemnly swear or
22 affirm all of the following:

23 I am a preregistered voter in this precinct or I
24 registered to vote in this precinct today, and a
25 registered voter did not sign an oath on my behalf.

26 I am a resident of the precinct, ward
27 or township, city of, county of, Iowa.

28 I reside at in
29 (street address) (city or township)

30 I personally know, and I personally know
31 (name or registrant)

32 that is a resident of the precinct,
33 (name of registrant)
34 ward or township, city of, county of
35, Iowa.

36 I understand that any false statement in this oath
37 is a class "D" felony punishable by no more than five
38 years in confinement and a fine of at least seven
39 hundred fifty dollars but not more than seven thousand
40 five hundred dollars.

41
42 Signature of Registered Voter

43 Subscribed and sworn before me on (date).
44

45 Signature of Precinct Election Official".

46 5. Page 4, by inserting after line 26 the
47 following:

48 "Sec. ____ APPLICABILITY DATE. This Act applies
49 to elections held on or after January 1, 2008."

50 6. Title page, line 2, by inserting after the

1 word "election" the following: "and making a penalty
2 applicable and providing an applicability date".

- 3 7. By renumbering, redesignating, and correcting
4 internal references as necessary.

STACI APPEL

S-3154

- 1 Amend Senate File 418 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 "Section 1. Section 321.1, Code 2007, is amended
5 by adding the following new subsections:
6 NEW SUBSECTION. 7A. "Business trade truck" means
7 a motor truck with an unladen weight of seven thousand
8 five hundred pounds or less that is any of the
9 following:
10 a. Owned, leased, or used by a person who files a
11 schedule C form with the federal internal revenue
12 service.
13 b. Eligible for depreciation under 26 U.S.C. §
14 167.
15 c. Owned, leased, or used by a person engaged in a
16 business or trade and regularly used to haul supplies,
17 trade tools, equipment, merchandise, or freight for
18 that business or trade.
19 NEW SUBSECTION. 95. "Farm truck" means a motor
20 truck with an unladen weight of seven thousand five
21 hundred pounds or less that is any of the following:
22 a. Owned, leased, or used by a person who files a
23 schedule F form with the federal internal revenue
24 service.
25 b. Eligible for depreciation under 26 U.S.C. §
26 167.
27 c. Owned, leased, or used by a person who is
28 engaged in the production of farm products, including
29 but not limited to crops, energy, livestock, or
30 poultry, equal in value to more than one thousand
31 dollars annually."
32 2. Page 1, line 8, by striking the figure and
33 words "321.122, special trucks" and inserting the
34 following: "321.120, 321.121, or 321.122".
35 3. Page 2, by inserting after line 20 the
36 following:
37 "Sec. . NEW SECTION. 321.120 BUSINESS TRADE
38 TRUCKS AND FARM TRUCKS.
39 1. The annual registration fee for a business
40 trade truck or farm truck shall be determined pursuant
41 to section 321.122, subsection 1, paragraph "a" or
42 "b".
43 2. Upon application for a new registration or a
44 renewal, an owner who registers a 2009 or subsequent
45 model year vehicle as a business trade truck or farm

46 truck may be required to provide proof or certify by
 47 signed affidavit that the vehicle meets the definition
 48 of a business trade truck or farm truck. The
 49 department may adopt rules as necessary to prescribe
 50 the documentation required as proof or certification

Page 2

- 1 under this subsection.
 2 3. If the department determines by audit or other
 3 means that a person has registered a vehicle as a
 4 business trade truck or farm truck that is not
 5 qualified for such registration, the person may be
 6 required to pay regular registration fees applicable
 7 to the vehicle under section 321.109 or 321.113, in
 8 addition to any other penalty or sanction imposed by
 9 law.”
 10 4. Page 2, line 25, by inserting after the word
 11 “trucks” the following: “other than business trade
 12 trucks and farm trucks.”
 13 5. By renumbering as necessary.

GENE FRAISE

S-3155

- 1 Amend Senate File 401 as follows:
 2 1. Page 1, by inserting after line 2 the
 3 following:
 4 “Section 1. Section 306C.11, subsection 2, Code
 5 2007, is amended to read as follows:
 6 2. Advertising devices concerning activities
 7 conducted on the property on which they are located,
 8 nor shall the property upon which they are located be
 9 construed to mean located upon any contiguous area
 10 having inconsistent use, size, shape, or ownership.
 11 However, businesses located within the limits of a
 12 commercial or industrial development may be advertised
 13 on a sign located anywhere within the development
 14 regardless of land ownership.”
 15 2. Page 7, by inserting after line 1 the
 16 following:
 17 “Sec. __. Section 321.285, Code 2007, is amended
 18 by adding the following new subsection:
 19 NEW SUBSECTION. 7. Notwithstanding any other
 20 speed restrictions, a self-propelled implement of
 21 husbandry equipped with flotation tires that is
 22 designed to be loaded and operated in the field and
 23 used exclusively for the application of organic or
 24 inorganic plant food materials, agricultural
 25 limestone, or agricultural chemicals shall not be
 26 operated on a highway at a speed in excess of

27 thirty-five miles per hour.”
28 3. Page 7, by inserting after line 10 the
29 following:
30 “Sec. ____ Section 321.463, subsection 4,
31 paragraph a, unnumbered paragraph 1, Code 2007, is
32 amended to read as follows:
33 Self-propelled implements of husbandry used
34 exclusively for the application of organic or
35 inorganic plant food materials, agricultural
36 limestone, or agricultural chemicals, unless traveling
37 under a permit issued pursuant to section 321E.8A,
38 shall be operated in compliance with this section.
39 Sec. ____ Section 321E.2, unnumbered paragraph 1,
40 Code 2007, is amended to read as follows:
41 Annual, multi-trip, and single-trip permits shall
42 be issued by the authority responsible for the
43 maintenance of the system of highways or streets.
44 However, the department may issue permits on primary
45 road extensions in cities in conjunction with
46 movements on the rural primary road system. The
47 department may issue an all-system permit under
48 section 321E.8 which is valid for movements on all
49 highways or streets under the jurisdiction of either
50 the state or those local authorities which have

Page 2

1 indicated in writing to the department those streets
2 or highways for which an all-system permit is not
3 valid. The department may issue annual permits
4 pursuant to section 321E.8A valid only for operation
5 on noninterstate highways in counties stipulated in
6 the permit.
7 Sec. ____ Section 321E.7, Code 2007, is amended by
8 adding the following new subsection:
9 NEW SUBSECTION. 4. Notwithstanding subsections 1
10 and 2, a self-propelled implement of husbandry
11 traveling under a permit issued pursuant to section
12 321E.8A may exceed the maximum axle loads prescribed
13 under section 321.463 only when operated unladen on a
14 noninterstate highway in a county covered under the
15 permit, provided the weight on any one axle does not
16 exceed twenty-five thousand pounds, and provided the
17 current and valid permit is carried in the vehicle.
18 For purposes of this subsection, “noninterstate
19 highway” does not include a bridge.
20 Sec. ____ NEW SECTION. 321E.8A SELF-PROPELLED
21 IMPLEMENT OF HUSBANDRY — ANNUAL PERMIT.
22 1. A self-propelled implement of husbandry
23 equipped with flotation tires that is designed to be
24 loaded and operated in the field and used exclusively
25 for the application of organic or inorganic plant food

26 materials, agricultural limestone, or agricultural
 27 chemicals, and that, as newly manufactured, exceeds
 28 the axle weight limits under section 321.463 when
 29 unloaded, may be operated on noninterstate highways,
 30 excluding bridges, in a county pursuant to a permit
 31 issued by the department for travel within the county.
 32 Prior to issuing a permit, the department shall
 33 collect a fee of six hundred dollars for each county
 34 in which the vehicle will be operated during the
 35 period of the permit beginning July 1 and ending June
 36 30, provided that a permit shall not be issued for a
 37 vehicle for operation in more than ten counties and
 38 the total amount of fees collected for a vehicle for
 39 the period of the permit shall not exceed three
 40 thousand five hundred dollars. Moneys collected by
 41 the department on behalf of the counties in which the
 42 vehicle will be operated shall be allotted equally to
 43 those counties and deposited in the secondary road
 44 funds of those counties. A vehicle for which a permit
 45 is issued under this section shall be assigned a
 46 permit number that shall be displayed on the door of
 47 the vehicle in numbers that contrast sharply in color
 48 with the background on which the number is placed, be
 49 readily legible during daylight hours from a distance
 50 of fifty feet when the vehicle is stationary, and be

Page 3

1 maintained in a manner that retains the legibility.
 2 Only vehicles originally purchased or ordered prior to
 3 February 1, 2007, are eligible for a permit. New
 4 permits shall not be issued on or after July 1, 2007;
 5 however, a permit issued for a vehicle under this
 6 section prior to July 1, 2007, may be renewed for that
 7 vehicle annually upon payment of the appropriate
 8 county fees.

9 2. A vehicle described in subsection 1 shall not
 10 be operated on a highway without a permit issued under
 11 this section. The owner of a vehicle that is operated
 12 in violation of section 321E.7, subsection 4, or this
 13 section is subject to a civil penalty of ten thousand
 14 dollars, in addition to any other penalties that may
 15 apply.”

16 4. Page 14, by inserting after line 32 the
 17 following:

18 “Sec. ____ IMPLEMENTATION OF PERMITTING PROCESS
 19 FOR CERTAIN SELF-PROPELLED IMPLEMENTS OF HUSBANDRY.
 20 The department of transportation shall begin accepting
 21 applications for permits required under section
 22 321E.8A, as enacted in this Act, on or before June 1,
 23 2007, and shall provide for the issuance of those
 24 permits prior to July 1, 2007, to be effective July 1,

25 2007.”

26 5. Page 15, by inserting after line 12 the
27 following:

28 “5. The section of this Act requiring the
29 department of transportation to implement the
30 permitting process for certain self-propelled
31 implements of husbandry, being deemed of immediate
32 importance, takes effect upon enactment.”

33 6. Title page, line 4, by inserting after the
34 word “to” the following: “the placement of
35 advertising devices along primary highways.”.

36 7. Title page, line 9, by striking the words “and
37 fees”.

38 8. Title page, line 12, by inserting after the
39 word “trucks,” the following: “requirements for
40 operation of certain self-propelled implements of
41 husbandry on secondary roads,”.

42 9. By renumbering as necessary.

TOM RIELLY

S-3156

1 Amend Senate File 454 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 “Section 1. Section 4.1, subsection 28, Code 2007,
5 is amended to read as follows:

6 28. SEAL. Where the seal of a court, public
7 office ~~or~~ public officer, or public or private
8 corporation, may be required to be affixed to any
9 paper, the word “seal” shall include an impression
10 upon the paper alone, ~~as well as or~~ upon wax or a
11 wafer affixed ~~thereto to the paper~~, or an official ink
12 stamp if a notarial seal. If the seal of a court is
13 required, the word “seal” may also include a visible
14 electronic image of the seal on an electronic
15 document.

16 Sec. 2. Section 602.4301, subsection 2, Code 2007,
17 is amended to read as follows:

18 2. The clerk of the supreme court shall have an
19 office at the seat of government, shall keep a
20 complete record of the proceedings of the court, and
21 shall not allow an opinion filed in the office to be
22 removed. Opinions shall be open to examination and,
23 upon request, may be copied and certified. The clerk
24 promptly shall announce by ordinary or electronic mail
25 to one of the attorneys on each side any ruling made
26 or decision rendered, shall record every opinion
27 rendered as soon as filed, shall send by ordinary or
28 electronic mail a copy of each opinion rendered to
29 each attorney of record and to each party not

30 represented by counsel, and shall perform all other
 31 duties pertaining to the office of clerk.
 32 Sec. 3. Section 805.6, subsection 1, unnumbered
 33 paragraph 3, Code 2007, is amended to read as follows:
 34 Notwithstanding other contrary requirements of this
 35 section, a uniform citation and complaint may be
 36 originated from a computerized device. The officer
 37 issuing the citation through a computerized device
 38 shall electronically sign and date the citation or
 39 complaint and shall obtain electronically the
 40 signature of the person cited as provided in section
 41 805.3 and shall give two copies of the citation to the
 42 person cited and shall provide a record of the
 43 citation to the court where the person cited is to
 44 appear and to the law enforcement agency of the
 45 officer by an electronic process which accurately
 46 reproduces or forms a durable medium for accurately
 47 and legibly reproducing an unaltered image or copy of
 48 the citation.”
 49 2. Title page, line 2, by striking the word
 50 “eliminating” and inserting the following: “involving

Page 2

1 the”.
 2 3. Title page, lines 3 and 4, by striking the
 3 words “making confidential personal information.”.

KEITH A. KREIMAN

S-3157

1 Amend Senate File 512 as follows:
 2 1. Page 4, by striking lines 27 and 28 and
 3 inserting the following:
 4 “a. The aggregate amount of all rebates”.

JEFF DANIELSON

S-3158

1 Amend Senate File 513 as follows:
 2 1. Page 1, by striking line 1 and inserting the
 3 following:
 4 “Section 1. Section 26.2, subsection 1, Code 2007,
 5 is amended to read as follows:
 6 1. “Estimated total cost of a public improvement”
 7 or “estimated total cost” means the estimated total
 8 cost to the governmental entity to construct a public
 9 improvement, including cost of labor, materials,
 10 equipment, and supplies, but excluding the cost of
 11 architectural, landscape architectural, or engineering

12 design services and inspection.

13 Sec. ____ Section 26.2, subsection 4, Code 2007,
14 is amended to read as follows:

15 4. "Repair or maintenance work" means the
16 preservation of a ~~road, street, bridge, culvert~~
17 building, storm sewer, sanitary sewer, or other public
18 facility or structure so that it remains in sound or
19 proper condition, including minor replacements and
20 additions as necessary to restore the public facility
21 or structure to its original condition with the same
22 design.

23 Sec. ____ Section 26.3, subsections 1 and 2, Code
24 2007, are".

25 2. Page 1, by striking lines 9 through 12 and
26 inserting the following: "to bidders shall be
27 published at least once, not less than four and not
28 more than forty-five days before the date for filing
29 bids, in a newspaper published at least once weekly
30 within the geographic area served by the governmental
31 entity. Additionally, the governmental entity may".

32 3. Page 1, by inserting after line 20 the
33 following:

34 "2. A governmental entity shall have an engineer
35 licensed under chapter 542B, a landscape architect
36 licensed under chapter 544B, or an architect
37 registered under chapter 544A prepare plans and
38 specifications, and calculate the estimated total cost
39 of a proposed public improvement.

40 Sec. ____ Section 26.4, Code 2007, is amended to
41 read as follows:

42 26.4 EXEMPTIONS FROM COMPETITIVE BIDS AND
43 QUOTATIONS.

44 Architectural, landscape architectural, or
45 engineering design services procured for a public
46 improvement are not subject to sections 26.3 and
47 26.14."

48 4. Page 4, by inserting after line 8 the
49 following: "Good faith effort shall include advising
50 all contractors who have filed with the governmental

Page 2

1 entity a request for notice of projects. The
2 governmental entity shall provide such notice in a
3 timely manner so that a requesting contractor will
4 have a reasonable opportunity to submit a competitive
5 quotation."

6 5. Page 4, line 12, by inserting after the word
7 "architect" the following: "landscape architect."

8 6. Page 4, line 12, by inserting after the figure
9 "542B" the following: "544B."

10 7. By striking page 4, line 24, through page 5,

- 11 line 27.
 12 8. Page 5, line 28, by striking the words “b.”
 13 c.” and inserting the following: “b.”
 14 9. Page 6, line 17, by striking the words “e.”
 15 d.” and inserting the following: “c.”
 16 10. By renumbering as necessary.

HERMAN C. QUIRMBACH

S-3159

- 1 Amend Senate File 369 as follows:
 2 1. Page 2, by inserting after line 9 the
 3 following:
 4 “Sec. ____ Section 49.53, unnumbered paragraph 1,
 5 Code 2007, is amended to read as follows:
 6 The commissioner shall not less than four nor more
 7 than twenty days before the day of each election,
 8 except those for which different publication
 9 requirements are prescribed by law, publish notice of
 10 the election. The notice shall contain a facsimile of
 11 the portion of the ballot containing the first
 12 rotation as prescribed by section 49.31, subsection 2,
 13 and shall show the names of all candidates or nominees
 14 and the office each seeks, and all public questions,
 15 to be voted upon at the election. The sample ballot
 16 published as a part of the notice may at the
 17 discretion of the commissioner be reduced in size
 18 relative to the actual ballot but such reduction shall
 19 not cause upper case letters appearing in candidates’
 20 names or in summaries of public measures on the
 21 published sample ballot to be less than ninety percent
 22 of the size of such upper case letters appearing on
 23 the actual ballot. The notice shall also state the
 24 date of the election, the hours the polls will be
 25 open, the location of each polling place at which
 26 voting is to occur in the election, the location of
 27 the polling places designated as early ballot pick-up
 28 sites, and the names of the precincts voting at each
 29 polling place, but the statement need not set forth
 30 any fact which is apparent from the portion of the
 31 ballot appearing as a part of the same notice. The
 32 notice shall include the full text of all public
 33 measures to be voted upon at the election. ~~The notice~~
 34 ~~shall also include notice of testing required pursuant~~
 35 ~~to sections 52.9, 52.35, and 52.38.”~~
 36 2. Page 6, by inserting after line 27 the
 37 following:
 38 “Sec. ____ Section 52.9, unnumbered paragraph 2,
 39 Code 2007, is amended to read as follows:
 40 It shall be the duty of the commissioner or the
 41 commissioner’s duly authorized agents to examine and

42 test the voting machines to be used at any election,
43 after the machines have been prepared for the election
44 and not less than twelve hours before the opening of
45 the polls on the morning of the election. For any
46 election to fill a partisan office, the county
47 chairperson of each political party referred to in
48 section 49.13 shall be notified in writing of the
49 date, time, and place the machines shall be
50 examined and tested so that they may be present, or

Page 2

1 have a representative present. For every election,
2 the commissioner shall ~~include the~~ publish notice of
3 the date, time, and place the examination and testing
4 will be conducted. The commissioner may include such
5 notice in the notice of the election published ~~as~~
6 ~~required by~~ pursuant to section 49.53. Those present
7 for the examination and testing shall sign a
8 certificate which shall read substantially as
9 follows:”

10 3. Page 7, by inserting after line 16 the
11 following:

12 “Sec. ____ Section 52.35, unnumbered paragraph 1,
13 Code 2007, is amended to read as follows:

14 ~~Within five days before~~ Before the date of any
15 election at which votes are to be cast by means of an
16 ~~electronic optical scan~~ voting system ~~and tabulated at~~
17 ~~a counting center established under section 52.34, the~~
18 commissioner ~~in charge of the counting center where~~
19 ~~votes so cast are to be tabulated~~ shall have the
20 automatic tabulating equipment, including the portable
21 tabulating devices, tested to ascertain that it will
22 correctly count the votes cast for all offices and on
23 all public questions. Testing shall be completed not
24 later than twelve hours before the opening of the
25 polls on the morning of the election. The procedure
26 for conducting the test shall be as follows:

27 Sec. ____ Section 52.35, subsections 1 and 3, Code
28 2007, are amended to read as follows:

29 1. For any election to fill a partisan office, the
30 county chairperson of each political party shall be
31 notified in writing of the date, time, and place the
32 test will be conducted, so that they may be present or
33 have a representative present. For every election,
34 the commissioner shall ~~include such~~ publish notice of
35 the date, time, and place the test will be conducted.
36 The commissioner may include such notice in the notice
37 of the election published ~~as required by~~ pursuant to
38 section 49.53. The test shall be open to the public.

39 3. The test group of ballots used for the test
40 shall be clearly labeled as such, and retained in the

41 ~~counting center commissioner's office. The test~~
 42 ~~prescribed in subsection 2 shall be repeated~~
 43 ~~immediately before the start of the official~~
 44 ~~tabulation of ballots cast in the election, and again~~
 45 ~~immediately after the tabulation is completed.~~ The
 46 test group of ballots and the programs used for the
 47 counting procedure shall be sealed, retained for the
 48 time required for and disposed of in the same manner
 49 as ballots cast in the election.
 50 Sec. ____ Section 52.35, Code 2007, is amended by

Page 3

1 adding the following new subsection:
 2 NEW SUBSECTION. 4. Those present for the test
 3 shall sign a certificate which shall read
 4 substantially as follows:
 5 The undersigned certify that we were present and
 6 witnessed the testing of the following tabulating
 7 devices, that we believe the devices are in proper
 8 condition for use in the election of (date);
 9 that following the test the vote totals were erased
 10 from the memory of each tabulating device and a report
 11 was produced showing that all vote totals in the
 12 memory were set at 0000; that the devices were
 13 securely locked or sealed; and that the serial numbers
 14 and locations of the devices which were tested are
 15 listed below.

16 Signed
 17 (name and political party affiliation,
 18 if applicable)
 19
 20 (name and political party affiliation,
 21 if applicable)
 22
 23 Voting equipment custodian
 24 Dated

25 Precinct	Location	Serial Number
26
27
28”

- 29 4. By striking page 10, line 16, through page 11, line 8.
 30 5. By striking page 17, line 34, through page 18, line 24.
 31 6. By renumbering, redesignating, and correcting internal
 32 references as necessary.

MICHAEL CONNOLLY

S—3160

1 Amend Senate File 559 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "DIVISION I
5 CEMETERY AND FUNERAL MERCHANDISE,
6 FUNERAL SERVICES, AND CEMETERIES — REGULATION
7 Section 1. Section 22.7, Code 2007, is amended by
8 adding the following new subsection:
9 NEW SUBSECTION. 58. Information filed with the
10 commissioner of insurance pursuant to sections
11 523A.204 and 523A.502A.
12 Sec. 2. Section 523A.102, subsection 6, Code 2007,
13 is amended to read as follows:
14 6. "Commissioner" means the commissioner of
15 insurance or the ~~deputy administrator authorized in~~
16 ~~section 523A.801 to the extent the commissioner~~
17 ~~delegates functions to the deputy administrator~~
18 commissioner's designee.
19 Sec. 3. Section 523A.102, subsection 11, Code
20 2007, is amended by striking the subsection.
21 Sec. 4. Section 523A.102, Code 2007, is amended by
22 adding the following new subsection:
23 NEW SUBSECTION. 26A. "Sales agent" means a
24 person, including an employee, who is authorized by a
25 seller to sell cemetery merchandise, funeral
26 merchandise, funeral services, or a combination
27 thereof, on behalf of the seller.
28 Sec. 5. Section 523A.102, subsection 27, Code
29 2007, is amended to read as follows:
30 27. "Seller" or "preneed seller" means a person
31 doing business within this state, including a person
32 doing business within this state who sells insurance,
33 who advertises, sells, promotes, or offers to furnish
34 cemetery merchandise, funeral merchandise, funeral
35 services, or a combination thereof when performance or
36 delivery may be more than one hundred twenty days
37 following the initial payment on the account whether
38 the transaction is completed or offered in person,
39 through the mail, over the telephone, by the internet,
40 or through any other means of commerce. "Seller" or
41 "preneed seller" includes any person performing any
42 term of a purchase agreement executed within this
43 state, and any person identified under a burial
44 account as the provider of cemetery merchandise,
45 funeral merchandise, funeral services, or a
46 combination thereof.
47 Sec. 6. Section 523A.201, subsection 3, Code 2007,
48 is amended to read as follows:
49 3. If a purchase agreement for cemetery
50 merchandise, funeral merchandise, funeral services, or

Page 2

1 a combination thereof provides that payments are to be
2 made in installments, the seller shall deposit eighty
3 percent of each payment in the trust fund until the
4 full amount required to be placed in trust has been
5 deposited. If the purchase agreement is financed with
6 or sold to a financial institution, the purchase
7 agreement shall be considered paid in full and the
8 trust requirements shall be satisfied within fifteen
9 days after the ~~close of the month in which the~~ seller
10 receives funds from the financial institution.

11 Sec. 7. Section 523A.201, subsection 5, Code 2007,
12 is amended by striking the subsection and inserting in
13 lieu thereof the following:

14 5. Unless a seller deposits all of each payment in
15 a trust fund that meets the requirements of this
16 section and section 523A.202, the seller shall have a
17 fidelity bond or similar insurance in an amount of not
18 less than fifty thousand dollars to protect against
19 the loss of purchaser payments not placed in trust
20 within the time period required by this section and
21 section 523A.202. The commissioner may require a
22 greater amount as the commissioner determines is
23 necessary. If the seller changes ownership, the
24 fidelity bond or similar insurance shall continue in
25 force for at least one year after the transfer of
26 ownership.

27 Sec. 8. Section 523A.201, subsections 8 and 10,
28 Code 2007, are amended to read as follows:

29 8. Interest or income earned on amounts deposited
30 in trust shall remain in trust under the same terms
31 and conditions as payments made under the purchase
32 agreement, ~~except that the seller may withdraw so much~~
33 ~~of the interest or income as represents the difference~~
34 ~~between the amount needed to adjust the trust funds~~
35 ~~for inflation as set by the commissioner based on the~~
36 ~~consumer price index and the interest or income earned~~
37 ~~during the preceding year not to exceed fifty percent~~
38 ~~of the total interest or income on a calendar year~~
39 ~~basis. The early withdrawal of interest or income~~
40 ~~under this provision does not affect the purchaser's~~
41 ~~right to a credit of such interest or income in the~~
42 ~~event of a nonguaranteed price agreement,~~
43 ~~cancellation, or nonperformance by the seller.~~

44 10. If a seller voluntarily or involuntarily
45 ceases doing business and the seller's obligation to
46 provide merchandise or services has not been assumed
47 by another ~~establishment~~ seller holding a current
48 ~~establishment permit~~ ~~preceed~~ seller's license, all
49 trust funds, including accrued interest or income,
50 shall be repaid to the purchaser within ~~one hundred~~

Page 3

1 ~~twenty~~ thirty days following the seller's cessation of
2 business ~~or, in the event of circumstances where a~~
3 ~~payment is not possible within one hundred twenty~~
4 ~~days, as soon as is reasonably practicable. A seller~~
5 ~~may petition the commissioner, upon a showing of good~~
6 ~~cause, for a longer period of time for repayment. A~~
7 ~~seller shall notify the commissioner at least thirty~~
8 ~~days prior to ceasing business.~~

9 Sec. 9. Section 523A.202, subsection 4, Code 2007,
10 is amended to read as follows:

11 4. This section does not prohibit moving trust
12 funds from one financial institution to another if the
13 commissioner is notified of the change within thirty
14 days of the transfer of the trust funds.

15 Sec. 10. Section 523A.203, Code 2007, is amended
16 by adding the following new subsection:

17 NEW SUBSECTION. 7. Unless proceeding under
18 section 523A.403, investment and management decisions
19 for all trust funds shall be made in accordance with
20 the provisions of section 633A.4302.

21 Sec. 11. Section 523A.204, Code 2007, is amended
22 by striking the section and inserting in lieu thereof
23 the following:

24 523A.204 PRENEED SELLER ANNUAL REPORTING
25 REQUIREMENTS.

26 1. A preneed seller shall file with the
27 commissioner not later than April 1 of each year an
28 annual report on a form prescribed by the
29 commissioner.

30 2. A preneed seller filing an annual report shall
31 pay a filing fee of ten dollars per purchase agreement
32 sold during the year covered by the report. Duplicate
33 fees are not required for the same purchase agreement.
34 If a purchase agreement has multiple sellers, the fee
35 shall be paid by the preneed seller actually providing
36 the merchandise and services.

37 3. All records maintained by the commissioner
38 under this section shall be confidential pursuant to
39 section 22.7, subsection 58, and shall not be made
40 available for inspection or copying except upon the
41 approval of the commissioner or the attorney general.

42 4. The commissioner shall levy an administrative
43 penalty in the amount of five hundred dollars against
44 a preneed seller that fails to file the annual report
45 when due, payable to the state for deposit in the
46 general fund of the state.

47 5. A preneed seller that fails to file the annual
48 report when due shall immediately cease soliciting or
49 executing purchase agreements until the annual report
50 is filed and any administrative penalty assessed has

Page 4

1 been paid.

2 Sec. 12. Section 523A.206, Code 2007, is amended
3 by striking the section and inserting in lieu thereof
4 the following:

5 523A.206 EXAMINATIONS — AUTHORITY AND SCOPE.

6 1. The commissioner may conduct an examination
7 under this chapter of any seller as often as the
8 commissioner deems appropriate. If a seller has a
9 trust arrangement, the commissioner shall conduct an
10 examination of such seller doing business in this
11 state not less than once every three years unless the
12 seller has provided to the commissioner, on an annual
13 basis, a certified copy of an audit conducted by an
14 independent certified public accountant verifying
15 compliance with this chapter. The commissioner may
16 require an audit of a seller, or other person by a
17 certified public accountant to verify compliance with
18 the requirements of this chapter, including rules
19 adopted and orders issued pursuant to this chapter.

20 2. A seller shall reimburse the division for the
21 expense of conducting the examination, including an
22 audit conducted by a certified public accountant,
23 unless the commissioner waives this requirement, or
24 the seller has previously provided to the commissioner
25 a certified copy of an audit conducted by an
26 independent certified public accountant verifying
27 compliance with this chapter for each year in question
28 and the examination conducted by the commissioner does
29 not disclose that the seller has not complied with
30 this chapter for the years in question. The expense
31 of an examination involving multiple sellers or other
32 persons shall be prorated among them upon any
33 reasonable basis as determined by the commissioner.

34 3. For purposes of completing an examination under
35 this chapter, the commissioner may examine or
36 investigate any person, or the business of any person,
37 if the examination or investigation is, in the sole
38 discretion of the commissioner, necessary or material
39 to the examination of the seller.

40 4. Upon determining that an examination should be
41 conducted, the commissioner may appoint one or more
42 examiners to perform the examination and instruct
43 those examiners as to the scope of the examination.

44 5. A seller, or other person from whom information
45 is sought, and its officers, directors, employees, and
46 agents shall provide to the examiners appointed under
47 subsection 4, timely, convenient, and free access at
48 their offices, at all reasonable hours, to all books,
49 records, accounts, papers, documents, and all
50 electronic or other recordings related to the

Page 5

1 property, assets, business, and affairs of the seller
2 being examined and shall facilitate the examination as
3 much as possible.

4 a. The refusal of a seller, by its officers,
5 directors, employees, or agents, to submit to an
6 examination or to comply with a reasonable written
7 request of an examiner shall constitute grounds for
8 the suspension, revocation, or nonrenewal of any
9 license held by the seller to engage in business
10 subject to the commissioner's jurisdiction.

11 b. If a seller declines or refuses to submit to an
12 examination as provided in this chapter, the
13 commissioner shall immediately suspend, revoke, or
14 nonrenew any license held by the seller or business to
15 engage in business subject to the commissioner's
16 jurisdiction, and shall report the commissioner's
17 action to the attorney general, who shall immediately
18 apply to the district court for the appointment of a
19 receiver to administer the final affairs of the
20 seller.

21 6. The commissioner shall not make information
22 obtained in the course of an examination public,
23 except when a duty under this chapter requires the
24 commissioner to take action against a seller or to
25 cooperate with another law enforcement agency, or when
26 the commissioner is called as a witness in a civil or
27 criminal proceeding.

28 7. This section shall not be construed to limit
29 the commissioner's authority to terminate or suspend
30 any examination in order to pursue other legal or
31 regulatory actions pursuant to this chapter. Findings
32 of fact and conclusions made pursuant to an
33 examination are deemed to be prima facie evidence in
34 any legal or regulatory action.

35 Sec. 13. NEW SECTION. 523A.207 AUDITS BY
36 CERTIFIED PUBLIC ACCOUNTANTS.

37 A purchase agreement shall not be sold or
38 transferred, as part of the sale of a business or the
39 assets of a business, until an audit has been
40 performed by a certified public accountant and filed
41 with the commissioner that expresses the auditor's
42 opinion of the adequacy of funding related to the
43 purchase agreements to be sold or transferred.

44 Sec. 14. Section 523A.404, subsection 1,
45 unnumbered paragraph 1, Code 2007, is amended to read
46 as follows:

47 Trust requirements do not apply to payments made
48 pursuant to a purchase agreement executed prior to
49 July 1, 2007, for outer burial containers made of
50 either polystyrene or polypropylene or cemetery

Page 6

1 merchandise delivered to the purchaser or stored in an
 2 independent third-party storage facility not owned or
 3 controlled by the seller when approved by the
 4 commissioner. The seller or the storage facility must
 5 demonstrate that they will do all of the following:

6 Sec. 15. Section 523A.404, subsection 1,
 7 paragraphs f and h, Code 2007, are amended to read as
 8 follows:

9 f. Use a method of storage that allows for visual
 10 ~~audits examinations~~ of the merchandise.

11 h. File a consent to be ~~audited examined~~ and
 12 inspected by the commissioner.

13 Sec. 16. Section 523A.501, Code 2007, is amended
 14 to read as follows:

15 523A.501 ~~ESTABLISHMENT PERMITS~~ PRENEED SELLERS
 16 LICENSES.

17 1. A person shall not advertise, sell, promote, or
 18 offer to furnish cemetery merchandise, funeral
 19 merchandise, funeral services, or a combination
 20 thereof when performance or delivery may be more than
 21 one hundred twenty days following the initial payment
 22 on the account without ~~an establishment permit a~~
 23 ~~preneed seller's license~~. ~~Each establishment must~~
 24 ~~have an establishment permit.~~

25 2. An application for ~~an establishment permit a~~
 26 ~~preneed seller's license~~ shall be filed on a form
 27 prescribed by the commissioner, ~~and~~ be accompanied by
 28 a fifty dollar filing fee, ~~and include a copy of each~~
 29 ~~purchase agreement the person will use for sales of~~
 30 ~~cemetery merchandise, funeral merchandise, funeral~~
 31 ~~services, or a combination thereof.~~

32 3. ~~The application shall contain:~~

33 a. ~~The name and address of the establishment.~~

34 b. ~~The name and address of any additional provider~~
 35 ~~of cemetery merchandise, funeral merchandise, funeral~~
 36 ~~services, or a combination thereof.~~

37 e. ~~The name and address of each owner, officer, or~~
 38 ~~other official of the establishment, including when~~
 39 ~~relevant the chief executive officer and the members~~
 40 ~~of the board of directors.~~

41 d. ~~A description of any common business enterprise~~
 42 ~~or parent company.~~

43 e. ~~The types of cemetery merchandise, funeral~~
 44 ~~merchandise, funeral services, or a combination~~
 45 ~~thereof to be sold.~~

46 f. ~~The types of trust or trust alternatives~~
 47 ~~utilized by the establishment and a list of the~~
 48 ~~financial institutions, storage facilities, surety~~
 49 ~~companies, and insurance companies utilized by the~~
 50 ~~establishment on a regular basis.~~

Page 7

1 ~~4. A permit holder shall inform the commissioner~~
2 ~~of changes in the information required to be provided~~
3 ~~by subsection 3 within thirty days of the change.~~

4 3. a. The commissioner shall request and obtain,
5 notwithstanding section 692.2, subsection 5, criminal
6 history data for any applicant for an initial license
7 issued pursuant to this section, any applicant for
8 reinstatement of a license issued pursuant to this
9 section, or any licensee who is being monitored as a
10 result of a commission order or agreement resolving an
11 administrative disciplinary action, for the purpose of
12 evaluating the applicant's or licensee's eligibility
13 for licensure or suitability for continued practice as
14 a preneed seller. The commissioner shall adopt rules
15 pursuant to chapter 17A to implement this section.
16 The commissioner shall inform the applicant or
17 licensee of the criminal history requirement and
18 obtain a signed waiver from the applicant or licensee
19 prior to submitting a criminal history data request.

20 b. A request for criminal history data shall be
21 submitted to the department of public safety, division
22 of criminal investigation, pursuant to section 692.2,
23 subsection 1. The commissioner may also require such
24 applicants or licensees to provide a full set of
25 fingerprints, in a form and manner prescribed by the
26 commission. Such fingerprints may be submitted to the
27 federal bureau of investigation through the state
28 criminal history repository for a national criminal
29 history check. The commissioner may authorize
30 alternate methods or sources for obtaining criminal
31 history record information. The commissioner may, in
32 addition to any other fees, charge and collect such
33 amounts as may be incurred by the commissioner, the
34 department of public safety, or the federal bureau of
35 investigation in obtaining criminal history
36 information. Amounts collected shall be considered
37 repayment receipts as defined in section 8.2.

38 c. Criminal history information relating to an
39 applicant or licensee obtained by the commissioner
40 pursuant to this section is confidential. The
41 commissioner may, however, use such information in a
42 license denial proceeding.

43 4. The commissioner shall request and obtain a
44 financial history for any applicant for an initial
45 license issued pursuant to this section, any applicant
46 for reinstatement of a license issued pursuant to this
47 section, or any licensee who is being monitored as a
48 result of a commission order or agreement resolving an
49 administrative disciplinary action, for the purpose of
50 evaluating the applicant's or licensee's eligibility

Page 8

1 for licensure or suitability for continued practice as
2 a preneed seller. "Financial history" means the
3 record of a person's current loans, the date of a
4 person's loans, the amount of the loans, the person's
5 payment record on the loans, current liens against the
6 person's property, and the person's most recent
7 financial statement setting forth the assets,
8 liabilities, and the net worth of the person.

9 5. ~~An establishment permit~~ A preneed seller's
10 license is not assignable or transferable. A ~~permit~~
11 ~~holder license~~ seller selling all or part of ~~an~~
12 ~~establishment~~ a business entity that has a preneed
13 seller's license shall cancel the ~~permit license~~, and
14 the purchaser shall apply for a new ~~permit license~~ in
15 the purchaser's name within thirty days of the sale.

16 6. If no denial order is in effect and no
17 proceeding is pending under section 523A.503, the
18 application becomes effective at noon of the thirtieth
19 day after a completed application or an amendment
20 completing the application is filed, unless waived by
21 the applicant. The commissioner may specify an
22 earlier effective date. Automatic effectiveness under
23 this subsection shall not be deemed approval of the
24 application. If the commissioner does not grant the
25 ~~permit license~~, the commissioner shall notify the
26 person in writing of the reasons for the denial.

27 7. ~~An initial permit is valid for two years from~~
28 ~~the date the application is filed. A permit may be~~
29 ~~renewed for two years by filing the form prescribed by~~
30 ~~the commissioner under subsection 2, accompanied by a~~
31 ~~ten dollar renewal fee. Submission of purchase~~
32 ~~agreements is not required for renewals unless the~~
33 ~~purchase agreements have been modified since the last~~
34 ~~filing. A preneed seller's license shall remain valid~~
35 ~~until it is denied, suspended, revoked, or~~
36 ~~surrendered.~~

37 8. The commissioner may by rule create or accept a
38 multijurisdiction ~~establishment permit preneed~~
39 ~~seller's license~~. If the ~~establishment permit preneed~~
40 ~~seller's license~~ is issued by another jurisdiction,
41 the rules shall require the filing of an application
42 or notice form and payment of the applicable filing
43 fee of fifty dollars for an ~~initial~~ application ~~and~~
44 ~~ten dollars for a renewal application~~. The
45 application or notice form utilized and the effective
46 dates and terms of the ~~permit license~~ may vary from
47 the provisions set forth in ~~subsections 2, 3, and 7~~
48 ~~this section~~.

49 Sec. 17. Section 523A.502, Code 2007, is amended
50 to read as follows:

Page 9

1 523A.502 SALES PERMITS AGENTS — LICENSES.

2 1. A person shall not advertise, sell, promote, or
3 offer to furnish cemetery merchandise, funeral
4 merchandise, funeral services, or a combination
5 thereof when performance or delivery may be more than
6 one hundred twenty days following initial payment on
7 the account ~~without unless the person has a sales~~
8 ~~permit. A permit holder must be an employee or~~
9 ~~license and is a sales agent of a person holding an~~
10 ~~establishment permit who can deliver the cemetery~~
11 ~~merchandise, funeral merchandise, funeral services, or~~
12 ~~a combination thereof being sold a preneed seller's~~
13 ~~license. A person must have a sales permit for each~~
14 ~~establishment at which the person works. However, a~~
15 ~~person may apply for a sales permit covering multiple~~
16 ~~establishments, if the establishments have common~~
17 ~~ownership. The establishment permit holder preneed~~
18 ~~seller license~~ is liable for the acts of its
19 ~~employees and sales~~ agents performed in advertising,
20 selling, promoting, or offering to furnish, upon the
21 future death of a person named or implied in a
22 purchase agreement, cemetery merchandise, funeral
23 merchandise, funeral services, or a combination
24 thereof.

25 2. This chapter does not permit a person to
26 practice mortuary science without a license. A person
27 holding a current sales ~~permit~~ license may advertise,
28 sell, promote, or offer to furnish a funeral
29 director's services as an employee or agent of a
30 funeral establishment furnishing the funeral services
31 under chapter 156.

32 3. An application for a sales ~~permit~~ license shall
33 be filed on a form prescribed by the commissioner and
34 be accompanied by a ~~five dollar~~ filing fee in an
35 amount set by the commissioner by rule.

36 ~~4. The application shall contain:~~

37 ~~a. The name and address of the person.~~

38 ~~b. The name and address of the person's employer~~
39 ~~and each establishment on whose behalf the person will~~
40 ~~be advertising, selling, promoting, or offering to~~
41 ~~furnish cemetery merchandise, funeral merchandise,~~
42 ~~funeral services, or a combination thereof.~~

43 ~~e. The name and address of the provider who will~~
44 ~~provide the cemetery merchandise, funeral merchandise,~~
45 ~~funeral services, or a combination thereof if~~
46 ~~different from the person's employer.~~

47 4. a. The commissioner shall request and obtain,
48 notwithstanding section 692.2, subsection 5, criminal
49 history data for any applicant for an initial license
50 issued pursuant to this section, any applicant for

Page 10

1 reinstatement of a license issued pursuant to this
2 section, or any licensee who is being monitored as a
3 result of a commission order or agreement resolving an
4 administrative disciplinary action, for the purpose of
5 evaluating the applicant's or licensee's eligibility
6 for licensure or suitability for continued practice as
7 a sales agent. The commissioner shall adopt rules
8 pursuant to chapter 17A to implement this section.
9 The commissioner shall inform the applicant or
10 licensee of the criminal history requirement and
11 obtain a signed waiver from the applicant or licensee
12 prior to submitting a criminal history data request.

13 b. A request for criminal history data shall be
14 submitted to the department of public safety, division
15 of criminal investigation, pursuant to section 692.2,
16 subsection 1. The commissioner may also require such
17 applicants or licensees, to provide a full set of
18 fingerprints, in a form and manner prescribed by the
19 commission. Such fingerprints may be submitted to the
20 federal bureau of investigation through the state
21 criminal history repository for a national criminal
22 history check. The commissioner may authorize
23 alternate methods or sources for obtaining criminal
24 history record information. The commissioner may, in
25 addition to any other fees, charge and collect such
26 amounts as may be incurred by the commissioner, the
27 department of public safety, or the federal bureau of
28 investigation in obtaining criminal history
29 information. Amounts collected shall be considered
30 repayment receipts as defined in section 8.2.

31 c. Criminal history information relating to an
32 applicant or licensee obtained by the commissioner
33 pursuant to this section is confidential. The
34 commissioner may, however, use such information in a
35 license denial proceeding.

36 5. An initial permit expires one year from the
37 date the application is filed. The permit may be
38 renewed for four years by filing the form prescribed
39 by the commissioner under subsection 3, accompanied by
40 a twenty dollar filing fee. The sales license shall
41 be valid until denied, suspended, revoked, or
42 surrendered.

43 6. A sales agent licensed pursuant to this section
44 shall satisfactorily fulfill continuing education
45 requirements for the license as prescribed by the
46 commissioner by rule.

47 6. 7. A permit holder sales licensee shall inform
48 the commissioner of changes in the information
49 required to be provided by subsection 4 in the
50 application within thirty days of the change.

Page 11

1 ~~7. 8.~~ A sales permit license is not assignable or
2 transferable. ~~An establishment selling all or part of~~
3 ~~its business to a purchaser shall cancel the~~
4 ~~establishment's sales permit. The purchaser shall~~
5 ~~apply for a new sales permit in the purchaser's name~~
6 ~~within thirty days of the sale.~~

7 ~~8. 9.~~ If no denial order is in effect and no
8 proceeding is pending under section 523A.503, the
9 application becomes effective at noon of the thirtieth
10 day after a completed application or an amendment
11 completing the application is filed, unless waived by
12 the applicant. The commissioner may specify an
13 earlier effective date. Automatic effectiveness under
14 this subsection shall not be deemed approval of the
15 application. If the commissioner does not grant the
16 permit license, the commissioner shall notify the
17 applicant in writing of the reasons for the denial.

18 ~~9. 10.~~ The commissioner may by rule create or
19 accept a multijurisdiction sales permit license. If
20 the sales permit license is issued by another
21 jurisdiction, the rules shall require the filing of an
22 application or notice form and payment of the
23 applicable filing fee ~~of five dollars for each year.~~
24 The application or notice form utilized and the
25 effective dates and terms of the permit license may
26 vary from the provisions set forth in subsections 3
27 and 5.

28 Sec. 18. NEW SECTION. 523A.502A SALES AGENT
29 ANNUAL REPORTING REQUIREMENTS.

30 1. A sales agent shall file with the commissioner
31 not later than April 1 of each year an annual report
32 on a form prescribed by the commissioner, including a
33 copy of each purchase agreement sold by the sales
34 agent during the year.

35 2. All records maintained by the commissioner
36 under this section shall be confidential pursuant to
37 section 22.7, subsection 58, and shall not be made
38 available for inspection or copying except upon the
39 approval of the commissioner or the attorney general.

40 3. The commissioner shall levy an administrative
41 penalty in the amount of five hundred dollars against
42 a sales agent who fails to file an annual report when
43 due, payable to the state for deposit in the general
44 fund.

45 4. A sales agent who fails to file the annual
46 report when due shall immediately cease soliciting or
47 executing purchase agreements until the annual report
48 is filed and any administrative penalty assessed has
49 been paid.

50 Sec. 19. Section 523A.503, Code 2007, is amended

Page 12

1 to read as follows:

2 523A.503 DENIAL, SUSPENSION, REVOCATION, AND
3 SURRENDER OF ~~PERMITS~~ LICENSES.

4 1. The commissioner may, pursuant to chapter 17A,
5 deny any ~~permit~~ license application, or immediately
6 suspend, revoke, or otherwise impose disciplinary
7 action related to any ~~permit~~ license issued under ~~this~~
8 ~~chapter section 523A.501 or 523A.502~~ for several
9 reasons, including but not limited to:

10 a. Committing a fraudulent act, engaging in a
11 fraudulent practice, or violating any provision of
12 this chapter or any implementing rule or order issued
13 under this chapter.

14 b. Violating any other state or federal law
15 applicable to the conduct of the applicant's or ~~permit~~
16 ~~holder's~~ licensee's business.

17 c. Insolvency or financial condition.

18 d. The ~~permit holder~~ licensee, for the purpose of
19 avoiding the trust requirement for funeral services,
20 attributes amounts paid under the purchase agreement
21 to cemetery merchandise or funeral merchandise that is
22 delivered under section 523A.404 rather than to
23 funeral services sold to the purchaser. The sale of
24 funeral services at a lower price when the sale is
25 made in conjunction with the sale of cemetery
26 merchandise or funeral merchandise to be delivered
27 under section 523A.404 than the services are regularly
28 and customarily sold for when not sold in conjunction
29 with cemetery merchandise or funeral merchandise is
30 evidence that the ~~permit holder~~ licensee is acting
31 with the purpose of avoiding the trust requirement for
32 funeral services under section 523A.201.

33 e. Engaging in a deceptive act or practice or
34 deliberately misrepresenting or omitting a material
35 fact regarding the sale of cemetery merchandise,
36 funeral merchandise, funeral services, or a
37 combination thereof under this chapter.

38 f. Conviction of a criminal offense involving
39 dishonesty or a false statement including but not
40 limited to fraud, theft, misappropriation of funds,
41 falsification of documents, deceptive acts or
42 practices, or other related offenses.

43 g. Inability to provide the cemetery merchandise,
44 funeral merchandise, funeral services, or a
45 combination thereof which the applicant or ~~permit~~
46 ~~holder~~ licensee purports to sell.

47 h. The applicant or ~~permit holder~~ licensee sells
48 the business without filing a prior notice of sale
49 with the commissioner. The ~~permit~~ license shall be
50 revoked thirty days following such sale.

Page 13

1 i. Selling by a person who is not ~~an employee or~~
2 ~~agent of the applicant or permit holder~~ a licensed
3 sales agent.

4 i. The applicant or licensee is named in an order
5 issued pursuant to section 523A.807, subsection 3,
6 paragraph "b".

7 2. The commissioner may, for good cause shown,
8 suspend any permit license for a period not exceeding
9 thirty days, pending investigation.

10 3. Except as provided in subsection 2, a permit
11 license shall not be revoked, suspended, or otherwise
12 be the subject of disciplinary action except after
13 notice and hearing under chapter 17A.

14 4. Any permit holder license may surrender a
15 permit license by delivering to the commissioner
16 written notice that the permit holder licensee
17 surrenders the permit license, but the surrender shall
18 not affect the permit holder's licensee's civil or
19 criminal liability for acts committed before the
20 surrender.

21 5. Denial, revocation, suspension, or surrender of
22 a permit license does not impair or affect the
23 obligation of any preexisting lawful agreement between
24 the permit holder licensee and any person.

25 ~~6. The commissioner may impose a civil penalty in~~
26 ~~an amount not exceeding ten thousand dollars per~~
27 ~~violation against any person violating this chapter.~~
28 ~~Each day of a continuing violation constitutes a~~
29 ~~separate offense.~~

30 Sec. 20. NEW SECTION. 523A.504 APPOINTMENT OF
31 SALES AGENTS.

32 1. A person shall not sell or offer to furnish
33 cemetery merchandise, funeral merchandise, funeral
34 services, or a combination thereof when performance or
35 delivery may be more than one hundred twenty days
36 following initial payment on the account except
37 through a sales agent who holds a sales license issued
38 pursuant to section 523A.502. If a person holding a
39 preneed seller's license appoints a sales agent to act
40 on behalf of the preneed seller, the person shall file
41 a notice of such appointment with the commissioner
42 within thirty days of the appointment, in a format
43 approved by the commissioner, and annually thereafter.

44 2. A preneed seller shall pay an annual fee of
45 five dollars for each sales agent appointed by the
46 preneed seller, which fee shall be submitted with the
47 annual report.

48 Sec. 21. Section 523A.601, subsection 1, paragraph
49 a, Code 2007, is amended to read as follows:

50 a. Identify the ~~seller~~ preneed seller by name and

Page 14

1 ~~license number, the salesperson's permit and~~
2 ~~establishment sales agent by name and permit license~~
3 ~~number, the expiration date of the salesperson's~~
4 ~~permit, the purchaser, and the person for whom the~~
5 cemetery merchandise, funeral merchandise, funeral
6 services, or a combination thereof is purchased, if
7 other than the purchaser.

8 Sec. 22. Section 523A.601, Code 2007, is amended
9 by adding the following new subsection:

10 NEW SUBSECTION. 6. a. A purchase agreement that
11 is funded by a trust shall include a conspicuous
12 statement in language substantially similar to the
13 following language:

14 "For your prearranged funeral agreement, we will
15 deposit not less than eighty percent of your payments
16 in trust at (name of financial institution), (street
17 address), (city), (state) (zip code) within fifteen
18 days following the end of the calendar month that we
19 received the funds. For your protection, you have the
20 right to contact the financial institution directly to
21 confirm that the deposit of these funds occurred as
22 required by law. If you are unable to confirm the
23 deposit of these funds in trust, you may contact the
24 Iowa insurance division for assistance by calling the
25 insurance division at (telephone number) or by mail at
26 (street address), (city), Iowa (zip code)."

27 b. A purchase agreement that is funded with an
28 insurance policy or an annuity shall include a
29 conspicuous statement in language substantially
30 similar to the following language:

31 "If an insurance policy or annuity is not purchased
32 to fund your prearranged funeral agreement, it is
33 possible that the seller may not be able to deliver on
34 the arrangements contained in the agreement due to
35 insufficient funding. An (insurance policy or
36 annuity) will be purchased from (name of issuer of the
37 policy or annuity), (street address), (city), (state)
38 (zip code). You should receive confirmation of the
39 purchase of an insurance policy or certificate, or an
40 annuity within sixty days of making payment. Delivery
41 of the actual insurance policy or certificate or
42 annuity shall also constitute confirmation. If you do
43 not receive confirmation that an insurance policy or
44 certificate or an annuity has been purchased or
45 receive the insurance policy or certificate or the
46 annuity, you should report this fact to the Iowa
47 insurance division, by calling the insurance division
48 at (telephone number). Written reports should be
49 mailed to the Iowa insurance division at (street
50 address), (city), Iowa (zip code)."

Page 15

1 c. A purchase agreement that is funded with a
2 surety bond shall include a conspicuous statement in
3 language substantially similar to the following
4 language:
5 "If a surety bond is not purchased to fund your
6 prearranged funeral agreement, it is possible that the
7 seller may not be able to deliver on the arrangements
8 contained in the agreement due to insufficient
9 funding. Coverage under a surety bond, in the amount
10 of \$(amount) will be purchased from (name of issuer of
11 surety bond), (street address), (city), (state) (zip
12 code) to fund your purchase. If you pay pursuant to
13 your purchase agreement with a single payment, you
14 should receive confirmation of the purchase of a
15 surety bond within sixty days of making the payment.
16 If you pay pursuant to your purchase agreement with
17 multiple, periodic payments, you should receive
18 confirmation of the purchase of a surety bond within
19 sixty days of making the first payment and within
20 sixty days of making the last payment pursuant to the
21 agreement. If you do not receive confirmation of
22 coverage under a surety bond within sixty days of
23 making the first payment and within sixty days of
24 making the last payment, you should report this fact
25 to the Iowa insurance division, by calling the
26 insurance division at (telephone number). Written
27 reports should be mailed to the Iowa insurance
28 division at (street address), (city), Iowa (zip
29 code)."

30 Sec. 23. NEW SECTION. 523A.603 SECURITY AND
31 NOTICE REQUIREMENTS.

32 1. If a purchase agreement is funded with an
33 insurance policy or an annuity, the purchaser shall
34 receive a notice thereof from the insurance company
35 within sixty days of making payment. The notice shall
36 include the name and address of the insurance company,
37 the policy number of the insurance policy that secures
38 the agreement, the name of the insured under the
39 insurance policy or annuity, and the amount of the
40 accumulated death benefit. Delivery of the insurance
41 policy or certificate or annuity shall satisfy this
42 notice requirement.

43 2. If a purchase agreement is funded by a surety
44 bond, the purchaser shall receive a notice from the
45 surety company that evidences coverage under the bond,
46 the name of the purchaser or beneficiary, and the
47 amount of coverage. If the purchase agreement is paid
48 with a single payment, the purchaser shall receive
49 notice of the surety bond within sixty days of making
50 the payment. If the purchase agreement is being paid

Page 16

1 with multiple, periodic payments, the purchaser shall
 2 receive notice of the surety bond within sixty days of
 3 making the last payment. Compliance with this notice
 4 requirement does not require a seller to purchase
 5 individual surety bonds for each purchaser and
 6 beneficiary. A seller may file a single bond with the
 7 commissioner.

8 Sec. 24. NEW SECTION. 523A.604 PURCHASE
 9 AGREEMENTS — NUMBERING.

10 Purchase agreements for cemetery merchandise,
 11 funeral merchandise, funeral services, or a
 12 combination thereof shall be sequentially numbered by
 13 each seller in compliance with procedures specified by
 14 the commissioner by rules adopted under chapter 17A.

15 Sec. 25. Section 523A.703, subsection 5, Code
 16 2007, is amended to read as follows:

17 5. Knowingly sells or offers cemetery merchandise,
 18 funeral merchandise, funeral services, or a
 19 combination thereof without ~~an establishment permit a~~
 20 preneed seller's license or a sales agent license.

21 Sec. 26. NEW SECTION. 523A.704 VIOLATIONS.

22 A person who willfully violates the provisions of
 23 section 523A.201, 523A.202, 523A.401, 523A.402,
 24 523A.403, 523A.404, 523A.405, 523A.501, or 523A.502 of
 25 this chapter or any rules adopted pursuant thereto is
 26 guilty of a class "D" felony.

27 Sec. 27. Section 523A.801, subsection 1, Code
 28 2007, is amended to read as follows:

29 1. This chapter shall be administered by the
 30 commissioner. ~~The deputy administrator appointed~~
 31 ~~pursuant to section 502.601 shall be the principal~~
 32 ~~operations officer responsible to the commissioner for~~
 33 ~~the routine administration of this chapter and~~
 34 ~~management of the administrative staff. In the~~
 35 ~~absence of the commissioner, whether because of~~
 36 ~~vacancy in the office due to absence, physical~~
 37 ~~disability, or other cause, the deputy administrator~~
 38 ~~shall, for the time being, have and exercise the~~
 39 ~~authority conferred upon the commissioner. The~~
 40 commissioner may ~~by order from time to time delegate~~
 41 ~~to the deputy administrator any or all of the~~
 42 ~~functions assigned to the commissioner in this~~
 43 ~~chapter. The deputy administrator shall employ~~
 44 officers, attorneys, accountants, and other employees
 45 as needed for administering this chapter.

46 Sec. 28. Section 523A.807, Code 2007, is amended
 47 by adding the following new subsections:

48 NEW SUBSECTION. 3. If the commissioner finds that
 49 a person has violated section 523A.201, 523A.202,
 50 523A.401, 523A.402, 523A.403, 523A.404, 523A.405,

Page 17

1 523A.501, or 523A.502 or any rule adopted pursuant
2 thereto, the commissioner may order any or all of the
3 following:

4 a. Payment of a civil penalty of not more than one
5 thousand dollars for each violation, but not exceeding
6 an aggregate of ten thousand dollars during any
7 six-month period, except that if the commissioner
8 finds that the person knew or reasonably should have
9 known that the person was in violation of such
10 provisions or rules adopted thereto, the penalty shall
11 be not more than five thousand dollars for each
12 violation, but not exceeding an aggregate of fifty
13 thousand dollars during any six-month period. The
14 commissioner shall assess the penalty on the employer
15 of an individual and not on the individual, if the
16 commissioner finds that the violations committed by
17 the individual were directed, encouraged, condoned,
18 ignored, or ratified by the individual's employer.

19 b. Issuance of an order prohibiting the person
20 committing a violation from selling funeral
21 merchandise, cemetery merchandise, funeral services,
22 or a combination thereof, and from managing,
23 operating, or otherwise exercising control over any
24 business entity that is subject to regulation under
25 this chapter or chapter 523I. A person who has been
26 named in such an order may contest the order by filing
27 a request for a contested case proceeding as provided
28 in chapter 17A and in accordance with rules adopted by
29 the commissioner. The commissioner may, pursuant to
30 chapter 17A, deny any application filed under section
31 523A.501 or 523A.502 if the applicant, or an officer,
32 director, or owner of the applicant is named in a
33 final order issued pursuant to this subsection.

34 NEW SUBSECTION. 4. The commissioner shall post on
35 the website of the division of insurance of the
36 department of commerce a list of all persons licensed
37 under chapter 523A and an index of orders issued by
38 the commissioner pertaining to such persons.

39 Sec. 29. Section 523A.811, subsection 1, Code
40 2007, is amended by adding the following new
41 paragraph:

42 NEW PARAGRAPH. f. A receivership has been
43 established for a cemetery subject to chapter 523I
44 that is owned or operated by a seller who is subject
45 to this chapter.

46 Sec. 30. Section 523A.811, Code 2007, is amended
47 by adding the following new subsection:

48 NEW SUBSECTION. 3. If a seller who is subject to
49 this chapter owns or operates a cemetery subject to
50 chapter 523I, for which a receivership has been

Page 18

1 established, the receivership provisions of section
2 523I.212 shall apply to any receivership established
3 under this section.

4 Sec. 31. Section 523A.812, Code 2007, is amended
5 to read as follows:

6 523A.812 INSURANCE DIVISION REGULATORY FUND.

7 The insurance division may authorize the creation
8 of a special revenue fund in the state treasury, to be
9 known as the insurance division regulatory fund. The
10 commissioner shall allocate annually from the fees
11 paid pursuant to section 523A.204, two dollars for
12 each purchase agreement reported on ~~an establishment~~
13 ~~permit holder's a preneed seller's~~ annual report filed
14 pursuant to section 523A.204 for deposit to the
15 regulatory fund. The remainder of the fees collected
16 pursuant to section 523A.204 shall be deposited into
17 the general fund of the state. The commissioner shall
18 also allocate annually the ~~audit examination~~ fees paid
19 pursuant to section 523A.814 and any examination
20 expense reimbursement for deposit to the regulatory
21 fund. The moneys in the regulatory fund shall be
22 retained in the fund. The moneys are appropriated
23 and, subject to authorization by the commissioner, may
24 be used to pay ~~auditors, audit~~ examiners, examination
25 expenses, investigative expenses, the expenses of
26 mediation ordered by the commissioner, consumer
27 education expenses, the expenses of a toll-free
28 telephone line to receive consumer complaints, and the
29 expenses of receiverships established under section
30 523A.811. If the commissioner determines that funding
31 is not otherwise available to reimburse the expenses
32 of a person who receives title to a cemetery subject
33 to chapter 523I, pursuant to such a receivership, the
34 commissioner shall use moneys in the regulatory fund
35 as necessary to preserve, protect, restore, and
36 maintain the physical integrity of that cemetery and
37 to satisfy claims or demands for cemetery merchandise,
38 funeral merchandise, and funeral services based on
39 purchase agreements which the commissioner determines
40 are just and outstanding. An annual allocation to the
41 regulatory fund shall not be imposed if the current
42 balance of the fund exceeds ~~two~~ five hundred thousand
43 dollars.

44 Sec. 32. Section 523A.814, Code 2007, is amended
45 to read as follows:

46 523A.814 ~~AUDIT~~ EXAMINATION FEE.

47 In addition to the filing fee paid pursuant to
48 section 523A.204, subsection 5 2, ~~an establishment a~~
49 ~~seller~~ filing an annual report shall pay an ~~audit~~
50 examination fee in the amount of five dollars for each

Page 19

1 purchase agreement subject to a filing fee that is
2 sold between July 1, 2005, and December 31, 2007, and
3 in the amount of ten dollars for each purchase
4 agreement subject to a filing fee that is sold after
5 December 31, 2007.

6 Sec. 33. Section 523I.102, subsections 3 and 8,
7 Code 2007, are amended to read as follows:

8 3. "Capital gains" means appreciation in the value
9 of trust assets for which a market value may be
10 determined with reasonable certainty after deduction
11 of investment losses, taxes, expenses incurred in the
12 sale of trust assets, any costs of the operation of
13 the trust, examination expenses, and any ~~annual~~ audit
14 ~~fees~~ expenses.

15 8. "Commissioner" means the commissioner of
16 insurance or the ~~deputy administrator authorized in~~
17 ~~section 523A.801 to the extent the commissioner~~
18 ~~delegates functions to the deputy administrator~~
19 commissioner's designee authorized in section
20 523A.801.

21 Sec. 34. Section 523I.102, subsection 17,
22 unnumbered paragraph 1, Code 2007, is amended to read
23 as follows:

24 "Income" means the return in money or property
25 derived from the use of trust principal after
26 deduction of investment losses, taxes, and expenses
27 incurred in the sale of trust assets, any cost of the
28 operation of the trust, examination expenses or fees,
29 and any ~~annual~~ audit ~~fees~~ expenses. "Income" includes
30 but is not limited to:

31 Sec. 35. Section 523I.201, subsection 1, Code
32 2007, is amended to read as follows:

33 1. This chapter shall be administered by the
34 commissioner. ~~The deputy administrator appointed~~
35 ~~purcuant to section 502.601 shall be the principal~~
36 ~~operations officer responsible to the commissioner for~~
37 ~~the routine administration of this chapter and~~
38 ~~management of the administrative staff. In the~~
39 ~~absence of the commissioner, whether because of~~
40 ~~vacancy in the office due to absence, physical~~
41 ~~disability, or other cause, the deputy administrator~~
42 ~~shall, for the time being, have and exercise the~~
43 ~~authority conferred upon the commissioner. The~~
44 ~~commissioner may by order from time to time delegate~~
45 ~~to the deputy administrator any or all of the~~
46 ~~functions assigned to the commissioner in this~~
47 ~~chapter. The deputy administrator shall employ~~
48 ~~officers, attorneys, accountants, and other employees~~
49 ~~as needed for administering this chapter.~~

50 Sec. 36. Section 523I.212, subsection 1, Code

Page 20

1 2007, is amended by adding the following new
2 paragraph:
3 NEW PARAGRAPH. d. A receivership has been
4 established for a seller subject to chapter 523A who
5 owns or operates a cemetery that is subject to this
6 chapter.

7 Sec. 37. Section 523I.212, subsection 2, Code
8 2007, is amended to read as follows:

9 2. The commissioner or attorney general may apply
10 to the district court in any county of the state for
11 the establishment of a receivership. Upon proof that
12 any of the conditions described in this section have
13 occurred, the court may grant a receivership. The
14 commissioner may request that the insurance division
15 be named as a receiver or that the court appoint a
16 third party as a receiver. If the division is
17 appointed as a receiver, the division shall not be
18 subject to the requirements concerning an oath and
19 surety bond contained in section 680.3.

20 Sec. 38. Section 523I.212, Code 2007, is amended
21 by adding the following new subsections:

22 NEW SUBSECTION. 3. In addition to the powers
23 granted to receivers under chapter 680, a receiver
24 appointed under this section shall be granted all
25 powers necessary to locate and to temporarily preserve
26 and protect perpetual care trust funds, consumer and
27 business assets, interment records, records of
28 consumer purchases of interment rights, and records of
29 consumer purchases of funeral services and funeral or
30 cemetery merchandise as defined in chapter 523A. The
31 receiver shall also be granted such powers as are
32 necessary in the course of the receivership to
33 temporarily preserve and protect a cemetery or burial
34 site and to temporarily restore or sustain cemetery
35 operations, including interments, as operating funds
36 or trust funds become available.

37 NEW SUBSECTION. 4. The commissioner may petition
38 the court to terminate a receivership at any time and
39 to enter such orders as are necessary to transfer the
40 duty to preserve and protect the physical integrity of
41 the cemetery or burial site, the interment records,
42 and other records documenting consumer purchases of
43 interment rights to the applicable governmental
44 subdivision, as provided in section 523I.316,
45 subsection 3. The court shall grant the petition if
46 following the first one hundred twenty days of the
47 receivership such duty to preserve and protect cannot
48 be reasonably assumed by a private entity,
49 association, or by other means.

50 Sec. 39. Section 523I.213, Code 2007, is amended

Page 21

1 to read as follows:

2 523I.213 INSURANCE DIVISION'S ENFORCEMENT FUND.

3 A special revenue fund in the state treasury, to be
4 known as the insurance division's enforcement fund, is
5 created under the authority of the commissioner. The
6 commissioner shall allocate annually from the ~~audit~~
7 examination fees paid pursuant to section 523I.808, an
8 amount not exceeding fifty thousand dollars, for
9 deposit to the insurance division's enforcement fund.

10 The moneys in the enforcement fund shall be retained
11 in the fund. The moneys are appropriated and, subject
12 to authorization by the commissioner, shall be used to
13 pay ~~auditors, audit examiners,~~ examination expenses,
14 investigative expenses, the expenses of consumer
15 education, compliance, and education programs for
16 filers and other regulated persons, and educational or
17 compliance program materials, the expenses of a
18 toll-free telephone line for consumer complaints, and
19 the expenses of receiverships of perpetual care
20 cemeteries established under section 523I.212.

21 Sec. 40. NEW SECTION. 523I.213A EXAMINATIONS —
22 AUTHORITY AND SCOPE.

23 1. The commissioner or the commissioner's designee
24 may conduct an examination under this chapter of any
25 cemetery as often as the commissioner deems
26 appropriate. If a cemetery has a trust arrangement,
27 the commissioner shall conduct an examination not less
28 than once every five years.

29 2. A cemetery shall reimburse the division for the
30 expense of conducting the examination unless the
31 commissioner waives this requirement. The expense of
32 an examination involving multiple cemeteries or other
33 persons shall be prorated among them upon any
34 reasonable basis as determined by the commissioner.

35 3. For purposes of completing an examination
36 pursuant to this chapter, the commissioner may examine
37 or investigate any person, or the business of any
38 person, if the examination or investigation is, in the
39 sole discretion of the commissioner, necessary or
40 material to the examination of the cemetery.

41 4. Upon determining that an examination should be
42 conducted, the commissioner or the commissioner's
43 designee may appoint one or more examiners to perform
44 the examination and instruct them as to the scope of
45 the examination.

46 5. A cemetery or person from whom information is
47 sought, and its officers, directors, and agents shall
48 provide to the examiners appointed under subsection 4,
49 timely, convenient, and free access at their offices,
50 at all reasonable hours, to all books, records,

Page 22

1 accounts, papers, documents, and all electronic or
2 other recordings related to the property, assets,
3 business, and affairs of the cemetery being examined
4 and shall facilitate the examination as much as
5 possible. If a cemetery, by its officers, directors,
6 employees, or agents, refuses to submit to an
7 examination as provided in this chapter, the
8 commissioner shall immediately report the refusal to
9 the attorney general, who shall then immediately apply
10 to district court for the appointment of a receiver to
11 administer the final affairs of the cemetery.

12 6. This section shall not be construed to limit
13 the commissioner's authority to terminate or suspend
14 any examination in order to pursue other legal or
15 regulatory actions pursuant to this chapter. Findings
16 of fact and conclusions made pursuant to an
17 examination are deemed to be prima facie evidence in
18 any legal or regulatory action.

19 Sec. 41. NEW SECTION. 523I.213B VENUE.

20 All actions relating to the enforcement of this
21 chapter shall be governed by the laws of the state of
22 Iowa. Venue of any action relating to enforcement of
23 this chapter may be in a court of competent
24 jurisdiction in Polk county, at the discretion of the
25 commissioner.

26 Sec. 42. Section 523I.305, subsection 3, Code
27 2007, is amended to read as follows:

28 3. SPECIFICATIONS. Upon request, a cemetery shall
29 provide reasonable written specifications and
30 instructions governing installation of memorials,
31 which shall apply to all installations whether
32 performed by the cemetery or another person. The
33 written specifications shall include provisions
34 governing hours of installation or any other relevant
35 administrative requirements of the cemetery. A copy
36 of these specifications and instructions shall be
37 provided upon request, without charge, to the owner of
38 the interment space, next of kin, or a personal
39 representative or agent of the owner, including the
40 person installing the memorial. The person installing
41 the memorial shall comply with the cemetery's written
42 installation specifications and instructions. In
43 order to verify that a memorial is installed on the
44 proper interment space in accordance with cemetery
45 rules and regulations, the cemetery shall mark the
46 place on the interment space where the memorial is to
47 be installed and shall inspect the installation when
48 completed. This subsection shall not be construed to
49 require that a cemetery lay out or engineer an
50 interment space for the installation of a memorial. A

Page 23

1 cemetery shall not adopt or enforce any rule
2 prohibiting the installation of a memorial by a
3 memorial dealer or independent third party, unless the
4 rule is ~~adopted~~ applicable to all memorials from
5 whatever source obtained and enforced uniformly for
6 all memorials installed in the cemetery.

7 Sec. 43. NEW SECTION. 523I.314A STANDARDS FOR
8 INTERMENT SPACES.

9 1. A standard interment space for full body
10 interment developed on or after July 1, 2007, shall
11 measure at least forty inches in width and ninety-six
12 inches in length.

13 2. Prior to the sale of interment rights in an
14 undeveloped area of a cemetery, internal reference
15 markers shall be installed and maintained no more than
16 one hundred feet apart. The internal reference
17 markers shall be established with reference to survey
18 markers that are no more than two hundred feet apart,
19 have been set by a surveyor and mapper, and have been
20 documented in a land survey. Both the map and the
21 land survey shall be maintained by the cemetery and
22 made available upon request to the commissioner and to
23 members of the public.

24 Sec. 44. Section 523I.808, Code 2007, is amended
25 to read as follows:

26 523I.808 AUDIT EXAMINATION FEE.

27 An audit examination fee shall be submitted with
28 the cemetery's annual report in an amount equal to
29 five dollars for each certificate of interment rights
30 issued during the fiscal year covered by the report.
31 The cemetery may charge the audit examination fee
32 directly to the purchaser of the interment rights.

33 Sec. 45. Section 523I.810, subsection 9, Code
34 2007, is amended to read as follows:

35 9. A cemetery may, by resolution adopted by a vote
36 of at least two-thirds of the members of its board at
37 any authorized meeting of the board, authorize the
38 withdrawal and use of not more than twenty percent of
39 the principal of the care fund to acquire additional
40 land for cemetery purposes, to repair a mausoleum or
41 other building or structure intended for cemetery
42 purposes, ~~or~~ to build, improve, or repair roads and
43 walkways in the cemetery, or to purchase recordkeeping
44 software used to maintain ownership records or
45 interment records. The resolution shall establish a
46 reasonable repayment schedule, not to exceed five
47 years, and provide for interest in an amount
48 comparable to the care fund's current rate of return
49 on its investments. However, the care fund shall not
50 be diminished below an amount equal to the greater of

Page 24

1 twenty-five thousand dollars or five thousand dollars
2 per acre of land in the cemetery. The resolution, and
3 either a bond or proof of insurance to guarantee
4 replenishment of the care fund, shall be filed with
5 the commissioner thirty days prior to the withdrawal
6 of funds.

7 Sec. 46. Section 523I.813, subsection 1, Code
8 2007, is amended by striking the subsection and
9 inserting in lieu thereof the following:

10 1. A perpetual care cemetery shall file an annual
11 report at the end of each fiscal year of the cemetery.

12 Sec. 47. Section 523I.813, Code 2007, is amended
13 by adding the following new subsection:

14 NEW SUBSECTION. 3. The commissioner shall levy an
15 administrative penalty in the amount of five hundred
16 dollars against a cemetery that fails to file the
17 annual report when due, payable to the state for
18 deposit in the general fund of the state.

19 DIVISION II

20 COORDINATING AMENDMENTS

21 Sec. 48. Section 523A.102, subsection 9,
22 paragraphs b and c, Code 2007, are amended to read as
23 follows:

24 b. If authorized by a purchaser under a purchase
25 agreement, cemetery merchandise has been permanently
26 identified with the name of the purchaser or the
27 beneficiary and delivered to a bonded warehouse or
28 storage facility approved by the commissioner and both
29 title to the merchandise and a warehouse receipt have
30 been delivered to the purchaser or beneficiary and a
31 copy of the warehouse receipt has been delivered to
32 the ~~establishment~~ seller for retention in its files.

33 c. If authorized by a purchaser under a purchase
34 agreement, a polystyrene or polypropylene outer burial
35 container has been permanently identified with the
36 name of the purchaser or the beneficiary and delivered
37 to a bonded warehouse or storage facility approved by
38 the commissioner and both title to the merchandise and
39 a warehouse receipt have been delivered to the
40 purchaser or beneficiary and a copy of the warehouse
41 receipt has been delivered to the ~~establishment~~ seller
42 for retention in its files.

43 Sec. 49. Section 523A.102, subsection 21, Code
44 2007, is amended to read as follows:

45 21. "Parent company" means a corporation that has
46 a controlling interest in ~~an establishment~~ a seller.

47 Sec. 50. Section 523A.205, subsection 1, Code
48 2007, is amended to read as follows:

49 1. A financial institution shall file with the
50 commissioner not later than March 1 of each year an

Page 25

1 annual report on a form prescribed by the commissioner
2 showing all funds deposited by ~~an establishment a~~
3 ~~seller~~ under a trust agreement during the previous
4 year. Each report shall contain all information
5 requested.

6 Sec. 51. Section 523A.401, subsection 5,
7 paragraphs a and b, Code 2007, are amended to read as
8 follows:

9 a. Except as necessary and appropriate to satisfy
10 the requirements regarding burial trust funds under
11 Title XIX of the federal Social Security Act, the
12 policy shall not be owned by the ~~establishment seller~~,
13 the policy shall not be irrevocably assigned to the
14 ~~establishment seller~~, and the assignment of proceeds
15 from the insurance policy to the ~~establishment seller~~
16 shall be limited to the ~~establishment's seller's~~
17 interests as they appear in the purchase agreement,
18 and conditioned on the ~~establishment's seller's~~
19 delivery of cemetery merchandise, funeral merchandise,
20 and funeral services pursuant to a purchase agreement.

21 b. The policy shall provide that any assignment of
22 benefits is contingent upon the ~~establishment's~~
23 ~~seller's~~ delivery of cemetery merchandise, funeral
24 merchandise, and funeral services pursuant to a
25 purchase agreement.

26 Sec. 52. Section 523A.401, subsection 6,
27 unnumbered paragraph 1, Code 2007, is amended to read
28 as follows:

29 With the written consent of the purchaser, an
30 existing prepaid purchase agreement with trust-funded
31 benefits may be converted to a prepaid purchase
32 agreement with insurance-funded benefits provided the
33 ~~establishment seller~~ and the insurance benefits comply
34 with the following provisions:

35 Sec. 53. Section 523A.401, subsection 6, paragraph
36 d, Code 2007, is amended to read as follows:

37 d. The ~~establishment seller~~ shall maintain a copy
38 of any prepaid trust-funded purchase agreement that
39 was converted to a prepaid insurance-funded purchase
40 agreement and retain the payment history records for
41 each converted purchase agreement prior to conversion
42 until the cemetery merchandise, funeral merchandise,
43 and funeral services have been delivered.

44 Sec. 54. Section 523A.401, subsection 8, Code
45 2007, is amended to read as follows:

46 8. An insurance company issuing policies funding
47 purchase agreements subject to this chapter shall file
48 an annual report with the commissioner on a form
49 prescribed by the commissioner. The report shall list
50 the applicable insurance policies outstanding for each

Page 26

1 ~~establishment seller~~. Computer printouts may be
2 submitted so long as each legibly provides the same
3 information required in the prescribed form.

4 Sec. 55. Section 523A.402, subsection 5,
5 paragraphs a and b, Code 2007, are amended to read as
6 follows:

7 a. Except as necessary and appropriate to satisfy
8 the requirements regarding burial trust funds under
9 Title XIX of the federal Social Security Act, the
10 annuity shall not be owned by the ~~establishment seller~~
11 or irrevocably assigned to the ~~establishment seller~~
12 and any designation of the ~~establishment seller~~ as a
13 beneficiary shall not be made irrevocable.

14 b. The annuity shall provide that any assignment
15 of benefits is contingent upon the ~~establishment's~~
16 ~~seller's~~ delivery of cemetery merchandise, funeral
17 merchandise, and funeral services pursuant to a
18 purchase agreement.

19 Sec. 56. Section 523A.402, subsection 6,
20 unnumbered paragraph 1, Code 2007, is amended to read
21 as follows:

22 With the written consent of the purchaser, an
23 existing prepaid purchase agreement with trust-funded
24 benefits may be converted to a prepaid purchase
25 agreement with annuity-funded benefits provided the
26 ~~establishment seller~~ and the annuity benefits comply
27 with the following provisions:

28 Sec. 57. Section 523A.402, subsection 6, paragraph
29 d, Code 2007, is amended to read as follows:

30 d. The ~~establishment seller~~ shall maintain a copy
31 of any prepaid trust-funded purchase agreement that
32 was converted to a prepaid annuity-funded purchase
33 agreement and retain the payment history records for
34 each converted purchase agreement prior to conversion
35 until the cemetery merchandise, funeral merchandise,
36 and funeral services have been delivered.

37 Sec. 58. Section 523A.402, subsection 8, Code 2007,
38 is amended to read as follows:

39 8. An insurance company issuing annuities funding
40 purchase agreements subject to this chapter shall file
41 an annual report with the commissioner on a form
42 prescribed by the commissioner. The report shall list
43 the applicable annuities outstanding for each
44 ~~establishment seller~~. Computer printouts may be
45 submitted so long as each legibly provides the same
46 information required in the prescribed form.

47 Sec. 59. Section 523A.404, subsection 4, Code
48 2007, is amended to read as follows:

49 4. ~~An establishment A seller~~ is prohibited from
50 requiring delivery as a condition of the sale.

Page 27

1 Sec. 60. Section 523A.405, subsection 9,
2 unnumbered paragraph 1, Code 2007, is amended to read
3 as follows:

4 With the consent of the purchaser, an existing
5 prepaid purchase agreement with trust-funded benefits
6 may be converted to a prepaid purchase agreement
7 funded by a surety bond provided the ~~establishment~~
8 seller and the surety bond comply with the following
9 provisions:

10 Sec. 61. Section 523A.405, subsection 9, paragraph
11 c, Code 2007, is amended to read as follows:

12 c. The ~~establishment~~ seller shall maintain a copy
13 of any prepaid trust-funded agreement that was
14 converted to a prepaid purchase agreement funded by a
15 surety bond and retain the payment history records for
16 each converted purchase agreement prior to conversion
17 until the cemetery merchandise, funeral merchandise,
18 and funeral services have been delivered.

19 Sec. 62. Section 523A.601, subsection 2, paragraph
20 e, Code 2007, is amended to read as follows:

21 e. State clearly that the purchaser is entitled to
22 transfer the trust funding, insurance funding, or
23 other trust assets or select another ~~establishment~~
24 seller to receive the trust funding, insurance
25 funding, or any other trust assets.

26 Sec. 63. Section 523A.601, subsection 5, paragraph
27 h, Code 2007, is amended to read as follows:

28 h. If the funding is being transferred from
29 another ~~establishment~~ seller, any material facts
30 related to the revocation of the prior purchase
31 agreement and the transfer of the existing trust
32 funds.

33 Sec. 64. Section 523A.602, subsection 2, paragraph
34 b, subparagraphs (1) and (2), Code 2007, are amended
35 to read as follows:

36 (1) If a purchase agreement is canceled, a
37 purchaser requests a transfer of the trust assets upon
38 cancellation of a purchase agreement, or another
39 ~~establishment~~ seller provides merchandise or services
40 designated in a purchase agreement, the seller shall
41 refund or transfer within thirty days of receiving a
42 written demand no less than the purchase price of the
43 applicable cemetery merchandise, funeral merchandise,
44 and funeral services adjusted for inflation, using the
45 consumer price index amounts announced by the
46 commissioner annually, less any actual expenses
47 incurred by the seller pursuant to the purchase
48 agreement as set forth in the purchase agreement under
49 section 523A.601, subsection 1, paragraph "f". The
50 amount of the actual expenses deducted by the seller

Page 28

1 shall not exceed ten percent of the purchase price of
2 the applicable cemetery merchandise, funeral
3 merchandise, and funeral services. The seller may
4 also deduct the value of the cemetery merchandise,
5 funeral merchandise, and funeral services already
6 received by, delivered to, or warehoused for the
7 purchaser.

8 (2) If a purchase agreement is canceled before the
9 purchase price is paid in full, a purchaser requests a
10 transfer of the trust assets upon cancellation of a
11 purchase agreement before the purchase price is paid
12 in full, or another ~~establishment seller~~ provides
13 cemetery merchandise, funeral merchandise, funeral
14 services, or a combination thereof, designated in a
15 purchase agreement before the purchase price is paid
16 in full, the seller shall refund or transfer within
17 thirty days of receiving a written demand no less than
18 the amount paid by the purchaser, less any actual
19 expenses incurred by the seller pursuant to the
20 purchase agreement as set forth in the purchase
21 agreement under section 523A.601, subsection 1,
22 paragraph "f". The amount of the actual expenses
23 deducted by the seller shall not exceed ten percent of
24 the total original purchase price of the applicable
25 cemetery merchandise, funeral merchandise, funeral
26 services, or a combination thereof. The seller may
27 also deduct the value of the cemetery merchandise,
28 funeral merchandise, and funeral services already
29 received by, delivered to, or warehoused for the
30 purchaser.

31 Sec. 65. Section 523A.602, subsection 2, paragraph
32 b, subparagraph (3), unnumbered paragraph 1, Code
33 2007, is amended to read as follows:

34 For the purposes of this paragraph "b", "actual
35 expenses" means all reasonable business expenses of ~~an~~
36 ~~establishment a seller~~ that are associated with the
37 sale of cemetery merchandise, funeral merchandise,
38 funeral services, or a combination thereof. "Actual
39 expenses" includes but is not limited to the
40 following:

41 Sec. 66. Section 523A.602, subsection 2, paragraph
42 b, subparagraph (3), subparagraph subdivisions (d) and
43 (g), Code 2007, are amended to read as follows:

44 (d) Licensing fees of the ~~establishment seller~~.

45 (g) Expenses related to employees of the
46 ~~establishment seller~~ such as licensing fees,
47 continuing education, and salaries and commissions.

48 Sec. 67. Section 523A.802, subsection 1, Code
49 2007, is amended to read as follows:

50 1. This chapter applies to any advertisement,

Page 29

1 sale, promotion, or offer made by a person to furnish,
2 upon the future death of a person named or implied in
3 a purchase agreement, cemetery merchandise, funeral
4 merchandise, funeral services, or a combination
5 thereof. Burial accounts and insurance policies are
6 included if the account records or related documents
7 identify the ~~establishment~~ seller that will provide
8 the cemetery merchandise, funeral merchandise, funeral
9 services, or a combination thereof.

10 Sec. 68. Section 523A.803, subsection 1, paragraph
11 d, Code 2007, is amended to read as follows:

12 d. Investigate the ~~establishment~~ seller and
13 examine the books, accounts, papers, correspondence,
14 memoranda, purchase agreements, files, or other
15 documents or records used by every applicant and
16 ~~permit holder~~ licensee under this chapter.

17 Sec. 69. Section 523A.804, unnumbered paragraph 1,
18 Code 2007, is amended to read as follows:

19 The commissioner may order ~~an establishment a~~
20 seller to participate in mediation in any dispute
21 regarding a purchase agreement. Mediation performed
22 under this section shall be conducted by a mediator
23 appointed by the commissioner and shall comply with
24 the provisions of chapter 679C.

25 Sec. 70. Section 523A.806, subsection 2, Code
26 2007, is amended to read as follows:

27 2. Revocation or suspension of any ~~permit~~ license
28 issued under this chapter.

29 Sec. 71. Section 523A.901, subsection 1, Code
30 2007, is amended to read as follows:

31 1. GROUNDS FOR LIQUIDATION. The commissioner may
32 petition the district court for an order directing the
33 commissioner to liquidate ~~an establishment the~~
34 business of a seller on either of the following
35 grounds:

36 a. The ~~establishment~~ seller did not deposit funds
37 pursuant to section 523A.201 or withdrew funds in a
38 manner inconsistent with this chapter and is
39 insolvent.

40 b. The ~~establishment~~ seller did not deposit funds
41 pursuant to section 523A.201 or withdrew funds in a
42 manner inconsistent with this chapter and the
43 condition of the ~~establishment~~ seller is such that
44 further transaction of business would be hazardous,
45 financially or otherwise, to purchasers or the public.

46 Sec. 72. Section 523A.901, subsection 2,
47 paragraphs a, b, c, and e, Code 2007, are amended to
48 read as follows:

49 a. An order to liquidate the business of ~~an~~
50 ~~establishment~~ a seller shall appoint the commissioner

Page 30

1 as liquidator and shall direct the liquidator to
2 immediately take possession of the assets of the
3 ~~establishment seller~~ and to administer them under the
4 general supervision of the court. The liquidator is
5 vested with the title to the property, contracts, and
6 rights of action and the books and records of the
7 ~~establishment seller~~ ordered liquidated, wherever
8 located, as of the entry of the final order of
9 liquidation. The filing or recording of the order
10 with the clerk of court and the recorder of deeds of
11 the county in which its principal office or place of
12 business is located, or in the case of real estate,
13 with the recorder of deeds of the county where the
14 property is located, is notice as a deed, bill of
15 sale, or other evidence of title duly filed or
16 recorded with the recorder of deeds.

17 b. Upon issuance of an order, the rights and
18 liabilities of ~~an establishment a seller~~ and of the
19 ~~establishment's seller's~~ creditors, purchasers,
20 owners, and other persons interested in the
21 ~~establishment's seller's~~ estate shall become fixed as
22 of the date of the entry of the order of liquidation,
23 except as provided in subsection 14.

24 c. At the time of petitioning for an order of
25 liquidation, or at any time after the time of
26 petitioning, the commissioner, after making
27 appropriate findings of ~~an establishment's a seller's~~
28 insolvency, may petition the court for a declaration
29 of insolvency. After providing notice and hearing as
30 it deems proper, the court may make the declaration.

31 e. Within five days after the initiation of an
32 appeal of an order of liquidation, which order has not
33 been stayed, the commissioner shall present for the
34 court's approval a plan for the continued performance
35 of the ~~establishment's seller's~~ obligations during the
36 pendency of an appeal. The plan shall provide for the
37 continued performance of purchase agreements in the
38 normal course of events, notwithstanding the grounds
39 alleged in support of the order of liquidation
40 including the ground of insolvency. If the defendant
41 ~~establishment's seller's~~ financial condition, in the
42 judgment of the commissioner, will not support the
43 full performance of all obligations during the appeal
44 pendency period, the plan may prefer the claims of
45 certain purchasers and claimants over creditors and
46 interested parties as well as other purchasers and
47 claimants, as the commissioner finds to be fair and
48 equitable considering the relative circumstances of
49 such purchasers and claimants. The court shall
50 examine the plan submitted by the commissioner and if

Page 31

1 it finds the plan to be in the best interests of the
2 parties, the court shall approve the plan. An action
3 shall not lie against the commissioner or any of the
4 commissioner's deputies, agents, clerks, assistants,
5 or attorneys by any party based on preference in an
6 appeal pendency plan approved by the court.

7 Sec. 73. Section 523A.901, subsection 3, paragraph
8 a, subparagraphs (4), (6), (7), (8), (9), (10), (11),
9 (12), (13), (14), (17), and (18), Code 2007, are
10 amended to read as follows:

11 (4) Pay reasonable compensation to persons
12 appointed and defray from the funds or assets of the
13 ~~establishment seller~~ all expenses of taking possession
14 of, conserving, conducting, liquidating, disposing of,
15 or otherwise dealing with the business and property of
16 the ~~establishment seller~~. If the property of the
17 ~~establishment seller~~ does not contain sufficient cash
18 or liquid assets to defray the costs incurred, the
19 commissioner may advance the costs so incurred out of
20 the insurance division regulatory fund. Amounts so
21 advanced for expenses of administration shall be
22 repaid to the insurance division regulatory fund for
23 the use of the division out of the first available
24 moneys of the ~~establishment seller~~.

25 (6) Collect debts and moneys due and claims
26 belonging to the ~~establishment seller~~, wherever
27 located. Pursuant to this subparagraph, the
28 liquidator may do any of the following:

29 (a) Institute timely action in other jurisdictions
30 to forestall garnishment and attachment proceedings
31 against debts.

32 (b) Perform acts as are necessary or expedient to
33 collect, conserve, or protect its assets or property,
34 including the power to sell, compound, compromise, or
35 assign debts for purposes of collection upon terms and
36 conditions as the liquidator deems best.

37 (c) Pursue any creditor's remedies available to
38 enforce claims.

39 (7) Conduct public and private sales of the
40 property of the ~~establishment seller~~.

41 (8) Use assets of the ~~establishment seller~~ under a
42 liquidation order to transfer obligations of purchase
43 agreements to a solvent ~~establishment seller~~, if the
44 transfer can be accomplished without prejudice to the
45 applicable priorities under subsection 18.

46 (9) Acquire, hypothecate, encumber, lease,
47 improve, sell, transfer, abandon, or otherwise dispose
48 of or deal with property of the ~~establishment seller~~
49 at its market value or upon terms and conditions as
50 are fair and reasonable. The liquidator shall also

Page 32

1 have power to execute, acknowledge, and deliver deeds,
2 assignments, releases, and other instruments necessary
3 to effectuate a sale of property or other transaction
4 in connection with the liquidation.

5 (10) Borrow money on the security of the
6 ~~establishment's seller's~~ assets or without security
7 and execute and deliver documents necessary to that
8 transaction for the purpose of facilitating the
9 liquidation. Money borrowed pursuant to this
10 subparagraph shall be repaid as an administrative
11 expense and shall have priority over any other class 1
12 claims under the priority of distribution established
13 in subsection 18.

14 (11) Enter into contracts as necessary to carry
15 out the order to liquidate and affirm or disavow
16 contracts to which the ~~establishment seller~~ is a
17 party.

18 (12) Continue to prosecute and to institute in the
19 name of the ~~establishment seller~~ or in the
20 liquidator's own name any and all suits and other
21 legal proceedings, in this state or elsewhere, and to
22 abandon the prosecution of claims the liquidator deems
23 unprofitable to pursue further.

24 (13) Prosecute an action on behalf of the
25 creditors, purchasers, or owners against an officer of
26 the ~~establishment seller~~ or any other person.

27 (14) Remove records and property of the
28 ~~establishment seller~~ to the offices of the
29 commissioner or to other places as may be convenient
30 for the purposes of efficient and orderly execution of
31 the liquidation.

32 (17) File necessary documents for recording in the
33 office of the recorder of deeds or record office in
34 this state or elsewhere where property of the
35 ~~establishment seller~~ is located.

36 (18) Assert defenses available to the
37 ~~establishment seller~~ against third persons including
38 statutes of limitations, statutes of fraud, and the
39 defense of usury. A waiver of a defense by the
40 ~~establishment seller~~ after a petition in liquidation
41 has been filed shall not bind the liquidator.

42 Sec. 74. Section 523A.901, subsection 4, paragraph
43 a, subparagraphs (1) and (2), Code 2007, are amended
44 to read as follows:

45 (1) Mailing notice, by first-class mail, to all
46 persons known or reasonably expected to have claims
47 against the ~~establishment seller~~, including
48 purchasers, at their last known address as indicated
49 by the records of the ~~establishment seller~~.

50 (2) Publication of notice in a newspaper of

Page 33

1 general circulation in the county in which the
2 ~~establishment seller~~ has its principal place of
3 business and in other locations as the liquidator
4 deems appropriate.

5 Sec. 75. Section 523A.901, subsection 4, paragraph
6 c, Code 2007, is amended to read as follows:

7 c. If notice is given pursuant to this subsection,
8 the distribution of assets of the ~~establishment seller~~
9 under this chapter shall be conclusive with respect to
10 claimants, whether or not a claimant actually received
11 notice.

12 Sec. 76. Section 523A.901, subsection 5, Code
13 2007, is amended to read as follows:

14 5. ACTIONS BY AND AGAINST LIQUIDATOR.

15 a. After issuance of an order appointing a
16 liquidator of ~~an establishment~~ the business of a
17 seller, an action at law or equity shall not be
18 brought against the ~~establishment seller~~ within this
19 state or elsewhere, and existing actions shall not be
20 maintained or further presented after issuance of the
21 order. Whenever in the liquidator's judgment,
22 protection of the estate of the ~~establishment seller~~
23 necessitates intervention in an action against the
24 ~~establishment seller~~ that is pending outside this
25 state, the liquidator may intervene in the action.
26 The liquidator may defend, at the expense of the
27 estate of the ~~establishment seller~~, an action in which
28 the liquidator intervenes under this section.

29 b. Within two years or such additional time as
30 applicable law may permit, the liquidator, after the
31 issuance of an order for liquidation, may institute a
32 action or proceeding on behalf of the estate of the
33 ~~establishment seller~~ upon any cause of action against
34 which the period of limitation fixed by applicable law
35 has not expired at the time of the filing of the
36 petition upon which the order is entered. If a period
37 of limitation is fixed by agreement for instituting a
38 suit or proceeding upon a claim, or for filing a
39 claim, proof of claim, proof of loss, demand, notice,
40 or the like, or if in a proceeding, judicial or
41 otherwise, a period of limitation is fixed in the
42 proceeding or pursuant to applicable law for taking an
43 action, filing a claim or pleading, or doing an act,
44 and if the period has not expired at the date of the
45 filing of the petition, the liquidator may, for the
46 benefit of the estate, take any action or do any act,
47 required of or permitted to the ~~establishment seller~~,
48 within a period of one hundred eighty days subsequent
49 to the entry of an order for liquidation, or within a
50 further period as is shown to the satisfaction of the

Page 34

1 court not to be unfairly prejudicial to the other
2 party.
3 c. A statute of limitations or defense of laches
4 shall not run with respect to an action against ~~an~~
5 ~~establishment a seller~~ between the filing of a
6 petition for liquidation against the ~~establishment~~
7 ~~business of a seller~~ and the denial of the petition.
8 An action against the ~~establishment seller~~ that might
9 have been commenced when the petition was filed may be
10 commenced within sixty days after the petition is
11 denied.

12 Sec. 77. Section 523A.901, subsection 6, paragraph
13 a, Code 2007, is amended to read as follows:

14 a. As soon as practicable after the liquidation
15 order but not later than one hundred twenty days after
16 such order, the liquidator shall prepare in duplicate
17 a list of the ~~establishment's seller's~~ assets. The
18 list shall be amended or supplemented as the
19 liquidator may determine. One copy shall be filed in
20 the office of the clerk of court, and one copy shall
21 be retained for the liquidator's files. Amendments
22 and supplements shall be similarly filed.

23 Sec. 78. Section 523A.901, subsection 7, paragraph
24 a, Code 2007, is amended to read as follows:

25 a. A transfer made and an obligation incurred by
26 ~~an establishment a seller whose business is~~ within one
27 year prior to the filing of a successful petition for
28 liquidation under this chapter is fraudulent as to
29 then existing and future creditors if made or incurred
30 without fair consideration, or with actual intent to
31 hinder, delay, or defraud either existing or future
32 creditors. A fraudulent transfer made or an
33 obligation incurred by ~~an establishment a seller whose~~
34 business is ordered to be liquidated under this
35 chapter may be avoided by the liquidator, except as to
36 a person who in good faith is a purchaser, lienor, or
37 obligee for a present fair equivalent value. A
38 purchaser, lienor, or obligee, who in good faith has
39 given a consideration less than present fair
40 equivalent value for such transfer, lien, or
41 obligation, may retain the property, lien, or
42 obligation as security for repayment. The court may,
43 on due notice, order any such transfer, lien, or
44 obligation to be preserved for the benefit of the
45 estate, and in that event, the receiver shall succeed
46 to and may enforce the rights of the purchaser,
47 lienor, or obligee.

48 Sec. 79. Section 523A.901, subsection 7, paragraph
49 b, subparagraph (2), Code 2007, is amended to read as
50 follows:

Page 35

1 (2) A transfer of real property is made when it
2 becomes perfected so that a subsequent bona fide
3 purchaser from the ~~establishment seller~~ could not
4 obtain rights superior to the rights of the
5 transferee.

6 Sec. 80. Section 523A.901, subsection 8,
7 paragraphs a, b, and c, Code 2007, are amended to read
8 as follows:

9 a. After a petition for liquidation has been
10 filed, a transfer of real property of the
11 ~~establishment seller~~ made to a person acting in good
12 faith is valid against the liquidator if made for a
13 present fair equivalent value. If the transfer is not
14 made for a present fair equivalent value, then the
15 transfer is valid to the extent of the present
16 consideration actually paid for which amount the
17 transferee shall have a lien on the property
18 transferred. The commencement of a proceeding in
19 liquidation is constructive notice upon the recording
20 of a copy of the petition for or order of liquidation
21 with the recorder of deeds in the county where any
22 real property in question is located. The exercise by
23 a court of the United States or a state or
24 jurisdiction to authorize a judicial sale of real
25 property of the ~~establishment seller~~ within a county
26 in a state shall not be impaired by the pendency of a
27 proceeding unless the copy is recorded in the county
28 prior to the consummation of the judicial sale.

29 b. After a petition for liquidation has been filed
30 and before either the liquidator takes possession of
31 the property of the ~~establishment seller~~ or an order
32 of liquidation is granted:

33 (1) A transfer of the property, other than real
34 property, of the ~~establishment seller~~ made to a person
35 acting in good faith is valid against the liquidator
36 if made for a present fair equivalent value. If the
37 transfer was not made for a present fair equivalent
38 value, then the transfer is valid to the extent of the
39 present consideration actually paid for which amount
40 the transferee shall have a lien on the property
41 transferred.

42 (2) If acting in good faith, a person indebted to
43 the ~~establishment seller~~ or holding property of the
44 ~~establishment seller~~ may pay the debt or deliver the
45 property, or any part of the property, to the
46 ~~establishment seller~~ or upon the ~~establishment's~~
47 ~~seller's~~ order as if the petition were not pending.

48 (3) A person having actual knowledge of the
49 pending liquidation is not acting in good faith.

50 (4) A person asserting the validity of a transfer

Page 36

1 under this subsection has the burden of proof. Except
2 as provided in this subsection, a transfer by or on
3 behalf of the ~~establishment seller~~ after the date of
4 the petition for liquidation by any person other than
5 the liquidator is not valid against the liquidator.

6 c. A person receiving any property from the
7 ~~establishment seller~~ or any benefit of the property o
8 the ~~establishment seller~~ which is a fraudulent
9 transfer under paragraph "a" is personally liable for
10 the property or benefit and shall account to the
11 liquidator.

12 Sec. 81. Section 523A.901, subsection 9, paragraph
13 a, subparagraphs (1) and (2), Code 2007, are amended
14 to read as follows:

15 (1) A preference is a transfer of the property of
16 ~~an establishment a seller~~ to or for the benefit of a
17 creditor for an antecedent debt made or suffered by
18 the ~~establishment seller~~ within one year before the
19 filing of a successful petition for liquidation under
20 this chapter, the effect of which transfer may be to
21 enable the creditor to obtain a greater percentage of
22 this debt than another creditor of the same class
23 would receive. If a liquidation order is entered
24 while the ~~establishment seller~~ is already subject to a
25 receivership, then the transfers are preferences if
26 made or suffered within one year before the filing of
27 the successful petition for the receivership, or
28 within two years before the filing of the successful
29 petition for liquidation, whichever time is shorter.

30 (2) A preference may be avoided by the liquidator
31 if any of the following exist:

32 (a) The ~~establishment seller~~ was insolvent at the
33 time of the transfer.

34 (b) The transfer was made within four months
35 before the filing of the petition.

36 (c) At the time the transfer was made, the
37 creditor receiving it or to be benefited by the
38 transfer or the creditor's agent acting with reference
39 to the transfer had reasonable cause to believe that
40 the ~~establishment seller~~ was insolvent or was about to
41 become insolvent.

42 (d) The creditor receiving the transfer was an
43 officer, or an employee, attorney, or other person who
44 was in fact in a position of comparable influence in
45 the ~~establishment seller~~ to an officer whether or not
46 the person held the position of an officer, owner, or
47 other person, firm, corporation, association, or
48 aggregation of persons with whom the ~~establishment~~
49 ~~seller~~ did not deal at arm's length.

50 Sec. 82. Section 523A.901, subsection 9, paragraph

Page 37

1 b, subparagraph (2), Code 2007, is amended to read as
2 follows:

3 (2) A transfer of real property is made when it
4 becomes perfected so that a subsequent bona fide
5 purchaser from the ~~establishment~~ seller could not
6 obtain rights superior to the rights of the
7 transferee.

8 Sec. 83. Section 523A.901, subsection 9,
9 paragraphs e, i, and j, Code 2007, are amended to read
10 as follows:

11 e. If a lien which is voidable under paragraph
12 "a", subparagraph (2), has been dissolved by the
13 furnishing of a bond or other obligation, the surety
14 of which has been indemnified directly or indirectly
15 by the transfer or the creation of a lien upon
16 property of ~~an establishment~~ a seller before the
17 filing of a petition under this chapter which results
18 in the liquidation order, the indemnifying transfer or
19 lien is also voidable.

20 i. If a creditor has been preferred for property
21 which becomes a part of the ~~establishment's~~ seller's
22 estate, and afterward in good faith gives the
23 ~~establishment~~ seller further credit without security
24 of any kind, the amount of the new credit remaining
25 unpaid at the time of the petition may be set off
26 against the preference which would otherwise be
27 recoverable from the creditor.

28 j. If within four months before the filing of a
29 successful petition for liquidation under this
30 chapter, or at any time in contemplation of a
31 proceeding to liquidate, ~~an establishment~~ a seller,
32 directly or indirectly, pays money or transfers
33 property to an attorney for services rendered or to be
34 rendered, the transaction may be examined by the court
35 on its own motion or shall be examined by the court on
36 petition of the liquidator. The payment or transfer
37 shall be held valid only to the extent of a reasonable
38 amount to be determined by the court. The excess may
39 be recovered by the liquidator for the benefit of the
40 estate. However, where the attorney is in a position
41 of influence in the ~~establishment~~ business of the
42 seller or an affiliate, payment of any money or the
43 transfer of any property to the attorney for services
44 rendered or to be rendered shall be governed by the
45 provisions of paragraph "a", subparagraph (2),
46 subparagraph subdivision (d).

47 Sec. 84. Section 523A.901, subsection 9, paragraph
48 k, subparagraphs (1) and (2), Code 2007, are amended
49 to read as follows:

50 (1) An officer, manager, employee, shareholder,

Page 38

1 subscriber, attorney, or other person acting on behalf
2 of the ~~establishment~~ seller who knowingly participate
3 in giving any preference when the person has
4 reasonable cause to believe the ~~establishment~~ seller
5 is or is about to become insolvent at the time of the
6 preference is personally liable to the liquidator for
7 the amount of the preference. There is an inference
8 that reasonable cause exists if the transfer was made
9 within four months before the date of filing of this
10 successful petition for liquidation.

11 (2) A person receiving property from the
12 ~~establishment~~ seller or the benefit of the property of
13 the ~~establishment~~ seller as a preference voidable
14 under paragraph "a" is personally liable for the
15 property and shall account to the liquidator.

16 Sec. 85. Section 523A.901, subsection 13,
17 paragraph d, Code 2007, is amended to read as follows:

18 d. A judgment or order against ~~an establishment a~~
19 seller entered after the date of filing of a
20 successful petition for liquidation, or a judgment or
21 order against the ~~establishment~~ seller entered at any
22 time by default or by collusion need not be considered
23 as evidence of liability or of the amount of damages.
24 A judgment or order against ~~an establishment a~~ seller
25 before the filing of the petition need not be
26 considered as evidence of liability or of the amount
27 of damages.

28 Sec. 86. Section 523A.901, subsection 16, Code
29 2007, is amended to read as follows:

30 16. CLAIMS OF OTHER PERSON. If a creditor, whose
31 claim against ~~an establishment a~~ seller is secured in
32 whole or in part by the undertaking of another person,
33 fails to prove and file that claim, then the other
34 person may do so in the creditor's name and shall be
35 subrogated to the rights of the creditor, whether the
36 claim has been filed by the creditor or by the other
37 person in the creditor's name to the extent that the
38 other person discharges the undertaking. However, in
39 the absence of an agreement with the creditor to the
40 contrary, the other person is not entitled to any
41 distribution until the amount paid to the creditor on
42 the undertaking plus the distributions paid on the
43 claim from the ~~establishment's~~ seller's estate to the
44 creditor equal the amount of the entire claim of the
45 creditor. An excess received by the creditor shall be
46 held by the creditor in trust for the other person.

47 Sec. 87. Section 523A.901, subsection 18,
48 unnumbered paragraph 1, Code 2007, is amended to read
49 as follows:

50 The priority of distribution of claims from the

Page 39

1 ~~establishment's seller's~~ estate shall be in accordance
2 with the order in which each class of claims is set
3 forth. Claims in each class shall be paid in full or
4 adequate funds retained for the payment before the
5 members of the next class receive any payment.
6 Subclasses shall not be established within a class.

7 The order of distribution of claims is as follows:
8 Sec. 88. Section 523A.901, subsection 18,
9 paragraph a, subparagraph (1), Code 2007, is amended
10 to read as follows:

11 (1) Actual and necessary costs of preserving or
12 recovering the assets of the ~~establishment seller~~.
13 Sec. 89. Section 523A.901, subsection 19,
14 paragraph a, Code 2007, is amended to read as follows:

15 a. The liquidator shall review claims duly filed
16 in the liquidation and shall make further
17 investigation as necessary. The liquidator may
18 compound, compromise, or in any other manner negotiate
19 the amount for which claims will be recommended to the
20 court except where the liquidator is required by law
21 to accept claims as settled by a person or
22 organization. Unresolved disputes shall be determined
23 under subsection 15. As soon as practicable, the
24 liquidator shall present to the court a report of the
25 claims against the ~~establishment seller~~ with the
26 liquidator's recommendations. The report shall
27 include the name and address of each claimant and the
28 amount of the claim finally recommended.

29 Sec. 90. Section 523A.901, subsection 21,
30 paragraph b, Code 2007, is amended to read as follows:

31 b. Funds withheld under subsection 14 and not
32 distributed shall upon discharge of the liquidator be
33 deposited with the treasurer of state and paid
34 pursuant to subsection 18. Sums remaining which under
35 subsection 18 would revert to the undistributed assets
36 of the ~~establishment seller~~ shall be transferred to
37 the insurance division regulatory fund and become the
38 property of the state as provided under paragraph "a",
39 unless the commissioner in the commissioner's
40 discretion petitions the court to reopen the
41 liquidation pursuant to subsection 23.

42 Sec. 91. Section 523A.901, subsection 24, Code
43 2007, is amended to read as follows:

44 24. DISPOSITION OF RECORDS DURING AND AFTER
45 TERMINATION OF LIQUIDATION. If it appears to the
46 commissioner that the records of ~~an establishment the~~

47 business of a seller in the process of liquidation or
 48 completely liquidated are no longer useful, the
 49 commissioner may recommend to the court and the court
 50 shall direct what records shall be retained for future

Page 40

1 reference and what records shall be destroyed.”

BRIAN SCHOENJAHN

S-3161

1 Amend Senate File 447 as follows:

2 1. Page 6, line 12, by inserting after the word
 3 “operations” the following: “, expand the scope and
 4 availability of classes through the Iowa
 5 communications network and the online advanced
 6 placement program,”.

KEITH A. KREIMAN

S-3162

1 Amend Senate File 564 as follows:

2 1. Page 13, by inserting after line 34 the
 3 following:
 4 “Sec. ____ . INTENT OF THE GENERAL ASSEMBLY —
 5 ELIMINATION OF FULL-TIME EQUIVALENT POSITIONS. It is
 6 the intent of the general assembly that any additional
 7 full-time equivalent positions authorized to be filled
 8 by the department of agriculture and land stewardship
 9 relating to the regulation of persons required to
 10 register with the department as a condition of owning
 11 or possessing a dangerous wild animal pursuant to
 12 section 717F.4, as enacted in this Act, be eliminated
 13 once the regulation is no longer necessary.”
 14 2. By renumbering as necessary.

LARRY McKIBBEN
 JOE M. SENG

S-3163

1 Amend Senate File 355 as follows:

2 1. Page 2, line 25, by striking the word “may”
 3 and inserting the following: “shall”.
 4 2. Page 2, line 25, by striking the word
 5 “department” and inserting the following: “board”.

- 6 3. Page 2, line 34, by inserting after the word
7 “project” the following: “with at least fifty-one
8 percent of the total financial benefits over the life
9 of the project flowing to the qualifying owners”.
- 10 4. Page 3, by striking lines 6 through 12.
- 11 5. Page 5, line 35, by inserting after the words
12 “assessment study” the following: “if funds are
13 appropriated for the study by the general assembly”.
- 14 6. Page 7, line 12, by striking the words
15 “twenty-five” and inserting the following: “twenty”.
- 16 7. Page 7, line 18, by inserting after the word
17 “feasibility” the following: “, consistent with
18 federal energy regulatory commission guidelines”.

JOHN P. KIBBIE

S-3164

- 1 Amend the amendment, S-3089, to Senate File 355 as
2 follows:
- 3 1. Page 1, by striking lines 2 through 5 and
4 inserting the following:
5 “___. Page 3, by striking lines 14 through 32 and
6 inserting the following:
7 “a. The board shall establish a community-based
8 wind energy project tariff for each utility service
9 area. The board shall calculate the tariff for a
10 period of twenty years using net present value
11 calculations. The discount rate required to calculate
12 the net present value shall be that discount rate used
13 by the electric utility for other purposes in the
14 ordinary course of the electric utility’s business.
15 The tariff established by the board pursuant to this
16 subsection shall be at a sufficient rate to provide an
17 incentive for the development of community-based wind
18 energy projects, and shall be established at a higher
19 rate for the first ten years of the power purchase
20 agreement than in the last ten years of the power
21 purchase agreement.””

JOHN P. KIBBIE

S-3165

- 1 Amend Senate File 484 as follows:
2 1. Page 1, line 10, by inserting after the word
3 “transported” the following: “from point of harvest
4 to storage or distribution points”.
- 5 2. Page 1, by striking lines 12 through 14 and

6 inserting the following: “maximum gross weight of
 7 ninety thousand pounds, do not exceed the maximum axle
 8 weight limit determined under the nonprimary highway
 9 maximum gross weight table in paragraph “b” by more
 10 than ten percent, do not exceed twenty thousand pounds
 11 on any one axle, and comply with posted limits on
 12 bridges.”

GENE FRAISE

S-3166

- 1 Amend Senate File 427 as follows:
 2 1. Page 8, by inserting after line 4 the
 3 following:
 4 “Sec. ____ NEW SECTION. 216.21 CONSTRUCTION OF
 5 CHAPTER.
 6 This chapter shall not be construed to allow
 7 marriage between persons of the same sex, in
 8 accordance with chapter 595.”
 9 2. By renumbering as necessary.

DAVID HARTSUCH
 JEFF ANGELO
 MARY A. LUNDBY
 RON WIECK
 JERRY BEHN
 DAVID JOHNSON
 LARRY McKIBBEN
 JAMES F. HAHN
 JOHN PUTNEY
 MARK ZIEMAN
 STEVE KETTERING
 NANCY J. BOETTGER
 DAVE MULDER
 PAT WARD
 PAUL McKINLEY
 LARRY NOBLE
 JAMES A. SEYMOUR

S-3167

- 1 Amend Senate File 427 as follows:
 2 1. Page 8, by inserting after line 4 the
 3 following:
 4 “Sec. ____ NEW SECTION. 216.21 ATTORNEY FEES.
 5 A person filing a complaint or action alleging a
 6 discriminatory practice under this chapter who is

7 unsuccessful shall be liable for any reasonable
8 attorney fees incurred by the resisting party.”
9 2. By renumbering as necessary.

PAUL McKINLEY
JERRY BEHN
MARY A. LUNDBY
JEFF ANGELO
DAVID JOHNSON
LARRY McKIBBEN
MARK ZIEMAN
JOHN PUTNEY
RON WIECK
NANCY J. BOETTGER
STEVE KETTERING
DAVE MULDER
PAT WARD
LARRY NOBLE
JAMES A. SEYMOUR

S-3168

1 Amend Senate File 427 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 “Section 1. NEW SECTION. 2C.9A TELEPHONE HOTLINE
5 — CERTAIN CIVIL RIGHTS EMPLOYMENT DECISIONS.

6 The citizens’ aide shall establish and provide
7 staffing for a statewide toll-free telephone hotline
8 to assist and advise small business owners in making
9 employment decisions relating to chapter 216.”

10 2. Page 8, by inserting after line 4 the
11 following:

12 “Sec. __. APPROPRIATION ALLOCATION — CITIZENS’
13 AIDE HOTLINE — CIVIL RIGHTS. There is allocated from
14 the funds appropriated under section 2.12 to the
15 office of the citizens’ aide for the fiscal year
16 beginning July 1, 2007, and ending June 30, 2008, the
17 following amount, or so much thereof as is necessary,
18 to be used for the purpose designated:

19 For the establishment and staffing of a statewide
20 toll-free telephone hotline to assist and advise small
21 business owners in making employment decisions
22 relating to chapter 216:

23 \$ 250,000”

24 3. Title page, line 2 by inserting after the word

25 “identity” the following: “, and providing for an
 26 appropriation”.
 27 4. By renumbering as necessary.

PAUL McKINLEY
 JERRY BEHN
 DAVID JOHNSON
 JEFF ANGELO
 PAT WARD
 LARRY McKIBBEN
 JAMES F. HAHN
 JOHN PUTNEY
 MARK ZIEMAN
 RON WIECK
 JAMES A. SEYMOUR
 NANCY J. BOETTGER
 BRAD ZAUN
 LARRY NOBLE
 DAVE MULDER

S-3169

1 Amend Senate File 427 as follows:
 2 1. Page 8, by inserting after line 4 the
 3 following:
 4 “Sec. ____ NEW SECTION. 216.21 RIGHT OF
 5 CONSCIENTIOUS OBJECTION.
 6 A person subject to this chapter shall not be
 7 required by law or contract in any circumstance to act
 8 in accordance with the provisions of this chapter
 9 relating to a discriminatory practice and sexual
 10 orientation or gender identity if the person objects
 11 to so doing for reasons of conscience or religion.”
 12 2. By renumbering as necessary.

DAVID HARTSUCH
 DAVID JOHNSON
 DAVE MULDER
 JERRY BEHN
 MARY A. LUNDBY
 JEFF ANGELO
 RON WIECK
 NANCY J. BOETTGER
 JAMES F. HAHN
 STEVE KETTERING
 MARK ZIEMAN
 LARRY McKIBBEN
 JOHN PUTNEY
 PAUL McKINLEY
 JAMES A. SEYMOUR
 LARRY NOBLE

S-3170

1 Amend Senate File 520 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 "Section 1. Section 714.16, subsection 2,
5 paragraph a, unnumbered paragraph 4, Code 2007, is
6 amended by striking the paragraph."
7 2. Page 1, by inserting after line 17 the
8 following:
9 "___." "Puffery" means a statement that
10 exaggerates, blusters, or boasts, but upon which no
11 reasonable consumer would rely when purchasing a
12 product."
13 3. Page 2, line 2, by inserting after the figure
14 "2" the following: ", paragraphs "b" through "d" and
15 "f" through "n"."
16 4. Page 2, by striking lines 22 and 23 and
17 inserting the following:
18 "c. Conduct that constitutes puffery.
19 d. Insurance companies subject to Title XIII.
20 e. A hospital licensed pursuant to chapter 135B.
21 f. A health care facility licensed pursuant to
22 chapter 135C.
23 g. Federally insured depository institutions.
24 h. An individual licensed, certified, or
25 registered under chapter 148, 150, 150A, 151, 153,
26 154, 155, or 155A, while engaged in the practice of
27 the profession for which the individual is licensed,
28 certified, or registered and while acting in
29 compliance with the laws, rules, and regulations
30 applicable to the respective profession.
31 i. An attorney licensed to practice law in this
32 state while engaged in the practice of that profession
33 and while acting in compliance with the laws, rules,
34 and regulations applicable to the legal profession.
35 j. An individual licensed, certified, or
36 registered under chapter 522B, 542, 542B, 543B, 544A,
37 544B, or 544C, while engaged in the practice of that
38 profession for which the individual is licensed,
39 certified, or registered and while acting in
40 compliance with the laws, rules, and regulations
41 applicable to the respective profession."
42 5. Page 2, line 31, by striking the word "five"
43 and inserting the following: "eight".
44 6. Page 3, by striking lines 6 through 11 and
45 inserting the following:
46 "1. A consumer who suffers an ascertainable loss
47 of money or property, real or personal, as the result
48 of a prohibited practice in violation of this chapter
49 may bring an action at law to recover actual economic
50 damages. The court may order".

Page 2

- 1 7. Page 4, line 6, by inserting after the word
2 “finds” the following: “by a preponderance of clear,
3 convincing, and satisfactory evidence”.
- 4 8. Page 4, line 9, by inserting after the word
5 “actual” the following: “economic”.
- 6 9. Page 4, line 10, by inserting after the word
7 “actual” the following: “economic”.
- 8 10. Page 5, line 19, by inserting before the word
9 “In” the following: “1.”
- 10 11. Page 5, by inserting after line 26 the
11 following:
12 “2. Each plaintiff seeking to serve as a
13 representative party on behalf of a class shall
14 provide a sworn certification personally signed by
15 such plaintiff and filed with the petition that does
16 all of the following:
17 a. States that the plaintiff has reviewed the
18 petition and has authorized the filing of the
19 petition.
20 b. States that the plaintiff did not purchase the
21 merchandise that is the subject of the petition at the
22 direction of plaintiff’s counsel or in order to
23 participate in any private action arising under this
24 chapter.
25 c. States that the plaintiff is willing to serve
26 as a representative party on behalf of a class
27 including providing testimony at deposition and trial,
28 if necessary.
29 d. Identifies any other action under this chapter
30 filed during the three-year period preceding the date
31 on which the certification is signed by the plaintiff
32 in which the plaintiff has sought to serve as a
33 representative party on behalf of a class.
- 34 3. The certification filed pursuant to subsection
35 2 shall not be construed to be a waiver of the
36 attorney-client privilege.
- 37 4. a. Not later than twenty days after the date
38 on which the petition is filed, the plaintiff or
39 plaintiffs shall cause to be published, in a newspaper
40 of general circulation in the county in which the
41 petition is filed, a notice advising members of the
42 purported class of all of the following:
43 (1) Of the pendency of the action, the claims
44 asserted therein, and the purported class period.
45 (2) That not later than sixty days after the date
46 on which the notice is published any member of the
47 purported class may move the court to appoint the
48 member to serve as lead plaintiff of the purported
49 class.
- 50 b. If more than one action on behalf of a class

Page 3

1 asserting substantially the same claim or claims
2 arising under this chapter is filed, only the
3 plaintiff or plaintiffs in the first filed action
4 shall be required to cause notice to be published in
5 accordance with paragraph "a".
6 c. Any notices required by this subsection shall
7 be in addition to any notice required pursuant to the
8 rules of civil procedure.
9 5. a. Not later than ninety days after the date
10 on which a notice is published under subsection 4, the
11 court shall consider any motion made by a purported
12 class member in response to the notice, including any
13 motion by a class member who is not individually named
14 as a plaintiff in the petition or petitions, and shall
15 appoint as lead plaintiff the member or members of the
16 purported plaintiff class the court determines to be
17 most capable of adequately representing the interests
18 of class members, who shall be known as the most
19 adequate plaintiff.
20 b. If more than one action on behalf of a class
21 asserting substantially the same claim or claims
22 arising under this chapter has been filed and any
23 party has sought to consolidate those actions for
24 pretrial purposes or for trial, the court shall not
25 make a determination of the most adequate plaintiff
26 until after the decision on the motion to consolidate
27 is rendered. As soon as practicable after such
28 decision is rendered, the court shall appoint the most
29 adequate plaintiff as lead plaintiff for the
30 consolidated actions in accordance with this
31 paragraph.
32 c. (1) The court shall adopt a presumption that
33 the most adequate plaintiff in any private action
34 arising under this chapter is the person or group of
35 persons that meets all of the following requirements:
36 (a) Has either filed the petition or made a motion
37 in response to a notice required pursuant to
38 subsection 4.
39 (b) In the determination of the court, has the
40 largest financial interest in the relief sought by the
41 class.
42 (c) Otherwise satisfies the requirements of the
43 rules of civil procedure relating to class actions.
44 (2) The presumption regarding the most adequate
45 plaintiff described in subparagraph (1) may be
46 rebutted only upon proof by a member of the purported
47 plaintiff class of one of the following:
48 (a) The presumptively most adequate plaintiff will
49 not fairly and adequately protect the interests of the
50 class.

Page 4

1 (b) The presumptively most adequate plaintiff is
2 subject to unique defenses that render such plaintiff
3 incapable of adequately representing the class.
4 d. For purposes of this subsection, discovery
5 relating to whether a member or members of the
6 purported plaintiff class is the most adequate
7 plaintiff may be conducted by a plaintiff only if the
8 plaintiff first demonstrates a reasonable basis for a
9 finding that the presumptively most adequate plaintiff
10 is incapable of adequately representing the class.
11 e. The most adequate plaintiff shall, subject to
12 the approval of the court, select and retain counsel
13 to represent the class.
14 6. Except as the court may otherwise permit,
15 consistent with the purposes of this section, a person
16 who files a class action under this section may be a
17 lead plaintiff or an officer, director, or fiduciary
18 of a lead plaintiff, in no more than five class
19 actions brought as plaintiff class actions pursuant to
20 the federal or Iowa rules of civil procedure during
21 any three-year period.
22 7. Total attorney fees and expenses awarded by the
23 court to counsel for the plaintiff class shall not
24 exceed a reasonable percentage of the amount of any
25 damages and prejudgment interest actually paid to the
26 class.
27 8. Any proposed or final settlement agreement that
28 is published or otherwise disseminated to the class
29 shall include each of the following statements along
30 with a cover page summarizing the information
31 contained in such statements:
32 a. If reasonably subject to determination, the
33 amount of the settlement proposed to be distributed to
34 the parties to the action determined in the aggregate
35 and on an average per share basis. If the settlement
36 amount or average settlement amount per share to be
37 disclosed pursuant to this subsection is not
38 reasonably subject to determination at the time of the
39 publication or dissemination of the proposed or final
40 settlement agreement, the method by which the
41 settlement amount or average settlement amount per
42 share will be determined.
43 b. (1) If the settling parties agree on the
44 average settlement amount per share that would be
45 recoverable if the plaintiff prevailed on each claim
46 alleged under this chapter, a statement concerning the
47 average settlement amount per share.
48 (2) If the parties do not agree on the average
49 settlement amount per share that would be recoverable
50 if the plaintiff prevailed on each claim alleged under

Page 5

1 this chapter, a statement from each settling party
2 concerning the issue or issues on which the parties
3 disagree.
4 c. If any of the settling parties or their counsel
5 intend to apply to the court for an award of attorney
6 fees or costs from any fund established as part of the
7 settlement, a statement indicating which parties or
8 counsel intend to make such an application, the amount
9 of fees and costs that will be sought including the
10 amount of such fees and costs determined on an average
11 per share basis, and a brief explanation supporting
12 the fees and costs sought. Such information shall be
13 clearly summarized on the cover page of any notice to
14 a party of any proposed or final settlement agreement.
15 d. The name, telephone number, and address of one
16 or more representatives of counsel for the plaintiff
17 class who will be reasonably available to answer
18 questions from class members concerning any matter
19 contained in any notice of settlement published or
20 otherwise disseminated to the class.
21 e. A brief statement explaining the reasons why
22 the parties are proposing the settlement.
23 f. Such other information as may be required by
24 the court.
25 9. In any private action arising under this
26 chapter that is certified as a class action pursuant
27 to the rules of civil procedure, the court may require
28 an undertaking from the attorneys for the plaintiff
29 class, the plaintiff class, or both, or from the
30 attorneys for the defendant, the defendant, or both,
31 in such proportions and at such times as the court
32 determines are just and equitable, for the payment of
33 fees and expenses that may be awarded under this
34 section.
35 10. This section applies to each action arising
36 under this chapter that is brought as a class action
37 pursuant to the rules of civil procedure.”
38 12. Title page, line 1, by striking the word
39 “creating” and inserting the following: “relating to
40 consumer frauds including the creation of”.
41 13. By renumbering as necessary.

KEITH A. KREIMAN

S-3171

1 Amend Senate File 427 as follows:
2 1. Page 8, by inserting after line 4 the
3 following:
4 “Sec. ____ NEW SECTION. 216.21 EXEMPTION FOR

5 PUBLIC AND NONPUBLIC SCHOOLS — SEXUAL ORIENTATION AND
6 GENDER IDENTITY.

- 7 The provisions of this chapter relating to a
8 person's gender identity shall not apply to public
9 school districts and nonpublic schools in this state.”
10 2. By renumbering as necessary.

NANCY J. BOETTGER
BRAD ZAUN
DAVE MULDER
DAVID JOHNSON
PAT WARD
DAVID HARTSUCH
MARK ZIEMAN
JAMES F. HAHN
LARRY McKIBBEN
JOHN PUTNEY
JERRY BEHN
RON WIECK
STEVE KETTERING
LARRY NOBLE
JAMES A. SEYMOUR

S-3172

- 1 Amend Senate File 427 as follows:
2 1. Page 8, by inserting after line 4 the
3 following:
4 “Sec. ____ NEW SECTION. 216.21 EXEMPTION FOR
5 PRIVATE CLUBS OR ESTABLISHMENTS — SEXUAL ORIENTATION
6 AND GENDER IDENTITY.
7 The provisions of this chapter relating to a
8 person's sexual orientation or gender identity shall
9 not apply to private clubs or establishments exempted
10 from coverage under Title II of the federal Civil
11 Rights Act of 1964, 42 U.S.C. § 2000a, et seq., or to
12 religious organizations or entities controlled by
13 religious organizations, including places of worship.”
14 2. By renumbering as necessary.

DAVID HARTSUCH
PAUL McKINLEY
NANCY J. BOETTGER
MARK ZIEMAN
LARRY McKIBBEN
RON WIECK
JEFF ANGELO
JERRY BEHN
JOHN PUTNEY
DAVE MULDER
DAVID JOHNSON
PAT WARD

STEVE KETTERING
JAMES F. HAHN
BRAD ZAUN
LARRY NOBLE
JAMES A. SEYMOUR

S-3173

- 1 Amend Senate File 473 as follows:
2 1. Page 8, by striking lines 9 through 11, and
3 inserting the following: “decedent’s remains.”

WALLY E. HORN

S-3174

- 1 Amend Senate File 432 as follows:
2 1. Title page, line 1, by striking the words
3 “making changes” and inserting the following:
4 “relating”.

STACI APPEL

S-3175

- 1 Amend Senate File 412 as follows:
2 1. Page 1, line 9, by striking the words “a
3 junior or senior” and inserting the following: “at
4 least seventeen years of age and a student”.
5 2. Page 1, by striking lines 11 and 12 and
6 inserting the following:
7 “() Receive credit in at least four subjects,
8 each of one period or hour, or the equivalent thereof,
9 at all times. The eligible subjects are language
10 arts, social studies, mathematics, science, health,
11 physical education, fine arts, foreign language, and
12 vocational education. Coursework taken as a
13 postsecondary enrollment option for which a school
14 district or accredited nonpublic school grants
15 academic credit toward high school graduation shall be
16 used in determining eligibility. A student shall not
17 be denied eligibility if the student’s school program
18 deviates from the traditional two-semester school
19 year. Each student wishing to participate under this
20 subsection shall be passing all coursework for which
21 credit is given and shall be making adequate progress
22 toward graduation requirements at the end of each
23 grading period. At the end of a grading period that
24 is the final grading period in a school year, a
25 student who receives a failing grade in any course for
26 which credit is awarded is ineligible to participate

27 under this subsection. A student who is eligible at
 28 the close of a semester is academically eligible to
 29 participate under this subsection until the beginning
 30 of the subsequent semester. A student with a
 31 disability who has an individualized education program
 32 shall not be denied eligibility to participate under
 33 this subsection on the basis of scholarship if the
 34 student is making adequate progress, as determined by
 35 school officials, towards the goals and objectives on
 36 the student's individualized education program."

37 3. Page 1, line 27, by striking the words
 38 "election precinct" and inserting the following:
 39 "precinct election".

40 4. Page 1, by striking lines 30 through 32.

41 5. Page 1, by inserting after line 35 the
 42 following:

43 "____. A student who serves on a precinct election
 44 board is not eligible to receive class credit for such
 45 service unless such service qualifies as meeting the
 46 requirements of a class assignment imposed on all
 47 students in the class.

48 _____. No later than fourteen days after the date of
 49 the election, the commissioner shall report to the
 50 appropriate secondary school the following

Page 2

- 1 information:
 2 () The name of each student attending the
 3 school who served as a precinct election board member
 4 on election day.
 5 () The number of hours the student served as a
 6 precinct election board member.
 7 () The precinct number and polling place
 8 location where the student served as a precinct
 9 election board member.
 10 () Any other information the commissioner deems
 11 appropriate or that is requested by the school."
 12 6. By renumbering, redesignating, and correcting
 13 internal references as necessary.

JOHN P. KIBBIE

S-3176

1 Amend Senate File 564 as follows:

- 2 1. Page 8, line 35, by inserting after the word
 3 "accredited" the following: "or certified".
 4 2. Page 9, line 8, by inserting after the word
 5 "accredited" the following: "or certified".
 6 3. Page 9, line 12, by inserting after the word
 7 "department" the following: "of natural resources".

- 8 4. Page 9, line 16, by striking the words
9 “transferred the dangerous wild animal” and inserting
10 the following: “to whom the dangerous wild animal is
11 transferred”.
- 12 5. Page 9, line 22, by striking the words
13 “transferred the dangerous wild animal” and inserting
14 the following: “to whom the dangerous wild animal is
15 transferred”.
- 16 6. Page 9, line 28, by inserting after the word
17 “department” the following: “of natural resources”.
- 18 7. Page 10, line 3, by inserting after the word
19 “zoo.” the following: “The nonprofit corporation
20 shall not transfer the dangerous wild animal to
21 another person, unless the person to whom the
22 dangerous wild animal is transferred is a wildlife
23 sanctuary.”
- 24 8. Page 13, line 28, by striking the word “shall”
25 and inserting the following: “may”.

JOE M. SENG

S-3177

- 1 Amend Senate File 522 as follows:
- 2 1. Page 3, by striking lines 25 through 34 and
3 inserting the following:
- 4 “a. For printed or photocopied records, fifty
5 cents per page.”
- 6 2. Page 4, line 3, by striking the word “ten” and
7 inserting the following: “twenty”.
- 8 3. Page 4, line 8, by striking the word “ten” and
9 inserting the following: “fifteen”.
- 10 4. Page 4, by inserting after line 13 the
11 following:
12 “___ . A retrieval fee not to exceed fifty dollars
13 per request.”
- 14 5. By renumbering as necessary.

BRIAN SCHOENJAHN

S-3178

- 1 Amend Senate File 416 as follows:
- 2 1. By striking page 1, line 29, through 2, line
3 11.
- 4 2. By renumbering as necessary.

HERMAN C. QUIRMBACH

S-3179

- 1 Amend Senate File 449 as follows:
 2 1. Page 1, line 27, by inserting after the word
 3 “state” the following: “and by out-of-state organized
 4 health systems operating at least one nonprofit
 5 hospital in the state”.

MICHAEL CONNOLLY

S-3180

- 1 Amend the amendment, S-3152, to Senate File 544 as
 2 follows:
 3 1. Page 9, line 45, by striking the word “or”.
 4 2. Page 9, line 46, by inserting after the word
 5 and figure “chapter 89.” the following: “or
 6 occupational safety and health requirements
 7 established pursuant to chapter 88.”
 8 3. Page 10, line 6, by inserting after the word
 9 “should” the following: “strive to”.
 10 4. Page 10, line 7, by striking the words
 11 “requirements for” and inserting the following:
 12 “standards of”.
 13 5. Page 15, line 9, by inserting after the words
 14 “means a power plant” the following: “built after
 15 January 1, 2007.”
 16 6. Page 15, by striking lines 20 through 22 and
 17 inserting the following:
 18 “a. Generate, provide, or purchase renewable
 19 energy equal to eight percent of the capacity of the”.
 20 7. By renumbering as necessary.

ROBERT M. HOGG

S-3181

- 1 Amend House File 848, as passed by the House, as
 2 follows:
 3 1. Page 6, by inserting after line 32 the
 4 following:
 5 “Sec. ____ Section 49.31, subsection 1, unnumbered
 6 paragraph 2, Code 2007, is amended to read as follows:
 7 The commissioner shall determine the order of
 8 political parties and nonparty political organizations
 9 on the ballot. The sequence shall be the same for
 10 each office on the ballot and for each precinct in the
 11 county voting in the election. For the order of
 12 political parties in successive elections, the
 13 commissioner shall alternate the order determined in
 14 the last preceding election. A commissioner who
 15 succeeds to that office shall discern the order of

16 political parties on the ballot determined by the
17 previous commissioner and shall alternate the order as
18 required by this paragraph.

19 Sec. ____ Section 49.31, Code 2007, is amended by
20 adding the following new subsection:

21 NEW SUBSECTION. 8. For purposes of this section,
22 “political party” means political party as defined by
23 section 43.2.”

24 2. By renumbering as necessary.

JOHN PUTNEY

S-3182

1 Amend House File 793, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 9, by striking lines 5 through 16 and
4 inserting the following: “department for travel
5 within the county. A vehicle for which a permit is”.

6 2. Page 9, lines 27 and 28, by striking the words
7 “upon payment of the appropriate county fees”.

8 3. By renumbering as necessary.

JERRY BEHN

S-3183

1 Amend House File 793, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 9, line 6, by striking the word “six” and
4 inserting the following: “one thousand two”.

5 2. Page 9, by striking lines 10 through 12 and
6 inserting the following: “vehicle for operation in
7 more than ten counties.”

THOMAS G. COURTNEY

S-3184

1 Amend Senate File 430 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 “Section 1. NEW SECTION. 331.660A TAMA
5 COUNTY-PROVIDED SERVICES TO SAC AND FOX INDIAN
6 SETTLEMENT.

7 1. At the end of each fiscal year, Tama county may
8 submit a report to the department of inspections and
9 appeals documenting specific expenditures that the
10 county incurred in providing services to the Sac and
11 Fox Indian settlement as a result of any agreement or
12 compact between the state and the Sac and Fox tribe of
13 the Mississippi in Iowa and requesting that the state

14 reimburse the county for the cost of the services
 15 provided.
 16 2. When the department of inspections and appeals
 17 seeks to negotiate an agreement or compact between the
 18 state and the Sac and Fox tribe of the Mississippi in
 19 Iowa under section 10A.104, the department shall
 20 consider, based upon the past expenditures of Tama
 21 county as reported to the department for the provision
 22 of services to the Sac and Fox Indian settlement,
 23 including in the negotiations a provision for such
 24 tribe to reimburse Tama county for the costs of
 25 services provided.”
 26 2. Page 1, by inserting after line 19 the
 27 following:
 28 “Sec. ____ EFFECTIVE DATE. The section of this
 29 Act enacting section 331.660A, being deemed of
 30 immediate importance, takes effect upon enactment.”
 31 3. Title page, by striking lines 1 through 3 and
 32 inserting the following: “An Act relating to a
 33 federally recognized Indian tribe and including an
 34 effective date and an applicability provision.”
 35 4. By renumbering as necessary.

JOHN PUTNEY

S-3185

1 Amend Senate File 430 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 “Section 1. NEW SECTION. 626D.1 TITLE.
 5 This chapter shall be cited as the “Full Faith and
 6 Credit for Tribal Court Civil Judgments Act”.
 7 Sec. 2. NEW SECTION. 626D.2 DEFINITIONS.
 8 As used in this chapter:
 9 1. “Tribal court” means any court of any Indian or
 10 Alaska native tribe, band, nation, pueblo, village, or
 11 community that the United States secretary of the
 12 interior recognizes as an Indian tribe.
 13 2. “Tribal judgment” means a written, civil
 14 judgment, order, or decree of a tribal court of record
 15 duly authenticated in accordance with the laws and
 16 procedures of the tribe or tribal court of record and
 17 in accordance with this chapter.
 18 Sec. 3. NEW SECTION. 626D.3 FILING PROCEDURES.
 19 1. A copy of any tribal judgment may be filed in
 20 the office of the clerk of court in any county in this
 21 state.
 22 2. The person filing the tribal judgment shall
 23 make and file with the clerk of court an affidavit
 24 setting forth the name and last known address of the
 25 party seeking enforcement and the responding party.

26 Upon the filing of the tribal judgment and
27 accompanying affidavit, the enforcing party shall
28 serve upon the responding party a notice of filing of
29 the tribal judgment together with a copy of the tribal
30 judgment in accordance with rule 1.442 of the Iowa
31 rules of civil procedure. The enforcing party shall
32 file proof of service or mailing with the clerk of
33 court. The notice of filing shall include the name
34 and address of the enforcing party and the enforcing
35 party's attorney, if any, and shall include the text
36 contained in sections 626D.4 and 626D.5.

37 Sec. 4. NEW SECTION. 626D.4 RESPONSES.

38 Any objection to the enforcement of a tribal
39 judgment shall be filed within thirty days of receipt
40 of the mailing of the notice of filing the tribal
41 judgment. If an objection is filed within such time
42 period, the court shall set a time period for a formal
43 response to the objection and may set the matter for
44 hearing.

45 Sec. 5. NEW SECTION. 626D.5 FULL FAITH AND
46 CREDIT FOR TRIBAL JUDGMENTS.

47 1. Unless objected to pursuant to section 626D.4,
48 a tribal judgment shall be granted full faith and
49 credit by the courts of this state to the same extent
50 and with the same effect as any judgment, order, or

Page 2

- 1 decree of a court of this state.
- 2 2. If no objections are timely filed, the clerk
- 3 shall issue a certification that no objections were
- 4 timely filed and the tribal judgment shall be
- 5 enforceable in the same manner as if issued by a valid
- 6 court of this state.
- 7 3. A tribal judgment shall not be granted full
- 8 faith and credit if the objecting party demonstrates
- 9 by a preponderance of the evidence at least one of the
- 10 following:
- 11 a. The tribal court did not have personal or
- 12 subject matter jurisdiction.
- 13 b. The defendant was not given fair notice or a
- 14 fair hearing in the tribal court proceeding.
- 15 4. The court may grant full faith and credit or
- 16 decline to provide full faith and credit to a tribal
- 17 judgment on equitable grounds for any of the following
- 18 reasons:
- 19 a. The tribal judgment was obtained by extrinsic
- 20 fraud.
- 21 b. The tribal judgment conflicts with another
- 22 filed judgment that is entitled to recognition in this
- 23 state.
- 24 c. As an issue of law, the tribal court was not

25 the appropriate forum pursuant to the parties'
 26 contractual choice of forum, provided the party
 27 raising the legal issue must further demonstrate that
 28 the issue was raised at each level of the tribal court
 29 proceeding.

30 d. The tribal court does not grant full faith and
 31 credit under standards similar to those provided in
 32 this chapter to judgments of the courts of this state.

33 e. The cause of action or defense upon which the
 34 tribal judgment is based is repugnant to the
 35 fundamental public policy of the United States or this
 36 state.

37 Sec. 6. NEW SECTION. 626D.6 STAY.

38 If the objecting party demonstrates to the court
 39 that an appeal from the tribal judgment is pending or
 40 will be taken or that a stay of execution has been
 41 granted, the court may stay enforcement of the tribal
 42 judgment until the appeal is concluded, the time for
 43 appeal expires, or the stay of execution expires or is
 44 vacated.

45 Sec. 7. NEW SECTION. 626D.7 CONTACTING COURTS.

46 The district court, after notice to the parties,
 47 may attempt to resolve any issues raised regarding a
 48 tribal judgment pursuant to section 626D.3 or 626D.5,
 49 by contacting the tribal court judge who issued the
 50 judgment.

Page 3

1 Sec. 8. NEW SECTION. 626D.8 APPLICABILITY.

2 This chapter shall govern the procedures for
 3 granting full faith and credit by the courts of this
 4 state to a civil judgment, order, or decree issued by
 5 a tribal court of any federally recognized Indian
 6 tribe emanating from a cause of action that accrued on
 7 or after the effective date of this Act, provided that
 8 this chapter does not impair the right of a party to
 9 seek enforcement under any other existing laws or
 10 procedures.

KEITH A. KREIMAN

S-3186

1 Amend House File 793, as amended, passed, and
 2 reprinted by the House, as follows:

3 1. Page 9, line 31, by inserting after the word
 4 "section" the following: " , except for a partially
 5 laden vehicle in transit field-to-field".

JERRY BEHN

S-3187

- 1 Amend House File 653, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 3, by inserting after line 12 the
 4 following:
 5 “ ___ I have not previously registered to vote.
 6 OR
 7 ___ I have previously registered to vote in the
 8 county of (name of county), state of (name of state).”

MARK ZIEMAN
 RON WIECK
 DAVID HARTSUCH
 JOHN PUTNEY
 JERRY BEHN
 DAVE MULDER
 NANCY J. BOETTGER
 PAUL McKINLEY
 DAVID JOHNSON
 BRAD ZAUN
 JAMES A. SEYMOUR
 E. THURMAN GASKILL
 PAT WARD
 LARRY McKIBBEN
 JEFF ANGELO
 JAMES F. HAHN
 STEVE KETTERING

S-3188

- 1 Amend House File 653, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 4, line 29, by inserting after the word
 4 “FORM” the following: “— INVESTIGATIVE SURVEY”.
 5 2. Page 5, by inserting after line 8 the
 6 following:
 7 “ ___. Before the date of the next general
 8 election, the commissioner shall mail to each person
 9 who registered to vote on election day at the
 10 immediately preceding general election an
 11 investigative survey inquiring as to the voter’s
 12 reasons for registering to vote on the day of the
 13 election.”
 14 3. By renumbering as necessary.

MARK ZIEMAN
 DAVID HARTSUCH
 JOHN PUTNEY
 RON WIECK
 JERRY BEHN
 DAVE MULDER

NANCY J. BOETTGER
 PAUL MCKINLEY
 DAVID JOHNSON
 BRAD ZAUN
 JAMES A. SEYMOUR
 E. THURMAN GASKILL
 PAT WARD
 LARRY MCKIBBEN
 JEFF ANGELO
 STEVE KETTERING
 JAMES F. HAHN
 MARY A. LUNDBY

S-3189

1 Amend House File 653, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 4, by inserting after line 17, the
 4 following:
 5 "Sec. ____ NEW SECTION. 48A.7B POST-ELECTION
 6 AUDIT OF ELECTION DAY REGISTRATION.
 7 1. After each general election, the state
 8 commissioner shall conduct a post-election audit of
 9 election day registration balloting as provided in
 10 this section.
 11 2. The registration applications for which a
 12 post-election audit shall be conducted shall be those
 13 registration applications submitted at the precinct
 14 polling place on election day. The registration
 15 applications shall be randomly selected on a statewide
 16 basis. The number of registrations to be audited
 17 shall be an amount equal to five percent of the
 18 registration applications submitted on election day.
 19 The state commissioner shall compare each registration
 20 application selected with all applications submitted
 21 at precinct polling places on election day to
 22 determine whether any person submitted an application
 23 and voted in more than one precinct.
 24 3. If the audit reveals that a person submitted an
 25 application and voted in more than one precinct on
 26 election day, the state commissioner shall immediately
 27 notify the county attorney of each county involved.
 28 The state commissioner shall also immediately contact
 29 the commissioner of the appropriate county and shall
 30 instruct the commissioner to change the status of the
 31 registration to inactive status."
 32 2. By renumbering as necessary.

MARK ZIEMAN
 DAVID HARTSUCH
 JOHN PUTNEY
 JERRY BEHN

RON WIECK
 LARRY NOBLE
 DAVE MULDER
 LARRY McKIBBEN
 NANCY J. BOETTGER
 PAUL McKINLEY
 DAVID JOHNSON
 BRAD ZAUN
 JAMES A. SEYMOUR
 E. THURMAN GASKILL
 PAT WARD
 JAMES F. HAHN
 STEVE KETTERING
 JEFF ANGELO
 MARY A. LUNDBY

S-3190

1 Amend House File 653, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 6, by striking lines 18 through 22 and
 4 inserting the following: "48A.7A and cast a
 5 provisional ballot in the manner prescribed by section
 6 49.81."

MARK ZIEMAN
 LARRY NOBLE
 RON WIECK
 DAVID HARTSUCH
 JOHN PUTNEY
 JERRY BEHN
 DAVE MULDER
 NANCY J. BOETTGER
 PAUL McKINLEY
 DAVID JOHNSON
 BRAD ZAUN
 JAMES A. SEYMOUR
 E. THURMAN GASKILL
 JEFF ANGELO
 PAT WARD
 MARY A. LUNDBY

S-3191

1 Amend House File 653, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 4, by inserting before line 18 the
 4 following:
 5 "Sec. ____ Section 48A.8, Code 2007, is amended by
 6 striking the section and inserting in lieu thereof the
 7 following:
 8 48A.8 REGISTRATION BY MAIL.

9 An eligible elector may register to vote by
10 completing a mail registration form. The completed
11 form may be mailed or delivered by the registrant or
12 the registrant's designee to the commissioner in the
13 county where the person resides. A separate
14 registration form shall be signed by each individual
15 registrant."

16 2. Page 4, by inserting after line 27 the
17 following:

18 "Sec. ____ Section 48A.26, subsection 2, Code
19 2007, is amended to read as follows:

20 2. If the registration form appears on its face to
21 be complete and proper, the acknowledgment shall state
22 that the registrant is now a registered voter of the
23 county. The acknowledgment shall also specify the
24 name of the precinct and the usual polling place for
25 the precinct in which the person is now registered.
26 The acknowledgment shall include a statement informing
27 the registered voter that the voter is required to
28 show valid and current identification before the
29 person will be allowed to vote, and that the
30 identification must contain a photograph of the voter,
31 the printed name of the voter, and a validity
32 expiration date. The acknowledgment may include the
33 political party affiliation most recently recorded by
34 the registrant."

35 3. Page 5, by inserting before line 9 the
36 following:

37 "Sec. ____ Section 48A.27, subsection 4, paragraph
38 c, unnumbered paragraph 2, Code 2007, is amended to
39 read as follows:

40 The notice shall be sent by forwardable mail, and
41 shall include a postage paid preaddressed return card
42 on which the registered voter may state the registered
43 voter's current address. The notice shall contain a
44 statement in substantially the following form:
45 "Information received from the United States postal
46 service indicates that you are no longer a resident
47 of, and therefore not eligible to vote in (name of
48 county) County, Iowa. If this information is not
49 correct, and you still live in (name of county)
50 County, please complete and mail the attached postage

Page 2

1 paid card at least ten days before the primary or
2 general election and at least eleven days before any
3 other election at which you wish to vote. If the
4 information is correct and you have moved, please
5 contact a local official in your new area for
6 assistance in registering there. If you do not mail
7 in the card, you may be required to show

8 identification to prove residency before being allowed
9 to vote in (name of county) County. If you do not
10 return the card, and you do not vote in an election in
11 (name of county) County, Iowa, on or before (date of
12 second general election following the date of the
13 notice) your name will be removed from the list of
14 voters in that county. To ensure you receive this
15 notice, it is being sent to both your most recent
16 registration address and to your new address as
17 reported by the postal service.”

18 Sec. ____. Section 48A.29, subsection 1, unnumbered
19 paragraph 2, Code 2007, is amended to read as follows:

20 The notice shall be sent by forwardable mail, and
21 shall include a postage paid preaddressed return card
22 on which the registered voter may state the registered
23 voter’s current address. The notice shall contain a
24 statement in substantially the following form:

25 “Information received from the United States postal
26 service indicates that you are no longer a resident of
27 (residence address) in (name of county) County, Iowa.
28 If this information is not correct, and you still live
29 in (name of county) County, please complete and mail
30 the attached postage paid card at least ten days
31 before the primary or general election and at least
32 eleven days before any other election at which you
33 wish to vote. If the information is correct, and you
34 have moved, please contact a local official in your
35 new area for assistance in registering there. If you
36 do not mail in the card, you may be required to show
37 identification to prove residency before being allowed
38 to vote in (name of county) County. If you do not
39 return the card, and you do not vote in some election
40 in (name of county) County, Iowa, on or before (date
41 of second general election following the date of the
42 notice) your name will be removed from the list of
43 voters in that county.”

44 Sec. ____. Section 48A.29, subsection 3, unnumbered
45 paragraph 2, Code 2007, is amended to read as follows:

46 The notice shall be sent by forwardable mail, and
47 shall include a postage paid preaddressed return card
48 on which the registered voter may state the registered
49 voter’s current address. The notice shall contain a
50 statement in substantially the following form:

Page 3

1 “Information received by this office indicates that
2 you are no longer a resident of (residence address) in
3 (name of county) County, Iowa. If the information is
4 not correct, and you still live at that address,
5 please complete and mail the attached postage paid
6 card at least ten days before the primary or general

7 election and at least eleven days before any other
 8 election at which you wish to vote. If the
 9 information is correct, and you have moved within the
 10 county, you may update your registration by listing
 11 your new address on the card and mailing it back. If
 12 you have moved outside the county, please contact a
 13 local official in your new area for assistance in
 14 registering there. If you do not mail in the card,
 15 you may be required to show identification to prove
 16 residency before being allowed to vote in (name of
 17 county) County. If you do not return the card, and
 18 you do not vote in some election in (name of county)
 19 County, Iowa, on or before (date of second general
 20 election following the date of the notice) your name
 21 will be removed from the list of registered voters in
 22 that county.”

23 4. Page 6, by inserting before line 1 the
 24 following:

25 “Sec. ____ Section 49.77, subsection 3, Code 2007,
 26 is amended to read as follows:

27 ~~3. A precinct election official shall require any~~
 28 ~~person whose name does not appear on the election~~
 29 ~~register as an active voter to show identification.~~
 30 ~~Specific documents which are acceptable forms of~~
 31 ~~identification shall be prescribed by the state~~
 32 ~~commissioner.~~

33 3. A precinct election official may shall require
 34 of that the voter ~~unknown to the official,~~
 35 identification upon which the voter’s signature or
 36 mark appears produce for inspection valid and current
 37 identification. The identification must contain a
 38 photograph of the voter, the printed name of the
 39 voter, and a validity expiration date. If
 40 identification required under this subsection is
 41 established to the satisfaction of the precinct
 42 election officials, the person may then be allowed to
 43 vote.”

44 5. Page 6, line 3, by inserting before the words
 45 “A person” the following: “A precinct election
 46 official shall require any person whose name does not
 47 appear on the election register as an active voter to
 48 show identification to prove residency in the
 49 precinct. Specific documents which are acceptable
 50 forms of identification under this subsection shall be

Page 4

1 prescribed by the state commissioner.”

2 6. Page 6, line 7, by striking the words “proof
 3 of identity” and inserting the following: “proof of
 4 identity identification to prove residency”.

5 7. Page 6, by striking lines 18 through 22 and

6 inserting the following: "48A.7A and cast a ballot."

7 8. Page 6, by inserting after line 26 the
8 following:

9 "Sec. ____ Section 49.81, subsection 1, Code 2007,
10 is amended to read as follows:

11 1. A prospective voter who is prohibited under
12 section ~~48A.8, subsection 4, section 49.77~~, subsection
13 4, or section 49.80 from voting except under this
14 section shall be notified by the appropriate precinct
15 election official that the voter may cast a
16 provisional ballot. If a booth meeting the
17 requirement of section 49.25 is not available at that
18 polling place, the precinct election officials shall
19 make alternative arrangements to insure the challenged
20 voter the opportunity to vote in secret. The marked
21 ballot, folded as required by section 49.84, shall be
22 delivered to a precinct election official who shall
23 immediately seal it in an envelope of the type
24 prescribed by subsection 4. The sealed envelope shall
25 be deposited in an envelope marked "provisional
26 ballots" and shall be considered as having been cast
27 in the special precinct established by section 53.20
28 for purposes of the postelection canvass."

29 9. Title page, line 2, by inserting after the
30 word "election" the following: "and requiring voters
31 to provide certain identification when voting in
32 person at the polling place".

33 10. By renumbering as necessary.

MARK ZIEMAN
JOHN PUTNEY
JERRY BEHN
DAVE MULDER
LARRY NOBLE
RON WIECK
E. THURMAN GASKILL
JAMES F. HAHN
MARY A. LUNDBY
NANCY J. BOETTGER
PAUL McKINLEY
DAVID JOHNSON
BRAD ZAUN
JAMES A. SEYMOUR
PAT WARD
LARRY McKIBBEN
STEVE KETTERING
JEFF ANGELO

S-3192

- 1 Amend House File 653, as amended, passed, and
 2 reprinted by the House, as follows:
- 3 1. Page 1, by inserting after line 8 the
 4 following:
 5 “Sec. ____ Section 39A.2, subsection 2, Code 2007,
 6 is amended to read as follows:
 7 2. Election misconduct in the first degree is a
 8 class “D” felony. However, the fine for a violation
 9 of subsection 1, paragraph “a”, subparagraph (2),
 10 shall be at least seven hundred fifty dollars but not
 11 more than ten thousand dollars.”
- 12 2. Page 3, line 16, by striking the words “seven
 13 thousand five hundred” and inserting the following:
 14 “ten thousand”.
- 15 3. Page 4, line 12, by striking the words “seven
 16 thousand five hundred” and inserting the following:
 17 “ten thousand”.
- 18 4. By renumbering as necessary.

MARK ZIEMAN
 JOHN PUTNEY
 JERRY BEHN
 DAVE MULDER
 NANCY J. BOETTGER
 LARRY NOBLE
 PAUL McKINLEY
 RON WIECK
 DAVID JOHNSON
 BRAD ZAUN
 PAT WARD
 E. THURMAN GASKILL
 LARRY McKIBBEN
 JAMES F. HAHN
 STEVE KETTERING
 MARY A. LUNDBY
 JEFF ANGELO

S-3193

- 1 Amend Senate File 382 as follows:
- 2 1. Page 1, line 4, by inserting after the word
 3 “a” the following: “biologically based”.
- 4 2. Page 1, line 4, by striking the figure
 5 “514C.23” and inserting the following: “514C.22”.
- 6 3. Page 1, line 12, by striking the figure
 7 “514C.23” and inserting the following: “514C.22”.
- 8 4. By striking page 1, line 13, through page 3,
 9 line 33, and inserting the following:
 10 “Sec. ____ Section 514C.22, subsection 3, Code
 11 2007, is amended by adding the following new

12 paragraphs:

13 NEW PARAGRAPH. h. Attention-deficit hyperactivity
14 disorder.

15 NEW PARAGRAPH. i. Eating disorders in persons
16 under eighteen years of age.

17 NEW PARAGRAPH. j. Conduct spectrum disorders.

18 NEW PARAGRAPH. k. Post-traumatic stress disorder.

19 NEW PARAGRAPH. l. Generalized anxiety disorder in
20 persons under eighteen years of age.

21 Sec. ____ INTERIM STUDY COMMITTEE ON HEALTH
22 BENEFIT MANDATES. The legislative council is
23 requested to establish an interim study committee on
24 health benefit mandates to review the feasibility and
25 cost of establishing a commission to review all
26 proposed health benefit mandates, and to consider how
27 such a commission might be structured. The interim
28 study committee shall submit a report with findings
29 and recommendations to the general assembly on or
30 before January 1, 2008.

31 Sec. ____ APPLICABILITY DATE. This Act applies to
32 third-party payment provider policies or contracts and
33 to plans established pursuant to chapter 509A that are
34 delivered, issued for delivery, continued, or renewed
35 in this state on or after January 1, 2008.”

36 5. Title page, line 2, by inserting before the
37 word “mental” the following: “biologically based”.

38 6. Title page, line 2, by striking the word
39 “effective” and inserting the following:
40 “applicability”.

41 7. By renumbering as necessary.

BECKY SCHMITZ

S-3194

1 Amend the amendment, S-3185, to Senate File 430 as
2 follows:

3 1. By striking page 1, line 1, through page 3,
4 line 10, and inserting the following:

5 “Amend Senate File 430 as follows:

6 ____ By striking everything after the enacting
7 clause and inserting the following:

8 “Section 1. NEW SECTION. 626D.1 TITLE.

9 This chapter shall be cited as the “Recognition and
10 Enforcement of Tribal Court Civil Judgments Act”.

11 Sec. 2. NEW SECTION. 626D.2 DEFINITIONS.

12 As used in this chapter:

13 1. “Tribal court” means any court of any Indian
14 tribe which is federally recognized by the United
15 States department of interior, bureau of Indian
16 affairs as a recognized Indian tribal entity. A
17 “tribal court” must be a court of record.

18 2. "Tribal judgment, order, or decree" means any
19 final written judgment, order, or decree of a tribal
20 court of record duly authenticated in accordance with
21 the laws and procedures of the tribe or tribal court
22 of record and in accordance with this chapter.

23 Sec. 3. NEW SECTION. 626D.3 FILING PROCEDURES.

24 1. A copy of any tribal judgment, order, or decree
25 may be filed in the office of the clerk of court in
26 any county in this state.

27 2. The person filing the tribal judgment, order,
28 or decree shall make and file with the clerk of court
29 an affidavit setting forth the name and last known
30 address of the party seeking enforcement and the
31 responding party. Upon the filing of the tribal
32 judgment, order, or decree, and accompanying
33 affidavit, the enforcing party shall serve upon the
34 responding party a notice of filing of the tribal
35 judgment, order, or decree together with a copy of the
36 judgment, order, or decree in accordance with rule
37 1.442 of the Iowa rules of civil procedure. The
38 enforcing party shall file proof of service or mailing
39 with the clerk of court. The notice of filing shall
40 include the name and address of the enforcing party
41 and the enforcing party's attorney, if any, and shall
42 include the text contained in sections 626D.4 and
43 626D.5.

44 Sec. 4. NEW SECTION. 626D.4 RESPONSES.

45 Any objection to the enforcement of a tribal
46 judgment, order, or decree shall be filed within
47 thirty days of receipt of the mailing of the notice of
48 filing the judgment, order, or decree. If an
49 objection is filed within such time period, the court
50 shall set a time period for a formal response to the

Page 2

1 objection and shall set the matter for hearing.

2 Sec. 5. NEW SECTION. 626D.5 RECOGNITION OF
3 TRIBAL JUDGMENTS.

4 1. Unless objected to pursuant to section 626D.4,
5 a tribal judgment, order, or decree shall be
6 recognized and enforced by the courts of this state to
7 the same extent and with the same effect as any
8 judgment, order, or decree of a court of this state.

9 2. If no objections are timely filed, the clerk
10 shall issue a certification that no objections were
11 timely filed and the tribal judgment, order, or decree
12 shall be enforceable in the same manner as if issued
13 by a valid court of this state.

14 3. A tribal judgment, order, or decree shall not
15 be recognized and enforced if the objecting party
16 demonstrates by a preponderance of the evidence at

17 least one of the following:

18 a. The tribal court did not have personal or
19 subject matter jurisdiction.

20 b. The defendant was not afforded due process.

21 4. The court may recognize and enforce a tribal
22 judgment, order, or decree on equitable grounds. The
23 court may decline to recognize and enforce a tribal
24 judgment, order, or decree for any of the following
25 reasons:

26 a. The tribal judgment, order, or decree was
27 obtained by duress, coercion, or extrinsic fraud.

28 b. The tribal judgment, order, or decree conflicts
29 with another final judgment, order, or decree that is
30 entitled to recognition in this state.

31 c. The tribal judgment, order, or decree is
32 inconsistent with the parties' contractual choice of
33 forum, provided the contractual choice of forum issue
34 was timely raised in the tribal court.

35 d. The tribal court does not recognize a civil
36 judgment, order, or decree of a court of this state
37 under conditions similar to tribal court recognition.

38 e. Recognition of the tribal judgment, order, or
39 decree or the cause of action or defense upon which
40 the tribal judgment, order, or decree is based is
41 repugnant to the public policy of the United States or
42 this state.

43 Sec. 6. ~~NEW SECTION.~~ 626D.6 STAY.

44 If the objecting party demonstrates to the court
45 that an appeal from the tribal judgment, order, or
46 decree is pending or will be taken or that a stay of
47 execution has been granted, the court shall stay
48 enforcement of the tribal judgment, order, or decree
49 until the appeal is concluded, the time for appeal
50 expires, or the stay of execution expires or is

Page 3

1 vacated.

2 Sec. 7. ~~NEW SECTION.~~ 626D.7 CONTACTING COURTS.

3 The district court, after notice to the parties,
4 may attempt to resolve any issues raised regarding a
5 tribal court judgment, order, or decree pursuant to
6 section 626D.3 or 626D.5, by contacting the tribal
7 court judge who issued the judgment.

8 Sec. 8. ~~NEW SECTION.~~ 626D.8 APPLICABILITY.

9 1. This chapter shall govern the procedures for
10 the recognition and enforcement by the courts of this
11 state of a civil judgment, order, or decree issued by
12 a tribal court of any federally recognized Indian
13 tribe. This chapter does not apply to tribal
14 judgments, orders, or decrees for which federal law
15 requires that states grant full faith and credit

16 recognition.

17 2. A tribal court judgment may be recognized and
18 enforced pursuant to this chapter only if the
19 underlying cause of action accrued on or after the
20 effective date of this Act. The date of accrual shall
21 be determined by the laws of this state.

22 3. This chapter shall not be deemed or construed
23 to expand or limit the jurisdiction of either this
24 state or any Indian tribe.”

LARRY McKIBBEN
PAT WARD
JOHN PUTNEY

S-3195

1 Amend Senate File 509 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 “DIVISION I

5 REVISED UNIFORM ANATOMICAL GIFT ACT

6 Section 1. Section 142C.1, Code 2007, is amended
7 by striking the section and inserting in lieu thereof
8 the following:

9 142C.1 SHORT TITLE.

10 This chapter shall be known and may be cited as the
11 “Revised Uniform Anatomical Gift Act”.

12 Sec. 2. Section 142C.2, Code 2007, is amended by
13 striking the section and inserting in lieu thereof the
14 following:

15 142C.2 DEFINITIONS.

16 As used in this chapter, unless the context
17 otherwise requires:

18 1. “Adult” means an individual who is eighteen
19 years of age or older.

20 2. “Agent” means an individual who meets any of
21 the following conditions:

22 a. Is authorized to make health care decisions on
23 the principal’s behalf by a durable power of attorney
24 for health care pursuant to chapter 144B.

25 b. Is expressly authorized to make an anatomical
26 gift on the principal’s behalf by any other record
27 signed by the principal.

28 3. “Anatomical gift” or “gift” means a donation of
29 all or part of the human body effective after the
30 donor’s death, for the purposes of transplantation,
31 therapy, research, or education.

32 4. “Decedent” means a deceased individual whose
33 body or part is or may be the source of an anatomical
34 gift and includes a stillborn infant.

35 5. “Disinterested witness” means a witness other
36 than the spouse, child, parent, sibling, grandchild,

37 grandparent, or guardian of the individual who makes,
38 amends, revokes, or refuses to make an anatomical
39 gift, or any other adult who exhibited special care
40 and concern for the individual. “Disinterested
41 witness” does not include a person who may receive an
42 anatomical gift pursuant to section 142C.5.

43 6. “Document of gift” means a donor card or other
44 record used to make an anatomical gift, including a
45 statement or symbol on a driver’s license or
46 identification card, or an entry in a donor registry.

47 7. “Donor” means an individual whose body or part
48 is the subject of an anatomical gift.

49 8. “Donor registry” means a database that contains
50 records of anatomical gifts and amendments of

Page 2

1 anatomical gifts.

2 9. “Driver’s license” means a license or permit
3 issued by the state department of transportation to
4 operate a vehicle, whether or not conditions are
5 attached to the license or permit.

6 10. “Eye bank” means a person that is licensed,
7 accredited, or regulated under federal or state law to
8 engage in the recovery, screening, testing,
9 processing, storage, or distribution of human eyes or
10 portions of human eyes.

11 11. “Forensic pathologist” means a pathologist who
12 is further certified in the subspecialty of forensic
13 pathology by the American board of pathology.

14 12. “Guardian” means a person appointed by a court
15 to make decisions regarding the support, care,
16 education, health, or welfare of an individual, but
17 does not include a guardian ad litem.

18 13. “Hospital” means a hospital licensed under
19 chapter 135B, or a hospital licensed, accredited, or
20 approved under federal law or the laws of any other
21 state, and includes a hospital operated by the federal
22 government, a state, or a political subdivision of a
23 state, although not required to be licensed under
24 state laws.

25 14. “Identification card” means a nonoperator’s
26 identification card issued by the state department of
27 transportation pursuant to section 321.190.

28 15. “Iowa donor network” means the nonprofit
29 organization certified by the centers for Medicare and
30 Medicaid services of the United States department of
31 health and human services as the single organ
32 procurement agency serving the state and which also
33 serves as the tissue recovery agency for the state.

34 16. “Iowa donor registry” means the Iowa donor
35 registry administered by the Iowa donor network.

- 36 17. "Know" means to have actual knowledge.
37 18. "Medical examiner" means an individual who is
38 appointed as a medical examiner pursuant to section
39 331.801 or 691.5.
40 19. "Minor" means an individual who is less than
41 eighteen years of age.
42 20. "Organ procurement organization" means a
43 person designated by the United States secretary of
44 health and human services as an organ procurement
45 organization.
46 21. "Parent" means a parent whose parental rights
47 have not been terminated.
48 22. "Part" means an organ, an eye, or tissue of a
49 human being, but does not include the whole body of a
50 human being.

Page 3

- 1 23. "Pathologist" means a licensed physician who
2 is certified in anatomic or clinical pathology by the
3 American board of pathology.
4 24. "Person" means person as defined in section
5 4.1.
6 25. "Physician" means an individual authorized to
7 practice medicine and surgery or osteopathy and
8 surgery under the laws of any state.
9 26. "Procurement organization" means an eye bank,
10 organ procurement organization, or tissue bank.
11 27. "Prospective donor" means an individual who is
12 dead or near death and has been determined by a
13 procurement organization to have a part that could be
14 medically suitable for transplantation, therapy,
15 research, or education, but does not include an
16 individual who has made a refusal.
17 28. "Reasonably available" means able to be
18 contacted by a procurement organization without undue
19 effort and willing and able to act in a timely manner
20 consistent with existing medical criteria necessary
21 for the making of an anatomical gift.
22 29. "Recipient" means an individual into whose
23 body a decedent's part has been transplanted or is
24 intended for transplant.
25 30. "Record" means information that is inscribed
26 on a tangible medium or that is stored in an
27 electronic or other medium and is retrievable in
28 perceivable form.
29 31. "Refusal" means a record created pursuant to
30 section 142C.3 that expressly states an individual's
31 intent to prohibit other persons from making an
32 anatomical gift of the individual's body or part.
33 32. "Sign" means to do any of the following with
34 the present intent to authenticate or adopt a record:

- 35 a. Execute or adopt a tangible symbol.
36 b. Attach to or logically associate with the
37 record an electronic symbol, sound, or process.
38 33. "State" means any state of the United States,
39 the District of Columbia, Puerto Rico, the United
40 States Virgin Islands, or any territory or insular
41 possession subject to the jurisdiction of the United
42 States.
43 34. "Technician" means an individual determined to
44 be qualified to remove or process parts by an
45 appropriate organization that is licensed, accredited,
46 or regulated under federal or state law and includes
47 an enucleator.
48 35. "Tissue" means a portion of the human body
49 other than an organ or an eye, but does not include
50 blood unless the blood is donated for the purpose of

Page 4

- 1 research or education.
2 36. "Tissue bank" means a person that is licensed,
3 accredited, or regulated under federal or state law to
4 engage in the recovery, screening, testing,
5 processing, storage, or distribution of tissue.
6 37. "Transplant hospital" means a hospital that
7 furnishes organ transplants and other medical and
8 surgical specialty services required for the care of
9 transplant patients.
10 Sec. 3. Section 142C.3, Code 2007, is amended by
11 striking the section and inserting in lieu thereof the
12 following:
13 142C.3 PERSONS WHO MAY MAKE — MANNER OF MAKING —
14 AMENDING OR REVOKING — REFUSAL TO MAKE ANATOMICAL
15 GIFT BEFORE DONOR'S DEATH — PRECLUSIVE EFFECT.
16 1. WHO MAY MAKE. Subject to subsection 5, an
17 anatomical gift of a donor's body or part may be made
18 during the life of the donor for the purposes of
19 transplantation, therapy, research, or education in
20 the manner prescribed in subsection 2 by any of the
21 following:
22 a. The donor if the donor is any of the following:
23 (1) An adult.
24 (2) A minor, if the minor is emancipated.
25 (3) A minor, if the minor is authorized under
26 state law to apply for a driver's license or
27 identification card because the minor is at least 14
28 years of age, and the minor authorizes a statement or
29 symbol indicating an anatomical gift on a driver's
30 license, identification card, or donor registry entry
31 with the signed approval of a parent or guardian.
32 b. An agent of the donor, unless the durable power
33 of attorney for health care or other record prohibits

34 the agent from making the anatomical gift.
35 c. A parent of the donor, if the donor is an
36 unemancipated minor.
37 d. The guardian of the donor.
38 2. MANNER OF MAKING.
39 a. A donor may make an anatomical gift by any of
40 the following means:
41 (1) By authorizing a statement or symbol
42 indicating that the donor has made an anatomical gift
43 to be imprinted on the donor's driver's license or
44 identification card.
45 (2) In a will.
46 (3) During a terminal illness or injury of the
47 donor, by any form of communication addressed to at
48 least two adults, at least one of whom is a
49 disinterested witness.
50 (4) As provided in paragraph "b".

Page 5

1 b. (1) A donor or other person authorized to make
2 an anatomical gift under subsection 1 may make a gift
3 by a donor card or other record signed by the donor or
4 other person making the gift or by authorizing that a
5 statement or symbol indicating that the donor has made
6 an anatomical gift be included on the donor registry.
7 (2) If the donor or other person is physically
8 unable to sign a record, the record may be signed by
9 another individual at the direction of the donor or
10 other person and shall meet all of the following
11 requirements:
12 (a) Be witnessed by at least two adults, at least
13 one of whom is a disinterested witness, who have
14 signed at the request of the donor or other person.
15 (b) State that the record has been signed and
16 witnessed as provided in subparagraph subdivision (a).
17 c. Revocation, suspension, expiration, or
18 cancellation of a driver's license or identification
19 card upon which an anatomical gift is indicated shall
20 not invalidate the gift.
21 d. An anatomical gift made by will takes effect
22 upon the donor's death whether or not the will is
23 probated. Invalidation of the will after the donor's
24 death does not invalidate the gift.
25 3. AMENDING OR REVOKING GIFT BEFORE DONOR'S DEATH.
26 a. Subject to subsection 5, a donor or other
27 person authorized to make an anatomical gift under
28 subsection 1 may amend or revoke an anatomical gift by
29 any of the following means:
30 (1) A record signed by any of the following:
31 (a) The donor.
32 (b) The other person authorized to make an

33 anatomical gift.

34 (c) Subject to paragraph “b”, another individual
35 acting at the direction of the donor or the other
36 authorized person if the donor or other person is
37 physically unable to sign the record.

38 (2) A later-executed document of gift that amends
39 or revokes a previous anatomical gift or portion of an
40 anatomical gift, either expressly or by inconsistency.

41 b. A record signed pursuant to paragraph “a”,
42 subparagraph (1), subparagraph subdivision (c), shall
43 comply with all of the following:

44 (1) Be witnessed by at least two adults, at least
45 one of whom is a disinterested witness, who have
46 signed at the request of the donor or the other
47 authorized person.

48 (2) State that the record has been signed and
49 witnessed as provided in subparagraph (1).

50 c. Subject to subsection 5, a donor or other

Page 6

1 person authorized to make an anatomical gift under
2 subsection 1 may revoke an anatomical gift by the
3 destruction or cancellation of the document of gift,
4 or the portion of the document of gift used to make
5 the gift, with the intent to revoke the gift.

6 d. A donor may amend or revoke an anatomical gift
7 that was not made in a will by any form of
8 communication during a terminal illness or injury
9 addressed to at least two adults, at least one of whom
10 is a disinterested witness.

11 e. A donor who makes an anatomical gift in a will
12 may amend or revoke the gift in the manner provided
13 for amendment or revocation of wills or as provided in
14 paragraph “a”.

15 4. REFUSAL TO MAKE.

16 a. An individual may refuse to make an anatomical
17 gift of the individual’s body or part by any of the
18 following means:

19 (1) A record signed by any of the following:

20 (a) The individual.

21 (b) Subject to paragraph “b”, another individual
22 acting at the direction of the individual if the
23 individual is physically unable to sign the record.

24 (2) The individual’s will, whether or not the will
25 is admitted to probate or invalidated after the
26 individual’s death.

27 (3) Any form of communication made by the
28 individual during the individual’s terminal illness or
29 injury addressed to at least two adults, at least one
30 of whom is a disinterested witness.

31 b. A record signed pursuant to paragraph “a”,

32 subparagraph (1), subparagraph subdivision (b), shall
33 comply with all of the following:

34 (1) Be witnessed by at least two adults, at least
35 one of whom is a disinterested witness, who have
36 signed at the request of the individual.

37 (2) State that the record has been signed and
38 witnessed as provided in subparagraph (1).

39 c. An individual who has made a refusal may amend
40 or revoke the refusal in accordance with any of the
41 following:

42 (1) In the manner provided in paragraph “a” for
43 making a refusal.

44 (2) By subsequently making an anatomical gift
45 pursuant to subsection 2 that is inconsistent with the
46 refusal.

47 (3) By destroying or canceling the record
48 evidencing the refusal, or the portion of the record
49 used to make the refusal, with the intent to revoke
50 the refusal.

Page 7

1 d. Except as otherwise provided in subsection 5,
2 paragraph “h”, in the absence of an express, contrary
3 indication by the individual set forth in the refusal,
4 an individual’s unrevoked refusal to make an
5 anatomical gift of the individual’s body or part
6 prohibits all other persons from making an anatomical
7 gift of the individual’s body or part.

8 5. PRECLUSIVE EFFECT.

9 a. DONOR GIFT OR AMENDMENT — SUBSEQUENT ACTIONS
10 BY OTHERS PROHIBITED. Except as otherwise provided in
11 paragraph “g”, and subject to paragraph “f”, in the
12 absence of a contrary indication by the donor, a
13 person other than the donor is prohibited from making,
14 amending, or revoking an anatomical gift of a donor’s
15 body or part if the donor made an anatomical gift of
16 the donor’s body or part under subsection 2 or an
17 amendment to an anatomical gift of the donor’s body or
18 part under subsection 3.

19 b. DONOR REVOCATION NOT A REFUSAL. A donor’s
20 revocation of an anatomical gift of the donor’s body
21 or part under subsection 3 is not a refusal and does
22 not prohibit another person specified in subsection 1
23 or section 142C.4 from making an anatomical gift of
24 the donor’s body or part under subsection 2 or section
25 142C.4.

26 c. GIFT ON AMENDMENT BY ANOTHER — SUBSEQUENT
27 ACTIONS BY OTHERS PROHIBITED. If a person other than
28 the donor makes an unrevoked anatomical gift of the
29 donor’s body or part under subsection 2, or an
30 amendment to an anatomical gift of the donor’s body or

31 part under subsection 3, another person may not make,
32 amend, or revoke the gift of the donor's body or part
33 under section 142C.4.

34 d. REVOCATION BY ANOTHER NOT PROHIBITIVE OF OTHER
35 GIFT. A revocation of an anatomical gift of a donor's
36 body or part under subsection 3 by a person other than
37 the donor does not prohibit another person from making
38 an anatomical gift of the body or part under
39 subsection 2 or section 142C.4.

40 e. GIFT OF PART NOT PROHIBITIVE OF GIFT OF ANOTHER
41 PART. In the absence of a contrary indication by the
42 donor or other person authorized to make an anatomical
43 gift under subsection 1, an anatomical gift of a part
44 is neither a refusal to donate another part nor a
45 limitation on the making of an anatomical gift of
46 another part at a later time by the donor or another
47 authorized person.

48 f. GIFT FOR ONE PURPOSE NOT PROHIBITIVE OF ANOTHER
49 PURPOSE. In the absence of a contrary indication by
50 the donor or other person authorized to make an

Page 8

1 anatomical gift under subsection 1, an anatomical gift
2 of a part for one or more of the purposes specified in
3 subsection 1 is not a limitation on the making of an
4 anatomical gift of the part for any of the other
5 purposes by the donor or any other person under
6 subsection 2 or section 142C.4.

7 g. UNEMANCIPATED MINOR GIFT — PARENT REVOCATION.
8 If a donor who is an unemancipated minor dies, a
9 parent of the donor who is reasonably available may
10 revoke or amend an anatomical gift of the donor's body
11 or part.

12 h. UNEMANCIPATED MINOR REFUSAL — PARENT
13 REVOCATION OR AMENDMENT. If an unemancipated minor
14 who signed a refusal dies, a parent of the minor who
15 is reasonably available may revoke the minor's
16 refusal.

17 Sec. 4. Section 142C.4, Code 2007, is amended by
18 striking the section and inserting in lieu thereof the
19 following:

20 142C.4 WHO MAY MAKE ANATOMICAL GIFT OF DECEDENT'S
21 BODY OR PART — AMENDING OR REVOKING GIFT.

22 1. Subject to subsection 2, and unless prohibited
23 by section 142C.3, subsection 4 or 5, an anatomical
24 gift of a decedent's body or part for purposes of
25 transplantation, therapy, research, or education may
26 be made by any member of the following classes of
27 persons who is reasonably available, in the order of
28 priority listed.

29 a. An agent of the decedent at the time of death

30 who could have made an anatomical gift under section
31 142C.3, subsection 1, immediately before the
32 decedent's death.
33 b. The spouse of the decedent.
34 c. Adult children of the decedent.
35 d. Parents of the decedent.
36 e. Adult siblings of the decedent.
37 f. Adult grandchildren of the decedent.
38 g. Grandparents of the decedent.
39 h. An adult who exhibited special care and concern
40 for the decedent.
41 i. Any persons who were acting as guardians of the
42 decedent at the time of death.
43 j. Any other person having the authority to
44 dispose of the decedent's body.
45 2. a. If there is more than one member of a class
46 listed in subsection 1, paragraph "a", "c", "d", "e",
47 "f", "g", or "i", entitled to make an anatomical gift,
48 an anatomical gift may be made by one member of the
49 class unless that member or a person to whom the gift
50 may pass under section 142C.5 knows of an objection by

Page 9

1 another member of the class. If an objection is
2 known, the gift shall be made only by a majority of
3 the members of the class who are reasonably available.
4 b. A person shall not make an anatomical gift if,
5 at the time of the death of the decedent, a person in
6 a prior class under subsection 1 is reasonably
7 available to make or to object to the making of an
8 anatomical gift.
9 3. A person authorized to make an anatomical gift
10 under subsection 1 may make an anatomical gift by a
11 document of gift signed by the person making the gift
12 or by the person's oral communication that is
13 electronically recorded or is contemporaneously
14 reduced to a record and signed by the recipient of the
15 oral communication.
16 4. Subject to subsection 5, an anatomical gift by
17 a person authorized under subsection 1 may be amended
18 or revoked orally or in a record by any member of the
19 prior class who is reasonably available. If more than
20 one member of the prior class is reasonably available,
21 the gift made by a person authorized under subsection
22 1 may be:
23 a. Amended only if a majority of the reasonably
24 available members agree to the amending of the gift.
25 b. Revoked only if a majority of the reasonably
26 available members agree to the revoking of the gift or
27 if they are equally divided as to whether to revoke
28 the gift.

29 5. A revocation under subsection 4 is effective
30 only if, before an incision has been made to remove a
31 part from the donor's body or before invasive
32 procedures have begun to prepare the recipient, the
33 procurement organization, transplant hospital, or
34 physician or technician knows of the revocation.

35 Sec. 5. Section 142C.4A, Code 2007, is amended by
36 striking the section and inserting in lieu thereof the
37 following:

38 142C.4A COOPERATION BETWEEN MEDICAL EXAMINER AND
39 ORGAN PROCUREMENT ORGANIZATION — FACILITATION OF
40 ANATOMICAL GIFT FROM DECEDENT WHOSE BODY IS UNDER
41 JURISDICTION OF MEDICAL EXAMINER.

42 1. A medical examiner shall cooperate with
43 procurement organizations to maximize the opportunity
44 to recover organs for the purpose of transplantation
45 when the recovery of organs does not interfere with a
46 death investigation.

47 2. If a medical examiner receives notice from a
48 procurement organization that an organ might be or was
49 made available with respect to a decedent whose body
50 is under the jurisdiction of the medical examiner and

Page 10

1 a postmortem examination will be performed, unless the
2 medical examiner denies recovery in accordance with
3 this section, the medical examiner or designee shall
4 conduct a postmortem examination of the body or the
5 organ in a manner and within a period compatible with
6 its preservation for the purposes of the gift. Every
7 reasonable effort shall be made to accomplish the
8 mutual goals of organ donation and a thorough death
9 investigation.

10 3. An organ shall not be removed from the body of
11 a decedent under the jurisdiction of a medical
12 examiner for transplantation unless the organ is the
13 subject of an anatomical gift. This subsection does
14 not preclude a medical examiner from performing a
15 medicolegal investigation pursuant to subsection 5
16 upon the body or organs of a decedent under the
17 jurisdiction of the medical examiner.

18 4. Upon request of an organ procurement
19 organization, a medical examiner shall release to the
20 organ procurement organization the name and contact
21 information of a decedent whose body is under the
22 jurisdiction of the medical examiner. If the
23 decedent's organs are medically suitable for
24 transplantation, the pathologist or medical examiner
25 shall release to the organ procurement organization
26 the postmortem examination results, limited to cause
27 and manner of death and any evidence of infection or

28 other disease process, which might preclude safe
29 transplantation of recovered organs. The organ
30 procurement organization may make a subsequent
31 disclosure of the postmortem examination results only
32 if relevant to transplantation.

33 5. The medical examiner may conduct a medicolegal
34 examination by reviewing all medical records,
35 laboratory test results, X rays, other diagnostic
36 results, and other information that any person
37 possesses about a donor or prospective donor whose
38 body is under the jurisdiction of the medical
39 examiner, which the medical examiner determines may be
40 relevant to the investigation.

41 6. A person who has any information requested by a
42 medical examiner pursuant to subsection 5 shall
43 provide that information as expeditiously as possible
44 to allow the medical examiner to conduct the
45 medicolegal investigation within a period compatible
46 with the preservation of organs for the purpose of
47 transplantation.

48 7. If an anatomical gift has been or might be made
49 of an organ of a decedent whose body is under the
50 jurisdiction of the medical examiner and a postmortem

Page 11

1 examination is not required, or the medical examiner
2 determines that a postmortem examination is required
3 but that the recovery of the organ that is the subject
4 of an anatomical gift will not interfere with the
5 examination, the medical examiner and organ
6 procurement organization shall cooperate in the timely
7 removal of the organ from the decedent for the purpose
8 of transplantation.

9 8. a. If an anatomical gift of an organ from a
10 decedent under the jurisdiction of the medical
11 examiner has been or might be made, but the
12 pathologist or medical examiner initially believes
13 that the recovery of the organ could interfere with
14 the postmortem investigation into the decedent's cause
15 or manner of death, the pathologist or medical
16 examiner shall consult with the organ procurement
17 organization or physician or technician designated by
18 the organ procurement organization about the proposed
19 recovery.

20 b. Ancillary clinical tests such as a magnetic
21 resonance imaging (MRI), a computed tomography (CT)
22 scan, or skeletal survey may be required by the
23 pathologist prior to determination of suitability of
24 organ procurement. These tests shall be performed and
25 interpreted by the appropriate physician at the
26 pathologist's request, and reported in a timely

27 fashion. All expenses for such tests shall be the
28 responsibility of the organ procurement organization
29 regardless of outcome.

30 c. After consultation pursuant to paragraph "a"
31 and any preliminary investigation pursuant to
32 paragraph "b", the pathologist or medical examiner may
33 allow recovery, depending on the nature of the case
34 and the availability of a pathologist to view the body
35 prior to recovery.

36 9. If the manner of death may be homicide or has
37 the potential for litigation, the organ recovery shall
38 be approved by the forensic pathologist, and the
39 forensic pathologist may examine the body prior to
40 organ recovery and document by diagrams and
41 photographs all visible injuries.

42 10. a. If the medical examiner or designee allows
43 recovery of an organ under subsection 7, 8, or 9, the
44 organ procurement organization, upon request, shall
45 cause the physician or technician who removes the
46 organ to provide the medical examiner with a record
47 describing the condition of the organ, a biopsy, a
48 photograph, and any other information and observations
49 that would assist in the postmortem examination.

50 b. Arrangements for the examination of bodies of

Page 12

1 such decedents shall be coordinated between the organ
2 procurement organization and the state medical
3 examiner.

4 c. If applicable, and whenever possible, the
5 forensic pathologist who examined the decedent's body
6 prior to recovery of the organ shall perform the
7 autopsy. If the forensic pathologist is unable to
8 accommodate examination of the body due to scheduling
9 or staffing, the request for organ donation may be
10 denied.

11 11. If a medical examiner or designee is required
12 to be present at a removal procedure under subsection
13 9, upon request, the organ procurement organization
14 requesting the recovery of the organ shall reimburse
15 the medical examiner or designee for the additional
16 costs incurred in complying with subsection 9.

17 12. A physician or technician who removes an organ
18 at the direction of the organ procurement organization
19 may be called to testify about findings from the
20 surgical recovery of organs at no cost to taxpayers if
21 the decedent is under the jurisdiction of the medical
22 examiner.

23 13. a. The medical examiner or pathologist with
24 jurisdiction over the body of a decedent has
25 discretion to grant or deny permission for organ or

26 tissue recovery.

27 b. If the recovery of organs or tissues may hinder
28 the determination of cause or manner of death or if
29 evidence may be destroyed by the recovery, permission
30 may be denied.

31 c. The medical examiner or a pathologist
32 performing state autopsies shall work closely with
33 procurement organizations in an effort to balance the
34 needs of the public and the decedent's next of kin.

35 Sec. 6. Section 142C.5, Code 2007, is amended by
36 striking the section and inserting in lieu thereof the
37 following:

38 142C.5 PERSONS WHO MAY RECEIVE ANATOMICAL GIFTS
39 AND PURPOSES FOR WHICH ANATOMICAL GIFTS MAY BE MADE.

40 1. An anatomical gift may be made to the following
41 persons named in a document of gift:

42 a. A hospital, accredited medical or osteopathic
43 medical school, dental school, college, or university,
44 organ procurement organization, or other appropriate
45 person for research or education.

46 b. An eye bank or tissue bank.

47 c. Subject to subsection 2, an individual
48 designated by the person making the anatomical gift if
49 the individual is the recipient of the part.

50 2. If an anatomical gift to an individual under

Page 13

1 subsection 1, paragraph "c", cannot be transplanted
2 into the individual, the part passes in accordance
3 with subsection 7 in the absence of an express,
4 contrary indication by the person making the
5 anatomical gift.

6 3. If an anatomical gift of one or more specific
7 parts or of all parts is made in a document of gift
8 that does not name a person described in subsection 1
9 but identifies the purpose for which an anatomical
10 gift may be used, the following rules apply:

11 a. If the part is an eye and the gift is for the
12 purpose of transplantation or therapy, the gift passes
13 to the appropriate eye bank.

14 b. If the part is tissue and the gift is for the
15 purpose of transplantation or therapy, the gift passes
16 to the appropriate tissue bank.

17 c. If the part is an organ and the gift is for the
18 purpose of transplantation or therapy, the gift passes
19 to the appropriate organ procurement organization as
20 custodian of the organ.

21 d. If the part is an organ, an eye, or tissue and
22 the gift is for the purpose of research or education,
23 the gift passes to the appropriate procurement
24 organization.

- 25 4. For the purpose of subsection 3, if there is
26 more than one purpose of an anatomical gift set forth
27 in the document of gift but the purposes are not set
28 forth in any priority, the gift shall be used for
29 transplantation or therapy, if suitable. If the gift
30 cannot be used for transplantation or therapy, the
31 gift may be used for research or education.
- 32 5. If an anatomical gift of one or more specific
33 parts is made in a document of gift that does not name
34 a person described in subsection 1 and does not
35 identify the purpose of the gift, the gift may be used
36 only for transplantation or therapy, and the gift
37 passes in accordance with subsection 7.
- 38 6. If a document of gift specifies only a general
39 intent to make an anatomical gift by words such as
40 “donor”, “organ donor”, or “body donor”, or by a
41 symbol or statement of similar import, the gift may be
42 used only for transplantation or therapy, and the gift
43 passes in accordance with subsection 7.
- 44 7. For the purposes of subsections 2, 5, and 6,
45 the following rules shall apply:
- 46 a. If the part is an eye, the gift passes to the
47 appropriate eye bank.
- 48 b. If the part is tissue, the gift passes to the
49 appropriate tissue bank.
- 50 c. If the part is an organ, the gift passes to the

Page 14

- 1 appropriate organ procurement organization as
2 custodian of the organ.
- 3 8. An anatomical gift of an organ for
4 transplantation or therapy, other than an anatomical
5 gift under subsection 1, paragraph “c”, passes to the
6 organ procurement organization as custodian of the
7 organ.
- 8 9. If an anatomical gift does not pass pursuant to
9 subsections 1 through 8, or the decedent’s body or
10 part is not used for transplantation, therapy,
11 research, or education, custody of the body or part
12 passes to the person under obligation to dispose of
13 the body or part.
- 14 10. A person shall not accept an anatomical gift
15 if the person knows that the gift was not effectively
16 made under section 142C.3, subsection 2, or section
17 142C.4, or if the person knows that the decedent made
18 a refusal under section 142C.3, subsection 4, that was
19 not revoked. For purposes of this subsection, if a
20 person knows that an anatomical gift was made on a
21 document of gift, the person is deemed to know of any
22 amendment or revocation of the gift or any refusal to
23 make an anatomical gift on the same document of gift.

24 11. Except as otherwise provided in subsection 1,
 25 paragraph “c”, nothing in this chapter shall affect
 26 the allocation of organs for transplantation or
 27 therapy.

28 Sec. 7. NEW SECTION. 142C.5A SEARCH AND
 29 NOTIFICATION.

30 1. The following persons shall make a reasonable
 31 search of an individual who the person reasonably
 32 believes is dead or near death for a document of gift
 33 or other information identifying the individual as a
 34 donor or as an individual who made a refusal:

35 a. A law enforcement officer, fire fighter,
 36 paramedic, or other emergency rescuer finding the
 37 individual.

38 b. If no other source of the information is
 39 immediately available, a hospital, as soon as
 40 practical after the individual’s arrival at the
 41 hospital.

42 2. If a document of gift or a refusal to make an
 43 anatomical gift is located by the search required by
 44 subsection 1, paragraph “a”, and the individual or
 45 deceased individual to whom it relates is taken to a
 46 hospital, the person responsible for conducting the
 47 search shall deliver the document of gift or refusal
 48 to the hospital.

49 3. A person is not subject to criminal or civil
 50 liability for failing to discharge the duties imposed

Page 15

1 by this section but may be subject to administrative
 2 sanctions.

3 Sec. 8. Section 142C.6, Code 2007, is amended by
 4 striking the section and inserting in lieu thereof the
 5 following:

6 142C.6 DELIVERY OF DOCUMENT OF GIFT NOT REQUIRED
 7 — RIGHT TO EXAMINE.

8 1. A document of gift does not require delivery
 9 during the donor’s lifetime to be effective.

10 2. Upon or after an individual’s death, a person
 11 in possession of the document of gift or a refusal to
 12 make an anatomical gift with respect to the individual
 13 shall allow examination and copying of the document of
 14 gift or the refusal by a person authorized to make or
 15 object to the making of an anatomical gift with
 16 respect to the individual or by a person to whom the
 17 gift could pass under section 142C.5.

18 Sec. 9. Section 142C.7, Code 2007, is amended by
 19 striking the section and inserting in lieu thereof the
 20 following:

21 142C.7 CONFIDENTIAL INFORMATION.

22 A hospital, licensed or certified health care

23 professional pursuant to chapter 148, 148C, 150A, or
24 152, or medical examiner may release patient
25 information to a procurement organization as part of a
26 referral or retrospective review of the patient as a
27 potential donor. Any information regarding a patient,
28 including the patient's identity, however, constitutes
29 confidential medical information and under any other
30 circumstances is prohibited from disclosure without
31 the written consent of the patient or the patient's
32 legal representative.

33 Sec. 10. Section 142C.8, Code 2007, is amended by
34 striking the section and inserting in lieu thereof the
35 following:

36 142C.8 RIGHTS AND DUTIES OF PROCUREMENT
37 ORGANIZATIONS AND DONORS.

38 1. When a hospital refers an individual at or near
39 death to a procurement organization, the procurement
40 organization shall make a reasonable search of the
41 records of the state department of transportation and
42 any donor registry that the hospital knows exists for
43 the geographical area in which the individual resides
44 to ascertain whether the individual has made an
45 anatomical gift.

46 2. A procurement organization shall be allowed
47 reasonable access to information in the records of the
48 state department of transportation to ascertain
49 whether an individual at or near death is a donor.

50 3. When a hospital refers an individual at or near

Page 16

1 death to a procurement organization, the procurement
2 organization may conduct any reasonable examination
3 necessary to ensure the medical suitability of a part
4 that is or could be the subject of an anatomical gift
5 for transplantation, therapy, research, or education
6 from a donor or a prospective donor. During the
7 examination period, measures necessary to ensure the
8 medical suitability of the part shall not be withdrawn
9 unless the hospital or procurement organization knows
10 that the individual expressed a contrary intent.

11 4. Unless prohibited by law other than this
12 chapter, at any time after a donor's death, the person
13 to whom a part passes under section 142C.5 may conduct
14 any reasonable examination necessary to ensure the
15 medical suitability of the body or part for its
16 intended purpose.

17 5. Unless prohibited by law other than this
18 chapter, an examination under subsection 3 or 4 may
19 include an examination of all medical and dental
20 records of the donor or prospective donor.

21 6. Upon the death of a minor who was a donor or

22 had signed a refusal, unless a procurement
23 organization knows the minor is emancipated, the
24 procurement organization shall conduct a reasonable
25 search for the parents of the minor and provide the
26 parents with an opportunity to revoke or amend the
27 anatomical gift or revoke the refusal.

28 7. Upon referral by a hospital under subsection 1,
29 a procurement organization shall make a reasonable
30 search for any person listed in section 142C.4 having
31 priority to make an anatomical gift on behalf of a
32 prospective donor. If a procurement organization
33 receives information that an anatomical gift to any
34 other person was made, amended, or revoked, the
35 procurement organization shall promptly advise the
36 other person of all relevant information.

37 8. Subject to section 142C.5, subsection 9, the
38 rights of a person to whom a part passes under section
39 142C.5 are superior to the rights of all other persons
40 with respect to the part.

41 9. The person may accept or reject an anatomical
42 gift in whole or in part. Subject to the terms of the
43 document of gift and this chapter, a person who
44 accepts an anatomical gift of an entire body may allow
45 embalming, burial or cremation, and use of the remains
46 in a funeral service. If the gift is of a part, the
47 person to whom the part passes under section 142C.5,
48 upon the death of the donor and prior to embalming,
49 burial, or cremation, shall cause the part to be
50 removed without unnecessary mutilation.

Page 17

1 10. The physician who attends the decedent at
2 death and the physician who determines the time of
3 death shall not participate in the procedures for
4 removing or transplanting a part from the decedent.

5 11. A physician or technician may remove a donated
6 part from the body of a donor that the physician or
7 technician is qualified to remove.

8 Sec. 11. Section 142C.9, Code 2007, is amended by
9 striking the section and inserting in lieu thereof the
10 following:

11 142C.9 COORDINATION OF PROCUREMENT AND USE.

12 Each hospital in the state shall enter into
13 agreements or affiliations with procurement
14 organizations for coordination of procurement and use
15 of anatomical gifts.

16 Sec. 12. Section 142C.10, Code 2007, is amended by
17 striking the section and inserting in lieu thereof the
18 following:

19 142C.10 SALE OR PURCHASE OF PARTS PROHIBITED —
20 PENALTY.

21 1. A person shall not knowingly, for valuable
22 consideration, purchase or sell a part for
23 transplantation or therapy, if removal of the part is
24 intended to occur after the death of the decedent.

25 2. Valuable consideration does not include
26 reasonable payment for the removal, processing,
27 preservation, quality control, storage,
28 transportation, implantation, or disposal of a part.

29 3. A person who violates this section is guilty of
30 a class "C" felony.

31 Sec. 13. NEW SECTION. 142C.10A OTHER PROHIBITED
32 ACTS — PENALTY.

33 A person who, in order to obtain a financial gain,
34 intentionally falsifies, forges, conceals, defaces, or
35 obliterates a document of gift, an amendment or
36 revocation of a document of gift, or a refusal,
37 commits a class "C" felony.

38 Sec. 14. Section 142C.11, Code 2007, is amended by
39 striking the section and inserting in lieu thereof the
40 following:

41 142C.11 IMMUNITY.

42 1. A person who complies with this chapter in good
43 faith or with the applicable anatomical gift law of
44 another state, or who attempts in good faith to
45 comply, is immune from liability in any civil action,
46 criminal prosecution, or administrative proceeding.

47 2. An individual who makes an anatomical gift
48 pursuant to this chapter and the individual's estate
49 are not liable for any injury or damages that may
50 result from the making or the use of the anatomical

Page 18

1 gift, if the gift is made in good faith.

2 3. In determining whether an anatomical gift has
3 been made, amended, or revoked under this chapter, a
4 person may rely upon representations of an individual
5 listed in section 142C.4, subsection 1, paragraph "b",
6 "c", "d", "e", "f", "g", or "h", relating to the
7 individual's relationship to the donor or prospective
8 donor unless the person knows that the representation
9 is untrue.

10 Sec. 15. NEW SECTION. 142C.12A LAW GOVERNING
11 VALIDITY, CHOICE OF LAW, PRESUMPTION OF VALIDITY.

12 1. A document of gift is valid if executed in
13 accordance with any of the following:

14 a. This chapter.

15 b. The laws of the state or country where the
16 document of gift was executed.

17 c. The laws of the state or country where the
18 person making the anatomical gift was domiciled, has a
19 place of residence, or was a national at the time the

20 document of gift was executed.

21 2. If a document of gift is valid under this
22 section, the law of this state governs the
23 interpretation of the document of gift.

24 3. A person may presume that a document of gift or
25 amendment of an anatomical gift is valid unless that
26 person knows that it was not validly executed or was
27 revoked.

28 Sec. 16. NEW SECTION. 142C.12B EFFECT OF
29 ANATOMICAL GIFT ON ADVANCE HEALTH CARE DIRECTIVE.

30 1. As used in this section:

31 a. "Advance health care directive" means a durable
32 power of attorney for health care pursuant to chapter
33 144B or a record signed or authorized by a prospective
34 donor containing the prospective donor's direction
35 concerning a health care decision for the prospective
36 donor.

37 b. "Declaration" means a record signed by a
38 prospective donor specifying the circumstances under
39 which a life support system may be withheld or
40 withdrawn from the prospective donor.

41 c. "Health care decision" means any decision
42 regarding the health care of the prospective donor.

43 2. a. If a prospective donor has a declaration or
44 advance health care directive and the terms of the
45 declaration or directive and the express or implied
46 terms of a potential anatomical gift are in conflict
47 with regard to the administration of measures
48 necessary to ensure the medical suitability of a part
49 for transplantation or therapy, the prospective
50 donor's attending physician and prospective donor

Page 19

1 shall confer to resolve the conflict.

2 b. If the prospective donor is incapable of
3 resolving the conflict, an agent acting under the
4 prospective donor's declaration or directive or, if no
5 agent exists or the agent is not reasonably available,
6 another person, authorized by law other than this
7 chapter to make health care decisions on behalf of the
8 prospective donor, shall act for the donor to resolve
9 the conflict. The agent or other person shall resolve
10 the conflict consistent with the desires of the donor
11 as expressed in a declaration executed in accordance
12 with chapter 144A, or a durable power of attorney for
13 health care executed in accordance with chapter 144B,
14 or as otherwise known, or if not known, consistent
15 with the donor's best interest.

16 c. The conflict shall be resolved as expeditiously
17 as possible.

18 d. Information relevant to the resolution of the

19 conflict may be obtained from the appropriate
20 procurement organization and any other person
21 authorized to make an anatomical gift for the
22 prospective donor under section 142C.4. Prior to
23 resolution of the conflict, measures necessary to
24 ensure the medical suitability of the part shall not
25 be withheld or withdrawn from the prospective donor if
26 withholding or withdrawing the measures is not
27 contraindicated by appropriate end-of-life care.

28 Sec. 17. Section 142C.13, Code 2007, is amended by
29 striking the section and inserting in lieu thereof the
30 following:

31 142C.13 TRANSITIONAL PROVISIONS.

32 This chapter applies to an anatomical gift, or
33 amendment to, revocation of, or refusal to make an
34 anatomical gift whenever made.

35 Sec. 18. Section 142C.14, Code 2007, is amended by
36 striking the section and inserting in lieu thereof the
37 following:

38 142C.14 UNIFORMITY OF APPLICATION AND
39 CONSTRUCTION.

40 This chapter shall be applied and construed with
41 consideration given to the need to promote uniformity
42 of the law with respect to anatomical gifts among
43 states, which enact this law.

44 Sec. 19. NEW SECTION. 142C.14A ELECTRONIC
45 SIGNATURES.

46 This chapter modifies, limits, and supersedes the
47 federal Electronic Signatures in Global and National
48 Commerce Act, 15 U.S.C. § 7001 et seq., but does not
49 modify, limit, or authorize electronic delivery of any
50 of the notices described in § 103(b) of that Act, 15

Page 20

1 U.S.C. § 7003(b).
2 Sec. 20. Section 142C.15, subsection 4, paragraph
3 a, Code 2007, is amended to read as follows:
4 a. Not more than twenty percent of the moneys in
5 the fund annually may be expended in the form of
6 grants to state agencies or to nonprofit legal
7 entities with an interest in anatomical gift public
8 awareness and transplantation to conduct public
9 awareness projects. Moneys remaining that were not
10 requested and awarded for public awareness projects
11 may be used ~~for research, or to develop and support a~~
12 ~~statewide organ and tissue~~ the Iowa donor registry.
13 Grants shall be made based upon the submission of a
14 grant application ~~by an agency or entity to conduct a~~
15 ~~public awareness project or to research, or develop~~
16 ~~and support a statewide organ and tissue donor~~
17 ~~registry.~~

18 Sec. 21. Section 142C.16, subsection 1, paragraph
19 e, Code 2007, is amended to read as follows:

20 e. A ~~bank or storage~~ procurement organization.

21 Sec. 22. Section 142C.16, subsection 1, Code 2007,
22 is amended by adding the following new paragraph:

23 NEW PARAGRAPH. k. The state medical examiner.

24 Sec. 23. Section 142C.16, subsection 2, Code 2007,
25 is amended to read as follows:

26 2. Members shall serve staggered terms of two
27 years. Appointments of members of the committee shall
28 comply with ~~sections~~ section 69.16 ~~and but are not~~
29 subject to section 69.16A. Vacancies shall be filled
30 by the original appointing authority and in the manner
31 of the original appointment.

32 Sec. 24. Section 142C.18, Code 2007, is amended by
33 striking the section and inserting in lieu thereof the
34 following:

35 142C.18 IOWA DONOR REGISTRY.

36 1. The director of public health shall contract
37 with and recognize the Iowa donor registry for the
38 purpose of indicating on the donor registry all
39 relevant information regarding a donor's making or
40 amending of an anatomical gift.

41 2. The state department of transportation shall
42 cooperate with a person that administers the Iowa
43 donor registry for the purpose of transferring to the
44 donor registry all relevant information regarding a
45 donor's making of an anatomical gift.

46 3. The Iowa donor registry shall do all of the
47 following:

48 a. Allow a donor or other person authorized under
49 section 142C.3 to include on the donor registry a
50 statement or symbol that the donor has made or amended

Page 21

1 an anatomical gift.

2 b. Be accessible to a procurement organization to
3 allow the procurement organization to obtain relevant
4 information on the donor registry to determine, at or
5 near the death of the donor or a prospective donor,
6 whether the donor or prospective donor has made,
7 amended, or revoked an anatomical gift.

8 c. Be accessible for purposes of paragraphs "a"
9 and "b" seven days a week on a twenty-four-hour per
10 day basis.

11 d. Provide a centralized, automated system to
12 compile donation information received by the state
13 department of transportation, county treasurers, and
14 the Iowa donor network.

15 e. Provide educational materials regarding the
16 making, amending, or revoking of an anatomical gift or

17 a refusal to make an anatomical gift.

18 4. Personally identifiable information on the
19 donor registry about a donor or prospective donor
20 shall not be used or disclosed without the express
21 consent of the donor, prospective donor, or person
22 that made the anatomical gift for any purpose other
23 than to determine, at or near the death of the donor
24 or prospective donor, whether the donor or prospective
25 donor has made, amended, or revoked an anatomical
26 gift.

27 DIVISION II

28 CONFORMING AMENDMENTS

29 Sec. 25. Section 141A.7, subsection 2, paragraph
30 a, Code 2007, is amended to read as follows:

31 a. The performance by a health care provider or
32 health facility of an HIV-related test when the health
33 care provider or health facility procures, processes,
34 distributes, or uses a human body part donated for a
35 purpose specified under the revised uniform anatomical
36 gift Act as provided in chapter 142C, or semen
37 provided prior to July 1, 1988, for the purpose of
38 artificial insemination, or donations of blood, and
39 such test is necessary to ensure medical acceptability
40 of such gift or semen for the purposes intended.

41 Sec. 26. Section 142.4, unnumbered paragraph 2,
42 Code 2007, is amended to read as follows:

43 This section shall not apply to bodies given under
44 authority of the revised uniform anatomical gift Act
45 as provided in chapter 142C.

46 Sec. 27. Section 142.8, unnumbered paragraph 2,
47 Code 2007, is amended to read as follows:

48 This section shall not apply to bodies given under
49 authority of the revised uniform anatomical gift Act
50 as provided in chapter 142C.

Page 22

1 Sec. 28. Section 321.178, subsection 1, paragraph
2 a, subparagraph (3), Code 2007, is amended to read as
3 follows:

4 (3) Instruction relating to becoming an organ
5 donor under the revised uniform anatomical gift Act as
6 provided in chapter 142C.

7 Sec. 29. Section 321.189, subsection 4, Code 2007,
8 is amended to read as follows:

9 4. SYMBOLS. Upon the request of a licensee, the
10 department shall indicate on the license the presence
11 of a medical condition, that the licensee is a donor
12 under the revised uniform anatomical gift Act as
13 provided in chapter 142C, or that the licensee has in
14 effect a medical advance directive. For purposes of
15 this subsection, a medical advance directive includes,

16 but is not limited to, a valid durable power of
 17 attorney for health care as defined in section 144B.1.
 18 The license may contain such other information as the
 19 department may require by rule.”

KEITH A. KREIMAN

S-3196

1 Amend House File 793, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 9, line 31, by inserting after the word
 4 “section” the following: “, except for a partially
 5 laden vehicle in transit field-to-field”.

JERRY BEHN
 GENE FRAISE

S-3197

1 Amend House File 793, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. By striking page 7, line 30, through page 9,
 4 line 34.
 5 2. Page 17, by striking lines 22 through 28.
 6 3. Page 18, by striking lines 9 through 12.
 7 4. Title page, by striking lines 13 and 14 and
 8 inserting the following: “single trucks, the speed
 9 limit for certain self-propelled implements of
 10 husbandry, and”.
 11 5. By renumbering as necessary.

GENE FRAISE
 JERRY BEHN

S-3198

1 Amend the amendment, S-3195, to Senate File 509, as
 2 follows:
 3 1. Page 17, line 29, by striking the words “is
 4 guilty of” and inserting the following: “commits”.

KEITH A. KREIMAN

S-3199

- 1 Amend Senate File 519 as follows:
- 2 1. Page 3, line 10, by inserting after the word
3 “upgrades.” the following: “The design shall be
4 reviewed by a professional engineer licensed under
5 chapter 542B or an architect registered under chapter
6 544A.”
- 7 2. Page 3, by striking line 13 and inserting the
8 following: “the contract by the qualified provider
9 and may be reviewed”.
- 10 3. Page 3, lines 15 and 16, by striking the words
11 “This verification” and inserting the following:
12 “Verification”.
- 13 4. Page 3, line 18, by inserting after the word
14 “protocol.” the following: “A review by a licensed
15 professional engineer or registered architect shall
16 not constitute a guarantee of cost savings.”
- 17 5. Page 5, by inserting after line 16 the
18 following:
19 “j. A written scope of work and specifications
20 that detail cost and savings for each energy
21 conservation measure, facility improvement measure, or
22 facility technology infrastructure upgrade in the
23 proposal for the purpose of comparison of all
24 proposals submitted.”
- 25 6. Page 7, line 6, by striking the word
26 “verified” and inserting the following: “reviewed”.

JEFF DANIELSON

S-3200

- 1 Amend Senate File 498 as follows:
- 2 1. Page 2, by striking line 33 and inserting the
3 following:
4 “c. If all of the following circumstance are
5 applicable, a service”.
- 6 2. Page 3, by striking lines 1 through 6 and
7 inserting the following:
8 “(1) The child is thirteen years of age or
9 younger.
10 (2) The court has entered a dispositional order
11 for placement of the child in group foster care.
12 (3) The child is placed in a juvenile detention
13 facility awaiting placement in group foster care.”
- 14 3. Page 3, line 20, by inserting after the word
15 “community.” the following: “During the period of
16 time a service area’s budget target is exceeded under
17 paragraph “c”, a juvenile court services office for a
18 judicial district located within that service area
19 shall notify the department’s service area manager

20 within one business day of any of the following
 21 occurring in the service area:
 22 (1) A new dispositional order for placement of a
 23 child in group foster care has been entered.
 24 (2) A change in the placement of a child who was
 25 placed in group foster care has been made.
 26 (3) A child placed in group foster care has been
 27 discharged from that placement.”

28 4. Page 3, by inserting after line 20 the
 29 following:

30 “Sec. ____ GROUP FOSTER CARE WAITING LIST. On or
 31 before December 15, 2007, the department of human
 32 services shall report to the general assembly
 33 providing detailed information concerning the children
 34 who were on a waiting list for group foster care
 35 services during the period covered by the report. The
 36 information shall include but is not limited to the
 37 number and status of children who were on a waiting
 38 list, the length of time the children spent on a
 39 waiting list, alternative placements while the
 40 children were on a waiting list, age and gender of the
 41 children, distribution of responsibility between the
 42 department and juvenile court services, and the
 43 projected funding, services, and programs required to
 44 appropriately address the needs of the children on a
 45 waiting list or to otherwise eliminate the need for a
 46 waiting list.”

47 5. By renumbering as necessary.

KEITH A. KREIMAN
 AMANDA RAGAN

S-3201

1 Amend Senate File 513 as follows:

2 1. Page 7, by inserting after line 3 the
 3 following:

4 “Sec. ____ NEW SECTION. 26.16 SALE OF BONDS
 5 WITHOUT HEARING OR CONTRACT.

6 A governmental entity may authorize, sell, issue,
 7 and deliver its bonds whether or not notice and
 8 hearing on the plans, specifications, form of
 9 contract, and estimated cost for the public
 10 improvement to be paid for in whole or in part from
 11 the proceeds of the bonds has been given, and whether
 12 or not a contract has been awarded for the
 13 construction of the public improvement. This section
 14 does not apply to bonds which are payable solely from
 15 special assessment levies against benefited property.

16 Sec. ____ NEW SECTION. 26.17 EMERGENCY REPAIRS
 17 — PROCEDURES.

18 When emergency repair of a public improvement is

19 necessary and a delay for advertising, hearing, or
 20 notice might cause serious loss or injury to the
 21 governmental entity, the governmental entity's
 22 governing body shall, by resolution, make a finding of
 23 the necessity based upon a certificate from an
 24 engineer licensed under chapter 542B or an architect
 25 registered under chapter 544A, not in the regular
 26 employ of the governmental entity, certifying that
 27 emergency repairs are necessary. After such finding
 28 is made, the governmental entity may proceed to
 29 contract for emergency repairs without complying with
 30 the advertising, hearing, or notice provisions of this
 31 chapter.

32 Sec. ____ Section 314.1, subsection 2, Code 2007,
 33 is amended to read as follows:

34 2. Notwithstanding any other provision of law to
 35 the contrary, a public improvement that involves the
 36 construction, reconstruction, or improvement of a
 37 highway, bridge, or culvert and that has a cost in
 38 excess of the applicable threshold in section 73A.18,
 39 262.34, 297.7, 309.40, 310.14, or 313.10, as modified
 40 by the bid threshold subcommittee pursuant to section
 41 314.1B, shall be advertised and let for bid, except
 42 such public improvements that involve emergency work
 43 pursuant to section ~~26.17, 309.40A, or 313.10, or~~
 44 ~~384.103, subsection 2.~~ For a city having a population
 45 of fifty thousand or less, a public improvement that
 46 involves the construction, reconstruction, or
 47 improvement of a highway, bridge, or culvert that has
 48 a cost in excess of twenty-five thousand dollars, as
 49 modified by the bid threshold subcommittee pursuant to
 50 section 314.1B, shall be advertised and let for bid,

Page 2

1 excluding emergency work. However, a public
 2 improvement that has an estimated total cost to a city
 3 in excess of a threshold of fifty thousand dollars, as
 4 modified by the bid threshold subcommittee pursuant to
 5 section 314.1B, and that involves the construction,
 6 reconstruction, or improvement of a highway, bridge,
 7 or culvert that is under the jurisdiction of a city
 8 with a population of more than fifty thousand, shall
 9 be advertised and let for bid. Cities required to
 10 competitively bid highway, bridge, or culvert work
 11 shall do so in compliance with the contract letting
 12 procedures of sections 26.3 through 26.13."

13 2. Page 7, by inserting before line 20 the
 14 following:

15 "Sec. ____ Section 357A.12, unnumbered paragraph
 16 2, Code 2007, is amended to read as follows:

17 The procedures for competitive bidding specified in

18 chapter 26 ~~and for emergency repairs as specified in~~
 19 ~~section 384.103, subsection 2~~, shall apply to
 20 construction carried out pursuant to this chapter.”

21 3. Page 9, by inserting after line 3 the
 22 following:

23 “Sec. ____ Section 390.3, unnumbered paragraph 2,
 24 Code 2007, is amended to read as follows:

25 However, in the performance of a joint agreement,
 26 the governing body is not subject to statutes
 27 generally applicable to public contracts, including
 28 hearings on plans, specifications, form of contracts,
 29 costs, notice and competitive bidding required under
 30 chapter 26 ~~and section 384.103~~, unless all parties to
 31 the joint agreement are cities located within the
 32 state of Iowa.

33 Sec. ____ Section 384.103, Code 2007, is
 34 repealed.”

35 4. By renumbering as necessary.

HERMAN C. QUIRMBACH

S-3202

1 Amend the amendment, S-3185, to Senate File 430 as
 2 follows:

3 1. Page 2, line 1, by inserting after the word
 4 “state” the following: “if both of the following are
 5 met:

6 a. The parties to the judgment, decree, or order
 7 sought to be enforced are afforded the same rights and
 8 protections as are afforded citizens of the United
 9 States under the Constitution of the United States.

10 b. The parties to the judgment, decree, or order
 11 sought to be enforced are afforded the same rights and
 12 protections as are afforded the citizens of this state
 13 under the Constitution of the State of Iowa and
 14 statutory and common laws of this state.”

15 2. By renumbering as necessary.

LARRY McKIBBEN
 PAT WARD
 JOHN PUTNEY

S-3203

1 Amend Senate File 483 as follows:

2 1. Page 1, by striking lines 19 and 20 and
 3 inserting the following: “organization” means a
 4 nonprofit entity which is exempt from federal income
 5 taxation pursuant to section 501(c)(3) of the Internal
 6 Revenue Code and which is funded in whole or in part
 7 by public funds.”

- 8 2. Page 2, by striking line 14 and inserting the
9 following: “amended to read as follows:
10 4. This section is repealed July 1, ~~2007~~ 2009.”
11 3. By striking page 2, line 29, through page 3,
12 line 11.
13 4. Page 3, line 13, by striking the word
14 “sections” and inserting the following: “section”.
15 5. Page 3, lines 14 and 15, by striking the words
16 and figures “2003 Iowa Acts, chapter 177, and 2004
17 Iowa Acts, chapter 1175.”
18 6. Page 3, line 16, by striking the word “take”
19 and inserting the following: “takes”.
20 7. By renumbering as necessary.

JEFF DANIELSON

S-3204

- 1 Amend the amendment, S-3152, to Senate File 544 as
2 follows:
3 1. By striking page 14, line 33, through page 15,
4 line 5.
5 2. By renumbering as necessary.

ROBERT M. HOGG

S-3205

- 1 Amend Senate File 473 as follows:
2 1. Page 5, lines 28 and 29, by striking the words
3 “or cemetery” and inserting the following: “cemetery,
4 the state medical examiner, or a county medical
5 examiner”.
6 2. Page 6, by striking lines 1 and 2, and
7 inserting the following:
8 “b. The declarant’s preferences regarding the
9 ceremony to be performed after the declarant’s death.”
10 3. Page 8, by striking lines 9 through 11, and
11 inserting the following: “decedent’s remains.”
12 4. Page 10, by inserting after line 14, the
13 following:
14 “4. Upon execution of a declaration, the declarant
15 shall state upon the declaration that the declarant
16 has notified the declarant’s next of kin of the
17 declarant’s intent to designate a designee and the
18 name and address of the designee. If notification has
19 not been made, the declarant shall state upon the
20 declaration the attempts made to achieve such

21 notification and that the attempts were made in good
 22 faith.”
 23 5. Page 11, line 9, by striking the word
 24 “forty-eight” and inserting the following: “forty”.

KEITH A. KREIMAN
 WALLY E. HORN

S-3206

1 Amend the amendment, S-3170, to Senate File 520, as
 2 follows:
 3 1. Page 1, by inserting after line 41 the
 4 following:
 5 “k. Communications and broadcast services subject
 6 to regulation by the utilities board pursuant to
 7 chapter 476 or the federal communications
 8 commission.””
 9 2. By renumbering as necessary.

RICH OLIVE

S-3207

1 Amend Senate File 513 as follows:
 2 1. Page 7, by striking lines 4 through 19.
 3 2. By renumbering as necessary.

RICH OLIVE

S-3208

1 Amend Senate File 508 as follows:
 2 1. Page 1, line 6, by inserting after the word
 3 “for” the following: “medically necessary”.
 4 2. Page 1, line 8, by inserting after the word
 5 “for” the following: “medically necessary”.
 6 3. Page 1, line 9, by inserting after the word
 7 “for” the following: “medically necessary”.
 8 4. Page 1, line 10, by inserting after the word
 9 “for” the following: “medically necessary”.
 10 5. Page 1, line 14, by inserting after the word
 11 “applicable.” the following: “For the purposes of
 12 this section, “prosthetic device” means an artificial
 13 limb device to replace, in whole or in part, an arm or
 14 leg.”

TOM RIELLY

S-3209

- 1 Amend Senate File 460 as follows:
- 2 1. By striking everything after the enacting
3 clause, and inserting the following:
- 4 "Section 1. NEW SECTION. 217.41B PROVIDER
5 APPEALS — FINAL DECISION.
- 6 1. a. Notwithstanding any conflicting provision
7 of chapter 17A, when an administrative law judge,
8 assigned by the division of administrative hearings in
9 accordance with the provisions of section 10A.801, is
10 the presiding officer at a provider appeal hearing as
11 described in subsection 2, the administrative law
12 judge shall make a proposed decision that shall
13 include findings of fact and conclusions of law,
14 separately stated.
- 15 b. When the presiding officer makes a proposed
16 decision, that decision then becomes the final
17 decision of the department, and shall meet the
18 requirements of a final decision pursuant to section
19 17A.16, without further proceedings, unless there is
20 an appeal to, or review on motion of, the department
21 within the time provided by rule.
- 22 c. On appeal or review of the proposed decision,
23 the department may only reject or modify the presiding
24 officer's findings of fact and conclusions of law if
25 the department states, with particularity, the
26 department's reasons for rejecting or modifying each
27 finding of fact and conclusion of law.
- 28 (1) The department may only reject or modify
29 findings of fact if the department first determines
30 from a review of the entire record, and states with
31 particularity in the order, that the findings of fact
32 were clearly erroneous in view of the reliable,
33 probative, and substantial evidence on the record as a
34 whole, or that the proceedings on which the findings
35 were based did not comply with the essential
36 requirements of law.
- 37 (2) The department may only reject or modify the
38 conclusions of law if the department first determines
39 from a review of the entire record, and states with
40 particularity in the order, that the conclusions of
41 law were clearly erroneous in view of the reliable,
42 probative, and substantial evidence on the record as a
43 whole.
- 44 (3) Rejection or modification of conclusions of
45 law shall not form the basis for rejection or
46 modification of findings of fact.
- 47 d. A party to a provider appeal hearing as
48 described in subsection 2 may file a request for
49 rehearing pursuant to section 17A.16.
- 50 e. A party who is aggrieved or adversely affected

Page 2

1 by a final decision under this section is entitled to
 2 judicial review as provided in section 17A.19.
 3 2. A provider appeal hearing shall be available to
 4 a provider, if any of the following conditions, which
 5 constitutes a contested case, is met:
 6 a. The provider's license, certification,
 7 registration, approval, or accreditation has been
 8 denied or revoked or has not been acted upon in a
 9 timely manner.
 10 b. The provider's claim for payment or request for
 11 prior authorization for payment has been denied.
 12 c. The provider's contract as a medical assistance
 13 patient manager has been terminated.
 14 d. The provider has been notified that an
 15 overpayment has been established and repayment is
 16 requested.
 17 e. The provider has been notified that the
 18 reconsideration process has been exhausted and the
 19 provider is not satisfied with the result.
 20 f. The provider's claim for payment was not made
 21 according to department policy.
 22 g. The provider's application for a child care
 23 quality rating has not been acted upon in a timely
 24 manner, the provider disagrees with the department's
 25 quality rating decision, or the provider's certificate
 26 of quality rating has been revoked.
 27 3. For purposes of this subsection, "provider"
 28 means provider as defined in section 249A.2 or a
 29 provider of child care as defined in section 237A.1."
 30 2. Title page, lines 1 and 2, by striking the
 31 words "medical assistance providers" and inserting the
 32 following: "certain medical assistance providers and
 33 child care providers".

KEITH A. KREIMAN

S-3210

1 Amend House File 451 as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 2, by inserting after line 7 the
 4 following:
 5 "() A consumer member of the senior living
 6 coordinating unit created in section 231.58 selected
 7 by the senior living coordinating unit."
 8 2. Page 3, line 1, by inserting after the word
 9 "access." the following: "The team shall also receive
 10 input regarding the benefits of the use of electronic
 11 health records."
 12 3. Page 3, line 4, by inserting after the word

- 13 “system.” the following: “The team shall also make
14 recommendations regarding the use of electronic health
15 records.”
16 4. Page 3, line 20, by inserting after the word
17 “sources.” the following: “The report shall also
18 include recommendations regarding the use of
19 electronic health records.”
20 5. By renumbering as necessary.

COMMITTEE ON HUMAN RESOURCES
AMANDA RAGAN, Chair

S-3211

- 1 Amend Senate File 473 as follows:
2 1. Page 7, by striking lines 10 and 11.
3 2. Page 7, line 12, by striking the word “b.” and
4 inserting the following: “a.”
5 3. Page 7, by inserting after line 14, the
6 following:
7 “b. A designee, or alternate designee, acting
8 pursuant to the decedent’s declaration.”
9 4. Page 8, by inserting after line 11, the
10 following:
11 “2. The surviving spouse of a decedent may waive
12 the spouse’s right to control final disposition of a
13 decedent’s remains in favor of a designee, or
14 alternate designee, acting pursuant to the decedent’s
15 final declaration if the spouse signs a waiver of that
16 right in a document that is executed and notarized
17 contemporaneously with the execution of the
18 declaration.”
19 5. Page 8, line 12, by striking the figure “2.”
20 and inserting the following: “3.”
21 6. Page 8, line 22, by striking the figure “3.”
22 and inserting the following: “4.”
23 7. Page 10, line 2, by inserting after the word
24 “other.” the following: “However, the spouse of the
25 declarant may witness the signing of the declaration
26 regardless of whether the spouse is named in the
27 declaration.”
28 8. Page 18, line 8, by striking the word “a”
29 and inserting the following: “b”.

WILLIAM M. HECKROTH

S-3212

- 1 Amend Senate File 564 as follows:
2 1. Page 10, by inserting after line 28 the
3 following:
4 “___. A person who keeps a dangerous wild animal

5 pursuant to a license issued to the person by the
 6 federal government, including by the United States
 7 department of agriculture as provided in 9 C.F.R. ch.
 8 I.”
 9 2. By renumbering as necessary.

WILLIAM A. DOTZLER, JR.
 JOE M. SENG
 STEVE KETTERING
 PAUL McKINLEY

S-3213

1 Amend Senate File 566 as follows:
 2 1. Page 2, lines 2 and 3, by striking the words
 3 “less any amount appropriated pursuant to section
 4 404A.6”.
 5 2. By striking page 2, line 33, through page 3,
 6 line 5.
 7 3. Title page, line 2, by striking the words “,
 8 making appropriations.”.
 9 4. By renumbering as necessary.

WILLIAM A. DOTZLER, JR.

S-3214

1 Amend Senate File 566 as follows:
 2 1. Page 2, line 14, by inserting after the figure
 3 “303.3B” the following: “. located in a community
 4 designated as a main street community under the main
 5 street program administered by the department of
 6 economic development”.
 7 2. Page 2, line 17, by inserting after the word
 8 “districts” the following: “. located in main street
 9 communities”.

JEFF ANGELO
 LARRY McKIBBEN
 MARY A. LUNDBY
 JERRY BEHN
 E. THURMAN GASKILL
 JOHN PUTNEY
 PAUL McKINLEY
 BRAD ZAUN
 DAVID JOHNSON
 PAT WARD
 NANCY J. BOETTGER
 RON WIECK
 JAMES F. HAHN
 STEVE KETTERING

S-3215

- 1 Amend Senate File 473 as follows:
- 2 1. By striking page 1, line 35, through page 2,
3 line 18.
- 4 2. Page 5, lines 28 and 29, by striking the words
5 “or cemetery” and inserting the following: “cemetery,
6 the state medical examiner, or a county medical
7 examiner”.
- 8 3. Page 6, by striking lines 1 and 2, and
9 inserting the following:
10 “b. The declarant’s preferences regarding the
11 ceremony to be performed after the declarant’s death.”
- 12 4. Page 6, by inserting after line 11, the
13 following:
14 “___ This section shall not be construed to
15 permit a person who is not licensed pursuant to
16 chapter 156 to make funeral arrangements.”
- 17 5. Page 6, by inserting after line 34, the
18 following:
19 “___ The state medical examiner or a county
20 medical examiner shall not be subject to civil
21 liability or to criminal prosecution or professional
22 disciplinary action for releasing a decedent’s remains
23 to a person who is not a designee or alternate
24 designee.”
- 25 6. Page 8, by striking lines 9 through 11, and
26 inserting the following: “decedent’s remains.”
- 27 7. Page 10, by inserting after line 14, the
28 following:
29 “4. Upon execution of a declaration, the declarant
30 shall state upon the declaration that the declarant
31 has notified the declarant’s next of kin of the
32 declarant’s intent to designate a designee and the
33 name and address of the designee. If notification has
34 not been made, the declarant shall state upon the
35 declaration the attempts made to achieve such
36 notification and that the attempts were made in good
37 faith.”
- 38 8. Page 11, line 9, by striking the word
39 “forty-eight” and inserting the following: “forty”.
- 40 9. By renumbering as necessary.

KEITH A. KREIMAN
WALLY E. HORN
WILLIAM M. HECKROTH

S-3216

- 1 Amend Senate File 472 as follows:
- 2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. NEW SECTION. 327F.13 CLOSE-CLEARANCE
5 WARNING DEVICES.

6 1. The owner of a railroad track shall place a
7 warning device at a location where the close clearance
8 between the track and a building, machinery, trees,
9 brush, or other object is such that the building,
10 machinery, trees, brush, or other object physically
11 impedes a person who is lawfully riding the side of a
12 train in the course of the person's duties in service
13 to a railroad company from clearing the building,
14 machinery, trees, brush, or other object.

15 2. The warning device shall be placed in a
16 location which provides adequate notice to a person
17 riding the side of a train so that the person may
18 prepare for the close clearance. Any signs posted
19 shall not be a danger to other persons working on the
20 property.

21 3. Placement of a warning device pursuant to this
22 section does not relieve the owner of a railroad track
23 from any duties required under chapter 317 or section
24 327F.27.

25 4. A violation of this section is punishable as a
26 schedule "one" penalty under section 327C.5.

27 5. This section does not apply to a railroad that
28 operates locomotives powered by overhead or suspended
29 electric power lines.

30 6. The department of transportation shall adopt
31 rules to implement this section. Notwithstanding any
32 other provision, the department of transportation
33 shall be allowed to enter any property on which
34 railroad track is located for the purpose of
35 administering and enforcing this section. Entry upon
36 any private property shall be with knowledge and
37 notice to the property owner."

38 2. Title page, by striking lines 1 and 2 and
39 inserting the following: "An Act requiring the
40 posting of close-clearance warning devices along
41 railroad tracks and providing a penalty."

DICK L. DEARDEN

S-3217

1 Amend the amendment, S-3170, to Senate File 520, as
2 follows:

3 1. Page 1, by striking lines 28 through 30 and
4 inserting the following: "certified, or registered."

5 2. Page 1, line 32, by striking the word
6 "profession" and inserting the following:
7 "profession."

- 8 3. Page 1, by striking lines 33 and 34.
 9 4. Page 1, by striking lines 39 through 41 and
 10 inserting the following: “certified, or registered.””

TOM RIELLY
 RICH OLIVE
 RON WIECK
 BRAD ZAUN
 FRANK B. WOOD
 WILLIAM M. HECKROTH
 TOM HANCOCK

S-3218

- 1 Amend Senate File 566 as follows:
 2 1. Page 4, by striking lines 8 through 25.
 3 2. By renumbering as necessary.

BRAD ZAUN

S-3219

- 1 Amend Senate File 525 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 “Section 1. ELECTRONIC RECORDING OF INTERROGATIONS
 5 — MODEL POLICY — ANALYSIS AND REPORT.
 6 1. It is the intent of the general assembly that
 7 all law enforcement agencies in the state adopt a
 8 policy requiring peace officers to electronically
 9 record, when feasible, all custodial interrogations.
 10 2. The department of public safety shall develop a
 11 model custodial interrogation electronic recording
 12 policy, and make the model policy available to other
 13 state and local law enforcement agencies throughout
 14 the state. The department shall assist other state
 15 and local law enforcement agencies in developing
 16 substantially similar policies and shall monitor the
 17 adoption and implementation of such policies.
 18 3. The department of public safety shall conduct
 19 an analysis of the policies adopted and implemented
 20 and shall file a report detailing the department’s
 21 analysis with the general assembly by January 15,
 22 2008. In conducting the analysis the department shall
 23 consult with representatives of the following agencies
 24 or organizations: the American civil liberties union
 25 of Iowa, the Iowa police executive forum, the Iowa
 26 association of chiefs of police and peace officers,
 27 the Iowa state police association, the Iowa county
 28 attorneys association, the Iowa state sheriffs’ and
 29 deputies’ association, the department of justice, the
 30 state public defender, the department of natural

31 resources, the Iowa law enforcement academy, the Iowa
 32 league of cities, the Iowa state association of
 33 counties, and other interested agencies or
 34 organizations.”

35 2. Title page, line 1, by inserting after the
 36 word “to” the following: “developing policies for”.

HERMAN C. QUIRMBACH
 KEITH A. KREIMAN

S-3220

1 Amend Senate File 514 as follows:
 2 1. Page 2, by inserting after line 3, the
 3 following:
 4 “Sec. ____ INTERIM STUDY COMMITTEE ON HEALTH
 5 BENEFIT MANDATES. The legislative council is
 6 requested to establish an interim study committee on
 7 health benefit mandates to study the costs and
 8 benefits of enacting additional health benefit
 9 mandates. The interim study committee shall submit a
 10 report with findings and recommendations to the
 11 general assembly on or before January 1, 2008.
 12 The committee shall be composed of the following
 13 members:
 14 1. Two senators, one appointed by the majority
 15 leader of the senate and one appointed by the minority
 16 leader of the senate.
 17 2. Two representatives, one appointed by the
 18 speaker of the house of representatives and one
 19 appointed by the minority leader of the house of
 20 representatives.
 21 3. One representative of the service employees
 22 international union.
 23 4. Three representatives of large employers
 24 selected by the Iowa association of business and
 25 industry.
 26 5. Three representatives of small employers
 27 selected by the national federation of independent
 28 business.
 29 6. Four representatives of the health insurance
 30 industry selected by the federation of Iowa insurers.
 31 The commissioner of insurance or a designee shall
 32 serve as an ex officio member of the committee.”
 33 2. Title page, line 3, by inserting after the
 34 word “virus” the following: “and requesting an
 35 interim study committee on health benefit mandates”.
 36 3. By renumbering as necessary.

RON WIECK
 PAT WARD
 DAVE MULDER

JAMES F. HAHN
JAMES A. SEYMOUR
E. THURMAN GASKILL
MARY A. LUNDBY
PAUL McKINLEY
DAVID JOHNSON
BRAD ZAUN
STEVE KETTERING
LARRY NOBLE
JERRY BEHN
HUBERT HOUSER
NANCY J. BOETTGER
JOHN PUTNEY
DAVID HARTSUCH
JEFF ANGELO

S-3221

- 1 Amend Senate File 414 as follows:
2 1. Page 2, by striking lines 4 through 6 and
3 inserting the following: “participating in the
4 tournament, subject to the requirements of this
5 section. The total number of members and guests
6 participating in a card game tournament shall not
7 exceed the occupancy limit of the premises where the
8 card game tournament is being conducted.”
9 2. Page 2, line 7, by striking the word
10 “tournament.”
11 3. Page 2, line 9, by inserting before the word
12 “Cash” the following: “(1) If the card game
13 tournament is limited to one guest for each member of
14 the qualified organization representing veterans
15 participating in the tournament, then the requirements
16 of this subparagraph shall apply. The cost to
17 participate in a card game tournament shall be limited
18 to one hundred dollars and shall be the same for every
19 participant in the card game tournament.”
20 4. Page 2, line 12, by inserting after the word
21 “dollars.” the following:
22 “(2) If the card game tournament is not limited to
23 one guest for each member of the qualified
24 organization representing veterans participating in
25 the tournament, then the requirements of this
26 subparagraph shall apply. The cost to participate in
27 a card game tournament shall be limited to twenty-five
28 dollars and shall be the same for every participant in
29 the card game tournament. Cash or merchandise prizes
30 may be awarded during a card game tournament and shall
31 not exceed three hundred dollars and no participant
32 shall win more than a total of two hundred dollars.
33 (3)”
34 5. Page 2, line 22, by inserting after the word

35 “tournament.” the following: “In addition, the card
36 game tournament and any card game conducted during the
37 tournament shall be conducted on the premises of the
38 qualified organization representing veterans as
39 identified in the license application pursuant to
40 subsection 4.”

41 6. Page 2, line 29, by striking the word “one”
42 and inserting the following: “two”.

43 7. Page 2, line 30, by striking the words
44 “tournament per week” and inserting the following:
45 “tournaments per month and shall not hold a card game
46 tournament within seven calendar days of another card
47 game tournament conducted by that qualified
48 organization representing veterans”.

49 8. Page 4, line 16, by inserting after the word
50 “department.” the following: “The application shall

Page 2

1 identify the premises where the card game tournaments
2 are to be conducted and the occupancy limit of the
3 premises, and shall include documentation that the
4 qualified organization representing veterans has
5 conducted regular meetings of the organization at the
6 premises during the previous eight months.”

7 9. Page 4, by inserting after line 16 the
8 following:

9 “5. a. A person under twenty-one years of age who
10 participates in a card game tournament in violation of
11 this section is deemed to violate the legal age for
12 gambling wagering provisions under section 725.19,
13 subsection 1.

14 b. The department shall revoke, for a period of
15 one year, the license of a qualified organization
16 representing veterans to conduct card game tournaments
17 under this section if the licensee knowingly permits a
18 person under the age of twenty-one years to
19 participate in a card game tournament.”

20 10. Page 4, line 20, by striking the word
21 “twelve” and inserting the following: “~~twelve~~
22 sixteen”.

23 11. Title page, line 4, by inserting after the
24 word “organizations” the following: “and making
25 penalties applicable”.

26 12. By renumbering as necessary.

JEFF DANIELSON

S-3222

- 1 Amend Senate File 341 as follows:
2 1. Page 2, line 26, by striking the words "~~shall~~
3 may" and inserting the following: "shall".

WILLIAM A. DOTZLER, JR.

S-3223

- 1 Amend Senate File 174 as follows:
2 1. Page 1, by striking lines 13 through 18 and
3 inserting the following: "a tattoo, body piercing, or
4 body modification to a minor. ~~For the purposes of~~
5 ~~this section, "minor" means an unmarried person who is~~
6 ~~under the age of eighteen years."~~
7 2. Page 2, by inserting after line 20 the
8 following:
9 "6. This section shall not apply to a procedure
10 performed by a person licensed pursuant to chapter 148
11 or 150A."

JOE BOLKCOM

S-3224

- 1 Amend the amendment, S-3158, to Senate File 513, as
2 follows:
3 1. Page 1, line 30, by striking the word "within"
4 and inserting the following: "and having general
5 circulation in".

HERMAN C. QUIRMBACH

S-3225

HOUSE AMENDMENT TO
SENATE FILE 403

- 1 Amend Senate File 403, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, line 13, by striking the words "OFFICE
4 OF RENEWABLE ENERGY" and inserting the following:
5 "IOWA ENERGY INDEPENDENCE OFFICE".
6 2. Page 2, lines 19 and 20, by striking the words
7 "office of renewable energy" and inserting the
8 following: "Iowa energy independence office".
9 3. Page 5, line 19, by striking the words "and
10 Centerville".
11 4. Page 5, line 28, by inserting after the word
12 "loan." the following: "Not more than 5 percent of
13 the amount appropriated shall be used for the

14 administrative costs of the grantee so that 95 percent
 15 of the appropriation amount is used for providing
 16 loans and loan guarantees.”

17 5. Page 6, by striking lines 18 and 19 and
 18 inserting the following: “IowaCare account created in
 19 section 249J.24 to the state board of regents for
 20 distribution to the university of Iowa”.

21 6. Page 15, line 23, by striking the word “a.”

22 7. Page 16, by striking lines 2 and 3 and
 23 inserting the following: “the general assembly and
 24 approval by the governor. The commission shall not
 25 issue any bonding or other”.

26 8. By renumbering, relettering, or redesignating
 27 and correcting internal references as necessary.

S-3226

1 Amend Senate File 499 as follows:

2 1. Page 9, by striking lines 2 through 32 and
 3 inserting the following:

4 “Sec. ____ Section 455G.9, subsection 1, paragraph
 5 k, Code 2007, is amended by striking the paragraph and
 6 inserting in lieu thereof the following:

7 k. Pursuant to an agreement between the board and
 8 the department of natural resources, assessment and
 9 corrective action arising out of releases at sites for
 10 which a no further action certificate has been issued
 11 pursuant to section 455B.474, when the department
 12 determines that an unreasonable risk to public health
 13 and safety may still exist. At a minimum, the
 14 agreement shall address eligible costs, contracting
 15 for services, and conditions under which sites may be
 16 reevaluated.”

17 2. Page 10, by striking lines 4 through 6 and
 18 inserting the following: “to the closure activities.”

19 3. By renumbering as necessary.

FRANK B. WOOD

S-3227

1 Amend Senate File 462 as follows:

2 1. Page 1, by striking lines 13 through 18 and
 3 inserting the following: “a tattoo, body piercing, or
 4 body modification to a minor. ~~For the purposes of~~
 5 ~~this section, “minor” means an unmarried person who is~~
 6 ~~under the age of eighteen years.”~~

7 2. Page 2, by inserting after line 20 the
 8 following:

9 “6. This section shall not apply to a procedure
10 performed by a person licensed pursuant to chapter 148
11 or 150A.”

JOE BOLKCOM

S-3228

1 Amend Senate File 574 as follows:
2 1. Title page, line 1, by inserting after the
3 word “emissions” the following: “and making
4 appropriations”.

JOE BOLKCOM

S-3229

1 Amend Senate File 462 as follows:
2 1. Page 1, line 4, by inserting after the word
3 “REQUIREMENT” the following: “— ABORTIONS”.
4 2. Page 1, line 11, by inserting after the word
5 “tattoo” the following: “, abortion”.
6 3. Page 1, line 13, by inserting after the word
7 “tattoo” the following: “, abortion”.
8 4. Page 1, line 32, by inserting after the word
9 “tattoo” the following: “, abortion”.
10 5. Title page, line 1, by inserting after the
11 words “relating to” the following: “abortions,”.

NANCY J. BOETTGER
DAVID JOHNSON
MARY A. LUNDBY
RON WIECK
JERRY BEHN
PAUL McKINLEY
BRAD ZAUN
JAMES F. HAHN
LARRY McKIBBEN
DAVE MULDER
STEVE KETTERING
HUBERT HOUSER
DAVID HARTSUCH
MARK ZIEMAN
JAMES A. SEYMOUR
JEFF ANGELO
JOHN PUTNEY
LARRY NOBLE

S-3230

- 1 Amend Senate File 564 as follows:
- 2 1. Page 2, line 2, by inserting after the word
- 3 “dog” the following: “or fox”.
- 4 2. Page 3, line 14, by inserting after the word
- 5 “wolf” the following: “or a domestic dog and a fox”.
- 6 3. By renumbering as necessary.

TOM RIELLY

S-3231

- 1 Amend Senate File 564 as follows:
- 2 1. Page 3, by inserting after line 30 the
- 3 following:
- 4 “___ . “Research facility” means any of the
- 5 following:
- 6 a. A federal research facility as provided in 9
- 7 C.F.R. ch. I.
- 8 b. A research facility that is required to be
- 9 registered by the United States department of
- 10 agriculture pursuant to 9 C.F.R. ch. I.
- 11 c. A research facility which is certified by the
- 12 department of agriculture and land stewardship as
- 13 provided in section 162.10.”
- 14 2. Page 8, line 14, by striking the word
- 15 “ten-day” and inserting the following:
- 16 “fourteen-day”.
- 17 3. Page 8, line 35, by inserting after the word
- 18 “accredited” the following: “or certified”.
- 19 4. Page 9, line 8, by inserting after the word
- 20 “accredited” the following: “or certified”.
- 21 5. Page 9, line 12, by inserting after the word
- 22 “department” the following: “of natural resources”.
- 23 6. Page 9, line 16, by striking the words
- 24 “transferred the dangerous wild animal” and inserting
- 25 the following: “to whom the dangerous wild animal is
- 26 transferred”.
- 27 7. Page 9, line 22, by striking the words
- 28 “transferred the dangerous wild animal” and inserting
- 29 the following: “to whom the dangerous wild animal is
- 30 transferred”.
- 31 8. Page 9, line 28, by inserting after the word
- 32 “department” the following: “of natural resources”.
- 33 9. Page 10, line 3, by inserting after the word
- 34 “zoo.” the following: “The nonprofit corporation
- 35 shall not transfer the dangerous wild animal to
- 36 another person, unless the person to whom the
- 37 dangerous wild animal is transferred is a wildlife
- 38 sanctuary.”
- 39 10. Page 10, by striking lines 6 through 9 and

40 inserting the following:

41 “___ . A research facility.”

42 11. Page 10, by inserting after line 28, the
43 following:

44 “___ . A person who keeps a dangerous wild animal
45 pursuant to all of the following conditions:

46 a. The person is licensed by the United States
47 department of agriculture as provided in 9 C.F.R. ch.
48 I.

49 b. The person is registered by the department of
50 agriculture and land stewardship. Upon a complaint

Page 2

1 filed with the department of agriculture and land
2 stewardship, the department may inspect the premises
3 or investigate the practices of the registered person
4 and suspend or revoke the registration for the same
5 causes and in the same manner as provided in section
6 162.12.”

7 12. Page 13, line 28, by striking the word
8 “shall” and inserting the following: “may”.

9 13. By renumbering as necessary.

JOE M. SENG
WILLIAM A. DOTZLER, JR.
STEVE KETTERING
PAUL McKINLEY

S-3232

1 Amend Senate File 562 as follows:

2 1. Page 14, by inserting after line 19 the
3 following:

4 “Sec. ___. Section 428A.8, unnumbered paragraphs 1
5 and 2, Code 2007, are amended to read as follows:

6 On or before the tenth day of each month the county
7 recorder shall determine and pay to the treasurer of
8 state ~~eighty-two and three-fourths~~ sixty-five percent
9 of the receipts from the real estate transfer tax
10 collected during the preceding month and the treasurer
11 of state shall deposit ~~ninety-five~~ ninety percent of
12 the receipts in the general fund of the state and
13 transfer ~~five ten~~ percent of the receipts to the
14 shelter assistance fund created in section 15.349.

15 The county recorder shall deposit the remaining
16 ~~seventeen and one-fourth~~ thirty-five percent of the
17 receipts in the county general fund.”

18 2. Title page, by striking line 1 and inserting
19 the following: “An Act relating to real property by

20 modifying the disposition of real estate transfer tax
 21 revenues and making appropriations to the department
 22 of".
 23 3. By renumbering as necessary.

JAMES F. HAHN

S-3233

1 Amend Senate File 562 as follows:
 2 1. Page 5, by striking line 16 and inserting the
 3 following:
 4 "..... \$ 6,922,654"
 5 2. Page 5, line 31, by striking the figure
 6 "1,046,000" and inserting the following: "1,546,000".
 7 3. Page 5, line 32, by inserting after the word
 8 "programs" the following: "with \$500,000 allocated
 9 for purposes of providing grants to main street
 10 communities for revitalization projects. A recipient
 11 of a revitalization grant shall not receive more than
 12 \$50,000 and the recipient must demonstrate the ability
 13 to provide one-to-one match moneys".

JEFF ANGELO
STEVE KETTERING

S-3234

1 Amend Senate File 573 as follows:
 2 1. Page 1, line 4, by striking the figure "19"
 3 and inserting the following: "24".

JACK HATCH

S-3235

1 Amend Senate File 457 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. NEW SECTION. 80F.1 PEACE OFFICER,
 5 PUBLIC SAFETY, AND EMERGENCY PERSONNEL BILL OF RIGHTS.
 6 1. As used in this section, unless the context
 7 otherwise requires:
 8 a. "Complaint" means a formal written allegation
 9 signed by the complainant or a written statement by an
 10 officer receiving an oral complaint stating the
 11 complainant's allegation.
 12 b. "Formal administrative investigation" means an
 13 investigative process ordered by a commanding officer
 14 of an agency or commander's designee during which the
 15 questioning of an officer is intended to gather
 16 evidence to determine the merit of a complaint which

17 may be the basis for seeking removal, discharge, or
18 suspension, or other disciplinary action against the
19 officer.

20 c. "Informal inquiry" means a meeting by
21 supervisory or command personnel with an officer who
22 is the subject of an allegation, for the purpose of
23 resolving the allegation or determining whether a
24 formal administrative investigation should be
25 commenced.

26 d. "Interview" means the questioning of an officer
27 who is the subject of a complaint pursuant to the
28 formal administrative investigation procedures of the
29 investigating agency, if such a complaint may be the
30 basis for seeking removal, discharge, or suspension,
31 or other disciplinary action against the officer.

32 "Interview" does not include questioning as part of
33 any informal inquiry or questioning related to minor
34 infractions of agency rules which will not result in
35 removal, discharge, suspension, or other disciplinary
36 action against the officer.

37 e. "Officer" means a certified law enforcement
38 officer, fire fighter, emergency medical technician,
39 corrections officer, detention officer, jailer,
40 communications officer, or any other law enforcement
41 officer certified by the Iowa law enforcement academy
42 and employed by a municipality, county, or state
43 agency.

44 f. "Statement" means the statement of the officer
45 who is the subject of an allegation in response to a
46 complaint.

47 2. This section is not applicable to a criminal
48 investigation of an officer.

49 3. A formal administrative investigation of an
50 officer shall be commenced and completed in a

Page 2

1 reasonable period of time and an officer shall be
2 immediately notified of the results of the
3 investigation when the investigation is completed.

4 4. An officer shall not be compelled to submit to
5 a polygraph examination against the will of the
6 officer except as otherwise provided in section 730.4,
7 subsection 3.

8 5. An officer who is the subject of a complaint,
9 except a complaint against the officer alleging
10 domestic abuse, may obtain a copy of the complaint
11 prior to an interview pursuant to procedures
12 established in the applicable collective bargaining
13 agreement. However, if the applicable collective
14 bargaining agreement does not specify such procedures,
15 or if the officer is not covered by a collective

16 bargaining agreement, the officer shall be provided
17 with a copy of the complaint, except a complaint
18 against the officer alleging domestic abuse.
19 6. An officer being interviewed shall be advised
20 by the interviewer that the officer shall answer the
21 questions and be advised that the answers shall not be
22 used against the officer in any subsequent criminal
23 proceeding.
24 7. An interview of an officer who is the subject
25 of the complaint shall be electronically recorded.
26 8. The officer shall have the right to have legal
27 counsel or a union representative, or both, present
28 during the interview of the officer, at the expense of
29 that officer.
30 9. If a formal administrative investigation
31 results in the removal, discharge, or suspension, or
32 other disciplinary action against an officer, copies
33 of any witness statements and the investigative
34 agency's report shall be timely provided to the
35 officer, upon the request of the officer.
36 10. An interview shall be conducted at any
37 facility of the investigating agency.
38 11. If an interview is conducted while an officer
39 is off duty, the officer shall be compensated as
40 provided by law, or as provided in the applicable
41 collective bargaining agreement.
42 12. If a complaint is determined by the
43 investigating officer to be intentionally false, the
44 investigating officer shall be responsible for filing
45 the necessary paperwork with the county attorney's
46 office in order for the county attorney to make a
47 determination as to whether to charge the person with
48 making a false report in violation of section 718.6.
49 13. Except as otherwise provided by law, an
50 officer shall have the right to bring a civil suit

Page 3

1 against any person, agency, organization, business, or
2 any other legal entity for damages, including
3 pecuniary damages, arising out of the filing of a
4 false complaint against the officer.
5 14. Notwithstanding any other provision of state
6 law to the contrary, an officer shall not be denied
7 the opportunity to be a candidate for any elected
8 office. An officer may be required, as a condition of
9 being a candidate, to take a leave of absence during
10 the campaign. If the officer is subject to chapter
11 341A and is a candidate for county sheriff, the
12 candidate, upon the candidate's request, shall
13 automatically be given a leave of absence without pay
14 as provided in section 341A.18.

15 15. An officer shall have the right, as any other
16 citizen, to engage in political activity except while
17 on duty. An officer shall not be required to engage
18 in political activity by the officer's agency, a
19 representative of the officer's agency, or any other
20 agency.

21 16. An officer shall not be discharged,
22 disciplined, or threatened with discharge or
23 discipline in retaliation for exercising the rights of
24 the officer enumerated in this section.

25 17. The rights enumerated in this section are in
26 addition to any other rights granted pursuant to a
27 collective bargaining agreement or other applicable
28 law.

29 18. A municipality, county, or state agency
30 employing an officer shall not publicly release the
31 officer's official photograph without the written
32 permission of the officer or without a request to
33 release pursuant to chapter 22.

34 19. If a formal administrative investigation
35 results in removal, discharge, suspension, or
36 disciplinary action against an officer, and the
37 officer alleges in writing a violation of the
38 provisions of this section, the municipality, county,
39 or state agency employing the officer shall hold in
40 abeyance for a period of ten days any punitive action
41 taken as a result of the investigation, including a
42 reprimand for any length of time. An allegation of a
43 violation of this section may be raised and given due
44 consideration in any properly authorized grievance or
45 appeal exercised by an officer, including but not
46 limited to a grievance or appeal exercised pursuant to
47 the terms of an applicable collective bargaining
48 agreement and an appeal right exercised under section
49 341A.12 or 400.20."

HERMAN C. QUIRMBACH

S-3236

1 Amend Senate File 538 as follows:

2 1. Page 1, by striking lines 5 through 8 and
3 inserting the following: "society resulting from
4 injury to or death of a minor child and may recover
5 for the expense and actual loss of services,
6 companionship, and society resulting from the death of
7 an adult child.

8 Sec. ____ Section 633.336, Code 2007, is amended
9 to read as follows:

10 633.336 DAMAGES FOR WRONGFUL DEATH.

11 When a wrongful act produces death, damages
12 recovered as a result of the wrongful act shall be

13 disposed of as personal property belonging to the
 14 estate of the deceased; however, if the damages
 15 include damages for loss of services and support of a
 16 deceased spouse ~~and~~ parent, or child, the damages
 17 shall be apportioned by the court among the surviving
 18 spouse, ~~and~~ children, and parents of the decedent in a
 19 manner as the court may deem equitable consistent with
 20 the loss of services and support sustained by the
 21 surviving spouse, ~~and~~ children, and parents
 22 respectively. Any recovery by a parent for the death
 23 of a child shall be subordinate to the recovery, if
 24 any, of the spouse of a child of the decedent. If
 25 the decedent leaves a spouse, child, or parent,
 26 damages for wrongful death shall not be subject to
 27 debts and charges of the decedent's estate, except for
 28 amounts to be paid to the department of human services
 29 for payments made for medical assistance pursuant to
 30 chapter 249A, paid on behalf of the decedent from the
 31 time of the injury which gives rise to the decedent's
 32 death up until the date of the decedent's death."
 33 2. By renumbering as necessary.

ROBERT M. HOGG

S-3237

- 1 Amend Senate File 574 as follows:
 2 1. Page 4, by striking lines 5 through 14.

JOE BOLKCOM

S-3238

- 1 Amend Senate File 519 as follows:
 2 1. Page 4, line 20, by inserting after the word
 3 "publicly." the following: "The provisions of chapter
 4 26 shall apply to all requests for proposals and
 5 evaluations of proposals submitted pursuant to this
 6 chapter."

MARK ZIEMAN
 DAVID JOHNSON
 DAVID HARTSUCH
 RON WIECK
 PAUL MCKINLEY
 JAMES F. HAHN

S-3239

- 1 Amend Senate File 519 as follows:
 2 1. Page 5, line 24, by striking the words "debt
 3 service,".

- 4 2. Page 6, line 26, by striking the word “may”
- 5 and inserting the following: “shall”.
- 6 3. Page 6, line 30, by striking the word “or” and
- 7 inserting the following: “and”.

MARK ZIEMAN
DAVID JOHNSON
DAVID HARTSUCH
RON WIECK
PAUL McKINLEY
PAT WARD
JAMES F. HAHN

S-3240

- 1 Amend Senate File 519 as follows:
- 2 1. By striking page 8, line 28, through page 9,
- 3 line 6.

MARK ZIEMAN
DAVID JOHNSON
DAVID HARTSUCH
RON WIECK
PAUL McKINLEY
JAMES F. HAHN

S-3241

- 1 Amend Senate File 519 as follows:
- 2 1. Page 5, by striking lines 12 through 14.
- 3 2. By renumbering, redesignating, and correcting
- 4 internal references as necessary.

MARK ZIEMAN
DAVID JOHNSON
DAVID HARTSUCH
RON WIECK
PAUL McKINLEY
JAMES F. HAHN

S-3242

- 1 Amend Senate File 519 as follows:
- 2 1. Page 3, line 6, by striking the words “design
- 3 and”.
- 4 2. Page 3, line 10, by inserting after the word
- 5 “upgrades.” the following: “The design component
- 6 shall be provided by an independent licensed architect

7 or an independent registered engineer who is selected
8 by the public entity, but who does not have a
9 contractual relationship with the qualified provider.”

MARK ZIEMAN
DAVID HARTSUCH
PAUL McKINLEY
DAVID JOHNSON
RON WIECK
JAMES F. HAHN

S-3243

1 Amend Senate File 519 as follows:
2 1. Page 1, lines 29 and 30, by striking the words
3 “including an addition to an existing facility.”.

MARK ZIEMAN
DAVID HARTSUCH
DAVID JOHNSON
PAUL McKINLEY
RON WIECK
JAMES F. HAHN

S-3244

1 Amend Senate File 562 as follows:
2 1. Page 14, by inserting after line 19 the
3 following:
4 “Sec. ____ NEW SECTION. 459.208 SEPARATION
5 DISTANCE — IOWA GREAT PLACES PROGRAM.
6 A person shall not construct or expand a structure
7 regulated under this chapter within two miles of a
8 city where an Iowa great places project has been
9 identified pursuant to section 303.3C, if the project
10 has received financial or technical assistance from
11 the state.”
12 2. By renumbering as necessary.

BECKY SCHMITZ

S-3245

1 Amend Senate File 562 as follows:
2 1. Page 5, by striking line 16 and inserting the
3 following:
4 “..... \$ 6,922,654”
5 2. Page 5, line 34, by striking the figure
6 “3,794,443” and inserting the following: “4,294,443”.
7 3. Page 11, by striking lines 21 and 22 and

8 inserting the following:
 9 “..... \$ 5,596,762
 10 FTEs 89.45”
 11 4. Page 11, by striking lines 28 through 31.

DAVID JOHNSON
 MARY A. LUNDBY
 JEFF ANGELO
 NANCY J. BOETTGER
 DAVE MULDER
 HUBERT HOUSER
 JOHN PUTNEY
 JAMES F. HAHN
 PAUL McKINLEY
 RON WIECK
 JAMES A. SEYMOUR
 LARRY NOBLE
 MARK ZIEMAN
 BRAD ZAUN
 E. THURMAN GASKILL
 DAVID L. HARTSUCH
 JERRY BEHN
 LARRY McKIBBEN

S-3246

1 Amend Senate File 519 as follows:
 2 1. Page 7, line 22, by inserting after the word
 3 “contract.” the following: “The qualified provider
 4 shall contract for the performance of an energy audit
 5 from an independent third-party energy audit agency or
 6 entity for each year that the performance guarantee
 7 bond is in effect, and shall prepare and submit to the
 8 public entity an annual report on the energy savings
 9 realized as a result of the installation of the energy
 10 conservation measures, facility improvement measures,
 11 or facility technology infrastructure upgrades.”

MARK ZIEMAN
 JEFF ANGELO
 LARRY McKIBBEN
 RON WIECK
 JOHN PUTNEY
 JAMES F. HAHN
 HUBERT HOUSER

S-3247

1 Amend Senate File 253 as follows:
 2 1. Page 1, line 2, by striking the words
 3 “NONCAPTIVE VERTEBRATE”.
 4 2. Page 1, lines 5 and 6, by striking the words

5 “noncaptive vertebrate wildlife species” and inserting
 6 the following: “wildlife under the jurisdiction of
 7 the department of natural resources”.
 8 3. Page 1, lines 9 and 10, by striking the words
 9 “noncaptive vertebrate wildlife” and inserting the
 10 following: “wildlife under the jurisdiction of the
 11 department of natural resources”.
 12 4. Page 1, line 25, by striking the words
 13 “noncaptive vertebrate wildlife” and inserting the
 14 following: “wildlife under the jurisdiction of the
 15 department of natural resources”.
 16 5. Title page, lines 1 and 2, by striking the
 17 words “certain noncaptive vertebrate wildlife” and
 18 inserting the following: “wildlife under the
 19 jurisdiction of the department of natural resources”.

JOE M. SENG

S-3248

1 Amend House File 793, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 7, by inserting after line 11 the
 4 following:
 5 “Sec. ____ NEW SECTION. 321.258A RED LIGHT
 6 CAMERAS PROHIBITED.
 7 The department or a local authority shall not place
 8 or cause to be placed on or adjacent to a highway, or
 9 maintain or employ the use of, a red light camera.
 10 For purposes of this section, “red light camera” means
 11 a device installed on or in proximity to an official
 12 traffic control signal to produce recorded images for
 13 the purpose of enforcement of traffic laws.”
 14 2. Title page, line 12, by inserting after the
 15 word “liability,” the following: “use of red light
 16 cameras for traffic enforcement.”
 17 3. By renumbering as necessary.

PAT WARD
 THOMAS G. COURTNEY
 JEFF ANGELO
 DAVID JOHNSON
 JAMES F. HAHN
 JOHN PUTNEY
 RON WIECK

S-3249

- 1 Amend House File 793, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 8, line 24, by striking the word
4 “unladen”.

TOM RIELLY
GENE FRAISE
JERRY BEHN
LARRY NOBLE

S-3250

- 1 Amend the amendment, S-3199, to Senate File 519, as
2 follows:
3 1. Page 1, line 24, by inserting after the word
4 “submitted.” the following: “The written scope of
5 work and specifications shall be determined by a
6 professional engineer licensed under chapter 542B or
7 an architect registered under chapter 544A. The
8 engineer or architect shall be independent and not
9 affiliated with the public entity or the qualified
10 provider.”

JOHN PUTNEY

S-3251

- 1 Amend the amendment, S-3235, to Senate File 457 as
2 follows:
3 1. Page 1, line 39, by inserting after the word
4 “jailer,” the following: “probation or parole
5 officer.”
6 2. Page 2, line 10, by inserting after the word
7 “abuse” the following: “or sexual abuse”.
8 3. Page 2, line 18, by inserting after the word
9 “abuse” the following: “or sexual abuse”.
10 4. Page 3, line 42, by striking the words “for
11 any length of time”.

HERMAN C. QUIRMBACH
KEITH A. KREIMAN

S-3252

- 1 Amend Senate File 543 as follows:
2 1. Page 2, by striking lines 1 through 9.
3 2. Page 2, line 10, by striking the word “e” and
4 inserting the following: “3. a”

- 5 3. Page 2, line 23, by striking the word “d” and
 6 inserting the follow: “b”
 7 4. By renumbering as necessary.

MICHAEL E. GRONSTAL

S-3253

- 1 Amend the amendment, S-3199, to Senate File 519, as
 2 follows:
 3 1. Page 1, by inserting after line 1 the
 4 following:
 5 “___ Page 3, line 6, by striking the words
 6 “design and”.”
 7 2. Page 1, by striking lines 2 through 6 and
 8 inserting the following:
 9 “___ Page 3, line 10, by inserting after the
 10 word “upgrades.” the following: “The design component
 11 shall be provided by an independent licensed architect
 12 or an independent registered engineer who is selected
 13 by the public entity, but who does not have a
 14 contractual relationship with the qualified
 15 provider.””

MARK ZIEMAN

S-3254

- 1 Amend Senate File 519 as follows:
 2 1. Page 7, line 22, by inserting after the word
 3 “contract.” the following: “The qualified provider
 4 shall contract for the performance of an energy audit
 5 from an independent third-party energy audit agency or
 6 entity for each year that the performance guarantee
 7 bond is in effect, and shall prepare and submit to the
 8 public entity an annual report on the energy savings
 9 realized as a result of the installation of the energy
 10 conservation measures, facility improvement measures,
 11 or facility technology infrastructure upgrades.”

MARK ZIEMAN

S-3255

- 1 Amend Senate File 512 as follows:
 2 1. Page 4, by striking line 13 and inserting the
 3 following: “dealing in performance of the pharmacy
 4 benefits manager’s contractual obligations toward the
 5 covered entity.”

MARK ZIEMAN

S-3256

1 Amend Senate File 512 as follows:
2 1. Page 7, by striking lines 23 through 32 and
3 inserting the following: “entity the cost of both
4 drugs and any benefit or payment directly or
5 indirectly accruing to the pharmacy benefits manager
6 as a result of the substitution. A pharmacy benefits
7 manager is not required to disclose the information
8 required in this subsection to the covered entity
9 under any of the following circumstances:
10 a. The drug substitution is initiated for patient
11 safety reasons.
12 b. The currently prescribed drug is no longer
13 available in the market.
14 c. The substitution is required for coverage
15 reasons in which the prescribed drug is not covered
16 under the covered individual’s formulary or the
17 covered entity’s prescription drug benefit plan.”

MARK ZIEMAN

S-3257

1 Amend Senate File 512 as follows:
2 1. Page 6, line 22, by striking the word “may”
3 and inserting the following: “and the pharmacy
4 benefits manager shall mutually”.

MARK ZIEMAN

S-3258

1 Amend Senate File 508 as follows:
2 1. Page 1, line 14, by inserting after the word
3 “applicable.” the following: “The requirement of
4 coverage benefits for prosthetic devices does not
5 include myoelectric devices, prosthetic devices that
6 contain microprocessors, or prosthetic devices that
7 are designed exclusively for athletic purposes.”
8 2. Page 2, by inserting after line 1 the
9 following:
10 “__. If coverage benefits required under this
11 section are provided pursuant to a managed care health
12 plan, the benefits may be managed by providing
13 prosthetic devices only through a vendor designated by
14 the third-party payor.”

RON WIECK
RICH OLIVE

S-3259

- 1 Amend the amendment, S-3193, to Senate File 382 as
2 follows:
3 1. Page 1, by striking lines 2 through 7 and
4 inserting the following:
5 “___ Page 1, by striking lines 1 through 12.”
6 2. By renumbering as necessary.

RON WIECK

S-3260

- 1 Amend the amendment, S-3193, to Senate File 382 as
2 follows:
3 1. Page 1, by inserting after line 20, the
4 following:
5 “Sec. ___. COST CONTROLS. If, as a result of
6 compliance with the provisions of this Act, total
7 costs to a covered group policy, contract, or plan
8 increase by at least two percent during the first year
9 after the effective date of this Act, or by at least
10 one percent during any subsequent year, such group
11 policy, contract, or plan shall not be required to
12 provide the coverage benefits specified in this Act
13 during the year following such increase in total
14 costs.”
15 2. By renumbering as necessary.

RON WIECK

S-3261

- 1 Amend Senate File 573 as follows:
2 1. Page 3, line 22, by inserting after the word
3 “necessary.” the following: “The report shall include
4 a statement of any financial support received by the
5 commission or the health care data research advisory
6 council from outside sources, including but not
7 limited to corporations or private foundations.”

DAVID HARTSUCH
MARK ZIEMAN
BRAD ZAUN
PAUL MCKINLEY
JAMES F. HAHN
DAVID JOHNSON
NANCY J. BOETTGER
JERRY BEHN
MARY A. LUNDBY
RON WIECK
STEVE KETTERING

S-3262

1 Amend Senate File 573 as follows:
 2 1. By striking page 3, line 31, through page 4,
 3 line 12, and inserting the following:
 4 "2. The members of the council shall be designated
 5 by the director of public health and shall be
 6 individuals who are sufficiently knowledgeable in
 7 statistics, epidemiology, or other sciences as the
 8 director determines is necessary to meet the health
 9 care information needs of the commission.
 10 3. The director of public health and the council
 11 shall administer the provisions of this Act and in so
 12 doing shall have but not be limited to the following
 13 powers:
 14 a. The power to contract for data analysis and
 15 research services on a competitive bid basis.
 16 b. The power to collect and aggregate public
 17 health and insurance information.
 18 c. The power to delegate data analysis and
 19 research services to employees of the department of
 20 human services."

DAVID HARTSUCH
 MARK ZIEMAN
 BRAD ZAUN
 PAUL MCKINLEY
 JAMES F. HAHN
 DAVID JOHNSON
 NANCY J. BOETTGER
 JERRY BEHN
 MARY A. LUNDBY
 RON WIECK
 STEVE KETTERING

S-3263

1 Amend Senate File 573 as follows:
 2 1. Page 1, lines 4 and 5, by striking the words
 3 and figure "consisting of 19 members".
 4 2. Page 1, line 21, by striking the word "Two"
 5 and inserting the following: "Three".
 6 3. Page 1, line 22, by inserting after the word
 7 "society," the following: "one a physician designated
 8 by the Iowa osteopathic medical association."
 9 4. Page 1, by inserting after line 23, the
 10 following:
 11 "() One dentist designated by the Iowa dental
 12 association.
 13 () One podiatrist designated by the Iowa
 14 podiatric medical society.
 15 () One psychiatrist designated by the Iowa

- 16 psychiatric society.
 17 () One chiropractor designated by the Iowa
 18 chiropractic society.”
 19 5. Page 1, by striking line 28.
 20 6. By renumbering as necessary.

DAVID HARTSUCH
 BRAD ZAUN
 PAUL McKINLEY
 JAMES F. HAHN
 JERRY BEHN
 RON WIECK
 STEVE KETTERING

S-3264

- 1 Amend Senate File 573 as follows:
 2 1. Page 2, line 20, by striking the words
 3 “Uninsured and underinsured” and inserting the
 4 following: “Self-insured”.
 5 2. Page 2, lines 21 and 22, by striking the words
 6 “uninsured and underinsured” and inserting the
 7 following: “self-insured”.
 8 3. Page 2, line 22, by striking the words
 9 “uninsured or”.
 10 4. Page 2, by striking lines 23 through 25 and
 11 inserting the following: “self-insured and the most
 12 effective and efficient means to protect the right of
 13 self-insured individuals to acquire medical services
 14 on the same terms, conditions, and price levels as
 15 those obtained by third party payors. The commission
 16 shall report upon the extent of medical price
 17 discrimination involving individuals who are
 18 self-insured, and shall make recommendations to reduce
 19 or eliminate such discrimination.”

DAVID HARTSUCH
 MARK ZIEMAN
 BRAD ZAUN
 PAUL McKINLEY
 JAMES F. HAHN
 DAVE MULDER
 DAVID JOHNSON
 NANCY J. BOETTGER
 JERRY BEHN
 MARY A. LUNDBY
 RON WIECK
 STEVE KETTERING

S-3265

- 1 Amend Senate File 573 as follows:
2 1. Page 2, by striking lines 13 through 19 and
3 inserting the following:
4 “a. The number of Iowans who have been denied
5 health care due to an inability to pay for medical
6 services.
7 b. Health savings accounts and the impact of
8 increasing deductibles on utilization and health care
9 insurance costs.
10 c. The number of insurers offering health
11 insurance policies in the state and the effect on
12 health insurance rates.
13 d. The effect of malpractice and defensive
14 medicine on the cost of health care in Iowa.
15 e. The cost of mandated benefits under Iowa law.
16 f. The effect of restrictions on competition in
17 the medical marketplace including Iowa’s certificate
18 of need program.
19 g. The prevalence of wrongful denial or
20 withholding of medical insurance claims and the impact
21 on health care costs to consumers.
22 h. The hidden cost of federal unfunded mandates
23 regarding the provision of health care to indigents.
24 i. The cost of uncompensated care provided to
25 illegal aliens.
26 j. The cost of overutilization of the medical
27 system by Medicaid enrollees including overutilization
28 of Iowa’s emergency medical system for routine medical
29 care.
30 k. The cost of risky and addictive behavior among
31 Iowa’s adolescent population.”
32 2. By renumbering, redesignating, and correcting
33 internal references as necessary.

DAVID HARTSUCH
MARK ZIEMAN
BRAD ZAUN
PAUL MCKINLEY
JAMES F. HAHN
DAVID JOHNSON
NANCY J. BOETTGER
JERRY BEHN
MARY A. LUNDBY
RON WIECK
STEVE KETTERING

S-3266

1 Amend Senate File 538 as follows:
 2 1. Page 1, by striking lines 5 through 8 and
 3 inserting the following: "society resulting from
 4 injury to or death of a minor child and may recover
 5 for the expense and actual loss of services,
 6 companionship, and society resulting from the death of
 7 an adult child.
 8 Sec. ____ Section 633.336, Code 2007, is amended
 9 to read as follows:
 10 633.336 DAMAGES FOR WRONGFUL DEATH.
 11 When a wrongful act produces death, damages
 12 recovered as a result of the wrongful act shall be
 13 disposed of as personal property belonging to the
 14 estate of the deceased; however, if the damages
 15 include damages for loss of services and support of a
 16 deceased spouse, ~~and~~ parent, ~~or child~~, the damages
 17 shall be apportioned by the court among the surviving
 18 spouse, ~~and~~ children, ~~and parents~~ of the decedent in a
 19 manner as the court may deem equitable consistent with
 20 the loss of services and support sustained by the
 21 surviving spouse, ~~and~~ children, ~~and parents~~
 22 respectively. Any recovery by a parent for the death
 23 of a child shall be subordinate to the recovery, if
 24 any, of the spouse or a child of the decedent. If the
 25 decedent leaves a spouse, child, or parent, damages
 26 for wrongful death shall not be subject to debts and
 27 charges of the decedent's estate, except for amounts
 28 to be paid to the department of human services for
 29 payments made for medical assistance pursuant to
 30 chapter 249A, paid on behalf of the decedent from the
 31 time of the injury which gives rise to the decedent's
 32 death up until the date of the decedent's death."
 33 2. By renumbering as necessary.

ROBERT M. HOGG

S-3267

1 Amend Senate File 424 as follows:
 2 1. Page 2, by striking lines 9 through 12 and
 3 inserting the following: "to choose care pursuant to
 4 this subsection. The employee shall, in turn,
 5 promptly notify the employer or the employer's insurer
 6 of the physician chosen."

RON WIECK
 MARY A. LUNDBY
 JAMES A. SEYMOUR
 PAUL McKINLEY
 HUBERT HOUSER

JERRY BEHN
 JEFF ANGELO
 BRAD ZAUN
 E. THURMAN GASKILL
 STEVE KETTERING
 JOHN PUTNEY
 JAMES F. HAHN
 DAVID HARTSUCH
 LARRY NOBLE
 PAT WARD
 DAVID JOHNSON
 MARK ZIEMAN
 NANCY J. BOETTGER
 LARRY McKIBBEN
 DAVE MULDER

S-3268

- 1 Amend Senate File 424 as follows:
 2 1. Page 1, line 6, by inserting after the word “;
 3 ~~the~~” the following: “The commissioner shall adopt
 4 rules pursuant to chapter 17A setting maximum fees for
 5 covered services under this chapter by a physician.”

RON WIECK
 MARY A. LUNDBY
 JAMES A. SEYMOUR
 PAUL McKINLEY
 HUBERT HOUSER
 JERRY BEHN
 JEFF ANGELO
 BRAD ZAUN
 E. THURMAN GASKILL
 STEVE KETTERING
 JOHN PUTNEY
 JAMES F. HAHN
 DAVID HARTSUCH
 LARRY NOBLE
 PAT WARD
 DAVID JOHNSON
 MARK ZIEMAN
 NANCY J. BOETTGER
 LARRY McKIBBEN
 DAVE MULDER

S-3269

- 1 Amend the amendment, S-3193, to Senate File 382 as
 2 follows:
 3 1. Page 1, by striking lines 21 through 30 and
 4 inserting the following:
 5 “Sec. ____ INTERIM STUDY COMMITTEE ON HEALTH

6 BENEFIT MANDATES. The legislative council is
 7 requested to establish an interim study committee on
 8 health benefit mandates to study the costs and
 9 benefits of enacting additional health benefit
 10 mandates. The interim study committee shall submit a
 11 report with findings and recommendations to the
 12 general assembly on or before January 1, 2008.

13 The committee shall be composed of the following
 14 members:

15 1. Two senators, one appointed by the majority
 16 leader of the senate and one appointed by the minority
 17 leader of the senate.

18 2. Two representatives, one appointed by the
 19 speaker of the house of representatives and one
 20 appointed by the minority leader of the house of
 21 representatives.

22 3. One representative of the service employees
 23 international union.

24 4. Three representatives of large employers
 25 selected by the Iowa association of business and
 26 industry.

27 5. Three representatives of small employers
 28 selected by the national federation of independent
 29 business.

30 6. Four representatives of the health insurance
 31 industry selected by the federation of Iowa insurers.

32 The commissioner of insurance or a designee shall
 33 serve as an ex officio member of the committee.”

34 2. Page 1, by inserting after line 37 the
 35 following:

36 “___ Title page, line 2, by inserting after the
 37 word “illness” the following: “, requesting an
 38 interim study committee on health benefit mandates.””

39 3. By renumbering as necessary.

RON WIECK

S-3270

1 Amend Senate File 573 as follows:

2 1. Page 1, line 1, by striking the word
 3 “INTERIM”.

4 2. Page 1, line 3, by striking the words “An
 5 interim” and inserting the following: “A”.

6 3. Page 3, line 17, by striking the figure “2007”
 7 and inserting the following: “2008”.

8 4. Page 3, by inserting after line 22 the
 9 following:

10 “___ The commission is dissolved immediately
 11 after the issuance of its final report.”

- 12 5. Title page, line 1, by striking the word
 13 "interim".
 14 6. By renumbering as necessary.

DAVID HARTSUCH

S-3271

- 1 Amend Senate File 573 as follows:
 2 1. Page 1, lines 4 and 5, by striking the words
 3 and figure "consisting of 19 members".
 4 2. Page 1, line 21, by striking the word "Two"
 5 and inserting the following: "Three".
 6 3. Page 1, line 22, by inserting after the word
 7 "society," the following: "one a physician designated
 8 by the Iowa osteopathic medical association,".
 9 4. Page 1, by inserting after line 23, the
 10 following:
 11 "() One dentist designated by the Iowa dental
 12 association.
 13 () One podiatrist designated by the Iowa
 14 podiatric medical society.
 15 () One psychiatrist designated by the Iowa
 16 psychiatric society.
 17 () One chiropractor designated by the Iowa
 18 chiropractic society."
 19 5. Page 1, by striking line 28.
 20 6. Page 2, by striking lines 3 through 9 and
 21 inserting the following: "provided in section 2.10."
 22 7. By renumbering as necessary.

DAVID HARTSUCH
 BRAD ZAUN
 PAUL McKINLEY
 RON WIECK
 JAMES F. HAHN
 STEVE KETTERING

S-3272

- 1 Amend Senate File 562 as follows:
 2 1. Page 14, by inserting after line 19 the
 3 following:
 4 "Sec. ____ Section 303.3C, Code 2007, is amended
 5 by adding the following new subsection:
 6 NEW SUBSECTION. 4. A person shall not construct
 7 or expand a structure regulated under chapter 459
 8 within three miles of a city where an Iowa great
 9 places project has been identified pursuant to this

10 section if the project has received financial or
11 technical assistance from the state.”
12 2. By renumbering as necessary.

BECKY SCHMITZ

S-3273

1 Amend House File 566, as passed by the House, as
2 follows:
3 1. By striking everything after the enacting
4 clause, and inserting the following:
5 “Section 1. Section 135.24, Code 2007, is amended
6 to read as follows:
7 135.24 VOLUNTEER HEALTH CARE PROVIDER PROGRAM
8 ESTABLISHED — IMMUNITY FROM CIVIL LIABILITY.
9 1. The director shall establish within the
10 department a program to provide to eligible hospitals,
11 clinics, free clinics, field dental clinics, or other
12 health care facilities, health care referral programs,
13 or charitable organizations, free medical, dental,
14 chiropractic, pharmaceutical, nursing, optometric,
15 psychological, social work, behavioral science,
16 podiatric, physical therapy, occupational therapy,
17 respiratory therapy, and emergency medical care
18 services given on a voluntary basis by health care
19 providers. A participating health care provider shall
20 register with the department and obtain from the
21 department a list of eligible, participating
22 hospitals, clinics, free clinics, field dental
23 clinics, or other health care facilities, health care
24 referral programs, or charitable organizations.
25 2. The department, in consultation with the
26 department of human services, shall adopt rules to
27 implement the volunteer health care provider program
28 which shall include the following:
29 a. Procedures for registration of health care
30 providers deemed qualified by the board of medical
31 examiners, the board of physician assistant examiners,
32 the board of dental examiners, the board of nursing,
33 the board of chiropractic examiners, the board of
34 psychology examiners, the board of social work
35 examiners, the board of behavioral science examiners,
36 the board of pharmacy examiners, the board of
37 optometry examiners, the board of podiatry examiners,
38 the board of physical and occupational therapy
39 examiners, the state board for respiratory care, and
40 the Iowa department of public health, as applicable.
41 b. Procedures for registration of free clinics and
42 field dental clinics.
43 c. Criteria for and identification of hospitals,
44 clinics, free clinics, field dental clinics, or other

45 health care facilities, health care referral programs,
46 or charitable organizations, eligible to participate
47 in the provision of free medical, dental,
48 chiropractic, pharmaceutical, nursing, optometric,
49 psychological, social work, behavioral science,
50 podiatric, physical therapy, occupational therapy,

Page 2

1 respiratory therapy, or emergency medical care
2 services through the volunteer health care provider
3 program. A free clinic, a field dental clinic, a
4 health care facility, a health care referral program,
5 a charitable organization, or a health care provider
6 participating in the program shall not bill or charge
7 a patient for any health care provider service
8 provided under the volunteer health care provider
9 program.

10 d. Identification of the services to be provided
11 under the program. The services provided may include,
12 but shall not be limited to, obstetrical and
13 gynecological medical services, psychiatric services
14 provided by a physician licensed under chapter 148,
15 150, or 150A, dental services provided under chapter
16 153, or other services provided under chapter 147A,
17 148A, 148B, 148C, 149, 151, 152, 152B, 152E, 154,
18 154B, 154C, 154D, or 155A.

19 3. A health care provider providing free care
20 under this section shall be considered an employee of
21 the state under chapter 669 and shall be afforded
22 protection as an employee of the state under section
23 669.21, provided that the health care provider has
24 done all of the following:

25 a. Registered with the department pursuant to
26 subsection 1.

27 b. Provided medical, dental, chiropractic,
28 pharmaceutical, nursing, optometric, psychological,
29 social work, behavioral science, podiatric, physical
30 therapy, occupational therapy, respiratory therapy, or
31 emergency medical care services through a hospital,
32 clinic, free clinic, field dental clinic, or other
33 health care facility, health care referral program, or
34 charitable organization listed as eligible and
35 participating by the department pursuant to subsection
36 1.

37 4. A free clinic providing free care under this
38 section shall be considered a state agency solely for
39 the purposes of this section and chapter 669 and shall
40 be afforded protection under chapter 669 as a state
41 agency for all claims arising from the provision of
42 free care by a health care provider registered under
43 subsection 3 who is providing services at the free

44 clinic in accordance with this section or from the
45 provision of free care by a health care provider who
46 is covered by adequate medical malpractice insurance
47 as determined by the department, if the free clinic
48 has registered with the department pursuant to
49 subsection 1.

50 4A. A field dental clinic providing free care

Page 3

1 under this section shall be considered a state agency
2 solely for the purposes of this section and chapter
3 669 and shall be afforded protection under chapter 669
4 as a state agency for all claims arising from the
5 provision of free care by a health care provider
6 registered under subsection 3 who is providing
7 services at the field dental clinic in accordance with
8 this section or from the provision of free care by a
9 health care provider who is covered by adequate
10 medical malpractice insurance as determined by the
11 department, if the field dental clinic has registered
12 with the department pursuant to subsection 1.

13 5. For the purposes of this section:

14 a. "Charitable organization" means a charitable
15 organization within the meaning of section 501(c)(3)
16 of the Internal Revenue Code which has as its primary
17 purpose the sponsorship or support of programs
18 designed to improve the quality, awareness, and
19 availability of chiropractic, dental, medical,
20 pharmaceutical, nursing, optometric, psychological,
21 social work, behavioral science, podiatric, physical
22 therapy, occupational therapy, respiratory therapy, or
23 emergency medical care services to children and to
24 serve as a funding mechanism for provision of
25 chiropractic, dental, medical, pharmaceutical,
26 nursing, optometric, psychological, social work,
27 behavioral science, podiatric, physical therapy,
28 occupational therapy, respiratory therapy, or
29 emergency medical care services, including but not
30 limited to immunizations, to children in this state.

31 b. "Field dental clinic" means a dental clinic
32 temporarily or periodically erected at a location
33 utilizing mobile dental equipment, instruments, or
34 supplies, as necessary, to provide dental services.

35 c. "Free clinic" means a facility, other than a
36 hospital or health care provider's office which is
37 exempt from taxation under section 501(c)(3) of the
38 Internal Revenue Code and which has as its sole
39 purpose the provision of health care services without
40 charge to individuals who are otherwise unable to pay
41 for the services.

42 e. d. "Health care provider" means a physician

43 licensed under chapter 148, 150, or 150A, a
 44 chiropractor licensed under chapter 151, a physical
 45 therapist licensed pursuant to chapter 148A, an
 46 occupational therapist licensed pursuant to chapter
 47 148B, a podiatrist licensed pursuant to chapter 149, a
 48 physician assistant licensed and practicing under a
 49 supervising physician pursuant to chapter 148C, a
 50 licensed practical nurse, a registered nurse, or an

Page 4

1 advanced registered nurse practitioner licensed
 2 pursuant to chapter 152 or 152E, a respiratory
 3 therapist licensed pursuant to chapter 152B, a
 4 dentist, dental hygienist, or dental assistant
 5 registered or licensed to practice under chapter 153,
 6 an optometrist licensed pursuant to chapter 154, a
 7 psychologist licensed pursuant to chapter 154B, a
 8 social worker licensed pursuant to chapter 154C, a
 9 mental health counselor or a marital and family
 10 therapist licensed pursuant to chapter 154D, a
 11 pharmacist licensed pursuant to chapter 155A, or an
 12 emergency medical care provider certified pursuant to
 13 chapter 147A.”
 14 2. Title page, line 1, by striking the words “the
 15 definition of a free clinic” and inserting the
 16 following: “field dental clinics”.

COMMITTEE ON HUMAN RESOURCES
 AMANDA RAGAN, Chair

S-3274

1 Amend Senate File 519 as follows:
 2 1. Page 4, line 20, by inserting after the word
 3 “publicly.” the following: “The provisions of chapter
 4 26 shall apply to all energy conservation measures and
 5 all requests for proposals and evaluations of
 6 proposals submitted pursuant to this chapter.”

MARK ZIEMAN

S-3275

1 Amend House File 849, as passed by the House, as
 2 follows:
 3 1. Page 1, by inserting after line 29 the
 4 following:
 5 “Sec. ____ Section 8A.311, Code 2007, is amended
 6 by adding the following new subsection:
 7 NEW SUBSECTION. 21. a. The state, through the
 8 department, shall give a preference to purchasing

9 equipment, supplies, or services from or awarding
10 public improvement contracts pursuant to subsection 11
11 to an Iowa-based business as provided under paragraph
12 “b”, as appropriate, if the bid submitted is
13 comparable in price to those submitted by other
14 bidders and meets the required specifications.
15 However, before giving the preference, the department
16 shall confirm with the Iowa employer support of the
17 guard and reserve committee that the requirements of
18 paragraph “b” have been met by the Iowa-based
19 business.

20 b. To receive a preference as provided by this
21 subsection, the Iowa-based business employer shall
22 have adopted policies beyond those otherwise required
23 by law to support employees who are officers or
24 enlisted persons in the national guard and organized
25 reserves of the armed forces of the United States
26 consistent with standards adopted by the Iowa employer
27 support of the guard and reserve committee. To be
28 eligible for such preference, an employer shall submit
29 to the committee a copy of the applicable policies
30 adopted by the employer and shall sign and submit to
31 the committee a statement of support of persons in the
32 employ of the employer who serve in the national guard
33 and the reserves, recognizing the vital role of the
34 national guard and the reserves, and pledging all of
35 the following:

36 (1) To neither deny employment nor limit or reduce
37 job opportunities because of an employee’s service in
38 the national guard or organized reserves of the armed
39 forces of the United States.

40 (2) To grant leaves of absence during a period of
41 military duty or training.

42 (3) To ensure that all employees are aware of the
43 employer’s policies and the requirements of section
44 29A.43.”

45 2. Page 2, line 33, by striking the word “DATE.”
46 and inserting the following: “DATES.

47 1.”

48 3. Page 2, by inserting after line 35 the
49 following:

50 “2. The section of this Act amending section

Page 2

1 8A.311 takes effect January 1, 2008.”

2 4. Title page, by striking line 2 and inserting
3 the following: “including an effective date
4 provision.”

5 5. By renumbering as necessary.

STEVE WARNSTADT
DARYL BEALL

JEFF DANIELSON
TOM RIELLY
TOM HANCOCK
BRIAN SCHOENJAHN
JOHN P. KIBBIE
FRANK B. WOOD
WILLIAM M. HECKROTH
STACI APPEL

S-3276

1 Amend Senate File 495 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. 2006 Iowa Acts, chapter 1145, section
5 4, subsection 1, unnumbered paragraph 1, is amended to
6 read as follows:
7 A watershed quality planning task force is
8 established within the department of natural resources
9 in cooperation with the Iowa department of agriculture
10 and land stewardship. By ~~June 30, January 1, 2008,~~
11 the task force shall report to the general assembly
12 its recommendations for a voluntary statewide water
13 quality program which is designed to achieve all of
14 the following goals:"

FRANK B. WOOD

S-3277

HOUSE AMENDMENT TO
SENATE FILE 131

1 Amend Senate File 131 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 "Section 1. Section 331.434, subsection 3, Code
5 2007, is amended to read as follows:
6 3. The board shall set a time and place for a
7 public hearing on the budget before the final
8 certification date and shall publish notice of the
9 hearing not less than ten nor more than twenty days
10 prior to the hearing in the county newspapers selected
11 under chapter 349. A summary of the proposed budget,
12 in the form prescribed by the director of the
13 department of management, shall be included in the
14 notice. For each fiscal year beginning July 1 of an
15 even-numbered year following issuance of an
16 equalization order pursuant to section 441.49, the
17 board of each county that received a positive
18 equalization order for any class of property shall

19 include a statement at the top of the budget summary
 20 declaring whether or not for such budget the board
 21 intends to reduce its tax levy rates from the current
 22 fiscal year in order to compensate for the increase in
 23 property valuations due to the equalization order
 24 issued by the department of revenue. Proof of
 25 publication shall be filed with and preserved by the
 26 auditor. A levy is not valid unless and until the
 27 notice is published and filed. The department of
 28 management shall prescribe the form for the public
 29 hearing notice for use by counties.

30 Sec. 2. Section 384.16, subsection 3, Code 2007,
 31 is amended to read as follows:

32 3. The council shall set a time and place for
 33 public hearing on the budget before the final
 34 certification date and shall publish notice of the
 35 hearing not less than ten nor more than twenty days
 36 before the hearing in a newspaper published at least
 37 once weekly and having general circulation in the
 38 city. However, if the city has a population of two
 39 hundred or less, publication may be made by posting in
 40 three public places in the city. A summary of the
 41 proposed budget shall be included in the notice. For
 42 each fiscal year beginning July 1 of an even-numbered
 43 year following issuance of an equalization order
 44 pursuant to section 441.49, the city council of each
 45 city located in a county that received a positive
 46 equalization order, or whose city assessor received a
 47 positive equalization order, for any class of property
 48 shall include a statement at the top of the budget
 49 summary declaring whether or not for such budget the
 50 city council intends to reduce its tax levy rates from

Page 2

1 the current fiscal year in order to compensate for the
 2 increase in property valuations due to the
 3 equalization order issued by the department of
 4 revenue. Proof of publication must be filed with the
 5 county auditor. The department of management shall
 6 prescribe the form for the public hearing notice for
 7 use by cities.”

8 2. Page 1, line 14, by striking the figure “25”
 9 and inserting the following: “30”.

10 3. Page 1, by inserting after line 17 the
 11 following:

12 “Sec. _____. Section 441.49, unnumbered paragraph 5,
 13 Code 2007, is amended to read as follows:

14 The local board of review shall reconvene in
 15 special session from October 15 to November 15 for the
 16 purpose of hearing the protests of affected property
 17 owners or taxpayers within the jurisdiction of the

18 board whose valuation of property if adjusted pursuant
 19 to the equalization order issued by the director of
 20 revenue will result in a greater value than permitted
 21 under section 441.21. The board of review shall
 22 accept protests only during the first ~~ten~~ fifteen days
 23 following the date the local board of review
 24 reconvenes. The board of review shall limit its
 25 review to only the timely filed protests. The board
 26 of review may adjust all or a part of the percentage
 27 increase ordered by the director of revenue by
 28 adjusting the actual value of the property under
 29 protest to one hundred percent of actual value. Any
 30 adjustment so determined by the board of review shall
 31 not exceed the percentage increase provided for in the
 32 director's equalization order. The determination of
 33 the board of review on filed protests is final,
 34 subject to appeal to the property assessment appeal
 35 board. A final decision by the local board of review,
 36 or the property assessment appeal board, if the local
 37 board's decision is appealed, is subject to review by
 38 the director of revenue for the purpose of determining
 39 whether the board's actions substantially altered the
 40 equalization order. In making the review, the
 41 director has all the powers provided in chapter 421,
 42 and in exercising the powers the director is not
 43 subject to chapter 17A. Not later than fifteen days
 44 following the adjournment of the board, the board of
 45 review shall submit to the director of revenue, on
 46 forms prescribed by the director, a report of all
 47 actions taken by the board of review during this
 48 session.”
 49 4. Title page, line 1, by striking the words
 50 “publication of”.

Page 3

- 1 5. Title page, line 2, by inserting after the
- 2 word “orders” the following: “by requiring certain
- 3 information to be published and by extending the time
- 4 period for certain equalization order protests”.
- 5 6. By renumbering, relettering, or redesignating
- 6 and correcting internal references as necessary.

S-3278

- 1 Amend Senate File 508 as follows:
- 2 1. Page 1, line 18, by striking the words “July
- 3 1, 2007” and inserting the following: “the date the
- 4 general assembly takes action on the findings of the
- 5 interim study committee on health benefit mandates as
- 6 provided in section 201 of this Act”.
- 7 2. Page 2, by inserting after line 1 the

8 following:
 9 “Sec. 201. HEALTH BENEFITS MANDATE APPLICABILITY.
 10 Any health benefit mandate enacted during the 2007
 11 Regular Session of the Eighty-second General Assembly
 12 shall not be applicable to a third-party payment
 13 provider contract, policy, or plan delivered, issued
 14 for delivery, continued, or renewed in this state,
 15 until the general assembly takes action, through the
 16 enactment of a bill or resolution, on the findings of
 17 the interim study committee on health benefit
 18 mandates, if enacted in 2007 Iowa Acts, Senate File
 19 514.”
 20 3. By renumbering as necessary.

RON WIECK
 MARY A. LUNDBY
 JEFF ANGELO
 PAT WARD
 MARK ZIEMAN
 PAUL McKINLEY
 E. THURMAN GASKILL
 JAMES F. HAHN
 JOHN PUTNEY
 LARRY McKIBBEN
 STEVE KETTERING
 LARRY NOBLE
 DAVID HARTSUCH

S-3279

1 Amend Senate File 521 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 “Section 1. Section 600.3, Code 2007, is amended
 5 by adding the following new subsection:
 6 NEW SUBSECTION. 4. An adoption petition shall be
 7 limited to the adoption of one natural person.
 8 Sec. 2. Section 602.8103, subsection 4, Code 2007,
 9 is amended by adding the following new paragraph:
 10 NEW PARAGRAPH. k. Complaints, trial informations,
 11 and uniform citations and complaints relating to
 12 parking violations under sections 321.236, 321.239,
 13 321.358, 321.360, and 321.361, one year after final
 14 disposition.
 15 Sec. 3. Section 602.8105, subsection 1, paragraph
 16 a, Code 2007, is amended to read as follows:
 17 a. For filing and docketing a petition, other than
 18 a modification of a dissolution decree to which a
 19 written stipulation is attached at the time of filing
 20 containing the agreement of the parties to the terms
 21 of modification, one hundred dollars. In counties
 22 having a population of ninety-eight thousand or over,

23 an additional five dollars shall be charged and
24 collected to be known as the journal publication fee
25 and used for the purposes provided for in section
26 618.13. For multiple adoption petitions filed at the
27 same time by the same petitioner under section 600.3,
28 the filing fee and any court costs for any petition
29 filed in addition to the first petition filed are
30 waived.

31 Sec. 4. Section 617.10, Code 2007, is amended to
32 read as follows:

33 617.10 REAL ESTATE — ACTION INDEXED.

34 1. When a petition affecting real estate is filed,
35 the clerk of the district court where the petition is
36 filed shall forthwith index same the petition in an
37 index book to be provided therefor, under the tract
38 number which describes the property, entering in each
39 instance the ~~cause case~~ number as a guide to the
40 record of court proceedings which affect such the real
41 estate. If the petition be is amended to include
42 other parties or other lands, same the amended
43 petition shall be similarly indexed. When the cause
44 is finally a final result is determined in the case,
45 the result shall be indicated in said the index book
46 wherever indexed.

47 2. As used in this section, “book” means any mode
48 of permanent recording, including but not limited to
49 card files, microfilm, microfiche, and electronic
50 records.

Page 2

1 Sec. 5. Section 654.17, Code 2007, is amended to
2 read as follows:

3 654.17 RECISSION OF FORECLOSURE.

4 1. At any time prior to the recording of the
5 sheriff's deed, and before the mortgagee's rights
6 become unenforceable by operation of the statute of
7 limitations, the judgment creditor, or the judgment
8 creditor who is the successful bidder at the sheriff's
9 sale, with the written consent of the mortgagor may
10 rescind the foreclosure action by filing a notice of
11 recission with the clerk of court in the county in
12 which the property is located along with a filing fee
13 of fifty dollars. In addition, such person if the
14 original loan documents are contained in the court
15 file, the mortgagee shall pay a fee of twenty-five
16 dollars for documents filed in the foreclosure action
17 which the plaintiff requests returned to the clerk of
18 the district court. Upon the payment of the fee, the
19 clerk shall make copies of the original loan documents
20 for the court file, and return the original loan
21 documents to the mortgagee.

22 2. Upon the filing of the notice of rescision, the
 23 mortgage loan shall be enforceable according to the
 24 original terms of the foreclosure and the rights of
 25 all persons with an interest in the property may be
 26 enforced as if the foreclosure had not been filed.
 27 However, any findings of fact or law shall be
 28 preclusive for purposes of any future action unless
 29 the court, upon hearing, rules otherwise. The
 30 mortgagor shall be assessed costs, including
 31 reasonable attorney fees, of foreclosure and rescision
 32 if provided by the mortgage agreement.
 33 Sec. 6. Section 674.11, Code 2007, is repealed.”
 34 2. Title page, by striking lines 1 through 5 and
 35 inserting the following: “An Act relating to judicial
 36 branch practices and procedures including but not
 37 limited to adoption petitions, clerk of the district
 38 court duties, and recordkeeping affecting real estate
 39 and change of name records.”

TOM HANCOCK

S-3280

1 Amend House File 767, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 1, by inserting after line 16 the
 4 following:
 5 “Sec. ____ Section 35A.14, subsection 5, paragraph
 6 a, Code 2007, is amended to read as follows:
 7 a. Grants shall be paid in increments of two
 8 thousand five hundred dollars, up to a maximum of ten
 9 thousand dollars upon proof that the veteran has been
 10 evacuated from the operational theater in which the
 11 veteran was injured to a military hospital for an
 12 injury received in the line of duty and shall continue
 13 to be paid, at thirty-day intervals, up to the maximum
 14 amount, so long as the veteran is hospitalized or
 15 receiving medical care or rehabilitation services
 16 authorized by the military ~~and the presence or~~
 17 ~~assistance of family members is necessary.”~~
 18 2. By renumbering as necessary.

COMMITTEE ON VETERANS AFFAIRS
 DARYL BEALL, Chair

S-3281

HOUSE AMENDMENT TO SENATE FILE 339

1 Amend Senate File 339, as passed by the Senate, as
 2 follows:

3 1. Page 1, line 21, by inserting after the word
4 “culverts” the following: “if such capital projects
5 assist in economic development which creates jobs and
6 wealth”.

S-3282

1 Amend House File 499, as passed by the House, as
2 follows:
3 1. Page 15, by inserting after line 13, the
4 following:
5 “Sec. ____ Section 521G.6, subsection 6, Code
6 2007, is amended to read as follows:
7 6. A protected cell company shall only attribute
8 to a protected cell account the insurance obligations
9 relating to the protected cell company’s general
10 account. A protected cell ~~company~~ shall not issue an
11 insurance or reinsurance contract directly to a
12 policyholder or reinsured, and shall not have an
13 obligation to a policyholder or reinsured of the
14 protected cell company’s general account.”
15 2. Page 19, by striking line 9, and inserting the
16 following:
17 “Sec. ____ Sections 505.26, 523.5, and 523.6, Code
18 2007, are”.
19 3. Title page, line 12, by inserting after the
20 word “contracts,” the following: “protected cell
21 companies,”.
22 4. By renumbering as necessary.

COMMITTEE ON COMMERCE
STEVE WARNSTADT, Chair

S-3283

1 Amend House File 783, as passed by the House, as
2 follows:
3 1. By striking page 3, line 34, through page 4,
4 line 6, and inserting the following:
5 “e. Residential rental property where a charge for
6 any of the services of sewer systems, storm water
7 drainage systems, sewage treatment, solid waste
8 collection, and solid waste disposal is paid directly
9 to the city utility or enterprise by the tenant is
10 exempt from a lien for delinquent rates or charges
11 associated with such services if the landlord gives
12 written notice to the city utility or enterprise that
13 the property is residential rental property and that
14 the tenant is liable for the rates or charges. A city
15 utility or enterprise may require a deposit not
16 exceeding the usual cost of ninety days of the
17 services of sewer systems, storm water drainage

18 systems, sewage treatment, solid waste collection, and
 19 solid waste disposal to be paid to the utility or
 20 enterprise. Upon receipt, the utility or enterprise
 21 shall acknowledge the notice and deposit. A written
 22 notice shall contain the address of the residential
 23 rental property that the tenant is to occupy and the
 24 date that the occupancy begins. When the tenant moves
 25 from the rental property, the city utility or
 26 enterprise shall return the deposit if the charges for
 27 the services of sewer systems, storm water drainage
 28 systems, sewage treatment, solid waste collection, and
 29 solid waste disposal are paid in full. A change in
 30 the ownership of the residential rental property shall
 31 require written notice of such change to be given to
 32 the city utility or enterprise within ten business
 33 days of the completion of the change of ownership.
 34 The lien exemption for rental property does not apply
 35 to charges for repairs related to a service of sewer
 36 systems, storm water drainage systems, sewage
 37 treatment, solid waste collection, and solid waste
 38 disposal if the repair charges become delinquent.”

COMMITTEE ON COMMERCE
 STEVE WARNSTADT, Chair

S-3284

1 Amend House File 546, as passed by the House, as
 2 follows:
 3 1. Page 1, line 4, by striking the words “one of”
 4 and inserting the following: “~~one of~~”.
 5 2. Page 1, line 8, by striking the word
 6 “precinct” and inserting the following: “~~precinct~~
 7 county”.
 8 3. Page 1, by striking lines 11 and 12 and
 9 inserting the following: “~~under the heading of either~~
 10 ~~of these political parties. Election boards may~~”.
 11 4. Page 1, line 14, by striking the words
 12 “political party” and inserting the following: “of
 13 these political parties”.
 14 5. Page 1, by striking lines 16 through 19 and
 15 inserting the following: “election board.”
 16 6. Page 2, by striking lines 22 through 24 and
 17 inserting the following: “counting board.”

COMMITTEE ON STATE GOVERNMENT
 MICHAEL CONNOLLY, Chair

S-3285

1 Amend Senate File 551 as follows:

2 1. Page 5, by inserting after line 15 the
3 following:

4 “Sec. ____ GRAPE AND WINE DEVELOPMENT FUND. There
5 is appropriated from the general fund of the state to
6 the grape and wine development fund created in section
7 175A.5 for the fiscal year beginning July 1, 2007, and
8 ending June 30, 2008, the following amount, or so much
9 thereof as is necessary, to be used for the purposes
10 designated:

11 For carrying out the purposes of the fund:

12 \$ 283,000”

13 2. Page 5, by inserting before line 16 the
14 following:

15 “DESIGNATED APPROPRIATION — MISCELLANEOUS

16 Sec. ____ 2006 Iowa Acts, chapter 1175, section
17 22, is amended by adding the following new unnumbered
18 paragraph:

19 NEW UNNUMBERED PARAGRAPH. Notwithstanding section
20 8.33, moneys appropriated in this section that remain
21 unencumbered or unobligated at the close of the fiscal
22 year shall not revert but shall remain available for
23 the purposes designated in this section until the
24 close of the succeeding fiscal year.”

25 3. Page 5, by inserting before line 16 the
26 following:

“EFFECTIVE DATE

27 Sec. ____ EFFECTIVE DATE. The section of this
28 division of this Act amending 2006 Iowa Acts, chapter
29 1175, section 22, being deemed of immediate
30 importance, takes effect upon enactment.”

31 4. Page 17, by inserting after line 34 the
32 following:

33 “DIVISION ____
34 CODE LANGUAGE — GRAPE AND
35 WINE DEVELOPMENT

36 Sec. ____ Section 123.183, subsection 3, Code
37 2007, is amended to read as follows:

38 3. The revenue collected from the wine gallowage
39 tax on wine imported into this state for sale at
40 wholesale and sold in this state at wholesale shall be
41 deposited as follows:

42 ~~a. Five percent of the revenue collected from the
43 wine gallowage tax on wine imported into this state
44 for sale at wholesale and sold in this state at
45 wholesale shall be deposited in the grape and wine
46 development fund as created in section 175A.5.~~

47 ~~b. The remaining revenue collected from the wine
48 gallowage tax on wine imported into this state for
49 sale at wholesale and sold in this state at wholesale~~

Page 2

1 ~~shall be deposited~~ in the beer and liquor control fund
 2 created in section 123.53.
 3 Sec. ____ Section 175A.5, subsection 1, Code 2007,
 4 is amended to read as follows:
 5 1. A grape and wine development fund is created in
 6 the state treasury under the control of the
 7 department. The fund is composed of moneys
 8 appropriated by the general assembly and moneys
 9 available to and obtained or accepted by the
 10 department from the United States or private sources
 11 for placement in the fund. ~~The fund shall include~~
 12 ~~moneys deposited into the fund from the wine gallonage~~
 13 ~~tax as provided in section 123.183.”~~
 14 5. By striking page 19, line 16, through page 20,
 15 line 35.
 16 6. By renumbering as necessary.

JOE M. SENG

S-3286

1 Amend Senate File 551 as follows:
 2 1. Page 9, by inserting after line 32, the
 3 following:
 4 “Sec. ____ IOWA STATE UNIVERSITY — WEST OKOBOJI
 5 LAKE PROJECT. There is appropriated from the general
 6 fund of the state to Iowa state university for the
 7 following fiscal years, the following amounts, or so
 8 much thereof as are necessary, to be used for the
 9 purposes designated:
 10 For purposes of supporting a West Okoboji lake
 11 project in order to preserve, protect, and sustain
 12 drinking water supplies:
 13 1. FY 2007–2008 \$ 40,000
 14 2. FY 2008–2009 \$ 40,000
 15 3. FY 2009–2010 \$ 30,000
 16 In carrying out the project, Iowa state university
 17 may create high precision maps of the lake, analyze
 18 lake current patterns and water transport, assess
 19 groundwater sources and discharges to the lake,
 20 develop a water table map, develop computer models to
 21 simulate groundwater interaction with the lake,
 22 provide a monitoring network for surface inputs to the
 23 lake, and analyze the water quality of the lake and
 24 related water sources, including but not limited to
 25 nutrient chemistry.”
 26 2. By renumbering as necessary.

DAVID JOHNSON

S-3287

1 Amend Senate File 551 as follows:

2 1. Page 7, line 4, by striking the word "FUND"

3 and inserting the following: "FUND — APPROPRIATION

4 TO THE DEPARTMENT OF NATURAL RESOURCES".

5 2. Page 7, line 14, by striking the figure

6 "700,000" and inserting the following: "600,000".

7 3. Page 7, by inserting after line 14 the

8 following:

9 "Sec. ____ NATIONAL POLLUTANT DISCHARGE

10 ELIMINATION SYSTEM PERMIT FUND — APPROPRIATION TO THE

11 DEPARTMENT OF ECONOMIC DEVELOPMENT. There is

12 appropriated from the national pollutant discharge

13 elimination system permit fund created in section

14 455B.196 to the department of economic development for

15 the fiscal year beginning July 1, 2007, and ending

16 June 30, 2008, the following amount, or so much

17 thereof as is necessary, to be used for the purposes

18 designated:

19 For purposes of expediting the department of

20 natural resources' processing of national pollutant

21 discharge elimination system applications and the

22 issuance of permits, including salaries, support,

23 maintenance, miscellaneous purposes, and for not more

24 than the following full-time equivalent positions:

25	\$	100,000
26	FTEs	2.00"

27 4. By renumbering as necessary.

JEFF ANGELO

S-3288

1 Amend Senate File 562 as follows:

2 1. Page 1, by striking line 25 and inserting the

3 following:

4 ".....	\$	3,542,865"
----------	----	------------

5 2. Page 1, line 28, by striking the figure

6 "50,000" and inserting the following: "100,000".

7 3. Page 1, by inserting after line 29 the

8 following:

9 "From the moneys appropriated under this

10 subsection, the department shall use \$50,000 for

11 purposes of planning commemoration activities for the

12 sesquicentennial anniversary of the civil war and

13 Iowa's participation in the civil war. Such

14 activities may include activities in Iowa, activities

15 through partnerships with other states, and activities

16 on a national level."

17 4. Page 3, by striking line 29 and inserting the

18 following:

19	“.....”	\$	6,451,146”
20	5. Page 5, by inserting after line 1 the		
21	following:		
22	“gg. From the moneys appropriated under this		
23	subsection, the department shall use not more than		
24	\$25,000 for purposes of conducting a microenterprise		
25	study. The study shall include identification of		
26	current programs designed to assist microenterprises		
27	and of any gaps in providing assistance to		
28	microenterprises. The study shall examine the		
29	experiences and best practices of microenterprise		
30	assistance in other states. By January 1, 2008, the		
31	department shall submit a report to the general		
32	assembly and the governor regarding the findings of		
33	the study and any recommendations which result from		
34	the study.”		
35	6. Page 6, by striking line 7 and inserting the		
36	following:		
37	“.....”	\$	650,000”
38	7. Page 12, by striking line 4 and inserting the		
39	following:		
40	“.....”	\$	6,926,014”
41	8. Page 12, line 32, by inserting after the word		
42	“Iowans.” the following: “From the moneys		
43	appropriated under this section, for the fiscal year		
44	beginning July 1, 2007, for purposes of maintaining		
45	the new Iowans centers, the department shall use at		
46	least \$75,000 more for the new Iowans centers than was		
47	used during the fiscal year beginning July 1, 2006.”		
48	9. Page 14, by striking line 9 and inserting the		
49	following:		
50	“.....”	\$	5,800,000”

WILLIAM A. DOTZLER, JR.

S-3289

1	Amend Senate File 551 as follows:		
2	1. Page 3, by striking lines 9 and 10, and		
3	inserting the following: “maintenance, miscellaneous		
4	purposes, and for not more than the following		
5	full-time equivalent positions:		
6	.....”	\$	120,539
7	..... FTEs		1.00
8	The moneys appropriated and full-time equivalent		
9	position authorized in this section shall be used		
10	exclusively to support the office of state apiarist,		
11	the position of the state apiarist as shall be		
12	appointed by the secretary of agriculture pursuant to		

13 section 160.1, and for carrying out the duties of the
14 state apiarist as provided in chapter 160.”
15 2. By renumbering as necessary.

NANCY J. BOETTGER

S-3290

1 Amend Senate File 578 as follows:
2 1. Page 3, by inserting after line 20 the
3 following:
4 “Sec. ____ Section 422.7, Code 2007, is amended by
5 adding the following new subsection:
6 NEW SUBSECTION. 50. Subtract, to the extent
7 included, the amount of any Vietnam Conflict veterans
8 bonus provided pursuant to section 35A.8, subsection
9 5.”
10 2. Page 3, by inserting after line 28 the
11 following:
12 “Sec. ____ RETROACTIVE APPLICABILITY. The section
13 of this Act amending section 422.7, is retroactively
14 applicable to January 1, 2007, and is applicable for
15 tax years beginning on and after that date.”
16 3. Title page, line 3, by striking the words
17 “appropriation, and” and inserting the following:
18 “appropriation.”
19 4. Title page, line 3, by inserting after the
20 word “penalty” the following: “, and including a
21 retroactive applicability provision”.
22 5. By renumbering as necessary.

STEVE WARNSTADT

S-3291

1 Amend Senate File 512 as follows:
2 1. Page 8, line 24, by striking the word
3 “twenty-four” and inserting the following:
4 “seventy-two”.

PAT WARD

S-3292

1 Amend Senate File 512 as follows:
2 1. By striking page 3, line 5, through page 4,
3 line 8, and inserting the following:
4 “A person shall not perform or act as a pharmacy
5 benefits manager in this state without first

- 6 registering as a third-party administrator pursuant to
7 chapter 510.”
8 2. By renumbering as necessary.

PAT WARD

S-3293

- 1 Amend Senate File 512 as follows:
2 1. Page 3, line 4, by striking the word “LICENSE”
3 and inserting the following: “REGISTRATION”.
4 2. Page 3, line 7, by striking the word “license”
5 and inserting the following: “registration”.
6 3. Page 3, line 9, by striking the words “the
7 issuance of a license” and inserting the following:
8 “registration”.
9 4. Page 3, line 25, by striking the word
10 “licensure” and inserting the following:
11 “registration”.
12 5. Page 4, line 1, by striking the word
13 “licensure” and inserting the following:
14 “registration”.
15 6. Page 4, line 2, by striking the words “a
16 license” and inserting the following: “registration”.
17 7. Page 4, line 4, by striking the words “renew
18 the license” and inserting the following: “register”.
19 8. Page 4, line 7, by striking the words
20 “obtaining a license” and inserting the following:
21 “registering”.

PAT WARD

S-3294

- 1 Amend Senate File 551 as follows:
2 1. Page 10, line 19, by striking the figure
3 “2,550,000” and inserting the following: “2,700,000”.
4 2. Page 12, line 8, by striking the figure
5 “1,500,000” and inserting the following: “2,000,000”.

PAUL McKINLEY
BRAD ZAUN
JAMES F. HAHN
PAT WARD
DAVID JOHNSON
MARK ZIEMAN
STEVE KETTERING
E. THURMAN GASKILL
NANCY J. BOETTGER
HUBERT HOUSER
RON WIECK
JEFF ANGELO

DAVID HARTSUCH
LARRY NOBLE
DAVE MULDER
JOHN PUTNEY

S-3295

- 1 Amend Senate File 562 as follows:
2 1. Page 14, by inserting after line 19 the
3 following:
4 "Sec. ____ Section 303.3C, Code 2007, is amended
5 by adding the following new subsection:
6 NEW SUBSECTION. 4. A person shall not construct
7 or expand a structure regulated under chapter 459
8 within two miles of a city where an Iowa great places
9 project has been identified pursuant to this section
10 if the project has received financial or technical
11 assistance from the state. This subsection shall not
12 apply to Iowa great places projects where the
13 applicant is a county."
14 2. By renumbering as necessary.

BECKY SCHMITZ

S-3296

- 1 Amend House File 651, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by striking lines 1 and 2.
4 2. By striking page 7, line 29, through page 8,
5 line 1.
6 3. By striking page 8, line 13, through page 14,
7 line 19.
8 4. Title page, line 3, by striking the words
9 "shareholder voting" and inserting the following:
10 "shares and instruments associated with such
11 corporations".
12 5. By renumbering as necessary.

COMMITTEE ON JUDICIARY
KEITH A. KREIMAN, Chair

S-3297

- 1 Amend House File 808, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 2, line 3, by inserting after the words
4 "paragraph "a."" the following: "However, such an
5 entity shall file without charge, in an electronic
6 format, the information described in paragraph "a"
7 with the office of the county recorder in the most

8 populous county served by the entity. The county
 9 recorder shall make the information submitted
 10 available to the public.”

COMMITTEE ON LOCAL GOVERNMENT
 HERMAN C. QUIRMBACH, Chair

S-3298

HOUSE AMENDMENT TO
 SENATE FILE 277

1 Amend Senate File 277, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, line 18, by striking the word “career”
 4 and inserting the following: “professional”.
 5 2. Page 3, by inserting after line 2 the
 6 following:
 7 “Sec. ____ Section 256.44, subsection 1, paragraph
 8 a, Code 2007, is amended to read as follows:
 9 a. If a teacher registers for national board for
 10 professional teaching standards certification ~~prior to~~
 11 ~~June 30 by December 31, 2007~~, a one-time initial
 12 reimbursement award in the amount of up to one-half of
 13 the registration fee paid by the teacher for
 14 registration for certification by the national board
 15 for professional teaching standards. The teacher
 16 shall apply to the department of education within one
 17 year of registration, submitting to the department any
 18 documentation the department requires. A teacher who
 19 receives an initial reimbursement award shall receive
 20 a one-time final registration award in the amount of
 21 the remaining national board registration fee paid by
 22 the teacher if the teacher notifies the department of
 23 the teacher’s certification achievement and submits
 24 any documentation requested by the department.
 25 Sec. ____ Section 256.44, subsection 1, paragraph
 26 b, subparagraph (2), unnumbered paragraph 1, Code
 27 2007, is amended to read as follows:
 28 If the teacher registers for national board for
 29 professional teaching standards certification between
 30 January 1, 1999, and ~~January 1, 2006~~ December 31,
 31 2007, and achieves certification within ~~three years~~
 32 ~~from the date of initial score notification~~ the
 33 timelines and policies established by the national
 34 board for professional teaching standards, an annual
 35 award in the amount of two thousand five hundred
 36 dollars upon achieving certification by the national
 37 board of professional teaching standards.”
 38 3. Page 3, by inserting after line 9 the
 39 following:
 40 “Sec. ____ Section 272.2, subsection 10, Code

41 2007, is amended to read as follows:

42 10. Issue statements of professional recognition
43 to school service personnel who have attained a
44 minimum of a baccalaureate degree and who are licensed
45 by another professional licensing board.”

46 4. Page 3, line 22, by striking the word “career”
47 and inserting the following: “professional”.

48 5. Page 3, by inserting after line 34 the
49 following:

50 “Sec. ____ . Section 279.13, subsection 1, Code

Page 2

1 2007, is amended to read as follows:

2 1. a. Contracts with teachers, which for the
3 purpose of this section means all licensed employees
4 of a school district and nurses employed by the board,
5 excluding superintendents, assistant superintendents,
6 principals, and assistant principals, shall be in
7 writing and shall state the number of contract days,
8 the annual compensation to be paid, and any other
9 matters as may be mutually agreed upon. The contract
10 may include employment for a term not exceeding the
11 ensuing school year, except as otherwise authorized.

12 b. Prior to entering into an initial contract with
13 a teacher who holds a license other than an initial
14 license issued by the board of educational examiners
15 under chapter 272, the school district shall request
16 the division of criminal investigation of the
17 department of public safety to conduct a background
18 investigation of the applicant. The school district
19 shall require the teacher to submit a completed
20 fingerprint packet, which shall be used to facilitate
21 a national criminal history check. The school
22 district shall submit the packet to the division of
23 criminal investigation of the department of public
24 safety which shall conduct a thorough background
25 investigation of the teacher. The superintendent of a
26 school district or the superintendent’s designee shall
27 have access to and shall review the sex offender
28 registry information under section 692A.13, the
29 central registry for child abuse information
30 established under section 235A.14, and the central
31 registry for dependent adult abuse information
32 established under section 235B.5 for information
33 regarding applicants for employment as a teacher. The
34 school district may charge the teacher a fee for the
35 background investigation, which shall not exceed the
36 fee charged by the division of criminal investigation
37 for conducting the background investigation.

38 c. The contract is invalid if the teacher is under
39 contract with another board of directors to teach

40 during the same time period until a release from the
 41 other contract is achieved. The contract shall be
 42 signed by the president of the board, or by the
 43 superintendent if the board has adopted a policy
 44 authorizing the superintendent to sign teaching
 45 contracts, when tendered, and after it is signed by
 46 the teacher, the contract shall be filed with the
 47 secretary of the board before the teacher enters into
 48 performance under the contract.”

49 6. Page 4, line 13, by striking the words “
 50 excluding school nurses.”.

Page 3

1 7. Page 4, by striking lines 17 and 18 and
 2 inserting the following: “directors under section
 3 279.13. A teacher may be”.

4 8. Page 5, by inserting before line 25 the
 5 following: “However, if a school district can
 6 demonstrate that an existing professional development,
 7 curriculum, or student improvement committee has
 8 significant stakeholder involvement and a leadership
 9 role in the school district, the appointing
 10 authorities may mutually agree to assign to the
 11 existing committee the responsibilities set forth in
 12 this paragraph “c”, to appoint members of the existing
 13 committee to the teacher quality committee, or to
 14 authorize the existing committee to serve in an
 15 advisory capacity to the teacher quality committee.”

16 9. Page 6, by striking lines 4 and 5 and
 17 inserting the following:
 18 “(3) Determine, following the adoption of the Iowa
 19 professional development model by the state board of
 20 education and subject to the approval of the school
 21 board, the use and distribution of the professional”.

22 10. Page 9, line 11, by inserting after the word
 23 “The” the following: “goal for the use of the funds
 24 is to provide one additional contract day or the
 25 equivalent thereof for professional development and”.

26 11. Page 9, line 14, by striking the word
 27 “agreement,” and inserting the following:
 28 “agreement;”.

29 12. Page 9, by striking line 16 and inserting the
 30 following: “speakers, and professional development
 31 content; and costs”.

32 13. Page 13, by striking lines 22 through 25 and
 33 inserting the following:
 34 “NEW SUBSECTION. 4. A teacher who is not meeting
 35 the applicable standards and criteria based on a
 36 determination made pursuant to subsection 3 shall
 37 participate in an intensive assistance program.”

38 14. Page 14, by striking lines 17 and 18 and

39 inserting the following: “subject-area shortages, ~~or~~
 40 improving the racial or ethnic diversity on local
 41 teaching staffs, funding to prepare a”.
 42 15. Page 16, line 21, by inserting after the word
 43 “purposes” the following: “and for not more than four
 44 full-time equivalent positions”.
 45 16. Page 18, line 16, by striking the word
 46 “program” and inserting the following: “program and
 47 career ladder pilots”.
 48 17. Page 18, line 17, by striking the word and
 49 figure “section 284.14” and inserting the following:
 50 “section 284.14 sections 284.14 and 284.14A”.

Page 4

1 18. Page 18, by striking line 29 and inserting
 2 the following: “be used by the department for
 3 oversight”.
 4 19. Page 18, line 30, by striking the word
 5 “projects” and inserting the following: “pilots”.
 6 20. Page 18, line 31, by striking the word and
 7 figure “section 284.14” and inserting the following:
 8 “sections 284.14 and 284.14A”.
 9 21. Page 18, by striking lines 34 and 35 and
 10 inserting the following:
 11 “(3) For the fiscal year beginning July 1, 2008,
 12 and ending June 30, 2009, the sum”.
 13 22. Page 19, line 2, by striking the word “each”
 14 and inserting the following: “the”.
 15 23. Page 19, lines 5 and 6, by striking the words
 16 “distributed to the department of education” and
 17 inserting the following: “used by the department”.
 18 24. Page 19, by striking line 7 and inserting the
 19 following: “administration of the implementation
 20 pilots as”.
 21 25. Page 19, line 8, by striking the word and
 22 figure “section 284.14” and inserting the following:
 23 “sections 284.14 and 284.14A”.
 24 26. By striking page 20, line 4, through page 21,
 25 line 35.
 26 27. Page 22, by striking lines 7 through 11 and
 27 inserting the following: “career ladders and
 28 performance pay models.”
 29 28. Page 22, line 34, by striking the words
 30 “planning projects” and inserting the following:
 31 “projects planning pilots”.
 32 29. Page 23, line 2, by striking the words
 33 “planning projects” and inserting the following:
 34 “projects planning pilots”.
 35 30. Page 23, by striking lines 4 through 6 and
 36 inserting the following: “pay-for-performance program
 37 design.”

38 31. Page 23, by striking lines 18 through 29 and
 39 inserting the following:
 40 b. The Commencing with the school year beginning
 41 July 1, 2007, the commission shall select ten two
 42 school districts as demonstration projects planning
 43 pilots. To the extent practicable, participants shall
 44 represent geographically distinct rural, urban, and
 45 suburban areas of the state. Participants shall
 46 provide reports or other information as required by
 47 the commission.
 48 c. Commencing with the school year beginning July
 49 1, 2008, the commission shall ~~select twenty additional~~
 50 administer two implementation pilots in the school

Page 5

1 ~~districts as demonstration projects selected for~~
 2 planning pilots under paragraph "b".
 3 32. Page 23, lines 31 and 32, by striking the
 4 words "planning or implementation projects" and
 5 inserting the following: "projects planning and
 6 implementation pilots".
 7 33. Page 24, by striking line 3 and inserting the
 8 following: "demonstration projects planning and
 9 implementation pilots. The".
 10 34. Page 24, by inserting after line 9 the
 11 following:
 12 "Sec. . NEW SECTION. 284.14A CAREER LADDER
 13 PILOTS.
 14 1. INTENT. The intent of this section is to
 15 create a process by which select Iowa school districts
 16 research, develop, and implement pilots designed to
 17 identify promising practices related to enhanced
 18 teacher compensation career ladder models.
 19 2. PILOT ESTABLISHED. A career ladder pilot is
 20 established to be designed, implemented, and
 21 administered by the department. The department shall
 22 gather sufficient information to identify a career
 23 ladder pilot.
 24 a. For the school year beginning July 1, 2007, and
 25 ending June 30, 2008, the department shall select up
 26 to eight school districts as planning pilots.
 27 Participants shall provide reports or other
 28 information as required by the department.
 29 b. For the school year beginning July 1, 2008, and
 30 ending June 30, 2009, the department shall administer
 31 up to eight implementation pilots in the school
 32 districts selected for planning pilots under paragraph
 33 "a".
 34 3. INTERIM AND FINAL REPORTS. Based on the
 35 information generated by the planning and
 36 implementation pilots, the department shall submit an

37 interim report to the general assembly by January 14
38 annually, and shall submit a final report summarizing
39 the effectiveness of the pilots in raising student
40 achievement levels to the general assembly no later
41 than six months after the completion of the planning
42 and implementation pilots. Upon completion of the
43 career ladder planning and implementation pilots,
44 subject to the sufficiency of funds, the state board
45 of education shall adopt rules requiring
46 implementation of the successful components of the
47 pilots by school districts statewide.”
48 35. Page 26, line 30, by striking the word
49 “career” and inserting the following: “professional”.
50 36. Page 27, line 9, by striking the word

Page 6

1 “career” and inserting the following: “professional”.
2 37. Page 27, line 15, by striking the word
3 “career” and inserting the following: “professional”.
4 38. Page 27, line 16, by striking the word
5 “CAREER” and inserting the following: “PROFESSIONAL”.
6 39. Page 27, line 30, by striking the word
7 “career” and inserting the following: “professional”.
8 40. Page 27, line 33, by striking the word
9 “career” and inserting the following: “professional”.
10 41. Page 28, line 4, by striking the word
11 “career” and inserting the following: “professional”.
12 42. Page 28, line 6, by striking the word
13 “career” and inserting the following: “professional”.
14 43. Page 29, line 3, by striking the word
15 “career” and inserting the following: “professional”.
16 44. Page 29, line 5, by striking the word
17 “career” and inserting the following: “professional”.
18 45. By renumbering, relettering, or redesignating
19 and correcting internal references as necessary.

S-3299

1 Amend House File 829, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 4, by inserting after line 14 the
4 following:
5 “Sec. ____ REPORT. By September 30, 2007, the
6 legislative services agency shall submit a written
7 report to the fiscal committee of the legislative
8 council and the standing committees on economic growth
9 in the senate and the house regarding a review of
10 expenditures by the state board of regents from

- 11 appropriations under section 15G.111 and 2006 Iowa
 12 Acts, chapter 1179, section 14.”
 13 2. By renumbering as necessary.

COMMITTEE ON ECONOMIC GROWTH
 ROGER STEWART, Chair

S-3300

- 1 Amend Senate File 575 as follows:
 2 1. Page 4, by inserting after line 18 the
 3 following:
 4 “If the United States court of appeals or the
 5 United States supreme court declares the value-based
 6 treatment program at the Newton correctional facility
 7 to be unconstitutional, the program shall be permitted
 8 to continue operating and counseling inmates at the
 9 facility through donations made to the program.”

JEFF ANGELO
 TOM HANCOCK

S-3301

- 1 Amend House File 780, as passed by the House, as
 2 follows:
 3 1. By striking everything after the enacting
 4 clause and inserting the following:
 5 “Section 1. Section 598.21C, Code 2007, is amended
 6 to read as follows:
 7 598.21C MODIFICATION OF CHILD SUPPORT, SPOUSAL
 8 SUPPORT, OR MEDICAL SUPPORT, AND CHILD CUSTODY ORDERS.
 9 1. CRITERIA FOR MODIFICATION. Subject to 28
 10 U.S.C. § 1738B, the court may subsequently modify
 11 child, spousal, or medical support orders when there
 12 is a substantial change in circumstances. In
 13 determining whether there is a substantial change in
 14 circumstances, the court shall consider the following:
 15 a. Changes in the employment, earning capacity,
 16 income, or resources of a party.
 17 b. Receipt by a party of an inheritance, pension,
 18 or other gift.
 19 c. Changes in the medical expenses of a party.
 20 d. Changes in the number or needs of dependents of
 21 a party.
 22 e. Changes in the physical, mental, or emotional
 23 health of a party.
 24 f. Changes in the residence of a party.
 25 g. Remarriage of a party.
 26 h. Possible support of a party by another person.
 27 i. Changes in the physical, emotional, or
 28 educational needs of a child whose support is governed

29 by the order.

30 j. Contempt by a party of existing orders of
31 court.

32 k. Entry of a dispositional or permanency order in
33 juvenile court pursuant to chapter 232 placing custody
34 or physical care of a child with a party who is
35 obligated to pay support for a child. Any filing fees
36 or court costs for a modification filed or ordered
37 pursuant to this paragraph are waived.

38 l. Other factors the court determines to be
39 relevant in an individual case.

40 2. ADDITIONAL CRITERIA FOR MODIFICATION OF CHILD
41 SUPPORT ORDERS.

42 a. Subject to 28 U.S.C. § 1738B, but
43 notwithstanding subsection 1, a substantial change of
44 circumstances exists when the court order for child
45 support varies by ten percent or more from the amount
46 which would be due pursuant to the most current child
47 support guidelines established pursuant to section
48 598.21B or the obligor has access to a health benefit
49 plan, the current order for support does not contain
50 provisions for medical support, and the dependents are

Page 2

1 not covered by a health benefit plan provided by the
2 obligee, excluding coverage pursuant to chapter 249A
3 or a comparable statute of a foreign jurisdiction.

4 b. This basis for modification is applicable to
5 petitions filed on or after July 1, 1992,
6 notwithstanding whether the guidelines prescribed by
7 section 598.21B were used in establishing the current
8 amount of support. Upon application for a
9 modification of an order for child support for which
10 services are being received pursuant to chapter 252B,
11 the court shall set the amount of child support based
12 upon the most current child support guidelines
13 established pursuant to section 598.21B, including
14 provisions for medical support pursuant to chapter
15 252E. The child support recovery unit shall, in
16 submitting an application for modification,
17 adjustment, or alteration of an order for support,
18 employ additional criteria and procedures as provided
19 in chapter 252H and as established by rule.

20 3. APPLICABLE LAW. Unless otherwise provided
21 pursuant to 28 U.S.C. § 1738B, a modification of a
22 support order entered under chapter 234, 252A, 252C,
23 600B, this chapter, or any other support chapter or
24 proceeding between parties to the order is void unless
25 the modification is approved by the court, after
26 proper notice and opportunity to be heard is given to
27 all parties to the order, and entered as an order of

28 the court. If support payments have been assigned to
29 the department of human services pursuant to section
30 234.39, 239B.6, or 252E.11, or if services are being
31 provided pursuant to chapter 252B, the department is a
32 party to the support order.

33 3A. MODIFICATION OF CHILD CUSTODY ORDERS.

34 Modifications of orders pertaining to child custody
35 shall be made pursuant to chapter 598B. If the
36 petition for a modification of an order pertaining to
37 child custody asks either for joint custody or that
38 joint custody be modified to an award of sole custody,
39 the modification, if any, shall be made pursuant to
40 section 598.41.

41 3B. TEMPORARY MODIFICATION OF CHILD SUPPORT OR

42 CHILD CUSTODY ORDERS. While an application for
43 modification of a child support or child custody order
44 is pending, the court may, on its own motion or upon
45 application by either party, enter a temporary order
46 modifying an order of child support or child custody.
47 The court may enter such temporary order only after
48 service of the original notice, and an order shall not
49 be entered until at least five days' notice of
50 hearing, and opportunity to be heard, is provided to

Page 3

1 all parties. In entering temporary orders under this
2 subsection, the court shall consider all pertinent
3 matters, which may be demonstrated by affidavits, as
4 the court may direct. The hearing on the application
5 shall be limited to matters set forth in the
6 application, the affidavits of the parties, and the
7 required statements of income. The court shall not
8 hear any other matter relating to the application for
9 modification, respondent's answer, or any pleadings
10 connected with the application for modification or the
11 answer.

12 4. RETROACTIVITY OF MODIFICATION. Judgments for
13 child support or child support awards entered pursuant
14 to this chapter, chapter 234, 252A, 252C, 252F, 600B,
15 or any other chapter of the Code which are subject to
16 a modification proceeding may be retroactively
17 modified only from three months after the date the
18 notice of the pending petition for modification is
19 served on the opposing party. The three-month
20 limitation applies to a modification action pending on
21 or after July 1, 1997. The prohibition of retroactive
22 modification does not bar the child support recovery
23 unit from obtaining orders for accrued support for
24 previous time periods. Any retroactive modification
25 which increases the amount of child support or any
26 order for accrued support under this subsection shall

27 include a periodic payment plan. A retroactive
28 modification shall not be regarded as a delinquency
29 unless there are subsequent failures to make payments
30 in accordance with the periodic payment plan.

31 5. MODIFICATION OF PERIODIC DUE DATE. The
32 periodic due date established under a prior order for
33 payment of child support shall not be changed in any
34 modified order under this section, unless the court
35 determines that good cause exists to change the
36 periodic due date. If the court determines that good
37 cause exists, the court shall include the rationale
38 for the change in the modified order and shall address
39 the issue of reconciliation of any payments due or
40 made under a prior order which would result in payment
41 of the child support obligation under both the prior
42 and the modified orders.

43 6. MODIFICATION BY CHILD SUPPORT RECOVERY UNIT.
44 Notwithstanding any other provision of law to the
45 contrary, when an application for modification or
46 adjustment of support is submitted by the child
47 support recovery unit, the sole issues which may be
48 considered by the court in that action are the
49 application of the guidelines in establishing the
50 amount of support pursuant to section 598.21B, and

Page 4

1 provision for medical support under chapter 252E.
2 When an application for a cost-of-living alteration of
3 support is submitted by the child support recovery
4 unit pursuant to section 252H.24, the sole issue which
5 may be considered by the court in the action is the
6 application of the cost-of-living alteration in
7 establishing the amount of child support. Issues
8 related to custody, visitation, or other provisions
9 unrelated to support shall be considered only under a
10 separate application for modification.

11 7. NECESSARY CONTENT OF ORDER. Orders made
12 pursuant to this section need mention only those
13 factors relevant to the particular case for which the
14 orders are made but shall contain the names, birth
15 dates, addresses, and counties of residence of the
16 petitioner and respondent.

17 8. DUTY OF CLERK OF COURT. If the court modifies
18 an order, and the original decree was entered in
19 another county in Iowa, the clerk of court shall send
20 a copy of the modification by regular mail, electronic
21 transmission, or facsimile to the clerk of court for

- 22 the county where the original decree was entered.”
 23 2. Title page, line 2, by inserting after the
 24 word “support” the following: “or custody”.

COMMITTEE ON JUDICIARY
 KEITH A. KREIMAN, Chair

S-3302

- 1 Amend Senate File 551 as follows:
 2 1. Page 10, by striking lines 32 through 34.
 3 2. By renumbering as necessary.

DENNIS H. BLACK
 JOHN P. KIBBIE

S-3303

HOUSE AMENDMENT TO SENATE FILE 175

- 1 Amend Senate File 175, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by striking lines 9 through 12 and
 4 inserting the following: “by ~~regular~~ restricted
 5 certified mail, ~~if the value of the property is less~~
 6 ~~than fifty dollars, or certified mail, if the value of~~
 7 ~~the property is equal to or greater than fifty~~
 8 ~~dollars, return receipt requested~~, to the last known
 9 address of any person having an”.
 10 2. Page 1, lines 14 and 15, by striking the words
 11 “of the mailing” and inserting the following: “from
 12 the date of receipt of the notice. Refusal of
 13 restricted certified mail, return receipt requested
 14 shall be construed as receipt”.
 15 3. Page 1, line 17, by striking the words “after
 16 the mailing of” and inserting the following: “after
 17 the mailing of from the date of receipt of the”.

S-3304

HOUSE AMENDMENT TO SENATE FILE 333

- 1 Amend Senate File 333, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 47, by inserting after line 2 the
 4 following:
 5 “Sec. ____ Section 571.1A, subsection 3, Code
 6 2007, is amended to read as follows:
 7 3. “Harvesting services” means baling, chopping,
 8 combining, cutting, husking, picking, shelling,

9 stacking, threshing, or ~~winnowing~~ windrowing a crop,
10 regardless of the means or method employed.”

11 2. Page 50, by inserting after line 5 the
12 following:

13 “Sec. ____ Section 715.6, Code 2007, is amended to
14 read as follows:

15 715.6 EXCEPTIONS.

16 Sections 715.4 and 715.5 shall not apply to the
17 monitoring of, or interaction with, an owner's or an
18 operator's internet or other network connection,
19 service, or computer, by a telecommunications carrier,
20 cable operator, computer hardware or software
21 provider, or provider of information service or
22 interactive computer service for network or computer
23 security purposes, diagnostics, technical support,
24 maintenance, repair, authorized updates of computer
25 software or system firmware, authorized remote system
26 management, or detection or prevention of the
27 ~~unauthorized~~ use of or fraudulent or other illegal
28 activities prohibited in this chapter in connection
29 with a network, service, or computer software,
30 including scanning for and removing computer software
31 prescribed under this chapter. Nothing in this
32 chapter shall limit the rights of providers of wire
33 and electronic communications under 18 U.S.C. § 2511.”

34 3. By renumbering as necessary.

S-3305

1 Amend Senate File 580 as follows:

2 1. Page 1, line 1, by striking the word “This”
3 and inserting the following: “Sections 1 through 4 of
4 this”.

5 2. By striking page 2, line 34, through page 3,
6 line 2.

7 3. Page 3, by striking lines 3 and 4 and
8 inserting the following:

9 “Sec. ____ Section 421.8, Code 2007, is amended to
10 read as follows:

11 421.8 PENALTY FOR DEFECTIVE RETURN UNDER CERTAIN
12 CIRCUMSTANCES.

13 If a person files a purported return of tax which
14 does not contain information on which the substantial
15 correctness of the self-assessment may be judged or
16 which contains information that on its face indicates
17 that the self-assessment is substantially incorrect
18 and the conduct previously referred to in this section
19 is due to a position which is frivolous or a desire
20 which appears on the purported return to delay or
21 impede the administration of the tax laws of this
22 state, then the person shall pay a penalty of ~~five~~
23 hundred one thousand dollars. This penalty shall be

24 in addition to any other penalty provided by law.

25 Sec. ____ Section 421.27, subsection 1, unnumbered
26 paragraph 1, Code 2007, is amended to read as follows:

27 If a person fails to file with the department on or
28 before the due date a return or deposit form there
29 shall be added to the tax shown due or required to be
30 shown due a penalty of ~~ten~~ twenty percent of the tax
31 shown due or required to be shown due. The penalty,
32 if assessed, shall be waived by the department upon a
33 showing of any of the following conditions:

34 Sec. ____ Section 421.27, subsection 2, unnumbered
35 paragraph 1, Code 2007, is amended to read as follows:

36 If a person fails to pay the tax shown due or
37 required to be shown due, on a return or deposit form
38 on or before the due date there shall be added to the
39 tax shown due or required to be shown due a penalty of
40 ~~five~~ ten percent of the tax due. The penalty, if
41 assessed, shall be waived by the department upon a
42 showing of any of the following conditions:

43 Sec. ____ Section 421.27, subsection 3, unnumbered
44 paragraph 1, Code 2007, is amended to read as follows:

45 If any person fails to pay the tax required to be
46 shown due with the filing of a return or deposit and
47 the department discovers the underpayment, there shall
48 be added to the tax required to be shown due a penalty
49 of ~~five~~ ten percent of the tax required to be shown
50 due. The penalty, if assessed, shall be waived by the

Page 2

1 department upon a showing of any of the following
2 conditions:

3 Sec. ____ Section 421.27, subsections 4, 5, 6, and
4 7, Code 2007, are amended to read as follows:

5 4. WILLFUL FAILURE TO FILE OR DEPOSIT. In case of
6 willful failure to file a return or deposit form with
7 the intent to evade tax, or in case of willfully
8 filing a false return or deposit form with the intent
9 to evade tax, in lieu of the penalties otherwise
10 provided in this section, a penalty of ~~seventy-five~~
11 one hundred fifty percent shall be added to the amount
12 shown due or required to be shown as tax on the return
13 or deposit form. If penalties are applicable for
14 failure to file a return or deposit form and failure
15 to pay the tax shown due or required to be shown due
16 on the return or deposit form, the penalty provision
17 for failure to file shall be in lieu of the penalty
18 provisions for failure to pay the tax shown due or
19 required to be shown due on the return or deposit
20 form, except in the case of willful failure to file a
21 return or deposit form or willfully filing a false
22 return or deposit form with intent to evade tax.

23 The penalties imposed under this subsection are not
24 subject to waiver.

25 5. FAILURE TO REMIT ON EXTENSION. If a person
26 fails to remit at least ninety percent of the tax
27 required to be shown due by the time an extension for
28 further time to file a return is made, there shall be
29 added to the tax shown due or required to be shown due
30 a penalty of ~~ten~~ twenty percent of the tax due.

31 6. IMPROPER RECEIPT OF REFUND OR CREDIT. A person
32 who makes an erroneous application for refund shall be
33 liable for any overpayment received plus interest at
34 the rate in effect under section 421.7. In addition,
35 a person who willfully makes a false or frivolous
36 application for refund with intent to evade tax is
37 guilty of a fraudulent practice and is liable for a
38 penalty equal to ~~seventy five~~ one hundred fifty
39 percent of the refund claimed. Repayments, penalties,
40 and interest due under this subsection may be
41 collected and enforced in the same manner as the tax
42 imposed.

43 7. FAILURE TO USE REQUIRED FORM. If a person
44 fails to remit payment of taxes in the form required
45 by the rules of the director, there shall be added to
46 the amount of the tax a penalty of ~~five~~ ten percent of
47 the amount of tax shown due or required to be shown
48 due. The penalty imposed by this subsection shall be
49 waived if the taxpayer did not receive notification of
50 the requirement to remit tax payments electronically

Page 3

1 or if the electronic transmission of the payment was
2 not in a format or by means specified by the director
3 and the payment was made before the taxpayer was
4 notified of the requirement to remit tax payments
5 electronically.

6 Sec. ____ Section 452A.74A, subsection 3, Code
7 2007, is amended to read as follows:

8 3. IMPROPER RECEIPT OF REFUND. If a person files
9 an incorrect refund claim, in addition to the excess
10 amount of the claim, a penalty of ~~ten~~ twenty percent
11 shall be added to the amount by which the amount
12 claimed and refunded exceeds the amount actually due
13 and shall be paid to the department. If a person
14 knowingly files a fraudulent refund claim with the
15 intent to evade the tax, the penalty shall be
16 ~~seventy five~~ one hundred fifty percent in lieu of the
17 ~~ten~~ twenty percent. The person shall also pay
18 interest on the excess refunded at the rate per month
19 specified in section 421.7, counting each fraction of
20 a month as an entire month, computed from the date the
21 refund was issued to the date the excess refund is

22 repaid to the state.

23 Sec. ____ Section 453A.31, subsection 1, Code
24 2007, is amended to read as follows:

25 1. For possession of unstamped cigarettes:

26 a. A ~~two four~~ hundred dollar penalty for the first
27 violation if a person is in possession of more than
28 forty but not more than four hundred unstamped
29 cigarettes.

30 b. A ~~five hundred one thousand~~ dollar penalty for
31 the first violation if a person is in possession of
32 more than four hundred but not more than two thousand
33 unstamped cigarettes.

34 c. A ~~twenty five fifty~~ dollar per pack penalty for
35 the first violation if a person is in possession of
36 more than two thousand unstamped cigarettes.

37 d. For a second violation within three years of
38 the first violation, the penalty is ~~four eight~~ hundred
39 dollars if a person is in possession of more than
40 forty but not more than four hundred unstamped
41 cigarettes; ~~one two~~ thousand dollars if a person is in
42 possession of more than four hundred but not more than
43 two thousand unstamped cigarettes; and ~~thirty five~~
44 seventy dollars per pack if a person is in possession
45 of more than two thousand unstamped cigarettes.

46 e. For a third or subsequent violation within
47 three years of the first violation, the penalty is ~~six~~
48 one thousand two hundred dollars if a person is in
49 possession of more than forty but not more than four
50 hundred unstamped cigarettes; ~~one three thousand five~~

Page 4

1 ~~hundred~~ dollars if a person is in possession of more
2 than four hundred but not more than two thousand
3 unstamped cigarettes; and ~~forty five ninety~~ dollars
4 per pack if a person is in possession of more than two
5 thousand unstamped cigarettes.

6 Sec. ____ EFFECTIVE DATE.

7 1. Sections 1 through 4 of this Act, being deemed
8 of immediate importance, take effect upon enactment.

9 2. Except as provided in subsection 1, this Act
10 takes effect January 1, 2008, for taxes due and
11 payable on or after that date.”

12 4. Title page, line 2, by inserting after the
13 word “and” the following: “providing penalties, and”.

JEFF ANGELO

S-3306

- 1 Amend Senate File 512 as follows:
2 1. Page 4, line 29, by striking the word "by" and
3 inserting the following: "from".

JEFF DANIELSON

S-3307

- 1 Amend House File 827, as passed by the House, as
2 follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. Section 15G.111, subsection 1,
6 paragraph c, Code 2007, is amended to read as follows:
7 c. The department shall require an applicant for
8 moneys appropriated under this subsection to include
9 in the application a statement regarding the intended
10 return on investment. The return on investment
11 calculation shall not include confidential information
12 unless the applicant waives such confidentiality. A
13 recipient of moneys appropriated under this subsection
14 shall annually submit a statement to the department
15 regarding the progress achieved on the intended return
16 on investment stated in the application. The
17 department, in cooperation with the department of
18 revenue, shall develop a method of identifying and
19 tracking each new job created and the leveraging of
20 moneys through financial assistance from moneys
21 appropriated under this subsection. The department of
22 economic development shall identify research and
23 development activities funded through financial
24 assistance from not more than ten percent of the
25 moneys appropriated under this subsection, and,
26 instead of determining return on investment and job
27 creation for the identified funding, determine the
28 potential impact on the state's economy."
29 2. By renumbering as necessary.

PAUL MCKINLEY
STEVE KETTERING
NANCY J. BOETTGER
JERRY BEHN
HUBERT HOUSER
JAMES F. HAHN
DAVID JOHNSON

S-3308

1 Amend House File 827, as passed by the House, as
 2 follows:
 3 1. Page 1, line 2, by striking the word
 4 "paragraph" and inserting the following:
 5 "paragraphs".
 6 2. Page 1, by inserting after line 8 the
 7 following:
 8 "NEW PARAGRAPH. i. Of the moneys appropriated
 9 each fiscal year under this subsection, sixty-five
 10 percent of the moneys shall be reserved for providing
 11 financial assistance to entrepreneurial small
 12 businesses with less than one hundred employees. On
 13 January 1 of each fiscal year, any moneys reserved
 14 pursuant to this paragraph that remain unexpended or
 15 unobligated may be used for any other purpose provided
 16 under this subsection.
 17 NEW PARAGRAPH. j. By January 1 of each fiscal
 18 year, the department shall file a written report with
 19 the general assembly and the governor regarding the
 20 number of net new jobs created as a result of
 21 financial assistance awards from moneys appropriated
 22 under this subsection during the previous fiscal
 23 year."

PAUL McKINLEY
 STEVE KETTERING
 NANCY J. BOETTGER
 JERRY BEHN
 HUBERT HOUSER
 JAMES F. HAHN
 DAVID JOHNSON

S-3309

1 Amend House File 611, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 5, by inserting after line 28 the
 4 following:
 5 "12. The board of directors of each school
 6 district shall appoint a human growth and development
 7 citizen advisory board to make recommendations to the
 8 school board regarding the human growth and
 9 development curriculum and materials. The advisory
 10 board shall consist of five members, one of whom shall
 11 be a member of the clergy and one of whom shall be a
 12 physician licensed under chapter 148, 150, or 150A."

PAUL McKINLEY
 JERRY BEHN

BRAD ZAUN
RON WIECK
NANCY J. BOETTGER
E. THURMAN GASKILL
JAMES A. SEYMOUR
DAVID JOHNSON
JAMES F. HAHN
DAVE MULDER
MARK ZIEMAN
DAVID HARTSUCH
LARRY McKIBBEN
JEFF ANGELO
HUBERT HOUSER
STEVE KETTERING

S-3310

- 1 Amend House File 742, as passed by the House, as
2 follows:
3 1. Page 29, by inserting after line 9 the
4 following:
5 "Sec. ____ Section 423.3, subsection 8, paragraph
6 a, Code 2007, is amended to read as follows:
7 a. The farm machinery and equipment shall be
8 directly and primarily used in production of
9 agricultural products, including any of the following
10 activities:
11 (1) Coming into actual physical contact with the
12 soil or crops during planting, cultivating,
13 harvesting, or soil preparation.
14 (2) Inspection or repair of fences.
15 (3) Livestock monitoring.
16 (4) Viewing or inspection of crops."
17 2. Title page, line 1, by inserting after the
18 word "regulation" the following: "and taxation".
19 3. By renumbering as necessary.

NANCY J. BOETTGER

S-3311

- 1 Amend House File 611, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 5, by striking lines 4 through 15 and
4 inserting the following:
5 "d. "Research-based" means information
6 statistically validated using randomized, double-blind
7 methods in controlled, scientifically designed studies
8 subjected to peer review."

NANCY J. BOETTGER
JERRY BEHN

BRAD ZAUN
 PAUL McKINLEY
 RON WIECK
 DAVE MULDER

S-3312

- 1 Amend House File 611, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 4, line 4, by inserting after the word
- 4 "agency" the following: "individual".

NANCY J. BOETTGER
 JERRY BEHN
 RON WIECK
 JEFF ANGELO
 LARRY NOBLE
 DAVID JOHNSON
 JAMES A. SEYMOUR
 DAVID HARTSUCH
 DAVE MULDER
 STEVE KETTERING
 PAUL McKINLEY
 BRAD ZAUN
 MARK ZIEMAN
 JAMES F. HAHN
 JOHN PUTNEY
 E. THURMAN GASKILL
 HUBERT HOUSER
 LARRY McKIBBEN
 PAT WARD
 MARY A. LUNDBY

S-3313

- 1 Amend House File 611, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 5, line 17, by striking the word "also"
- 4 and inserting the following: "instead".

BRAD ZAUN
 PAUL McKINLEY
 TOM HANCOCK
 JERRY BEHN
 NANCY J. BOETTGER
 MARK ZIEMAN

S-3314

HOUSE AMENDMENT TO
 SENATE FILE 265

- 1 Amend Senate File 265, as passed by the Senate, as
- 2 follows:

- 3 1. Page 1, line 6, by inserting after the word
 4 "site" the following: "and all activities".
- 5 2. Page 1, by striking line 10 and inserting the
 6 following: "structure renovation, demolition, or
 7 collapse."
- 8 3. Page 1, by striking line 21 and inserting the
 9 following: "asbestos contractor."
- 10 4. Page 1, by inserting after line 21 the
 11 following:
 12 "Sec. ____ NEW SECTION. 88B.2 JURISDICTION OF
 13 OTHER AGENCIES.
 14 This chapter shall not be construed to prevent the
 15 department of natural resources from implementing and
 16 enforcing the federal national emission standard for
 17 asbestos under 40 C.F.R. pt. 61, subpt. M, and other
 18 relevant provisions of environmental law."
- 19 5. By renumbering as necessary.

S-3315

HOUSE AMENDMENT TO
 SENATE FILE 155

- 1 Amend Senate File 155, as amended, passed, and
 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by inserting after line 23 the
 4 following:
 5 "d. To the extent feasible, in making the
 6 appointments under paragraphs "a" through "c", the
 7 persons authorized to appoint shall give consideration
 8 to the appointment of minority persons to the
 9 commission."
- 10 2. By renumbering as necessary.

S-3316

- 1 Amend House File 773, as passed by the House, as
 2 follows:
- 3 1. Page 1, line 27, by inserting after the word
 4 "designations." the following: "If more than one
 5 designation is awarded annually, the criteria shall
 6 include a requirement that the department award the
 7 designations to cities of varying populations."

AMANDA RAGAN

S-3317

- 1 Amend House File 817, as amended, passed, and
 2 reprinted by the House, as follows:
- 3 1. Page 1, line 35, by striking the word "If" and
 4 inserting the following: "Unless".

- 5 2. Page 2, line 1, by striking the words “does
6 not” and inserting the following: “votes to”.
- 7 3. Page 2, line 2, by striking the word
8 “unanimous” and inserting the following:
9 “two-thirds”.
- 10 4. Page 2, line 2, by inserting after the words
11 “at the” the following: “earlier of the”.
- 12 5. Page 2, line 3, by inserting after the word
13 “commission” the following: “or a special meeting of
14 the commission called by the commission within thirty
15 days of the date the proposed rule is submitted”.
- 16 6. Title page, line 4, by striking the word
17 “affairs” and inserting the following: “affairs,”.

DARYL BEALL
STEVE WARNSTADT
JAMES A. SEYMOUR

S-3318

- 1 Amend House File 752, as passed by the House, as
2 follows:
- 3 1. Page 4, by inserting after line 28 the
4 following:
5 “Sec. ____ STATE EMPLOYEE TELECOMMUTING — POLICY
6 DEVELOPMENT — IMPLEMENTATION.
- 7 1. The director of a department or state agency to
8 which appropriations are made pursuant to the
9 provisions of this Act shall assess the extent to
10 which job classifications or individual employment
11 positions with the department or agency might be
12 effectively performed from an employee’s residence or
13 other remote location through telecommuting, thereby
14 increasing office space within the department or
15 agency and reducing administrative costs. The
16 assessment shall include an estimate of the number of
17 department or agency employees whose job
18 responsibilities could be effectively performed on a
19 telecommuting basis, projected costs of establishing
20 and maintaining work stations at an employee’s
21 residence or other remote location and providing
22 telecommuter support, anticipated savings to the
23 department or agency through a reduction in the
24 office-based workforce, and anticipated time and cost
25 savings to telecommuting employees. A report
26 summarizing the assessment shall be submitted to the
27 director of the department of administrative services,
28 and the members of the general assembly, by November
29 1, 2007.
- 30 2. Based on the assessment conducted pursuant to
31 subsection 1, the director shall develop a
32 telecommuter employment policy for the department or

33 agency and a timeline for initial policy
 34 implementation and plans for expanding the number of
 35 telecommuting employees. Specific office-based
 36 workforce reduction percentages shall be left to the
 37 discretion of the director, but the director shall
 38 implement a policy transferring some number of
 39 office-based employees to telecommuter status by
 40 January 1, 2008. The director shall report to the
 41 director of the department of administrative services
 42 and the members of the general assembly on an annual
 43 basis beginning January 1, 2009, the number of
 44 telecommuting employees, cost savings achieved by the
 45 department or agency, and plans for continued transfer
 46 of office-based employees to telecommuter status.”
 47 2. Title page, line 4, by inserting after the
 48 word “fund” the following: “, and related matters”.
 49 3. By renumbering as necessary.

COMMITTEE ON APPROPRIATIONS
 ROBERT E. DVORSKY, Chair

S-3319

1 Amend House File 874, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 14, by striking line 24 and inserting the
 4 following:
 5 “..... FTEs 398.03”
 6 2. Page 17, by inserting after line 27 the
 7 following:
 8 “Sec. ____ STATE EMPLOYEE TELECOMMUTING — POLICY
 9 DEVELOPMENT — IMPLEMENTATION.
 10 1. The director of a department or state agency to
 11 which appropriations are made pursuant to the
 12 provisions of this Act shall assess the extent to
 13 which job classifications or individual employment
 14 positions with the department or agency might be
 15 effectively performed from an employee’s residence or
 16 other remote location through telecommuting, thereby
 17 increasing office space within the department or
 18 agency and reducing administrative costs. The
 19 assessment shall include an estimate of the number of
 20 department or agency employees whose job
 21 responsibilities could be effectively performed on a
 22 telecommuting basis, projected costs of establishing
 23 and maintaining work stations at an employee’s
 24 residence or other remote location and providing
 25 telecommuter support, anticipated savings to the
 26 department or agency through a reduction in the
 27 office-based workforce, and anticipated time and cost
 28 savings to telecommuting employees. A report
 29 summarizing the assessment shall be submitted to the

30 director of the department of administrative services,
 31 and the members of the general assembly, by November
 32 1, 2007.

33 2. Based on the assessment conducted pursuant to
 34 subsection 1, the director shall develop a
 35 telecommuter employment policy for the department or
 36 agency and a timeline for initial policy
 37 implementation and plans for expanding the number of
 38 telecommuting employees. Specific office-based
 39 workforce reduction percentages shall be left to the
 40 discretion of the director, but the director shall
 41 implement a policy transferring some number of
 42 office-based employees to telecommuter status by
 43 January 1, 2008. The director shall report to the
 44 director of the department of administrative services
 45 and the members of the general assembly on an annual
 46 basis beginning January 1, 2009, the number of
 47 telecommuting employees, cost savings achieved by the
 48 department or agency, and plans for continued transfer
 49 of office-based employees to telecommuter status.”

50 3. By renumbering as necessary.

COMMITTEE ON APPROPRIATIONS
 ROBERT E. DVORSKY, Chair

S-3320

HOUSE AMENDMENT TO SENATE FILE 360

- 1 Amend Senate File 360, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by striking lines 1 through 13.
 4 2. By renumbering as necessary.

S-3321

- 1 Amend House File 749, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 2, by striking lines 9 through 17 and
 4 inserting the following: “registration plates under
 5 this subsection may ~~purchase order~~ only one set of
 6 registration plates under this subsection. The
 7 application is subject to approval by the department
 8 and the special registration plates shall be issued ~~at~~
 9 ~~no charge~~ to the applicant in exchange for the
 10 registration plates previously issued to the person.
 11 ~~The special plates are subject to an annual~~
 12 ~~registration fee of fifteen dollars. A person who is~~
 13 ~~issued special plates under this subsection is exempt~~
 14 ~~from payment of any annual registration fee for the~~
 15 ~~motor vehicle bearing the special plates.~~ The

16 department shall validate the special plates in the
 17 same manner as regular registration plates are
 18 validated under this section. The”.

19 2. Page 2, by striking lines 26 and 27 and
 20 inserting the following: “surviving spouse’s name ~~and~~
 21 ~~upon payment of the fifteen dollar annual registration~~
 22 ~~fee. If the surviving spouse remarries.”.~~

23 3. By striking page 3, line 32, through page 4,
 24 line 28, and inserting the following:

25 “12A. SPECIAL REGISTRATION PLATES — ARMED FORCES
 26 SERVICES.

27 a. An owner of a vehicle referred to in subsection
 28 12 who applies for any type of special registration
 29 plates associated with service in the United States
 30 armed forces shall be issued one set of the special
 31 registration plates at no charge, but shall be subject
 32 to the annual registration fee of fifteen dollars, if
 33 ~~all of the following conditions are met:~~

34 ~~a.~~ The owner is eligible for, but has
 35 relinquished to the department or the county treasurer
 36 or has not been issued, ~~congressional medal of honor,~~
 37 ~~ex-prisoner of war, or legion of merit special~~
 38 ~~registration plates under this section, or disabled~~
 39 ~~veteran registration plates under section 321.105.~~

40 b. An owner of a vehicle referred to in subsection
 41 12 who applies for any type of special registration
 42 plates associated with service in the United States
 43 armed forces shall be issued one set of the special
 44 registration plates at no charge and subject to no
 45 annual registration fee if the owner is eligible for,
 46 but has relinquished to the department or the county
 47 treasurer or has not been issued, medal of honor
 48 registration plates under subsection 8 or disabled
 49 veteran registration plates under section 321.105.

50 ~~b.~~ c. The owner ~~provides~~ shall provide the

Page 2

1 appropriate information regarding the owner’s
 2 eligibility for any of the special registration plates
 3 described in paragraph “a” or “b”, and regarding the
 4 owner’s eligibility for the special registration
 5 plates for which the owner has applied, as required by
 6 the department.

7 ~~A disabled veteran shall be exempt from payment of~~
 8 ~~the fifteen dollar annual registration fee as provided~~
 9 ~~in section 321.105.~~

10 ~~Upon the death of the vehicle owner entitled to the~~
 11 ~~special registration plates, the special registration~~
 12 ~~plates shall be surrendered to the department or the~~
 13 ~~county treasurer.~~

14 d. The surviving spouse of a person who was issued

15 special plates under this subsection may continue to
16 use the special plates subject to registration of the
17 special plates in the surviving spouse's name and upon
18 payment of the same annual registration fee, if
19 applicable. If the surviving spouse remarries, the
20 surviving spouse shall return the special plates to
21 the department and the department shall issue regular
22 registration plates to the surviving spouse."

23 4. By renumbering as necessary.

DENNIS H. BLACK
STEVE WARNSTADT

S-3322

1 Amend House File 608, as passed by the House, as
2 follows:

3 1. Page 1, by striking lines 14 through 16 and
4 inserting the following:

5 "2. A board of township trustees shall give prior
6 notice of a meeting to discuss, deliberate, or act
7 upon a matter relating to the trustees' duty to
8 provide fire protection service and, if provided,
9 emergency medical service, pursuant to section 359.42.
10 The trustees shall give notice of such meeting at
11 least forty-eight hours preceding the commencement of
12 the meeting. However, a notice is not required
13 pursuant to this subsection when the trustees gather
14 for minor or ministerial matters relating to the
15 trustees' duty for providing such fire protection
16 service or emergency medical service. The notice
17 shall state the".

18 2. Page 1, line 27, by inserting after the figure
19 "2" the following: " or as provided in section
20 359.49, subsection 4".

21 3. Page 1, by inserting before line 28 the
22 following:

23 "Sec. __. Section 359.49, subsection 4, Code
24 2007, is amended to read as follows:

25 4. The board of trustees shall transmit a copy of
26 the proposed budget and a notice of the meeting set as
27 required by subsection 5 to the county auditor for
28 posting. The county auditor shall post the notice and
29 the proposed budget in an area of the courthouse where
30 notices to the public are commonly posted."

31 4. By renumbering as necessary.

DARYL BEALL

S-3323

1 Amend House File 844, as passed by the House, as
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 “Section 1. Section 39A.4, subsection 1, paragraph
6 c, subparagraphs (11) and (12), Code 2007, as amended
7 by 2007 Iowa Acts, House File 848, are amended to read
8 as follows:

9 (11) Returning a voted absentee ballot, by mail or
10 in person, to the commissioner’s office and the person
11 returning the ballot is not the voter, ~~an immediate~~
12 ~~family member authorized by the voter to return the~~
13 ~~ballot, an absentee ballot courier the voter’s~~
14 ~~designee, or~~ a special precinct election official
15 designated pursuant to section 53.22, subsection 1, ~~or~~
16 ~~the designee of a voter described in section 53.22,~~
17 ~~subsection 5.~~

18 (12) Making a false or untrue statement reporting
19 that a voted absentee ballot was returned to the
20 commissioner’s office, by mail or in person, by a
21 person other than the voter, ~~an immediate family~~
22 ~~member authorized by the voter to return the ballot,~~
23 ~~an absentee ballot courier the voter’s designee, or~~ a
24 special precinct election official designated pursuant
25 to section 53.22, subsection 1, ~~or the designee of a~~
26 ~~voter described in section 53.22, subsection 5.~~

27 Sec. 2. Section 53.8, subsection 2, Code 2007, as
28 amended by 2007 Iowa Acts, House File 848, is amended
29 to read as follows:

30 2. a. The commissioner shall enclose with the
31 absentee ballot a statement informing the applicant
32 that the sealed carrier envelope may be mailed to the
33 commissioner by the registered voter or the voter’s
34 designee or may be personally delivered to the
35 commissioner’s office by the registered voter or the
36 voter’s designee. The statement shall also inform the
37 voter that the voter may request that the voter’s
38 designee complete a receipt when retrieving the ballot
39 from the voter. A blank receipt shall be enclosed
40 with the absentee ballot.

41 b. If an application is received so late that it
42 is unlikely that the absentee ballot can be returned
43 in time to be counted on election day, the
44 commissioner shall enclose with the absentee ballot a
45 statement to that effect. ~~The statement shall also~~
46 ~~point out that it is possible for the applicant, an~~
47 ~~immediate family member of the applicant, or the~~
48 ~~applicant’s designee if the absentee ballot is voted~~
49 ~~by a voter described in section 53.22, subsection 5,~~
50 ~~to personally deliver the completed absentee ballot to~~

Page 2

1 ~~the office of the commissioner at any time before the~~
2 ~~closing of the polls on election day. The statement~~
3 ~~shall also point out that it is possible for an~~
4 ~~absentee ballot courier to personally deliver the~~
5 ~~completed absentee ballot to the office of the~~
6 ~~commissioner within seventy-two hours of retrieving~~
7 ~~the completed ballot or before the closing of the~~
8 ~~polls on election day, whichever is earlier.”~~

9 2. Page 1, by inserting after line 15 the
10 following:

11 “Sec. ____ Section 53.17, subsection 1, paragraph
12 a, Code 2007, as amended by 2007 Iowa Acts, House File
13 848, is amended by striking the paragraph and
14 inserting in lieu thereof the following:

15 a. The sealed carrier envelope may be delivered by
16 the registered voter, by the voter’s designee, or by
17 the special precinct election officials designated
18 pursuant to section 53.22, subsection 1, to the
19 commissioner’s office no later than the time the polls
20 are closed on election day. However, if delivered by
21 the voter’s designee, the envelope shall be delivered
22 within seventy-two hours of retrieving it from the
23 voter or before the closing of the polls on election
24 day, whichever is earlier.

25 Sec. ____ Section 53.17, subsection 1, paragraphs
26 b and c, Code 2007, are amended to read as follows:

27 b. The sealed carrier envelope may be mailed to
28 the commissioner by the registered voter, ~~by an~~
29 ~~immediate family member of the voter~~, or by the
30 voter’s designee ~~if the ballot is voted by a voter~~
31 ~~described in section 53.22, subsection 5. If mailed~~
32 by the voter’s designee, the envelope must be mailed
33 within seventy-two hours of retrieving it from the
34 voter or within time to be postmarked not later than
35 the day before the election, whichever is earlier.

36 ~~e. The sealed carrier envelope may be delivered to~~
37 ~~the commissioner by an absentee ballot courier, but~~
38 ~~only as provided in subsection 4.~~

39 Sec. ____ Section 53.17, subsection 4, Code 2007,
40 is amended by striking the subsection and inserting in
41 lieu thereof the following:

42 4. When a person designated by the voter retrieves
43 a completed absentee ballot from the voter, the
44 designee shall, upon request of the voter, fill out a
45 receipt to be retained by the voter. The state
46 commissioner shall prescribe a form for receipts
47 required by this subsection. The receipt shall
48 include all of the following:

49 a. The name of the voter’s designee.

50 b. The date and time the completed absentee ballot

Page 3

1 was received from the voter.
2 c. The name and date of the election for which the
3 absentee ballot is being voted.
4 d. The name of the political party, candidate, or
5 committee for which the designee is acting as an
6 actual or implied agent, if applicable.
7 e. A telephone number at which the voter's
8 designee may be contacted.
9 f. A statement that the completed absentee ballot
10 will be delivered to the commissioner's office within
11 seventy-two hours of retrieving it from the voter or
12 before the closing of the polls on election day,
13 whichever is earlier, or that the completed absentee
14 ballot will be mailed to the commissioner within
15 seventy-two hours of retrieving it from the voter or
16 within time to be postmarked not later than the day
17 before the election, whichever is earlier.
18 Sec. ____ Section 53.17, subsection 5, Code 2007,
19 is amended by striking the subsection."
20 3. Title page, line 1, by inserting after the
21 words "relating to" the following: "absentee voting
22 by allowing".
23 4. Title page, line 2, by inserting after the
24 word "elections" the following: "and by providing for
25 return of absentee ballot applications and completed
26 absentee ballots".
27 5. By renumbering, redesignating, and correcting
28 internal references as necessary.

MICHAEL CONNOLLY

S-3324

HOUSE AMENDMENT TO
SENATE FILE 540

1 Amend Senate File 540, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 7, by inserting after line 20 the
4 following:
5 "Sec. ____ Section 633.231, Code 2007, is amended
6 to read as follows:
7 633.231 NOTICE IN INTESTATE ESTATES — MEDICAL
8 ASSISTANCE CLAIMS.
9 Upon opening administration of an intestate estate,
10 the administrator ~~may~~ shall, in accordance with
11 section 633.410, provide by ordinary mail to the
12 entity designated by the department of human services,
13 a notice of opening administration of the estate and
14 of the appointment of the administrator, which shall

15 include a notice to file claims with the clerk within
 16 the later to occur of ~~fifteen~~ four months from the
 17 second publication of the notice to creditors or ~~two~~
 18 six months from the date of mailing of this notice, or
 19 thereafter be forever barred.

20 The notice shall be in substantially the following
 21 form:

22 NOTICE OF OPENING ADMINISTRATION OF ESTATE, OF
 23 APPOINTMENT OF ADMINISTRATOR, AND NOTICE TO CREDITOR

24 In the District Court of Iowa
 25 In and for County.
 26 In the Estate of, Deceased
 27 Probate No.

28 To the Department of Human Services Who May Be
 29 Interested in the Estate of, Deceased, who died
 30 on or about (date):

31 You are hereby notified that on the ... day of
 32 (month), ... (year), an intestate estate was opened in
 33 the above-named court and that was appointed
 34 administrator of the estate.

35 You are further notified that the birthdate of the
 36 deceased is and the deceased's social security
 37 number is The name of the spouse is

38 The birthdate of the spouse is and the
 39 spouse's social security number is and
 40 that the spouse of the deceased is alive as of the
 41 date of this notice, or deceased as of (date).

42 You are further notified that the deceased was/was
 43 not a disabled or a blind child of the medical
 44 assistance recipient by the name of, who had
 45 a birthdate of and a social security number of
 46 and the medical assistance debt of that
 47 medical assistance recipient was waived pursuant to
 48 section 249A.5, subsection 2, paragraph "a",
 49 subparagraph (1), and is now collectible from this
 50 estate pursuant to section 249A.5, subsection 2,

Page 2

1 paragraph "b".
 2 Notice is hereby given that if the department of
 3 human services has a claim against the estate for the
 4 deceased person or persons named in this notice, the
 5 claim shall be filed with the clerk of the above-named
 6 district court, as provided by law, duly
 7 authenticated, for allowance, and unless so filed by
 8 the later to occur of ~~fifteen~~ four months from the
 9 second publication of the notice to creditors or ~~two~~
 10 six months from the date of the mailing of this
 11 notice, unless otherwise allowed or paid, the claim is
 12 thereafter forever barred.
 13 Dated this ... day of (month), ... (year)

14
 15 Administrator of estate
 16
 17 Address
 18
 19 Attorney for administrator
 20
 21 Address
 22 Date of second publication
 23 ... day of (month), ... (year)".
 24 2. Page 7, by inserting after line 33 the
 25 following:
 26 "Sec. ____ Section 633.304A, Code 2007, is amended
 27 to read as follows:
 28 633.304A NOTICE OF PROBATE OF WILL — MEDICAL
 29 ASSISTANCE CLAIMS.
 30 On admission of a will to probate, the executor ~~may~~
 31 shall, in accordance with section 633.410, provide by
 32 ordinary mail to the entity designated by the
 33 department of human services, a notice of admission of
 34 the will to probate and of the appointment of the
 35 executor, which shall include a notice to file claims
 36 with the clerk within the later to occur of ~~fifteen~~
 37 four months from the second publication of the notice
 38 to creditors or ~~two six~~ months from the date of
 39 mailing of this notice, or thereafter be forever
 40 barred.
 41 The notice shall be in substantially the following
 42 form:
 43 NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR,
 44 AND NOTICE TO CREDITORS
 45 In the District Court of Iowa
 46 In and for County.
 47 In the Estate of, Deceased
 48 Probate No.
 49 To the Department of Human Services, Who May Be
 50 Interested in the Estate of, Deceased, who died

Page 3

1 on or about (date):
 2 You are hereby notified that on the .. day of
 3 (month), .. (year), the last will and testament of
 4, deceased, bearing date of the .. day of
 5 (month), .. (year), was admitted to probate in the
 6 above-named court and that was appointed
 7 executor of the estate.
 8 You are further notified that the birthdate of the
 9 deceased is and the deceased's social security
 10 number is-..... The name of the spouse is
 11 The birthdate of the spouse is and
 12 the spouse's social security number is-.....

13 and that the spouse of the deceased is alive as of the
 14 date of this notice, or deceased as of (date).
 15 You are further notified that the deceased was/was
 16 not a disabled or a blind child of the medical
 17 assistance recipient by the name of, who had a
 18 birthdate of and a social security number of
 19-....., and the medical assistance debt of that
 20 medical assistance recipient was waived pursuant to
 21 section 249A.5, subsection 2, paragraph “a”,
 22 subparagraph (1), and is now collectible from this
 23 estate pursuant to section 249A.5, subsection 2,
 24 paragraph “b”.

25 Notice is hereby given that if the department of
 26 human services has a claim against the estate for the
 27 deceased person or persons named in this notice, the
 28 claim shall be filed with the clerk of the above-named
 29 district court, as provided by law, duly
 30 authenticated, for allowance, and unless so filed by
 31 the later to occur of ~~fifteen~~ four months from the
 32 second publication of the notice to creditors or ~~two~~
 33 six months from the date of mailing of this notice,
 34 unless otherwise allowed or paid, the claim is
 35 thereafter forever barred.

36 Dated this .. day of (month), .. (year)
 37
 38 Executor of estate
 39
 40 Address

41
 42 Attorney for executor
 43
 44 Address

45 Date of second publication
 46 .. day of (month), .. (year)
 47 Sec. __. Section 633.410, subsection 2, Code
 48 2007, is amended to read as follows:

49 2. Notwithstanding subsection 1, claims for debts
 50 created under section 249A.5, subsection 2, relating

1 to the recovery of medical assistance payments shall
 2 be barred under this section unless filed with the
 3 clerk within the later to occur of ~~fifteen~~ four month
 4 after the date of the second publication of the notice
 5 to creditors, or ~~two~~ six months after service of
 6 notice by ordinary mail, on the form prescribed in
 7 section 633.231 for intestate estates or on the form
 8 prescribed in section 633.304A for testate estates, to
 9 the entity designated by the department of human
 10 services to receive notice.”

11 3. By renumbering as necessary.

S-3325

- 1 Amend the amendment, S-3319, to House File 874, as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, by striking lines 41 through 42 and
5 inserting the following: “implement a policy by”.

JEFF DANIELSON

S-3326

- 1 Amend House File 608, as passed by the House, as
2 follows:
3 1. Page 1, by striking lines 14 through 16 and
4 inserting the following:
5 “2. A board of township trustees shall give prior
6 notice of a meeting to discuss, deliberate, or act
7 upon a matter relating to the budget or a tax levy of
8 the township or relating to the trustees’ duty to
9 provide fire protection service and, if provided,
10 emergency medical service, pursuant to section 359.42.
11 The trustees shall give notice of such meeting at
12 least forty-eight hours preceding the commencement of
13 the meeting. However, a notice is not required
14 pursuant to this subsection when the trustees gather
15 for minor or ministerial matters relating to the
16 trustees’ duty for providing such fire protection
17 service or emergency medical service. The notice
18 shall state the”.
19 2. Page 1, line 27, by inserting after the figure
20 “2” the following: “, or as provided in section
21 359.49, subsection 4”.
22 3. Page 1, by inserting before line 28 the
23 following:
24 “Sec. ____ Section 359.49, subsection 4, Code
25 2007, is amended to read as follows:
26 4. The board of trustees shall transmit a copy of
27 the proposed budget and a notice of the meeting set as
28 required by subsection 5 to the county auditor for
29 posting. The county auditor shall post the notice and
30 the proposed budget in an area of the courthouse where
31 notices to the public are commonly posted.”
32 4. By renumbering as necessary.

DARYL BEALL

S-3327

- 1 Amend the amendment, S-3297, to House File 808, as
2 amended, passed, and reprinted by the House, as
3 follows:

- 4 1. Page 1, by striking lines 3 and 4 and
 5 inserting the following:
 6 “1. By striking page 1, line 33, through page 2,
 7 line 3, and inserting the following:
 8 “b. In lieu of publishing as required in paragraph
 9 “a”, an”.”
 10 2. Page 1, line 5, by striking the word “shall”
 11 and inserting the following: “may”.
 12 3. Page 1 by inserting after line 10 the
 13 following:
 14 “___. Page 2, by striking lines 29 and 30 and
 15 inserting the following: “board created, a.”
 16 4. By renumbering as necessary.

BRAD ZAUN
 DAVE MULDER

S-3328

- 1 Amend the amendment, S-3323, to House File 844, as
 2 passed by the House, as follows:
 3 1. Page 1, by inserting before line 27 the
 4 following:
 5 “Sec. ___. Section 53.8, subsection 1, Code 2007,
 6 is amended to read as follows:
 7 1. Upon receipt of an application for an absentee
 8 ballot and immediately after the absentee ballots are
 9 printed, the commissioner shall mail an absentee
 10 ballot to the applicant within twenty-four hours,
 11 except as otherwise provided in subsection 3. The
 12 absentee ballot shall be enclosed in an unsealed
 13 envelope bearing a serial number and affidavit. The
 14 absentee ballot and unsealed envelope shall be
 15 enclosed in or with a return carrier envelope marked
 16 postage paid which bears the same serial number as the
 17 unsealed envelope. The return carrier envelope shall
 18 also contain spaces for the printed name and signature
 19 of the voter’s designee should the voter designate a
 20 person to return the completed absentee ballot. The
 21 absentee ballot, unsealed envelope, and carrier
 22 envelope shall be enclosed in a third envelope to be
 23 sent to the registered voter. If the ballot cannot be
 24 folded so that all of the votes cast on the ballot
 25 will be hidden, the commissioner shall also enclose a
 26 secrecy envelope with the absentee ballot.”
 27 2. By renumbering as necessary.

MARK ZIEMAN

S-3329

- 1 Amend the amendment, S-3323, to House File 844, as
 2 passed by the House, as follows:

- 3 1. Page 1, by inserting before line 5 the
 4 following:
 5 ""Sec. ____ Section 39A.2, subsection 1, paragraph
 6 b, Code 2007, is amended by adding the following new
 7 subparagraph:
 8 NEW SUBPARAGRAPH. (4A) As a person designated by
 9 the voter to return an application for a ballot or an
 10 absentee ballot, fails to return the application or
 11 ballot to the commissioner with the intent of
 12 interfering with the voter's right to vote."
 13 2. Page 1, by striking lines 37 and 38 and
 14 inserting the following: "voter that the voter's
 15 designee shall complete a receipt when retrieving the
 16 ballot".
 17 3. Page 2, line 44, by striking the words ", upon
 18 request of the voter,".
 19 4. Page 3, line 19, by striking the word
 20 "subsection." and inserting the following:
 21 "subsection and inserting in lieu thereof the
 22 following:
 23 5. Within fourteen days after the date of the
 24 election, the commissioner shall notify each person
 25 who requested an absentee ballot if the person failed
 26 to return a completed ballot and if the person did not
 27 vote at the polling place on election day."
 28 5. Page 3, line 26, by inserting after the word
 29 "ballots" the following: "and making penalties
 30 applicable".
 31 6. By renumbering as necessary.

MARK ZIEMAN

S-3330

- 1 Amend Senate File 350 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "DIVISION I
 5 STATEWIDE PRESCHOOL PROGRAM FOR FOUR-YEAR-OLD
 6 CHILDREN
 7 Section 1. NEW SECTION. 256C.1 DEFINITIONS.
 8 As used in this chapter:
 9 1. "Approved local program" means a school
 10 district's program for four-year-old children approved
 11 by the department of education to provide high quality
 12 preschool instruction.
 13 2. "Department" means the department of education.
 14 3. "Director" means the director of the department
 15 of education.
 16 4. "Preschool program" means the statewide
 17 preschool program for four-year-old children created
 18 in accordance with this chapter.
 19 5. "School district approved to participate in the

20 preschool program” means a school district that meets
21 the school district requirements under section 256C.3
22 and has been approved by the department to participate
23 in the preschool program.

24 6. “State board” means the state board of
25 education.

26 Sec. 2. NEW SECTION. 256C.2 STATEWIDE PRESCHOOL
27 PROGRAM FOR FOUR-YEAR-OLD CHILDREN — PURPOSE.

28 1. A statewide preschool program for four-year-old
29 children is established. The purpose of the preschool
30 program is to provide an opportunity for all young
31 children in the state to enter school ready to learn
32 by expanding voluntary access to quality preschool
33 curricula for all children who are four years old.

34 2. The state board shall adopt rules in accordance
35 with chapter 17A as necessary to implement the
36 preschool program as provided in this chapter.

37 Sec. 3. NEW SECTION. 256C.3 PRESCHOOL PROGRAM
38 REQUIREMENTS.

39 1. ELIGIBLE CHILDREN. A child who is a resident
40 of Iowa and is four years of age by September 15 of a
41 school year shall be eligible to enroll in the
42 preschool program under this chapter. If space and
43 funding are available, a school district approved to
44 participate in the preschool program may enroll a
45 younger or older child in the preschool program;
46 however, the child shall not be counted for state
47 funding purposes.

48 2. TEACHER REQUIREMENTS.

49 a. An individual serving as a teacher in the
50 preschool program must meet all of the following

Page 2

1 qualifications:

2 (1) The individual is either employed by or under
3 contract with the school district implementing the
4 program.

5 (2) The individual is appropriately licensed under
6 chapter 272 and meets requirements under chapter 284.

7 (3) The individual possesses a bachelor’s or
8 graduate degree from an accredited college or
9 university with a major in early childhood education
10 or other appropriate major identified in rule by the
11 department.

12 b. A teacher in the preschool program shall
13 collaborate with other agencies, organizations, and
14 boards in the community to further the program’s
15 capacity to meet the diverse needs of the children
16 taught by the teacher and the families of the
17 children, such as needs for early care, health, and
18 human services. In addition, a teacher in the

19 preschool program shall work to maintain relationships
20 with each child's family in order to enhance the
21 child's development in all settings by collaborating
22 with providers of parent education and family support
23 opportunities.

24 3. PROGRAM REQUIREMENTS. The state board shall
25 adopt rules to further define the following preschool
26 program requirements which shall be used to determine
27 whether or not a local program implemented by a school
28 district approved to implement the preschool program
29 qualifies as an approved local program:

30 a. Maximum and minimum teacher-to-child ratios and
31 class sizes.

32 b. Applicable state and federal program standards.

33 c. Student learning standards.

34 d. Provisions for the integration of children from
35 other state and federally funded preschools.

36 e. Collaboration with participating families,
37 early care providers, and community partners including
38 but not limited to community empowerment area boards,
39 head start programs, shared visions and other programs
40 provided under the auspices of the child development
41 coordinating council, licensed child care centers,
42 registered child development homes, area education
43 agencies, child care resource and referral services
44 provided under section 237A.26, early childhood
45 special education programs, services funded by Title I
46 of the federal Elementary and Secondary Education Act
47 of 1965, and family support programs.

48 f. A minimum of ten hours per week of instruction
49 delivered on the skills and knowledge included in the
50 student learning standards developed for the preschool

Page 3

1 program.

2 g. Parental involvement in the local program.

3 h. Provision for ensuring that children receiving
4 care from other child care arrangements can
5 participate in the preschool program with minimal
6 disruption due to transportation and movement from one
7 site to another.

8 4. SCHOOL DISTRICT REQUIREMENTS. The state board
9 shall adopt rules to further define the following
10 requirements of school districts implementing the
11 preschool program:

12 a. Methods of demonstrating community readiness to
13 implement high-quality instruction in a local program
14 shall be identified. The potential provider shall
15 submit a collaborative program proposal that
16 demonstrates the involvement of multiple community
17 stakeholders including but not limited to, and only as

18 applicable, parents, the school district, accredited
 19 nonpublic schools and faith-based representatives, the
 20 area education agency, the community empowerment area
 21 board, representatives of business, head start
 22 programs, shared visions and other programs provided
 23 under the auspices of the child development
 24 coordinating council, center-based and home-based
 25 providers of child care services, human services,
 26 public health, and economic development programs. The
 27 methods may include but are not limited to a school
 28 district providing evidence of a public hearing on the
 29 proposed programming and written documentation of
 30 collaboration agreements between the school district,
 31 existing community providers, and other community
 32 stakeholders addressing operational procedures and
 33 other critical measures.

34 b. Subject to implementation of chapter 28E
 35 agreements between a school district and
 36 community-based providers of services to four-year-old
 37 children, a four-year-old child who is enrolled in a
 38 child care center or child development home licensed
 39 or registered under chapter 237A, or in an existing
 40 public or private preschool program, shall be eligible
 41 for services provided by the school district's local
 42 preschool program.

43 c. A school district shall participate in data
 44 collection and performance measurement processes and
 45 reporting as defined by rule.

46 d. Career development for school district
 47 preschool teachers shall be addressed in the school
 48 district's career development plan implemented in
 49 accordance with section 284.6.

50 5. DEPARTMENT REQUIREMENTS.

Page 4

1 a. The department shall implement an application
 2 and selection process for school district
 3 participation in the preschool program that includes
 4 but is not limited to the enrollment requirements
 5 provided under section 256C.4.

6 b. The department shall track the progress of
 7 students served by a school district preschool program
 8 and the students' performance in elementary and
 9 secondary education.

10 c. The department shall implement procedures to
 11 monitor the quality of the programming provided under
 12 the preschool program.

13 Sec. 4. NEW SECTION. 256C.4 FUNDING PROVISIONS
 14 — ENROLLMENT.

15 1. GENERAL.

16 a. State funding provided under the preschool

17 program shall be based upon the enrollment of eligible
18 students in the preschool programming provided by a
19 school district approved to participate in the
20 preschool program.

21 b. A school district approved to participate in
22 the preschool program may authorize expenditures for
23 the district's preschool programming from any of the
24 revenue sources available to the district from the
25 sources listed in chapter 298A, provided the
26 expenditures are within the uses permitted for the
27 revenue source. In addition, the use of the revenue
28 source for preschool or prekindergarten programming
29 must have been approved prior to any expenditure from
30 the revenue source for the district's approved local
31 program.

32 c. Funding provided under the preschool program is
33 intended to supplement, not supplant, existing public
34 funding for preschool programming.

35 d. Preschool foundation aid funding shall not be
36 commingled with the other state aid payments made
37 under section 257.16 to a school district and shall be
38 accounted for by the local school district separately
39 from the other state aid payments. Preschool
40 foundation aid payments made to school districts are
41 miscellaneous income for purposes of chapter 257. A
42 school district shall maintain a separate listing
43 within its budget for preschool foundation aid
44 payments received and expenditures made. A school
45 district shall certify to the department of education
46 that preschool foundation aid funding received by the
47 school district was used to supplement, not supplant,
48 moneys otherwise received and used by the school
49 district for preschool programming.

50 e. Preschool foundation aid funding shall not be

Page 5

1 used for the costs of constructing a facility in
2 connection with an approved local program.

3 2. ELIGIBLE STUDENT ENROLLMENT.

4 a. To be included as an eligible student in the
5 enrollment count of the preschool programming provided
6 by a school district approved to participate in the
7 preschool program, a child must be four years of age
8 by September 15 in the base year and attending the
9 school district's approved local program.

10 b. The enrollment count of eligible students shall
11 not include a child who is included in the enrollment
12 count determined under section 257.6 or a child who is
13 served by a program already receiving state or federal
14 funds for the purpose of the provision of
15 four-year-old preschool programming while the child is

16 being served by the program. Such preschool
 17 programming includes but is not limited to child
 18 development assistance programs provided under chapter
 19 256A, special education programs provided under
 20 section 256B.9, school ready children grant programs
 21 and other programs provided under chapter 28, and
 22 federal head start programs and the services funded by
 23 Title I of the federal Elementary and Secondary
 24 Education Act of 1965.

25 Sec. 5. NEW SECTION. 256C.5 FUNDING FORMULA.

26 1. DEFINITIONS. For the purposes of this section
 27 and section 256C.4:

28 a. "Base year", "budget year", "regular program
 29 state cost per pupil", and "school district" mean the
 30 same as defined or described in chapter 257.

31 b. "Eligible student" means a child who meets
 32 eligibility requirements under section 256C.4.

33 c. "Preschool budget enrollment" means the figure
 34 that is equal to sixty percent of the actual
 35 enrollment of eligible students in the preschool
 36 programming provided by a school district approved to
 37 participate in the preschool program on October 1 of
 38 the base year, or the first Monday in October if
 39 October 1 falls on a Saturday or Sunday.

40 d. "Preschool foundation aid" means the product of
 41 the regular program state cost per pupil for the
 42 budget year multiplied by the school district's
 43 preschool budget enrollment.

44 2. PRESCHOOL FOUNDATION AID DISTRICT AMOUNT.

45 a. For the initial school year for which a school
 46 district approved to participate in the preschool
 47 program receives that approval and implements the
 48 preschool program, the funding for the preschool
 49 foundation aid payable to that school district shall
 50 be paid from the appropriation made for that school

Page 6

1 year in section 256C.6 or in another appropriation
 2 made for purposes of this chapter. For that school
 3 year, the preschool foundation aid payable to the
 4 school district is the product of the regular program
 5 state cost per pupil for the school year multiplied by
 6 sixty percent of the school district's eligible
 7 student enrollment on the date in the school year
 8 determined by rule.

9 b. For budget years subsequent to the initial
 10 school year for which a school district approved to
 11 participate in the preschool program receives that
 12 approval and implements the preschool program, the
 13 funding for the preschool foundation aid payable to
 14 that school district shall be paid from the

15 appropriation made in section 257.16.

16 3. AID PAYMENTS. Preschool foundation aid shall
17 be paid as part of the state aid payments made to
18 school districts in accordance with section 257.16.

19 4. ADMINISTRATION AND OVERSIGHT. Except as
20 otherwise provided by law for a fiscal year, of the
21 amount appropriated for that fiscal year for payment
22 of preschool foundation aid statewide, the department
23 may use an amount sufficient to fund up to three
24 full-time equivalent positions which shall be in
25 addition to the number of positions authorized for the
26 fiscal year, as necessary to provide administration
27 and oversight of the preschool program.

28 Sec. 6. NEW SECTION. 256C.6 PHASE-IN —
29 APPROPRIATIONS.

30 1. PHASE-IN. For the initial fiscal year in which
31 a school district participates in the preschool
32 program pursuant to an appropriation provided in
33 subsection 2, the department shall apply a modified
34 set of the requirements of the provisions of this
35 chapter relating to preschool program implementation,
36 preschool enrollment reporting, and distribution of
37 funding as necessary to begin the distribution in that
38 fiscal year and additional program implementation in
39 the next fiscal year. For each month after September
40 1, in the initial fiscal year that a school district
41 approved to participate in the preschool program
42 begins programming, the department shall reduce the
43 preschool foundation aid payable to the school
44 district by one-tenth of the amount that would
45 otherwise have been payable to the school district for
46 the full school year.

47 2. APPROPRIATIONS FOR INITIAL YEARS. There is
48 appropriated from the general fund of the state to the
49 department of education for the designated fiscal
50 years the following amounts, or so much thereof as is

Page 7

1 necessary, to be used for the initial year preschool
2 foundation aid payments to school districts approved
3 to participate in the preschool program and
4 administrative costs:

5 a. For the fiscal year beginning July 1, 2008, and
6 ending June 30, 2009, fifteen million dollars.

7 b. For the fiscal year beginning July 1, 2009, and
8 ending June 30, 2010, fifteen million dollars.

9 c. For the fiscal year beginning July 1, 2010, and
10 ending June 30, 2011, sixteen million one hundred
11 sixty-two thousand five hundred dollars.

12 3. INSUFFICIENT FUNDING. For the fiscal years in
13 the period beginning July 1, 2007, and ending June 30,

14 2011, if the number of requests from school districts
 15 for initial participation in the preschool program
 16 exceeds the funding made available for the preschool
 17 program, the department shall utilize all of the
 18 following selection criteria in selecting the school
 19 districts that will be approved to participate in the
 20 preschool program:

21 a. Priority shall be given to school districts
 22 that do not have existing preschool programming within
 23 the school district boundaries.

24 b. Priority shall be given to school districts
 25 that have a high percentage of children in poverty and
 26 such children shall receive first priority for the
 27 programs.

28 c. Consideration shall be given to the size of
 29 school districts in large, medium, and small
 30 categories in order for there to be equitable
 31 statewide distribution of preschool program services.

32 d. Consideration shall be given to school
 33 districts with established, high-quality, community
 34 partnerships for the delivery of preschool programming
 35 that are seeking to expand access.

36 4. REPEAL. This section is repealed July 1, 2011.

37 DIVISION II

38 CONFORMING AMENDMENTS

39 Sec. 7. Section 256.11, subsection 1, Code 2007,
 40 is amended by adding the following new unnumbered
 41 paragraph:

42 NEW UNNUMBERED PARAGRAPH. For the purposes of this
 43 subsection, "prekindergarten program" includes but is
 44 not limited to a school district's implementation of
 45 the preschool program established pursuant to chapter
 46 256C.

47 Sec. 8. Section 257.16, subsection 1, Code 2007,
 48 is amended to read as follows:

49 1. There is appropriated each year from the
 50 general fund of the state an amount necessary to pay

Page 8

1 the foundation aid under this chapter. the preschool
 2 foundation aid under chapter 256C, supplementary aid
 3 under section 257.4, subsection 2, and adjusted
 4 additional property tax levy aid under section 257.15,
 5 subsection 4.

6 Sec. 9. Section 285.1, subsection 1, paragraph c,
 7 Code 2007, is amended to read as follows:

8 c. Children attending prekindergarten programs
 9 offered or sponsored by the district or nonpublic
 10 school and approved by the department of education or
 11 department of human services or children participating
 12 in preschool in an approved local program under

13 chapter 256C may be provided transportation services.
 14 However, transportation services provided nonpublic
 15 school children are not eligible for reimbursement
 16 under this chapter.

17 Sec. 10. EMERGENCY RULES. The state board of
 18 education may adopt emergency rules under section
 19 17A.4, subsection 2, and section 17A.5, subsection 2,
 20 paragraph “b”, to implement the provisions of this Act
 21 and the rules shall be effective immediately upon
 22 filing unless a later date is specified in the rules.
 23 Any rules adopted in accordance with this section
 24 shall also be published as a notice of intended action
 25 as provided in section 17A.4.”

STACI APPEL

S-3331

1 Amend the amendment, S-3326, to House File 608, as
 2 passed by the House, as follows:

3 1. Page 1, by striking lines 19 through 21 and
 4 inserting the following:
 5 “ . Page 1, by striking lines 20 through 27 and
 6 inserting the following: “the public are commonly
 7 posted.””

KEITH A. KREIMAN
 DARYL BEALL
 GENE FRAISE

S-3332

1 Amend the House amendment, S-3298, to Senate File
 2 277, as amended, passed, and reprinted by the Senate,
 3 as follows:

4 1. Page 5, by inserting after line 47 the
 5 following:
 6 “Sec. . NEW SECTION. 284.15 DEPARTMENT OF
 7 HUMAN SERVICES INSTITUTIONS — PRACTITIONERS.

8 1. For purposes of this chapter, an individual who
 9 holds a practitioner’s license issued under chapter
 10 272 and who is employed in a nonadministrative
 11 position at the state school for the deaf or the Iowa
 12 braille and sight saving school or by the department
 13 of human services at the Iowa juvenile home shall be
 14 considered a teacher if the individual and the
 15 institution in which the individual practices meet the
 16 requirements of this chapter. If an institution and a
 17 practitioner employed at the institution are
 18 determined by the department to meet the requirements
 19 of this chapter, the department shall annually
 20 distribute funds to the institution in the manner

21 prescribed for school districts pursuant to section
 22 284.13.
 23 2. The area education agencies in which the
 24 institutions are located shall work with the
 25 institutions to develop a plan for meeting the
 26 requirements of this chapter, which shall be submitted
 27 to the department of education, the department of
 28 human services, the state board of regents, and the
 29 general assembly by January 14, 2008. This subsection
 30 is repealed July 1, 2008.”
 31 2. By renumbering as necessary.

JOHN PUTNEY
 HUBERT HOUSER

S-3333

HOUSE AMENDMENT TO
 SENATE FILE 406

1 Amend Senate File 406, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by striking lines 9 through 21.
 4 2. Title page, line 1, by striking the words
 5 “tagged dog” and inserting the following: “tagged
 6 dog.”
 7 3. Title page, by striking lines 2 and 3.
 8 4. By renumbering as necessary.

S-3334

HOUSE AMENDMENT TO
 SENATE AMENDMENT TO
 HOUSE FILE 793

1 Amend the Senate amendment, H-1636, to House File
 2 793, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 1, by inserting after line 2 the
 5 following:
 6 “ __. Page 1, by inserting after line 23 the
 7 following:
 8 “Sec. __. The section of this division of this
 9 Act that amends section 543D.3 is void if 2007 Iowa
 10 Acts, Senate File 137, section 1, amending section
 11 543D.3, is enacted.”
 12 2. Page 1, by striking lines 3 through 13.
 13 3. Page 1, by striking lines 16 through 18.
 14 4. By renumbering, relettering, or redesignating
 15 and correcting internal references as necessary.

S-3335

1 Amend Senate File 575 as follows:
2 1. Page 2, line 2, by striking the figure
3 “1,600,000” and inserting the following: “1,550,000”.
4 2. Page 2, line 6, by striking the figure
5 “100,000” and inserting the following: “150,000”.
6 3. Page 2, by striking lines 7 through 10 and
7 inserting the following:
8 “e. For a grant to be determined by the attorney
9 general or the attorney general’s designee through a
10 competitive bidding process under procedures
11 established by the office of attorney general, for the
12 establishment of a pilot project with a nonprofit
13 agency that focuses primarily on the representation
14 of”.

TOM HANCOCK

S-3336HOUSE AMENDMENT TO
SENATE FILE 489

1 Amend Senate File 489, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting after line 17 the
4 following:
5 “() A representative of Iowa AARP.
6 () A licensed health care provider specializing
7 in the practice of gerontology.”
8 2. By renumbering as necessary.

S-3337HOUSE AMENDMENT TO
SENATE FILE 563

1 Amend Senate File 563, as passed by the Senate, as
2 follows:
3 1. Page 4, by inserting after line 29 the
4 following:
5 “Sec. ____ Section 607A.8, Code 2007, is amended
6 by striking the section and inserting in lieu thereof
7 the following:
8 607A.8 FEES AND EXPENSES FOR JURORS.
9 1. A grand juror and a petit juror in all courts
10 shall receive thirty dollars as compensation for each
11 day’s service or attendance, including attendance
12 required for the purpose of being considered for
13 service. The supreme court may adopt rules that allow
14 additional compensation for jurors whose attendance
15 and service exceeds seven days.

16 2. A grand juror and a petit juror in all courts
 17 shall receive reimbursement for mileage expenses at
 18 the rate specified in section 602.1509 for each mile
 19 traveled each day to and from the residence of the
 20 juror to the place of service or attendance, and shall
 21 receive reimbursement for actual expenses of parking,
 22 as determined by the clerk of the district court. A
 23 juror who is a person with a disability may receive
 24 reimbursement for the costs of alternate
 25 transportation from the residence of the juror to the
 26 place of service or attendance. A juror shall not
 27 receive reimbursement for mileage expenses or actual
 28 expenses of parking when the juror travels in a
 29 vehicle for which another juror is receiving
 30 reimbursement for mileage and parking expenses.

31 3. A grand juror or a petit juror in all courts
 32 may waive the right of the juror to receive
 33 compensation under subsection 1 or reimbursement under
 34 subsection 2.

35 Sec. __. NEW SECTION. 607A.47 JUROR
 36 QUESTIONNAIRE.

37 The court may, on its own motion, or upon the
 38 motion of a party to the case or upon the request of a
 39 juror, order the sealing or partial sealing of a
 40 completed juror questionnaire, if the court finds that
 41 it is necessary to protect the safety or privacy of a
 42 juror or a family member of a juror.”

S-3338

1 Amend House File 874, as amended, passed, and
 2 reprinted by the House, as follows:

3 1. Page 3, by striking lines 15 and 16 and
 4 inserting the following:

5 “	\$	1,711,873
6	FTEs	108.00

7 Of the moneys appropriated in this section,
 8 \$500,000 shall be used for establishing and operating
 9 a government accountability office within the office
 10 of the auditor of state.”

11 2. Page 17, by inserting after line 14 the
 12 following:

13 “Sec. __. NEW SECTION. 11.42 GOVERNMENT
 14 ACCOUNTABILITY OFFICE.

15 1. A government accountability office is
 16 established within the office of the auditor of state.
 17 The duties of the office shall be to review all
 18 service contracts, as defined in section 8F.2, entered
 19 into with the state. The auditor of state shall
 20 provide administrative support for the office.

21 2. The auditor of state shall appoint the director
 22 of the government accountability office, who shall

23 serve at the pleasure of the auditor, subject to
 24 confirmation by the senate, in accordance with section
 25 2.32. The director is the chief administrator of the
 26 government accountability office of the auditor of
 27 state. The director's term of office is for four
 28 years. The term begins and ends in the same manner as
 29 set forth in section 69.19.

30 3. The government accountability office shall
 31 submit a report to the legislative government
 32 oversight committee on a monthly basis concerning its
 33 review of state service contracts.

34 4. This section is repealed June 30, 2012."

35 3. By renumbering as necessary.

JEFF ANGELO
 E. THURMAN GASKILL
 PAUL MCKINLEY
 DAVE MULDER
 BRAD ZAUN
 DAVID JOHNSON
 PAT WARD
 LARRY MCKIBBEN
 MARK ZIEMAN
 DAVID HARTSUCH
 NANCY J. BOETTGER
 JAMES F. HAHN
 RON WIECK
 JOHN PUTNEY
 MARY A. LUNDBY

S-3339

1 Amend the House amendment, S-3298, to Senate File
 2 277, as amended, passed, and reprinted by the Senate,
 3 as follows:

4 1. Page 5, by inserting after line 47 the
 5 following:

6 "Sec. __. NEW SECTION. 284.15 IOWA JUVENILE
 7 HOME — PRACTITIONERS.

8 1. For purposes of this chapter, an individual who
 9 holds a practitioner's license issued under chapter
 10 272 and who is employed in a nonadministrative
 11 position by the department of human services at the
 12 Iowa juvenile home shall be considered a teacher if
 13 the individual and the Iowa juvenile home meet the
 14 requirements of this chapter. If the Iowa juvenile
 15 home and a practitioner employed at the Iowa juvenile
 16 home are determined by the department to meet the
 17 requirements of this chapter, the department shall
 18 annually distribute funds to the Iowa juvenile home in
 19 the manner prescribed for school districts pursuant to
 20 section 284.13.

21 2. The area education agency in which the Iowa
 22 juvenile home is located shall work with the Iowa
 23 juvenile home to develop a plan for meeting the
 24 requirements of this chapter, which shall be submitted
 25 to the department of education, the department of
 26 human services, and the general assembly by January
 27 14, 2008. This subsection is repealed July 1, 2008.”
 28 2. By renumbering as necessary.

JOHN PUTNEY
 HUBERT HOUSER
 E. THURMAN GASKILL
 JAMES A. SEYMOUR
 DAVID JOHNSON
 PAT WARD
 NANCY J. BOETTGER
 JEFF ANGELO
 STEVE KETTERING
 RON WIECK
 JAMES F. HAHN
 LARRY McKIBBEN
 JERRY BEHN

S-3340

1 Amend the House amendment, S-3298, to Senate File
 2 277, as amended, passed, and reprinted by the Senate,
 3 as follows:
 4 1. Page 3, by inserting after line 3 the
 5 following:
 6 “__. Page 4, by inserting after line 27 the
 7 following:
 8 “Sec. __. Section 284.3, subsection 1, Code 2007,
 9 is amended by adding the following new paragraph:
 10 NEW PARAGRAPH. 0a. Demonstrates effectiveness in
 11 producing objectively measured student achievement
 12 gains.”
 13 2. By renumbering as necessary.

PAUL McKINLEY
 JERRY BEHN
 E. THURMAN GASKILL
 JAMES A. SEYMOUR
 LARRY NOBLE
 BRAD ZAUN
 DAVID JOHNSON
 PAT WARD
 MARK ZIEMAN
 NANCY J. BOETTGER
 JEFF ANGELO
 JOHN PUTNEY
 LARRY McKIBBEN

RON WIECK
STEVE KETTERING
HUBERT HOUSER
JAMES F. HAHN
MARY A. LUNDBY

S-3341

1 Amend the House amendment, S-3298, to Senate File
2 277, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by inserting after line 4 the
5 following:

6 “ _____. By striking page 2, line 33, through page
7 3, line 2, and inserting the following: “for which
8 the district has requested a waiver.

9 3. Notwithstanding the waiver and waiver extension
10 deadlines established pursuant to subsection 1, until
11 an appropriation is enacted for distribution to school
12 districts in an amount sufficient to fully offset the
13 school districts’ additional costs of complying with
14 the requirements of section 256.11, subsection 9, 9A,
15 or 9B, a school district may apply for a waiver of the
16 requirements of section 256.11, subsection 9, 9A, or
17 9B, and for an extension of that waiver in succeeding
18 school years.””

19 2. By renumbering as necessary.

MARK ZIEMAN
JERRY BEHN
E. THURMAN GASKILL
JAMES A. SEYMOUR
LARRY NOBLE
PAUL McKINLEY
BRAD ZAUN
DAVID JOHNSON
PAT WARD
DAVID HARTSUCH
NANCY J. BOETTGER
JEFF ANGELO
JOHN PUTNEY
LARRY McKIBBEN
RON WIECK
STEVE KETTERING
HUBERT HOUSER
JAMES F. HAHN
MARY A. LUNDBY

S-3342

1 Amend the House amendment, S-3298, to Senate File
2 277, as amended, passed, and reprinted by the Senate,

3 as follows:

4 1. Page 3, by inserting after line 3 the
 5 following:
 6 “___ Page 5, by striking lines 20 through 23 and
 7 inserting the following: “shall be a comprehensive,
 8 nondiscriminatory balance of administrators and
 9 teachers. The”
 10 ___ Page 5, line 24, by inserting after the word
 11 “board” the following: “and an equal number of
 12 teachers shall be selected, without discrimination
 13 against any teacher based on race, religion, gender,
 14 or organization affiliation, by the professional
 15 staff. If a certified employee bargaining
 16 organization exists, teacher membership on the
 17 committee shall be in proportion to the number of
 18 teachers who are members of the certified employee
 19 bargaining organization and the number of teachers who
 20 are not members of the certified bargaining
 21 organization.”

PAUL McKINLEY
 NANCY J. BOETTGER
 JERRY BEHN
 E. THURMAN GASKILL
 JAMES A. SEYMOUR
 LARRY NOBLE
 BRAD ZAUN
 DAVE MULDER
 DAVID JOHNSON
 PAT WARD
 JAMES F. HAHN
 STEVE KETTERING
 DAVID HARTSUCH
 MARK ZIEMAN
 JEFF ANGELO
 JOHN PUTNEY
 LARRY McKIBBEN
 RON WIECK
 HUBERT HOUSER
 MARY A. LUNDBY

S-3343

1 Amend the House amendment, S-3298, to Senate File
 2 277, as amended, passed, and reprinted by the Senate,
 3 as follows:
 4 1. Page 5, by inserting after line 47 the
 5 following:
 6 “Sec. ___ NEW SECTION. 284.15 SCHOOL FOR THE
 7 DEAF AND IOWA BRAILLE AND SIGHT SAVING SCHOOL —
 8 PRACTITIONERS.
 9 1. For purposes of this chapter, an individual who

10 holds a practitioner's license issued under chapter
 11 272 and who is employed in a nonadministrative
 12 position at the state school for the deaf or the Iowa
 13 braille and sight saving school shall be considered a
 14 teacher if the individual and the school in which the
 15 individual practices meet the requirements of this
 16 chapter. If a school and a practitioner employed at
 17 the school are determined by the department to meet
 18 the requirements of this chapter, the department shall
 19 annually distribute funds to the school in the manner
 20 prescribed for school districts pursuant to section
 21 284.13.

22 2. The area education agencies in which the
 23 schools are located shall work with the schools to
 24 develop a plan for meeting the requirements of this
 25 chapter, which shall be submitted to the department of
 26 education, the state board of regents, and the general
 27 assembly by January 14, 2008. This subsection is
 28 repealed July 1, 2008.”

29 2. By renumbering as necessary.

JOHN PUTNEY
 HUBERT HOUSER
 E. THURMAN GASKILL
 JAMES A. SEYMOUR
 DAVID JOHNSON
 PAT WARD
 NANCY J. BOETTGER
 JEFF ANGELO
 STEVE KETTERING
 RON WIECK
 JAMES F. HAHN
 LARRY MCKIBBEN

S-3344

1 Amend Senate File 578 as follows:

2 1. Page 3, line 22, by striking the word “There”
 3 and inserting the following: “Notwithstanding any
 4 provision of section 35A.13 to the contrary, there”.

5 2. Page 3, lines 22 and 23, by striking the words
 6 “general fund of the state” and inserting the
 7 following: “veterans trust fund created in section
 8 35A.13”.

STEVE WARNSTADT

S-3345

1 Amend the House amendment, S-3298, to Senate File
 2 277, as amended, passed, and reprinted by the Senate,
 3 as follows:

4 1. Page 1, by inserting after line 39 the

5 following:

6 “Sec. ____ Section 257.31, Code 2007, is amended
7 by adding the following new subsection:
8 NEW SUBSECTION. 18. Subject to appropriation of
9 sufficient funds by the general assembly, the school
10 budget review committee shall establish a grant
11 assistance program and application process to provide
12 one-time grants to eligible school districts for
13 purposes of adding one or more teacher librarians
14 pursuant to section 256.11, subsection 9, one or more
15 guidance counselors pursuant to section 256.11,
16 subsection 9A, or one or more school nurses pursuant
17 to section 256.11, subsection 9B.

18 a. The committee shall establish criteria to be
19 used in evaluating the applications for grant
20 assistance submitted by school districts in accordance
21 with this subsection. The criteria shall include but
22 is not limited to requirements that an eligible school
23 district have a cash reserve of twenty-five percent or
24 less and a demonstrated need for the funding.

25 b. A professional support fund is created in the
26 state treasury to be administered by the school budget
27 review committee for purposes of this subsection.
28 Notwithstanding section 8.33, any balance in the fund
29 on June 30 of any fiscal year shall not revert to the
30 general fund of the state but shall remain available
31 to the committee for purposes of this subsection.
32 Notwithstanding section 12C.7, any interest and
33 earnings on investments from money in the fund shall
34 be credited to the fund.”

35 2. Page 3, by inserting after line 41 the
36 following:

37 “____. Page 15, line 34, by striking the words
38 “four hundred” and inserting the following:
39 “hundred”.

40 ____ Page 16, line 7, by inserting after the
41 figure “256.45” the following: “and not less than one
42 million dollars shall be deposited in the professional
43 support fund created pursuant to section 257.31,
44 subsection 18, as enacted by this Act.”

45 3. Page 6, by inserting after line 17 the
46 following:

47 “____. Page 29, by striking line 14 and inserting
48 the following: “173,943,894”.

49 ____ Page 29, by striking line 16 and inserting
50 the following: “248,943,894”.”

Page 2

1 4. By renumbering as necessary.

S-3346

- 1 Amend the House amendment, S-3298, to Senate File
2 277, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 3, by striking lines 20 and 21 and
5 inserting the following: "education, the use and
6 distribution of the professional".

MICHAEL CONNOLLY

S-3347

- 1 Amend Senate File 585 as follows:
2 1. Page 1, line 5, by striking the word
3 "~~twenty-five~~" and inserting the following:
4 "twenty-five".
5 2. Page 1, line 6, by striking the word
6 "~~seventy-five~~".

DICK L. DEARDEN

S-3348

- 1 Amend the House amendment, S-3298, to Senate File
2 277, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 5, by inserting after line 47 the
5 following:
6 "Sec. ____ NEW SECTION. 284.15 STATE TRAINING
7 SCHOOL — ELDORA — PRACTITIONERS.
8 1. For purposes of this chapter, an individual who
9 holds a practitioner's license issued under chapter
10 272 and who is employed in a nonadministrative
11 position by the department of human services at the
12 state training school located at Eldora shall be
13 considered a teacher if the individual and the school
14 meet the requirements of this chapter. If the school
15 and a practitioner employed at the school are
16 determined by the department to meet the requirements
17 of this chapter, the department shall annually
18 distribute funds to the school in the manner
19 prescribed for school districts pursuant to section
20 284.13.
21 2. The area education agency in which the state
22 training school in Eldora is located shall work with
23 the school to develop a plan for meeting the
24 requirements of this chapter, which shall be submitted
25 to the department of education, the department of
26 human services, and the general assembly by January
27 14, 2008. This subsection is repealed July 1, 2008."
28 2. By renumbering as necessary.

LARRY McKIBBEN

S-3349

- 1 Amend the House amendment, S-3298, to Senate File
 2 277, as amended, passed, and reprinted by the Senate,
 3 as follows:
 4 1. Page 3, by striking lines 42 through 44.
 5 2. By renumbering as necessary.

BRAD ZAUN
 PAUL McKINLEY
 DAVE MULDER

S-3350

HOUSE AMENDMENT TO
 SENATE FILE 414

- 1 Amend Senate File 414, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 6, by striking line 1 and inserting the
 4 following: "prizes in any games of skill, games of
 5 chance, or card games".
 6 2. Page 6, line 2, by inserting before the word
 7 "amount" the following: "aggregate".

S-3351

- 1 Amend Senate File 585 as follows:
 2 1. Page 2, by inserting after line 17 the
 3 following:
 4 "Sec. ____ NEW SECTION. 657B.1 DEFINITIONS.
 5 For the purposes of this chapter:
 6 1. "Builder" means a builder or developer of a new
 7 residential unit that is sold on or after July 1,
 8 2007.
 9 2. "Claimant" includes an individual owner of a
 10 single-family home, an individual unit owner of an
 11 attached dwelling, and, in the case of a horizontal
 12 property regime or common interest development, a
 13 council or an association. "Claimant" does not
 14 include a person not in privity of contract with a
 15 builder.
 16 Sec. ____ NEW SECTION. 657B.2 NOTICE OF CLAIM —
 17 CLAIMANT.
 18 Prior to filing an action for recovery of property
 19 damages arising out of, or related to deficiencies in,
 20 the repair or construction of the claimant's residence
 21 against a builder, a claimant shall provide written
 22 notice by certified mail, overnight mail, or personal
 23 delivery to the builder that the repair or
 24 construction of the claimant's residence is deficient
 25 or violates the applicable housing code or city

26 ordinance. The notice shall state the claimant's
 27 name, address, and contact information, and shall
 28 describe the nature of the claim in sufficient detail
 29 in order to determine the nature and location of the
 30 alleged deficiency or violation.

31 Sec. ____ NEW SECTION. 657B.3 REPAIRS OR
 32 CONSTRUCTION.

33 Within ten business days of the builder's receipt
 34 of a claimant's notice of claim, the claimant shall
 35 provide the builder with access to the claimant's
 36 residence and the builder shall inspect the alleged
 37 deficiency or violation and make an offer in writing
 38 which shall include either of the following:

39 1. A bona fide offer to compensate the claimant
 40 for repair of the alleged deficiency or violation and
 41 property damages caused by the alleged deficiency or
 42 violation.

43 2. An offer to repair with a detailed statement
 44 identifying the particular deficiency or violation to
 45 be repaired, an explanation of the nature, scope, and
 46 location of the repair needed, and the estimated
 47 completion date of the repair, which shall occur
 48 within either twenty-one business days of the
 49 builder's receipt of the claimant's notice of claim,
 50 or within reasonable weather-related construction

Page 2

1 conditions, or as otherwise agreed to by the parties.

2 Sec. ____ NEW SECTION. 657B.4 REQUIREMENTS.

3 A builder shall provide a claimant with a written
 4 notice of the requirements of this chapter at the time
 5 of closing for the sale of the property or at the time
 6 of the completion of the repair.

7 Sec. ____ NEW SECTION. 657B.5 APPLICABILITY.

8 The provisions of this chapter apply only to those
 9 builders who have registered and are in compliance
 10 with the requirements of chapter 91C."

11 2. Title page, line 1, by inserting after the
 12 word "contractors" the following: "and the claims of
 13 residential construction claimants".

RON WIECK

S-3352

1 Amend Senate File 575 as follows:

2 1. Page 1, line 22, by striking the figure
 3 "150,000" and inserting the following: "500,000".

JEFF ANGELO
 NANCY J. BOETTGER

MARK ZIEMAN
 PAT WARD
 DAVID JOHNSON
 DAVE MULDER
 BRAD ZAUN
 PAUL McKINLEY
 LARRY NOBLE
 JAMES A. SEYMOUR
 E. THURMAN GASKILL
 JERRY BEHN
 MARY A. LUNDBY
 LARRY McKIBBEN
 JOHN PUTNEY
 RON WIECK
 JAMES F. HAHN

S-3353

1 Amend Senate File 575 as follows:
 2 1. Page 4, by inserting after line 18 the
 3 following:
 4 "If the United States court of appeals or the
 5 United States supreme court declares the value-based
 6 treatment program at the Newton correctional facility
 7 to be unconstitutional, the program shall be permitted
 8 to continue operating and counseling inmates at the
 9 facility through donations made to the program."

JEFF ANGELO
 NANCY J. BOETTGER
 MARK ZIEMAN
 DAVID HARTSUCH
 PAT WARD
 DAVID JOHNSON
 BRAD ZAUN
 DAVE MULDER
 PAUL McKINLEY
 LARRY NOBLE
 JAMES A. SEYMOUR
 E. THURMAN GASKILL
 JERRY BEHN
 MARY A. LUNDBY
 LARRY McKIBBEN
 JOHN PUTNEY
 RON WIECK
 STEVE KETTERING
 HUBERT HOUSER
 JAMES F. HAHN

S-3354

1 Amend House File 742, as passed by the House, as
 2 follows:

- 3 1. Page 29, by inserting after line 9 the
 4 following:
 5 “Sec. ____ Section 423.3, subsection 8, paragraph
 6 a, Code 2007, is amended to read as follows:
 7 a. The farm machinery and equipment shall be
 8 directly and primarily used in production of
 9 agricultural products. All-terrain vehicles that are
 10 exempt from registration under chapter 321I as farm
 11 implements and under section 321.18 and used
 12 exclusively for purposes of fence inspection or
 13 repair, livestock monitoring or maintenance, or
 14 viewing or inspection of crops are directly and
 15 primarily used in production of agricultural products
 16 for purposes of this paragraph.”
 17 2. Title page, line 1, by striking the words “the
 18 regulation of”.
 19 3. Title page, line 2, by inserting after the
 20 word “vehicles,” the following: “including the
 21 regulation of such vehicles and the sales tax on
 22 all-terrain vehicles purchased for use as farm
 23 implements.”.
 24 4. By renumbering as necessary.

NANCY J. BOETTGER

S-3355

- 1 Amend Senate File 586 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 Section 1. Section 35A.11, Code 2007, is amended
 5 to read as follows:
 6 35A.11 VETERANS LICENSE FEE FUND.
 7 A veterans license fee fund is created in the state
 8 treasury under the control of the commission. ~~The~~
 9 ~~fund shall include the fees credited by the treasurer~~
 10 ~~of state from the sale of special veteran license~~
 11 ~~plates pursuant to section 321.34, subsection 13,~~
 12 ~~paragraph “d”.~~ Notwithstanding section 12C.7,
 13 interest or earnings on moneys in the veterans license
 14 fee fund shall be credited to the veterans license fee
 15 fund. Moneys in the fund are appropriated to the
 16 commission to be used to fulfill the responsibilities
 17 of the commission. The fund shall include the fees
 18 credited by the treasurer of state from the sale of
 19 the following special motor vehicle registration
 20 plates:
 21 1. Veteran special plates issued pursuant to
 22 section 321.34, subsection 13, paragraph “d”.
 23 2. Gold star special plates issued pursuant to
 24 section 321.34, subsection 24.
 25 Sec. 2. Section 321.34, Code 2007, is amended by

26 adding the following new subsection:

27 NEW SUBSECTION. 24. GOLD STAR PLATES. An owner
 28 referred to in subsection 12 who is the surviving
 29 spouse, parent, child, or sibling of a deceased member
 30 of the United States armed forces who died while
 31 serving on active duty during a time of military
 32 conflict may order special registration plates bearing
 33 a gold star emblem upon written application to the
 34 department accompanied by satisfactory supporting
 35 documentation as determined by the department. The
 36 gold star emblem shall be designed by the department
 37 in cooperation with the commission of veterans
 38 affairs. The special plate fees collected by the
 39 director under subsection 12, paragraph "a", from the
 40 issuance and annual validation of letter-number
 41 designated and personalized gold star plates shall be
 42 paid monthly to the treasurer of state and credited to
 43 the road use tax fund. Notwithstanding section
 44 423.43, and prior to the crediting of revenues to the
 45 road use tax fund under section 423.43, subsection 1,
 46 paragraph "b", the treasurer of state shall transfer
 47 monthly from those revenues to the veterans license
 48 fee fund created in section 35A.11 the amount of the
 49 special fees collected in the previous month for gold
 50 star plates.

Page 2

- 1 Sec. 3. EFFECTIVE DATE. This Act takes effect
- 2 January 1, 2008."
- 3 2. Title page, line 2, by inserting after the
- 4 word "fees" the following: "and an effective date".

DARYL BEALL

S-3356

- 1 Amend House File 817, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 35, by striking the word "If" and
- 4 inserting the following: "Unless".
- 5 2. Page 2, line 1, by striking the words "does
- 6 not" and inserting the following: "votes to".
- 7 3. Page 2, line 2, by striking the word
- 8 "unanimous" and inserting the following:
- 9 "two-thirds".
- 10 4. Page 2, line 2, by inserting after the words
- 11 "at the" the following: "earlier of the".
- 12 5. Page 2, line 3, by inserting after the word
- 13 "commission" the following: "or a special meeting of
- 14 the commission called by the commission within thirty
- 15 days of the date the proposed rule is submitted".
- 16 6. Page 2, line 27, by striking the word

17 “Provide” and inserting the following: “~~Provide~~ After
 18 consultation with the commission, provide”.
 19 7. Page 3, line 8, by striking the figure “2007”
 20 and inserting the following: “~~2007~~ 2008”.
 21 8. Page 5, line 15, by striking the words
 22 “development and implementation” and inserting the
 23 following: “administration”.
 24 9. Title page, line 4, by striking the word
 25 “affairs” and inserting the following: “affairs,”.

DARYL BEALL
 STEVE WARNSTADT
 JAMES A. SEYMOUR

S-3357

1 Amend Senate File 585 as follows:
 2 1. Page 1, line 27, by striking the words “radio,
 3 television”.
 4 2. Page 1, line 31, by striking the word “and”.
 5 3. Page 1, line 33, by inserting after the word
 6 “organizations” the following: “; and materials
 7 listing multiple contractors for exhibitions”.

WILLIAM A. DOTZLER, JR.

S-3358

1 Amend Senate File 588 as follows:
 2 1. Page 3, by inserting after line 7 the
 3 following:
 4 “If the funds appropriated by the general assembly
 5 to the college student aid commission for the
 6 2007–2008 fiscal year for purposes of the all Iowa
 7 opportunity scholarship program exceed \$500,000,
 8 “eligible institution” as defined in section 261.88,
 9 as enacted by this Act, shall, during the 2007–2008
 10 fiscal year, include accredited private institutions
 11 as defined in section 261.9, subsection 1.”

JOE M. SENG

S-3359

1 Amend Senate File 588 as follows:
 2 1. Page 33, line 25, by inserting after the
 3 figure “260C” the following: “, an accredited private
 4 institution as defined in section 261.9, subsection
 5 1,”.

NANCY J. BOETTGER
 JAMES A. SEYMOUR

MARY A. LUNDBY
 JEFF ANGELO
 RON WIECK
 DAVID HARTSUCH
 LARRY NOBLE
 JOHN PUTNEY
 DAVID JOHNSON
 BRAD ZAUN
 JAMES F. HAHN
 PAUL McKINLEY
 STEVE KETTERING
 MARK ZIEMAN
 HUBERT HOUSER
 JERRY BEHN
 E. THURMAN GASKILL
 PAT WARD
 LARRY McKIBBEN
 DAVE MULDER

S-3360

HOUSE AMENDMENT TO
 SENATE FILE 472

1 Amend Senate File 472, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by inserting after line 20 the
 4 following:
 5 “___ . This section does not apply to railroad
 6 spurs constructed or under construction prior to July
 7 1, 2007.”
 8 2. Page 1, by inserting after line 30 the
 9 following:
 10 “Sec. ___. The sections of 2007 Iowa Acts, Senate
 11 File 403, amending section 260C.14, subsection 6, and
 12 section 313.2, unnumbered paragraph 5, if enacted, are
 13 repealed.
 14 Sec. ___. EFFECTIVE DATE. The section of this Act
 15 repealing sections of 2007 Iowa Acts, Senate File 403,
 16 if enacted, being deemed of immediate importance,
 17 takes effect upon enactment.”
 18 3. Title page, line 1, by inserting after the
 19 word “Act” the following: “concerning financial and
 20 regulatory matters, including by”.
 21 4. Title page, line 2, by inserting after the
 22 word “penalty” the following: “, and providing an
 23 effective date”.
 24 5. By renumbering as necessary.

S-3361HOUSE AMENDMENT TO
SENATE FILE 212

1 Amend Senate File 212, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. Section 331.606A, Code 2007, is
6 amended by striking the section and inserting in lieu
7 thereof the following:
8 331.606A DOCUMENT CONTENT — PERSONALLY
9 IDENTIFIABLE INFORMATION.
10 1. DEFINITIONS.
11 a. "Personally identifiable information" means one
12 or more of the following specific unique identifiers
13 when combined with an individual's name:
14 (1) Social security number.
15 (2) Checking, savings, or share account number,
16 credit, debit, or charge card number.
17 b. "Preparer" means the person or entity who
18 creates, drafts, edits, revises, or last changes the
19 documents that are recorded with the recorder.
20 c. "Redact" or "redaction" means the process of
21 removing personally identifiable information from
22 documents.
23 2. INCLUSION OF PERSONALLY IDENTIFIABLE
24 INFORMATION. The preparer of a document shall not
25 include an individual's personally identifiable
26 information in a document that is prepared and
27 presented for recording in the office of the recorder.
28 This subsection shall not apply to documents that were
29 executed by an individual prior to July 1, 2007.
30 Unless provided otherwise by law, all documents
31 described by this section are subject to inspection
32 and copying by the public.
33 3. REDACTION ON A RECORDER'S INTERNET WEBSITE. If
34 a document that includes an individual's personally
35 identifiable information was recorded with the
36 recorder and is available on the recorder's internet
37 website, the individual may request that the recorder
38 redact such information from the website. The
39 recorder shall establish a procedure by which
40 individuals may request that such personally
41 identifiable information be redacted from the internet
42 record available on the recorder's internet website,
43 at no fee to the requesting individual. The recorder
44 shall comply with an individual's request to redact
45 personally identifiable information.
46 4. LIABILITY OF PREPARER. A preparer who, in
47 violation of subsection 2, enters personally

48 identifiable information in a document that is
 49 prepared and presented for recording is liable to the
 50 individual whose personally identifiable information

Page 2

1 appears in the recorded public document for actual
 2 damages of up to five hundred dollars for each act of
 3 recording.
 4 5. APPLICABILITY. This section shall not apply to
 5 a preparer of a state or federal tax lien, a military
 6 separation or discharge record, or a death certificate
 7 that is prepared for recording in the office of county
 8 recorder. If a military separation or discharge
 9 record or a death certificate is recorded in the
 10 office of the county recorder, the military separation
 11 or discharge record or the death certificate shall not
 12 be accessible through the internet.”
 13 2. Title page, by striking lines 1 and 2 and
 14 inserting the following: “An Act relating to county
 15 offices, by protecting certain identity information
 16 contained in documents recorded with the county
 17 recorder and by increasing salary limits for certain
 18 deputy officers and providing an applicability date.”
 19 3. By renumbering as necessary.

S-3362

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 368

1 Amend the Senate amendment, H-1429, to House File
 2 368, as passed by the House, as follows:
 3 1. Page 1, line 8, by inserting after the word
 4 “than” the following: “or equal to”.
 5 2. Page 1, line 9, by inserting after the word
 6 “than” the following: “or equal to”.

S-3363

HOUSE AMENDMENT TO SENATE FILE 554

1 Amend Senate File 554, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by inserting after line 29 the
 4 following:
 5 “___.” “Franchise fee” means the fee imposed under
 6 section 477A.7.”
 7 2. Page 2, line 1, by inserting after the word
 8 “jurisdiction.” the following: “Gross revenues are

9 limited to the following:

10 (1) Recurring charges for cable service or video
11 service.

12 (2) Event-based charges for cable service or video
13 service, including but not limited to pay-per-view and
14 video-on-demand charges.

15 (3) Rental of set-top boxes and other cable
16 service or video service equipment.

17 (4) Service charges related to the provision of
18 cable service or video service, including but not
19 limited to activation, installation, and repair
20 charges.

21 (5) Administrative charges related to the
22 provision of cable service or video service, including
23 but not limited to service order and service
24 termination charges.

25 (6) A pro rata portion of all revenue derived,
26 less refunds, rebates, or discounts, by a cable
27 service provider or a video service provider for
28 advertising over the cable service or video service
29 network to subscribers within the franchise area where
30 the numerator is the number of subscribers within the
31 franchise area, and the denominator is the total
32 number of subscribers reached by such advertising.
33 This subparagraph applies only to municipalities that
34 include this provision in their franchise agreements
35 as of January 1, 2007.”

36 3. Page 2, lines 17 and 18, by striking the words
37 “revenue received in connection with advertising.”

38 4. Page 3, by inserting after line 25 the
39 following:

40 “(14) Late payment charges.

41 (15) Maintenance charges.”

42 5. Page 3, line 28, by striking the word “July”
43 and inserting the following: “January”.

44 6. Page 3, by inserting after line 28 the
45 following:

46 “___.” “Institutional network” means the system of
47 dedicated fibers, coaxial cables, or wires constructed
48 and maintained by an incumbent cable provider which is
49 reserved and dedicated by the municipality for
50 noncommercial purposes.”

Page 2

1 7. Page 3, by striking lines 33 through 35 and
2 inserting the following: “greater than five percent.
3 However, if the incumbent cable provider is a”.

4 8. Page 5, line 27, by inserting after the word
5 “area” the following: “, and to the incumbent cable
6 provider.”.

7 9. Page 5, lines 31 and 32, by striking the words

8 “offers or intends to” and inserting the following:
9 “will”.

10 10. Page 5, line 33, by inserting after the word
11 “municipality” the following: “, and shall not
12 provide service without having provided such thirty
13 days’ notice”.

14 11. Page 6, by striking lines 6 through 18 and
15 inserting the following:

16 “6. If a competitive cable service provider or a
17 competitive video service provider applies for a
18 certificate of franchise authority to operate within a
19 municipality, the incumbent cable provider may, at its
20 discretion, apply for a certificate of franchise
21 authority for that same municipality. Such
22 application shall be automatically granted on the same
23 day as a competitive cable service provider or
24 competitive video service provider files a thirty
25 days’ notice of offering service as required pursuant
26 to subsection 4. The franchise agreement with the
27 municipality is terminated on the date the board
28 issues the certificate of franchise authority to an
29 incumbent cable provider. The terms and conditions of
30 the certificate of franchise authority shall be the
31 same as the terms and conditions of a competitive
32 cable service provider or a competitive video service
33 provider pursuant to this chapter and shall replace
34 the terms and conditions of the franchise agreement
35 previously granted by the municipality.”

36 12. Page 6, line 34, by inserting after the words
37 “laws and” the following: “nondiscriminatory”.

38 13. Page 8, by striking lines 3 through 11 and
39 inserting the following:

40 “4. A certificate of franchise authority issued by
41 the board is fully transferable to any successor of
42 the applicant to which the certificate was initially
43 issued. A notice of transfer shall be filed by the
44 holder of the certificate of franchise authority with
45 the board and the affected municipality and shall be
46 effective fourteen business days after submission.
47 The notice of transfer shall include the address of
48 the successor’s principal place of business and the
49 names of the successor’s principal executive officers.
50 The successor shall assume all regulatory rights and

Page 3

1 responsibilities of the holder of the certificate.
2 Neither the board nor an affected municipality shall
3 have authority to review or require approval of such
4 transfer.”

5 14. Page 10, line 15, by inserting after the word
6 “services.” the following: “At its election the

7 municipality may reasonably request any cable service
8 provider or video service provider to make any
9 necessary change to the form of any programming,
10 furnished for transmission, which shall be charged to
11 the municipality, not to exceed the provider's
12 incremental costs. The municipality shall have up to
13 twelve months to reimburse the cable service provider
14 or video service provider."

15 15. Page 11, by striking lines 20 through 26 and
16 inserting the following:

17 "b. All cable service providers and video service
18 providers shall pay a franchise fee at the same
19 percent of gross revenues as had been assessed on the
20 incumbent cable provider by the municipality as of
21 January 1, 2007, and such percentage shall continue to
22 apply for the period of the remaining term of the
23 existing franchise agreement with the municipality.
24 Upon expiration of the period of the remaining term of
25 the agreement with the incumbent cable service
26 provider, a municipality may request an increase in
27 the franchise fee up to five percent of gross
28 revenues."

29 16. Page 12, line 5, by striking the word "eight"
30 and inserting the following: "five".

31 17. Page 12, by striking lines 12 through 29.

32 18. Page 12, line 35, by inserting after the word
33 "municipality" the following: ", even if the
34 incumbent cable provider elects to convert to a
35 certificate of franchise authority pursuant to section
36 477A.2".

37 19. Page 13, by striking lines 3 through 14 and
38 inserting the following:

39 "4. a. If an incumbent cable provider is required
40 by a franchise agreement as of January 1, 2007, to
41 provide institutional network capacity to a
42 municipality for use by the municipality for
43 noncommercial purposes, the incumbent cable provider
44 and any subsequent holder of a certificate of
45 franchise authority shall provide support only for the
46 existing institutional network on a pro rata basis per
47 customer. Any financial support provided for an
48 institutional network shall be limited to ongoing
49 maintenance and support of the existing institutional
50 network. This subsection shall be applicable only to

Page 4

1 a cable service provider's or video service provider's
2 first certificate of franchise authority issued under
3 this chapter, and shall not apply to any subsequent
4 renewals. For the purposes of this subsection,
5 maintenance and support shall only include the

6 reasonable incremental cost of moves, changes, and
7 restoring connectivity of the fiber or coaxial cable
8 lines up to a demarcation point at the building.

9 b. For purposes of this subsection, the number of
10 customers of a cable service provider or video service
11 provider shall be determined based on the relative
12 number of subscribers in that municipality at the end
13 of the prior calendar year as reported to the
14 municipality by all incumbent cable providers and
15 holders of a certificate of franchise authority. Any
16 records showing the number of subscribers shall be
17 considered confidential records pursuant to section
18 22.7. The incumbent cable provider shall provide to
19 the municipality, on an annual basis, the maintenance
20 and support costs of the institutional network,
21 subject to an independent audit. A municipality
22 acting under this subsection shall notify and present
23 a bill to competitive cable service providers or
24 competitive video service providers for the amount of
25 such support on an annual basis, beginning one year
26 after issuance of the certificate of franchise
27 authority. The annual institutional network support
28 shall be due and paid by the providers to the
29 municipality in four quarterly payments, not later
30 than forty-five days after the close of each quarter.
31 The municipality shall reimburse the incumbent cable
32 provider for the amounts received from competitive
33 cable service providers or competitive video service
34 providers.

35 c. This subsection shall not apply if the
36 incumbent cable service provider is a municipal
37 utility providing telecommunications services under
38 section 388.10.”

39 20. Page 13, by inserting before line 15 the
40 following:
41 “5. A franchise fee may be assessed or imposed by
42 a municipality without regard to the municipality’s
43 cost of inspecting, supervising, or otherwise
44 regulating the franchise, and the fees collected may
45 be credited to the municipality’s general fund and
46 used for municipal general fund purposes.
47 6. To the extent that any amount of franchise fees
48 assessed by and paid to a municipality prior to the
49 effective date of this Act, pursuant to a franchise
50 agreement between a municipality and any person to

1 erect, maintain, and operate plants and systems for
2 cable television, exceeds the municipality’s
3 reasonable costs of inspecting, supervising, or
4 otherwise regulating the franchise, such amount is

5 deemed and declared to be authorized and legally
6 assessed by and paid to the municipality.”
7 21. Page 13, line 18, by inserting after the
8 figure “76.309” the following: “, and shall maintain
9 a local or toll-free telephone number for customer
10 service contact”.

11 22. Page 14, line 24, by striking the words “four
12 thousand” and inserting the following: “two thousand
13 five hundred”.

14 23. Page 15, by inserting after line 14 the
15 following:
16 “Sec. ____ . FRANCHISES FOR PROVISION OF CABLE
17 SERVICE OR VIDEO SERVICE — SEVERABILITY. If any
18 provision of this Act, or its application thereof to
19 any person or circumstance is held invalid, the
20 invalidity shall not affect other provisions or
21 applications of this Act which can be given effect
22 without the invalid provision or application, and to
23 this end the provisions of this Act are severable as
24 provided in section 4.12.”

25 24. By renumbering, relettering, or redesignating
26 and correcting internal references as necessary.

S-3364

1 Amend Senate File 588 as follows:

2 1. Page 15, by inserting after line 11 the
3 following:
4 “Sec. ____ . DEPARTMENT OF EDUCATION. There is
5 appropriated from the general fund of the state to the
6 department of education for the fiscal year beginning
7 July 1, 2007, and ending June 30, 2008, the following
8 amount, or so much thereof as is necessary, to be used
9 for the purposes designated:

10 For distribution to school districts for purposes
11 of implementing section 256.11, subsections 9, 9A, and
12 9B, if subsections 9A and 9B are enacted by this Act:
13 \$ 7,200,000
14 Funds appropriated pursuant to this section shall
15 be distributed as provided in section 284.13,
16 subsection 1, paragraph “h.”

17 2. By renumbering as necessary.

JEFF ANGELO
E. THURMAN GASKILL
JAMES A. SEYMOUR
LARRY NOBLE
PAUL McKINLEY
BRAD ZAUN
DAVID JOHNSON
PAT WARD
DAVID HARTSUCH

MARK ZIEMAN
 NANCY J. BOETTGER
 JAMES F. HAHN
 JOHN PUTNEY
 LARRY McKIBBEN
 RON WIECK
 STEVE KETTERING
 JERRY BEHN

S-3365

- 1 Amend Senate File 588 as follows:
 2 1. Page 11, line 25, by striking the words
 3 “eligible school districts” and inserting the
 4 following: “community empowerment area boards, not
 5 withstanding any provision to the contrary,”.

NANCY J. BOETTGER
 E. THURMAN GASKILL
 JAMES A. SEYMOUR
 LARRY NOBLE
 PAUL McKINLEY
 BRAD ZAUN
 DAVID JOHNSON
 PAT WARD
 DAVID HARTSUCH
 MARK ZIEMAN
 JEFF ANGELO
 JOHN PUTNEY
 LARRY McKIBBEN
 JAMES F. HAHN
 RON WIECK
 STEVE KETTERING
 JERRY BEHN

S-3366

- 1 Amend Senate File 588 as follows:
 2 1. Page 43, by inserting after line 30 the
 3 following:
 4 “Sec. ____ Section 422.11S, subsection 7,
 5 paragraph a, subparagraph (2), Code 2007, is amended
 6 to read as follows:
 7 (2) “Total approved tax credits” means for the tax
 8 year beginning in the 2006 calendar year, two million
 9 five hundred thousand dollars, ~~and for the tax years~~
 10 year beginning on or after January 1, in the 2007
 11 calendar year, five million dollars, and for tax years
 12 beginning on or after January 1, 2008, ten million
 13 dollars.”

MARK ZIEMAN
 E. THURMAN GASKILL

PAUL McKINLEY
BRAD ZAUN
DAVE MULDER
DAVID JOHNSON
PAT WARD
DAVID HARTSUCH
NANCY J. BOETTGER
JEFF ANGELO
JOHN PUTNEY
LARRY McKIBBEN
RON WIECK
STEVE KETTERING
JAMES F. HAHN
JERRY BEHN

S-3367

1 Amend Senate File 588 as follows:
2 1. Page 13, by inserting after line 23 the
3 following:
4 "The highest priority for issuing grant awards
5 using moneys appropriated under this subsection shall
6 be given to school districts with enrollments of at
7 least 1,350 students but not more than 1,450, which
8 are providing after school programming during the
9 2006-2007 school year that is funded by the federal
10 safe schools/healthy students initiative grant
11 program, in order that the school districts may
12 continue the after school program in the 2007-2008
13 school year."

MARK ZIEMAN

S-3368

1 Amend Senate File 588 as follows:
2 1. Page 33, by inserting after line 18 the
3 following:
4 "Sec. ____ Section 261.38, subsection 5, Code
5 2007, is amended by adding the following new
6 unnumbered paragraph:
7 NEW UNNUMBERED PARAGRAPH. The amount of private
8 and alternative loan funds that a student can borrow,
9 unless the student meets the eligibility requirements
10 for a federal Pell grant, shall be limited to the
11 actual cost of tuition, fees, room and board, and
12 books."
13 2. By renumbering as necessary.

MARK ZIEMAN
E. THURMAN GASKILL
JAMES A. SEYMOUR
LARRY NOBLE

PAUL McKINLEY
 DAVID JOHNSON
 DAVID HARTSUCH
 NANCY J. BOETTGER
 JEFF ANGELO
 JOHN PUTNEY
 LARRY McKIBBEN
 RON WIECK
 JAMES F. HAHN
 STEVE KETTERING
 JERRY BEHN

S-3369

1 Amend Senate File 588 as follows:
 2 1. Page 27, by inserting after line 8 the
 3 following:
 4 “Sec. ____ Section 257.17, Code 2007, is amended
 5 to read as follows:
 6 257.17 AID REDUCTION FOR EARLY SCHOOL STARTS.
 7 State aid payments made pursuant to section 257.16
 8 for a fiscal year shall be reduced by one
 9 one-hundred-eightieth for each day of that fiscal year
 10 for which the school district begins school before the
 11 earliest starting date specified in section 279.10,
 12 subsection 1. However, this section does not apply to
 13 a school district that has received approval for a
 14 pilot program for an innovative school year from ~~the~~
 15 ~~director of the department of education under section~~
 16 ~~279.10, subsection 4, to commence classes for~~
 17 ~~regularly established elementary and secondary schools~~
 18 ~~in advance of the starting date established in section~~
 19 ~~279.10, subsection 4 3.”~~
 20 2. Page 39, by inserting after line 11 the
 21 following:
 22 “Sec. ____ Section 279.10, subsection 1, Code
 23 2007, is amended to read as follows:
 24 1. The school year shall begin on the first day of
 25 July and each regularly established elementary and
 26 secondary school shall begin no sooner than ~~a day~~
 27 ~~during the calendar week in which the first day of~~
 28 ~~September falls~~ August 25 but no later than the first
 29 Monday in December unless the school district has
 30 received approval from the department of education for
 31 a pilot program in accordance with subsection 3.
 32 ~~However, if the first day of September falls on a~~
 33 ~~Sunday, school may begin on a day during the calendar~~
 34 ~~week which immediately precedes the first day of~~
 35 ~~September.~~ School shall continue for at least one
 36 hundred eighty days, except as provided in subsection
 37 3, and may be maintained during the entire calendar
 38 year. However, if the board of directors of a

39 district extends the school calendar because inclement
40 weather caused the district to temporarily close
41 school during the regular school calendar, the
42 district may excuse a graduating senior who has met
43 district or school requirements for graduation from
44 attendance during the extended school calendar. A
45 school corporation may begin employment of personnel
46 for in-service training and development purposes
47 before the date to begin elementary and secondary
48 school.
49 Sec. ____ Section 279.10, subsection 2, Code 2007,
50 is amended to read as follows:

Page 2

1 2. The board of directors shall hold a public
2 hearing on any ~~proposal~~ request made pursuant to
3 subsection 3 prior to submitting it to the department
4 of education for approval.

5 Sec. ____ Section 279.10, subsection 4, Code 2007,
6 is amended by striking the subsection.”

7 3. Page 45, by inserting after line 11 the
8 following:

9 “3. EFFECTIVE DATES. The section of this Act that
10 amends section 279.10, subsection 2, takes effect upon
11 enactment and the sections of the Act that amend
12 section 257.17 and section 279.10, subsections 1 and
13 4, take effect July 1, 2008, and are applicable for
14 school years beginning on or after that date.”

JOHN PUTNEY
JAMES F. HAHN
E. THURMAN GASKILL
PAUL McKINLEY
STEVE KETTERING
MARK ZIEMAN
DAVID HARTSUCH
HUBERT HOUSER
RON WIECK
MARY A. LUNDBY
JAMES A. SEYMOUR
DAVE MULDER
NANCY J. BOETTGER
DAVID JOHNSON
DICK L. DEARDEN
LARRY McKIBBEN
JERRY BEHN
JACK HATCH

S-3370

1 Amend Senate File 588 as follows:

2 1. Page 14, by inserting after line 16 the

3 following:

4 “___ COMMUNITY COLLEGE SALARIES

5 For distribution to each community college

6 established under chapter 260C to supplement faculty

7 salaries:

8 \$ 5,600,000

9 a. Funds appropriated in this subsection shall be

10 distributed to each community college based on the

11 proportional share of the community college’s total

12 salary expenditures in the instructional and

13 instructional part-time categories in the education

14 functions of liberal arts and sciences and vocational

15 technical programs bears to the total salary

16 expenditures for all community colleges in the

17 education functions of liberal arts and sciences and

18 vocational technical programs as reported in the

19 2005–2006 fiscal year unrestricted general fund report

20 AS-15E fund 1 report of the department of education.

21 b. Money distributed to each community college

22 under this subsection shall be included in that

23 community college’s general state financial aid for

24 future general state financial aid allocations by

25 adding the moneys into that community college’s

26 received general state financial aid for determining

27 future general state financial aid distribution among

28 community colleges under section 260C.18C, subsection

29 3. Moneys received by a community college under this

30 subsection shall be deemed to be part of that

31 community college’s general state financial aid base

32 for fiscal years beginning July 1, 2008, and for each

33 succeeding fiscal year.

34 c. Moneys allocated and distributed to a community

35 college pursuant to this subsection shall be used to

36 supplement and not supplant approved faculty salary

37 increases for the fiscal year of the appropriation.

38 d. Moneys distributed to a community college

39 pursuant to this subsection shall be allocated

40 separately from those personnel in the instructional

41 and instructional part-time categories as defined by

42 the Iowa community college accounting manual issued by

43 the department of education. The moneys shall be

44 allocated between the instructional and instructional

45 part-time categories for a community college based on

46 the proportional share that the salaries of that

47 instructional category bear to the total salaries for

48 those categories at the community college. The

49 portion of a community college’s allocation that is

50 based on the salaries of personnel in the

Page 2

1 instructional category shall be distributed to
2 personnel in that category in a manner which provides
3 that all such personnel receive the same percentage
4 increase in salary per instructional unit. The
5 portion of a community college's allocation that is
6 based on the salaries of personnel in the
7 instructional part-time category shall be distributed
8 to personnel in that category in a manner which
9 provides that all such personnel receive the same
10 percentage increase per instructional compensation
11 unit at that community college.”

LARRY McKIBBEN

S-3371

1 Amend Senate File 588 as follows:
2 1. Page 38, by inserting after line 32 the
3 following:
4 “Sec. ____ Section 262.13, Code 2007, is amended
5 to read as follows:
6 262.13 SECURITY OFFICERS AT INSTITUTIONS AS PEACE
7 OFFICERS.
8 a. The board may authorize any institution under
9 its control to commission one or more of its employees
10 as special security officers. Special security
11 officers shall have the powers, privileges, and
12 immunities of regular peace officers when acting in
13 the interests of the institution by which they are
14 employed. The board shall provide as rapidly as
15 practicable for the adequate training of such special
16 security officers at the Iowa law enforcement academy
17 or in an equivalent training program, unless they have
18 already received such training.
19 b. The board shall require institutions of higher
20 learning under its control to provide that individuals
21 employed as security officers by the institutions
22 carry a firearm while performing security duties. An
23 individual who is employed as a security officer at an
24 institution shall meet all of the following
25 requirements:
26 (1) File with the sheriff of the county in which
27 the institution is located evidence that the
28 individual has successfully completed an approved
29 firearms training program under section 724.9.
30 (2) Possess a permit to carry weapons issued by
31 the sheriff of the county in which the institution is
32 located under sections 724.6 through 724.11.
33 (3) File with the sheriff of the county in which
34 the institution is located a sworn affidavit from the

35 employer outlining the nature of the duties to be
36 performed and justification of the need to go armed.”
37 2. By renumbering as necessary.

PAT WARD

S-3372

1 Amend the amendment, S-3283, to House File 783, as
2 passed by the House, as follows:

3 1. Page 1, by inserting before line 3 the
4 following:

5 “___ . Page 1, by striking lines 1 through 12 and
6 inserting the following:

7 “Section 1. Section 384.84, subsection 2,
8 paragraph d, Code 2007, is amended to read as
9 follows:”

10 ___ . Page 2, by striking lines 18 through 26.

11 ___ . Page 2, by striking lines 34 and 35 and
12 inserting the following: “certify a lien is given to
13 the account holder of the delinquent account at
14 least”.

15 ___ . Page 3, by striking lines 19 through 24 and
16 inserting the following: “written notice shall
17 contain the name of the tenant responsible for
18 charges, address of the residential rental property
19 that the tenant is to occupy, and the date that the
20 occupancy begins. A change in tenant shall require a
21 new written notice to be given to the city utility or
22 enterprise within ten business days of the change in
23 tenant. When the”.

24 2. Page 1, line 22, by inserting after the words
25 “contain the” the following: “name of the tenant
26 responsible for charges.”

27 3. Page 1, line 23, by striking the word “occupy”
28 and inserting the following: “occupy.”

29 4. Page 1, line 24, by inserting after the word
30 “begins.” the following: “A change in tenant shall
31 require a new written notice to be given to the city
32 utility or enterprise within ten business days of the
33 change in tenant.”

34 5. Page 1, by inserting after line 38 the
35 following:

36 “___ . Title page, line 2, by striking the words
37 “notice and”.

38 ___ . Title page, line 4, by striking the words
39 “water service and other” and inserting the following:
40 “certain”.

41 6. By renumbering, redesignating, and correcting
42 internal references as necessary.

ROBERT E. DVORSKY
JOE BOLKCOM

S-3373

1 Amend House File 877, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 3, line 18, by inserting after the word
4 "program." the following: "A private preschool that
5 is approved to participate in the preschool program
6 shall be authorized to teach the doctrinal values of
7 the private preschool as part of the hours of
8 instruction per week addressed by this lettered
9 paragraph."

BRAD ZAUN
DAVE MULDER
JERRY BEHN
PAUL McKINLEY
LARRY NOBLE
DAVID JOHNSON
PAT WARD
DAVID HARTSUCH
MARK ZIEMAN
NANCY J. BOETTGER
JEFF ANGELO
JOHN PUTNEY
LARRY McKIBBEN
MARY A. LUNDBY
RON WIECK
STEVE KETTERING
HUBERT HOUSER
JAMES F. HAHN

S-3374

1 Amend House File 877, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 9, by inserting after line 16 the
4 following:
5 "Sec. ____ SCHOOL READY CHILDREN GRANTS ACCOUNT.
6 There is appropriated from the general fund of the
7 state to the department of education for the fiscal
8 year beginning July 1, 2007, and ending June 30, 2008,
9 the following amount, or so much thereof as is
10 necessary, to be used for the purposes designated:

11 For deposit in the school ready children grants
12 account of the Iowa empowerment fund created in
13 section 28.9 to be used for additional school ready
14 children grants to community empowerment areas:
15 \$ 15,000,000"
16 2. By renumbering as necessary.

JEFF ANGELO
E. THURMAN GASKILL

PAUL McKINLEY
 BRAD ZAUN
 DAVID JOHNSON
 PAT WARD
 DAVID HARTSUCH
 MARK ZIEMAN
 NANCY J. BOETTGER
 JOHN PUTNEY
 LARRY McKIBBEN
 RON WIECK

S-3375

1 Amend House File 877, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 5, line 24, by inserting after the word
 4 "payments." the following: "The community empowerment
 5 area board for the area encompassing a school district
 6 approved to participate in the preschool program may
 7 apply to the department to serve in lieu of the school
 8 district as the fiscal agent for the approved local
 9 program. If approved by the department the community
 10 empowerment area board shall work with the department
 11 to administer the funding for the approved local
 12 program. The school district and the community
 13 empowerment board shall contract for the
 14 implementation of the approved local program by the
 15 school district."

JEFF ANGELO
 JERRY BEHN
 E. THURMAN GASKILL
 JAMES A. SEYMOUR
 LARRY NOBLE
 PAUL McKINLEY
 BRAD ZAUN
 DAVID JOHNSON
 PAT WARD
 DAVID HARTSUCH
 MARK ZIEMAN
 NANCY J. BOETTGER
 JOHN PUTNEY
 LARRY McKIBBEN
 RON WIECK
 STEVE KETTERING
 HUBERT HOUSER
 JAMES F. HAHN

S-3376

- 1 Amend House File 877, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 9, line 3, by inserting after the word
 4 “existing” the following: “public and nonpublic”.

DAVID JOHNSON
 JERRY BEHN
 E. THURMAN GASKILL
 JAMES A. SEYMOUR
 PAUL McKINLEY
 BRAD ZAUN
 DAVE MULDER
 PAT WARD
 DAVID HARTSUCH
 MARK ZIEMAN
 NANCY J. BOETTGER
 JEFF ANGELO
 JOHN PUTNEY
 LARRY McKIBBEN
 MARY A. LUNDBY
 RON WIECK
 STEVE KETTERING
 HUBERT HOUSER
 JAMES F. HAHN

S-3377

- 1 Amend House File 877, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 10, by inserting after line 7 the
 4 following:
 5 “DIVISION ____
 6 EARLY CHILDHOOD DEVELOPMENT TAX CREDIT
 7 Sec. ____ NEW SECTION. 422.12A EARLY CHILDHOOD
 8 DEVELOPMENT TAX CREDIT.
 9 1. The taxes imposed under this division, less the
 10 amounts of nonrefundable credits allowed under this
 11 division, may be reduced by an early childhood
 12 development tax credit equal to fifty percent of the
 13 first one thousand dollars which the taxpayer has paid
 14 to others for each dependent, as defined in the
 15 Internal Revenue Code, ages three through five for
 16 early childhood development expenses. If the early
 17 childhood development tax credit is claimed for a tax
 18 year, the taxpayer and the taxpayer’s spouse shall not
 19 claim the child and dependent care credit under
 20 section 422.12C for that same dependent. As used in
 21 this subsection, “early childhood development
 22 expenses” means services provided to the dependent by
 23 a preschool, as defined in section 237A.1, materials,
 24 and other activities as follows:
 25 a. Books that improve child development, including

26 textbooks, music books, art books, teacher's editions,
27 and reading books.

28 b. Instructional materials required to be used in
29 a lesson activity, including but not limited to paper,
30 notebooks, pencils, and art supplies.

31 c. Lesson plans and curricula.

32 d. Child development and educational activities
33 outside the home, including drama, art, music, and
34 museum activities, and the entrance fees for such
35 activities.

36 "Early childhood development expenses" does not
37 include food, lodging, or membership fees relating to
38 child development and educational activities outside
39 the home; or services, materials, or activities for
40 the teaching of religious tenets, doctrines, or
41 worship, the purpose of which is to inculcate those
42 tenets, doctrines, or worship.

43 2. Any credit in excess of the tax liability shall
44 be refunded. In lieu of claiming a refund, a taxpayer
45 may elect to have the overpayment shown on the
46 taxpayer's final, completed return credited to the tax
47 liability for the following taxable year.

48 3. Married taxpayers who have filed joint federal
49 returns electing to file separate returns or to file
50 separately on a combined return form must determine

Page 2

1 the early childhood development tax credit under
2 subsection 1 based upon their combined net income and
3 allocate the total credit amount to each spouse in the
4 proportion that each spouse's respective net income
5 bears to the total combined net income.

6 Sec. ____ Section 422.12C, subsection 2, Code
7 2007, is amended by striking the subsection.

8 Sec. ____ Section 422.12C, subsection 4, Code
9 2007, is amended to read as follows:

10 4. Married taxpayers who have filed joint federal
11 returns electing to file separate returns or to file
12 separately on a combined return form must determine
13 the child and dependent care credit under subsection 1
14 ~~or the early childhood development tax credit under~~
15 ~~subsection 2~~ based upon their combined net income and
16 allocate the total credit amount to each spouse in the
17 proportion that each spouse's respective net income
18 bears to the total combined net income. Nonresidents
19 or part-year residents of Iowa must determine their
20 Iowa child and dependent care credit in the ratio of
21 their Iowa source net income to their all source net
22 income. Nonresidents or part-year residents who are
23 married and elect to file separate returns or to file
24 separately on a combined return form must allocate the

25 Iowa child and dependent care credit between the
 26 spouses in the ratio of each spouse's Iowa source net
 27 income to the combined Iowa source net income of the
 28 taxpayers.

29 Sec. ____ RETROACTIVE APPLICABILITY DATE. This
 30 division of this Act applies retroactively to January
 31 1, 2007, for tax years beginning on or after that
 32 date.

33 DIVISION ____
 34 EMERGENCY RULES"

35 2. Title page, line 2, by inserting after the
 36 word "children" the following: ", amending the early
 37 childhood development tax credit, including a
 38 retroactive applicability date provision,".

BRAD ZAUN
 JERRY BEHN
 PAUL MCKINLEY
 DAVE MULDER
 DAVID JOHNSON
 PAT WARD
 MARK ZIEMAN
 DAVID HARTSUCH
 NANCY J. BOETTGER

S-3378

1 Amend House File 877, as amended, passed, and
 2 reprinted by the House, as follows:

3 1. Page 2, by striking lines 14 through 17 and
 4 inserting the following:

5 "(3) The individual has the character, knowledge,
 6 and demonstrated experience to nurture and teach young
 7 children in a manner for the children to be brought to
 8 an appropriate level of school readiness as determined
 9 by the department in accordance with rules adopted by
 10 the state board of education for this purpose."

11 2. By renumbering as necessary.

PAUL MCKINLEY

S-3379

1 Amend House File 877, as amended, passed, and
 2 reprinted by the House, as follows:

3 1. Page 4, by inserting after line 35 the
 4 following:

5 "d. The department shall conduct a longitudinal
 6 study of the children who participate in the preschool
 7 program to determine the effectiveness of the program
 8 in improving student learning in reading and

9 mathematics. The department shall report the results
 10 of the study to the governor and general assembly on
 11 or before December 15, 2013.”
 12 2. By renumbering as necessary.

PAUL MCKINLEY

S-3380

1 Amend Senate File 568 as follows:
 2 1. Page 1, by striking lines 9 and 10 and
 3 inserting the following: “general sales taxes, sixty
 4 percent of the total amount from the operation of
 5 bingo games as defined in chapter”.

BECKY SCHMITZ
 MICHAEL CONNOLLY

S-3381

1 Amend Senate File 590 as follows:
 2 1. Page 1, line 5, by striking the word “seven”
 3 and inserting the following: “fifteen”.

LARRY MCKIBBEN
 MARY A. LUNDBY
 JEFF ANGELO
 DAVID JOHNSON
 JOHN PUTNEY
 HUBERT HOUSER
 JERRY BEHN
 NANCY J. BOETTGER
 E. THURMAN GASKILL
 STEVE KETTERING
 PAUL MCKINLEY
 MARK ZIEMAN
 DAVID HARTSUCH
 JAMES F. HAHN
 JAMES A. SEYMOUR
 RON WIECK
 DAVE MULDER
 BRAD ZAUN
 LARRY NOBLE
 PAT WARD

S-3382

HOUSE AMENDMENT TO
 SENATE FILE 254

1 Amend Senate File 254, as passed by the Senate, as
 2 follows:
 3 1. Page 2, by striking lines 27 through 29 and

4 inserting the following: “participant parent to
5 address the birth of a child or the placement of a
6 child with the participant parent for adoption or
7 foster care. If such a leave is requested by the
8 parent the combined duration of the”.

S-3383

1 Amend Senate File 549 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 “Section 1. Section 602.8107, subsection 4,
5 unnumbered paragraph 1, Code 2007, is amended to read
6 as follows:

7 All fines, penalties, court costs, fees,
8 surcharges, and restitution for court-appointed
9 attorney fees or for expenses of a public defender
10 which are deemed delinquent by the clerk pursuant to
11 subsection 3 may be collected by the county attorney
12 or the county attorney’s designee. Thirty-five
13 percent of the amounts collected by the county
14 attorney or the person procured or designated by the
15 county attorney shall be deposited in the general fund
16 of the county if the county attorney has filed the
17 notice required in section 331.756, subsection 5,
18 unless the county attorney has discontinued collection
19 efforts on a particular delinquent amount. Up to one
20 million two hundred thousand dollars of the remainder
21 shall be paid each fiscal year to the clerks for
22 distribution under section 602.8108. If the threshold
23 amount of one million two hundred thousand dollars has
24 been distributed under section 602.8108, the remainder
25 shall be distributed as provided in subsection 5. ~~The~~
26 ~~state court administrator shall notify the clerks that~~
27 ~~the threshold amount has been distributed under~~
28 ~~section 602.8108, and that the distribution of any~~
29 ~~additional moneys collected by the county attorney~~
30 ~~shall be as provided in subsection 5.~~

31 Sec. 2. Section 602.8107, subsection 5, Code 2007,
32 is amended by striking the subsection and inserting in
33 lieu thereof the following:

34 5. Any additional moneys collected in excess of
35 the threshold amount under subsection 4 shall be
36 distributed by the state court administrator as
37 follows: thirty-five percent of any additional moneys
38 collected by the county attorney or the person
39 procured or designated by the county attorney shall be
40 deposited in the general fund of the county where the
41 moneys were collected; thirty-three percent of any
42 additional moneys collected by the county attorney or
43 the person procured or designated by the county
44 attorney shall be deposited with the office of the

45 county attorney that collected the moneys; and the
46 remainder shall be paid to the clerk of the district
47 court for distribution under section 602.8108 or the
48 state court administrator may distribute the remainder
49 under section 602.8108 if the additional moneys have
50 already been received by the state court

Page 2

1 administrator.
2 Sec. 3. Section 602.8109, subsection 2, unnumbered
3 paragraph 1, Code 2007, is amended to read as follows:
4 ~~No later than the fifteenth day of each calendar~~
5 ~~month the~~ The clerk of the district court shall
6 deliver a statement to the county auditor ~~a statement~~
7 ~~no later than the fifteenth day of each month~~
8 disclosing all of the following:
9 Sec. 4. Section 602.8109, subsections 5 and 6,
10 Code 2007, are amended by striking the subsections and
11 inserting in lieu thereof the following:
12 5. The clerk of the district court shall deliver a
13 statement to the city clerk no later than the
14 fifteenth day of each month disclosing all of the
15 following:
16 a. The specific amounts of statutory fees and
17 costs that are payable by the city to the clerk of the
18 district court for services rendered by the clerk or
19 other state officers or employees during the preceding
20 month in connection with each civil or criminal
21 action, and the total of all such fees and costs.
22 b. Any amounts collected by the clerk of the
23 district court during the preceding month as costs in
24 an action when such amounts are payable by law to the
25 city as reimbursement for costs incurred by the city
26 in connection with a civil or criminal action, and the
27 total of all such amounts.
28 6. If the amount owed by the city under subsection
29 5, paragraph "a", for a calendar month is greater than
30 the amount due to the city under subsection 5,
31 paragraph "b", for that month, the city shall remit
32 the difference to the clerk of the district court no
33 later than the last of the month in which the
34 statement under subsection 5 is received.
35 Sec. 5. Section 602.8109, subsection 7, Code 2007,
36 is amended to read as follows:
37 7. If the amount due the city under subsection 5,
38 paragraph "b", for a calendar month is greater than
39 the amount owed by the city under subsection 5,
40 paragraph "a", for that month, the clerk of the
41 district court shall remit the difference to the city
42 clerk no later than the last day of the month in which
43 the statement under subsection 5 is delivered.

44 8. Amounts not paid as required under subsection
 45 3, 4, ~~5,~~ or 6, or 7 shall bear interest for each day
 46 of delinquency at the rate in effect as of the day of
 47 delinquency for time deposits of public funds for
 48 eighty-nine days, as established under section 12C.6.
 49 Sec. 6. Section 633.669, subsection 1, paragraph
 50 b, Code 2007, is amended to read as follows:

Page 3

1 b. An annual report within ninety days of the
 2 close of the reporting period unless the court
 3 otherwise orders on good cause shown.
 4 Sec. 7. Section 633.670, subsection 1, paragraph
 5 b, subparagraph (1), Code 2007, is amended to read as
 6 follows:
 7 (1) Annually, within ninety days of the close of
 8 the reporting period, unless the court otherwise
 9 orders on good cause shown.
 10 Sec. 8. Section 633.700, unnumbered paragraph 1,
 11 Code 2007, is amended to read as follows:
 12 Unless specifically relieved from so doing, by the
 13 instrument creating the trust, or by order of the
 14 court, the trustee shall make a written report, under
 15 oath, to the court, once each year within ninety days
 16 of the close of the reporting period, and more often,
 17 if required by the court. Such report shall state:
 18 Sec. 9. Section 633.32, Code 2007, is repealed.
 19 Sec. 10. EFFECTIVE DATE. The sections of this Act
 20 amending sections 633.669, 633.670, and 633.700, and
 21 repealing section 633.32, take effect September 30,
 22 2007.”
 23 2. Title page, by striking lines 1 through 4 and
 24 inserting the following: “An Act relating to judicial
 25 branch practices and procedures, including
 26 distribution of court revenue to cities and counties,
 27 and reporting requirements in pending
 28 conservatorships, guardianships, estates, or trusts,
 29 and providing an effective date.”

ROBERT M. HOGG

S-3384

HOUSE AMENDMENT TO
 SENATE FILE 546

1 Amend Senate File 546, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, line 7, by striking the word “medical”
 4 and inserting the following: “hospital”.
 5 2. Page 2, by striking lines 9 through 13 and

- 6 inserting the following: “for the patient’s injuries.
 7 If the health plan denies payment for any other
 8 reason, the health plan shall nonetheless provide the
 9 hospital and the”.
- 10 3. Page 2, line 15, by striking the word
 11 “medical” and inserting the following: “hospital”.
- 12 4. Page 2, line 17, by striking the words “plan
 13 provider’s” and inserting the following: “plans”.

S-3385

HOUSE AMENDMENT TO
 SENATE FILE 469

- 1 Amend Senate File 469, as passed by the Senate, as
 2 follows:
- 3 1. Page 1, line 3, by striking the words “new
 4 class A”.
- 5 2. Page 1, line 5, by striking the figure
 6 “322E.1” and inserting the following: “322E.2”.
- 7 3. Page 1, by inserting after line 6 the
 8 following:
 9 “Sec. ____ NEW SECTION. 322E.1 DEFINITIONS.
 10 As used in this chapter, unless the context
 11 otherwise requires:
- 12 1. “Department” means the state department of
 13 transportation.
- 14 2. “Class A motor home”, “class B motor home”, and
 15 “class C motor home” mean the same as defined in
 16 section 321.124.
- 17 3. “Manufacturer” means a motor home manufacturer
 18 licensed under chapter 322.
- 19 4. “Nonresident” means a person who is not a
 20 resident of this state.”
- 21 4. Page 1, line 7, by striking the figure
 22 “322E.1” and inserting the following: “322E.2”.
- 23 5. Page 1, line 8, by striking the words “CLASS
 24 A”.
- 25 6. Page 1, line 10, by striking the words
 26 “licensed under chapter 322”.
- 27 7. Page 1, line 15, by inserting after the word
 28 “sponsored” the following: “and conducted”.
- 29 8. Page 1, line 21, by striking the word “five”
 30 and inserting the following: “seven”.
- 31 9. Page 1, line 28, by inserting after the word
 32 “manufacturer” the following: “sponsoring and”.
- 33 10. Page 1, line 30, by inserting after the word
 34 “to” the following: “nonresident”.
- 35 11. Page 1, by inserting after line 31 the
 36 following:
 37 “2. Notwithstanding chapter 322, a manufacturer of
 38 class A motor homes that sponsors and conducts a rally
 39 as provided in subsection 1 may accept trade-ins of

40 used motor homes manufactured by the manufacturer from
41 attendees of the rally who meet the requirements of
42 subsection 1, paragraphs “f” and “g” who purchase from
43 the manufacturer a new class A motor home manufactured
44 by the manufacturer. A manufacturer may sell or trade
45 such a used motor home acquired from a purchaser in
46 trade at the rally, provided that the manufacturer has
47 in its possession at the rally the certificate of
48 title to the motor home, assigned to the manufacturer.
49 A manufacturer shall not sell or trade, at a rally, a
50 used motor home acquired from a purchaser in trade at

Page 2

1 the rally to any person other than a nonresident
2 attendee who meets all of the requirements of
3 subsection 1, paragraphs “f” and “g”.
4 3. A manufacturer of class A motor homes shall
5 provide notice to the department not less than ninety
6 days prior to the beginning date of a rally to be
7 sponsored and conducted by the manufacturer. The
8 notice shall be in a form and contain such information
9 as may be required by the department.”

10 12. Page 1, line 32, by striking the figure “2.”
11 and inserting the following: “4.”

12 13. Page 1, line 33, by striking the words “class
13 A”.

14 14. Page 1, line 35, by striking the words and
15 figure “3. A class A” and inserting the following:
16 “5. A”.

17 15. Page 2, by inserting after line 4 the
18 following:

19 “6. Notwithstanding chapter 322, a manufacturer of
20 class A motor homes that sponsors and conducts a rally
21 as provided in subsection 1 may display but not sell
22 at the rally new class B and class C motor homes
23 manufactured by the manufacturer.

24 Sec. ____ NEW SECTION. 322E.3 FUTURE REPEAL.

25 This chapter is repealed June 30, 2012.

26 Sec. ____ The sections of 2007 Iowa Acts, Senate
27 File 403, amending section 260C.14, subsection 6, and
28 section 313.2, unnumbered paragraph 5, if enacted, are
29 repealed.

30 Sec. ____ TEMPORARY APPLICABILITY — CLAY COUNTY
31 PILOT PROJECT.

32 1. For the period beginning July 1, 2007, and
33 ending June 30, 2012, this Act applies only to motor
34 home manufacturer’s club rallies held on the grounds
35 of the county fair in Clay county, provided that not
36 more than one such rally shall be held in Clay county
37 annually during the five-year pilot project. The Clay
38 county fair board shall report to the senate and house

39 standing committees on transportation on or before
 40 December 31 annually during the five-year period
 41 regarding any rally held at the fairgrounds during the
 42 year or any other information relevant to the pilot
 43 project.

44 2. The Clay county fair board shall inform the
 45 department of transportation of any suspected
 46 violation of the sales provisions of this Act brought
 47 to the attention of the board. Upon receiving
 48 information regarding a transaction constituting a
 49 possible violation of this Act, the department shall
 50 investigate the claim to determine whether evidence

Page 3

1 exists proving that a violation occurred. If the
 2 department determines from the investigation that a
 3 violation occurred, the department shall report the
 4 substantiated violation to the Clay county fair board
 5 and shall send a copy of the report to the senate and
 6 house standing committees on transportation. Upon
 7 receiving a report from the department of a
 8 substantiated violation of this Act, the Clay county
 9 fair board shall not permit any future rally to be
 10 conducted on the fairgrounds by a motor home
 11 manufacturer.

12 Sec. ____ EFFECTIVE DATE. The section of this Act
 13 repealing sections of 2007 Iowa Acts, Senate File 403,
 14 if enacted, being deemed of immediate importance,
 15 takes effect upon enactment.”

16 16. Title page, line 1, by inserting after the
 17 word “Act” the following: “concerning financial and
 18 regulatory matters, including by”.

19 17. Title page, line 2, by inserting after the
 20 word “sponsored” the following: “and conducted”.

21 18. Title page, line 2, by inserting after the
 22 word “manufacturer” the following: “and providing for
 23 applicability to a pilot project”.

24 19. Title page, line 2, by inserting after the
 25 word “manufacturer” the following: “, and providing
 26 an effective date”.

27 20. By renumbering as necessary.

S-3386

HOUSE AMENDMENT TO SENATE FILE 430

1 Amend Senate File 430, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting before line 1 the
 4 following:

5 “Section 1. Section 624.24, Code 2007, is amended

6 to read as follows:

7 624.24 WHEN JUDGMENT LIEN ATTACHES.

8 When the real estate lies in the county wherein the
9 judgment of the district court of this state or of the
10 circuit or district courts of the United States was
11 entered in the judgment docket and lien index kept by
12 the clerk of the court having jurisdiction, the lien
13 shall attach from the date of such entry of judgment,
14 but if in another it will not attach until an attested
15 copy of the judgment is filed in the office of the
16 clerk of the district court of the county in which the
17 real estate lies except for foreign judgments pursuant
18 to chapters 626A and 626B and tribal judgments as
19 defined in section 626D.2, which shall not attach
20 until an appeal is concluded, the time for the appeal
21 has expired, or the stay of execution has expired or
22 was vacated pursuant to section 626A.4, 626B.3,
23 626B.5, or 626D.7. In such cases, the lien shall
24 attach on the date the clerk of court files an
25 attested copy of the judgment in the office of the
26 clerk of the district court of the county in which the
27 real estate lies in any of the following
28 circumstances:

29 1. The foreign or tribal judgment has not been
30 appealed and the time for filing an appeal has
31 expired.

32 2. The foreign or tribal judgment has been
33 appealed and the judgment has been affirmed on appeal
34 and is not subject to further appeal.

35 3. An appeal from a foreign or tribal judgment has
36 been filed and a stay from such judgment has not been
37 granted by the district court to the appealing party.

38 Sec. ____ Section 626A.3, Code 2007, is amended by
39 adding the following new subsection:

40 NEW SUBSECTION. 4. The filing of a foreign
41 judgment under this chapter shall not create a lien
42 upon any real estate until after the expiration of the
43 time provided for in this chapter for challenging the
44 conclusiveness of the foreign judgment and pursuant to
45 section 624.24.

46 Sec. ____ Section 626B.6, Code 2007, is amended to
47 read as follows:

48 626B.6 OTHER FOREIGN JUDGMENTS.

49 1. This chapter does not prevent the recognition
50 of a foreign judgment by a court of this state in a

Page 2

1 situation not specifically covered in this chapter.

2 2. The filing of a foreign judgment shall not
3 create a lien upon any real estate until all
4 challenges, if any, to the conclusiveness of the

5 foreign judgment are concluded pursuant to section
6 626B.3. Upon final determination of the
7 conclusiveness of the foreign judgment, such judgment
8 shall constitute a lien on real estate pursuant to
9 section 624.24.”

10 2. Page 1, by striking lines 2 and 3 and

11 inserting the following:

12 “This chapter shall be cited as the “Recognition
13 and Enforcement of Tribal Court Civil Judgments Act”.”

14 3. Page 1, line 14, by inserting after the word
15 “chapter.” the following: “For purposes of this
16 subsection, a “tribal court of record” is considered a
17 court of record if the court maintains a permanent
18 record of the tribal court’s proceedings, maintains
19 either a transcript or electronic record of the tribal
20 court’s proceedings, and provides that a final
21 judgment of a tribal court is reviewable on appeal.”

22 4. Page 1, by inserting after line 30 the
23 following:

24 “3. The filing of a tribal judgment shall not
25 create a lien upon any real estate until such time as
26 all challenges, if any, to the recognition and
27 enforcement of the tribal judgment are concluded
28 pursuant to sections 626D.4 and 626D.5. Upon a final
29 and conclusive determination of enforceability of the
30 tribal judgment, the judgment shall constitute a lien
31 upon real estate pursuant to section 624.24.”

32 5. Page 2, by striking line 3 and inserting the
33 following:

34 “Sec. 5. NEW SECTION. 626D.5 RECOGNITION AND
35 ENFORCEMENT OF”.

36 6. Page 2, line 6, by striking the words “granted
37 full faith and credit” and inserting the following:
38 “recognized and enforced”.

39 7. Page 2, by striking lines 13 and 14 and
40 inserting the following:

41 “3. A tribal judgment shall not be recognized and
42 enforced if the objecting party demonstrates by a
43 preponderance”.

44 8. Page 2, by striking lines 18 through 22 and
45 inserting the following:

46 “b. A party was not afforded due process.

47 4. The court may recognize and enforce or decline
48 to recognize and enforce a tribal judgment on
49 equitable grounds for any of the following reasons:”

50 9. Page 2, by striking lines 26 through 33 and

Page 3

1 inserting the following:

2 “c. The tribal judgment is inconsistent with the
3 parties’ contractual choice of forum provided the

4 contractual choice of forum issue was timely raised in
5 the tribal court.

6 d. The tribal court does not recognize and enforce
7 judgments of the courts of this state under standards
8 similar to those provided in this chapter.”

9 10. Page 3, line 2, by inserting after the word
10 “STAY” the following: “— BOND REQUIREMENT ON
11 APPEAL”.

12 11. Page 3, line 3, by inserting before the word
13 “If” the following: “1.”

14 12. Page 3, by inserting after line 8 the
15 following:

16 “2. If a party appeals a district court’s ruling
17 on the recognition and enforcement of a tribal
18 judgment, the court, upon application of the opposing
19 party, shall require the same security for
20 satisfaction of the judgment which is required in this
21 state.”

22 13. Page 3, by striking lines 15 and 16 and
23 inserting the following:

24 “This chapter shall govern the procedures for the
25 recognition and enforcement by the courts of this
26 state of a civil”.

27 14. Page 3, by striking line 20 and inserting the
28 following: “Act. The date that a cause of action
29 accrues shall be determined under the appropriate laws
30 of this state. This chapter does not impair the right
31 of a”.

S-3387

HOUSE AMENDMENT TO SENATE FILE 49

1 Amend Senate File 49, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting before line 1, the
4 following:

5 “Section 1. Section 462A.2, subsection 22, Code
6 2007, is amended to read as follows:

7 22. “Operate” means to navigate or otherwise use a
8 vessel or motorboat. For the purposes of section
9 462A.12, subsection 2, and sections 462A.14, 462A.14A,
10 462A.14B, 462A.14C, 462A.14D, and 462A.14E, “operate”
11 when used in reference to a motorboat or sailboat,
12 means the motorboat or sailboat is powered by an
13 outboard motor of ten horsepower or more, is under
14 way, and is planing.”

15 2. Title page, line 1, by striking the words
16 “providing for a .08 blood alcohol limit for” and
17 inserting the following: “relating to”.

18 3. By renumbering as necessary.

S-3388HOUSE AMENDMENT TO
SENATE FILE 485

- 1 Amend Senate File 485, as passed by the Senate, as
2 follows:
- 3 1. Page 1, line 24, by striking the word
4 “evaluating”.
- 5 2. Page 1, lines 25 and 26, by striking the words
6 “director or the commission” and inserting the
7 following: “applicant”.
- 8 3. Page 1, line 26, by striking the words “in
9 addition to other applicable factors.”.
- 10 4. Page 1, by inserting after line 34 the
11 following:
- 12 “Sec. ____ NEW SECTION. 455B.152 GREENHOUSE GAS
13 INVENTORY AND REGISTRY.
- 14 1. DEFINITIONS. For purposes of this section,
15 “greenhouse gas” means carbon dioxide, methane,
16 nitrous oxide, hydrofluorocarbons, perfluorocarbons,
17 or sulphur hexafluoride.
- 18 2. GREENHOUSE GAS INVENTORY.
- 19 a. By January 1, 2008, the department shall
20 establish a method for collecting data from producers
21 of greenhouse gases regarding generated greenhouse
22 gases. The data collection method shall provide for
23 mandatory reporting to collect information from
24 affected entities individually and shall include
25 information regarding the amount and type of
26 greenhouse gases generated, the type of source, and
27 other information deemed relevant by the department in
28 developing a baseline measure of greenhouse gases
29 produced in the state.
- 30 b. The department may allow a series of reporting
31 requirements to be phased in over a period of time and
32 may provide for phasing in by producer sector,
33 geographic area, size of producer, or other factors.
34 The reporting requirements shall apply to the
35 departments, agencies, boards, and commissions of the
36 state, in addition to any other entities subject to
37 the reporting requirements established by the
38 department.
- 39 3. GREENHOUSE GAS REGISTRY.
- 40 a. The department shall establish a voluntary
41 greenhouse gas registry for purposes of cooperating
42 with other states in tracking, managing, and crediting
43 entities in the state that reduce their generation of
44 greenhouse gases or that provide increased energy
45 efficiency.
- 46 b. The department shall develop a mechanism to
47 coordinate the information obtained in the greenhouse

48 gas inventory with the greenhouse gas registry.
49 4. AVAILABILITY. By January 1, 2009, the
50 greenhouse gas registry shall be made available on an

Page 2

1 internet website.
2 Sec. ____ NEW SECTION. 455B.851 IOWA CLIMATE
3 CHANGE ADVISORY COUNCIL.
4 1. The department shall create an Iowa climate
5 change advisory council consisting of twenty-three
6 voting members serving three-year staggered terms and
7 four nonvoting, ex officio members.
8 2. a. The voting members shall be appointed by
9 the governor and shall represent the following:
10 (1) The university of Iowa center for global and
11 regional environmental research.
12 (2) The university of northern Iowa center for
13 energy and environmental education.
14 (3) The Iowa farm bureau.
15 (4) The Iowa public transit association.
16 (5) Rural electric cooperatives.
17 (6) Investor-owned utilities.
18 (7) Municipal utilities.
19 (8) The Iowa utilities board.
20 (9) One association with environmental interests
21 or activities.
22 (10) One association with conservation interests
23 or activities.
24 (11) The international brotherhood of electrical
25 workers.
26 (12) The Iowa association of business and
27 industry.
28 (13) The Iowa energy center.
29 (14) The Iowa renewable fuels association.
30 (15) The office of consumer advocate of the
31 department of justice.
32 (16) A representative from local government.
33 (17) The director of the office of energy
34 independence.
35 (18) A manufacturer of equipment used for
36 alternative energy production.
37 (19) The department of agronomy at Iowa state
38 university of science and technology.
39 (20) Four members of the general public.
40 b. The four nonvoting, ex officio members shall
41 consist of four members of the general assembly, two
42 from the senate and two from the house of
43 representatives, with not more than one member from
44 each chamber being from the same political party. The
45 two senators shall be designated by the majority
46 leader of the senate after consultation with the
47 president and the minority leader of the senate. The

48 two representatives shall be designated by the speaker
49 of the house of representatives after consultation
50 with the majority and minority leaders of the house of

Page 3

- 1 representatives.
- 2 3. Voting members of the council shall serve at
3 the pleasure of the governor and shall serve without
4 compensation.
- 5 4. The chairperson of the council shall be
6 designated by the governor and may convene the council
7 at any time.
- 8 5. A vacancy in the membership shall not impair
9 the right of a quorum to exercise all the rights and
10 perform all the duties of the council. A majority of
11 the council members then appointed constitutes a
12 quorum. A majority vote of the quorum is required for
13 council action.
- 14 6. The department shall provide necessary staff
15 assistance to the council.
- 16 7. After consideration of a full range of policies
17 and strategies, including the cost-effectiveness of
18 the strategies, the council shall develop multiple
19 scenarios designed to reduce statewide greenhouse gas
20 emissions including one scenario that would reduce
21 such emissions by fifty percent by 2050. The council
22 shall also develop short-term, medium-term, and
23 long-term scenarios designed to reduce statewide
24 greenhouse gas emissions and shall consider the
25 cost-effectiveness of the scenarios. The council
26 shall establish a baseline year for purposes of
27 calculating reductions in statewide greenhouse gas
28 emissions. The council shall submit the proposal to
29 the governor and the general assembly by January 1,
30 2008.
- 31 8. The council may periodically adopt
32 recommendations designed to encourage the reduction of
33 statewide greenhouse gas emissions.
- 34 9. By September 1 of each year, the department
35 shall submit a report to the governor and the general
36 assembly regarding the greenhouse gas emissions in the
37 state during the previous calendar year and
38 forecasting trends in such emissions. The first
39 submission by the department shall be filed by
40 September 1, 2008, for the calendar year beginning
41 January 1, 2007.”
- 42 5. Title page, by striking lines 1 and 2 and
43 inserting the following: “An Act relating to
44 greenhouse gas emissions.”
- 45 6. By renumbering, relettering, or redesignating
46 and correcting internal references as necessary.

S-3389

1 Amend Senate File 513 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 26.2, subsection 1, Code 2007,
5 is amended to read as follows:

6 1. "Estimated total cost of a public improvement"
7 or "estimated total cost" means the estimated total
8 cost to the governmental entity to construct a public
9 improvement, including cost of labor, materials,
10 equipment, and supplies, but excluding the cost of
11 architectural, landscape architectural, or engineering
12 design services and inspection.

13 Sec. 2. Section 26.3, subsections 1 and 2, Code
14 2007, are amended to read as follows:

15 1. If the estimated total cost of a public
16 improvement exceeds the competitive bid threshold of
17 one hundred thousand dollars, or the adjusted
18 competitive bid threshold established in section
19 314.1B, the governmental entity shall advertise for
20 sealed bids for the proposed public improvement by
21 publishing a notice to bidders ~~as provided in section~~
22 ~~362.3. The notice to bidders shall be published as~~
23 ~~provided in section 362.3, except that the notice~~
24 ~~shall be published more than twenty days but not more~~
25 ~~than forty-five days before the date for filing bids.~~

26 Additionally, the governmental entity may publish a
27 notice in a relevant contractor organization
28 publication and a relevant contractor plan room
29 service with statewide circulation, provided that a
30 notice is posted on a website sponsored by either a
31 governmental entity or a statewide association that
32 represents the governmental entity. ~~The notice to~~
33 ~~bidders shall be published more than twenty days but~~
34 ~~not more than forty five days before the date for~~
35 ~~filing bids.~~

36 2. A governmental entity shall have an engineer
37 licensed under chapter 542B, a landscape architect
38 licensed under chapter 544B, or an architect
39 registered under chapter 544A prepare plans and
40 specifications, and calculate the estimated total cost
41 of a proposed public improvement.

42 Sec. 3. Section 26.4, Code 2007, is amended to
43 read as follows:

44 26.4 EXEMPTIONS FROM COMPETITIVE BIDS AND
45 QUOTATIONS.

46 Architectural, landscape architectural, or
47 engineering design services procured for a public
48 improvement are not subject to sections 26.3 and
49 26.14.

50 Sec. 4. Section 26.8, subsection 1, Code 2007, is

Page 2

1 amended to read as follows:

2 1. Each bidder shall accompany its bid with a bid
3 security as security that the successful bidder will
4 enter into a contract for the work bid upon and will
5 furnish after the award of contract a corporate surety
6 bond, acceptable to the governmental entity, for the
7 faithful performance of the contract, in an amount
8 equal to one hundred percent of the amount of the
9 contract. The bid security shall be in an amount
10 fixed by the governmental entity, and shall be in the
11 form of a cashier's check or certified check drawn on
12 a state-chartered or federally chartered bank, or a
13 certified share draft drawn on a state-chartered or
14 federally chartered credit union, or the governmental
15 entity may provide for a bidder's bond with corporate
16 surety satisfactory to the governmental entity. The
17 ~~bid bidder's~~ bond shall contain no conditions except
18 as provided in this section.

19 Sec. 5. Section 26.10, unnumbered paragraph 1,
20 Code 2007, is amended to read as follows:

21 The governmental entity shall open, announce the
22 amount of the bids, and file all proposals received,
23 at the time and place specified in the notice to
24 bidders. The governmental entity may, by resolution,
25 award the contract for the public improvement to the
26 bidder submitting the lowest responsive, responsible
27 bid, determined as provided in section 26.9, or the
28 governmental entity may reject all bids received, fix
29 a new date for receiving bids, and order publication
30 of a new notice to bidders. The governmental entity
31 shall retain the bid security furnished by the
32 successful bidder until the approved contract form has
33 been executed, ~~and~~ a bond has been filed by the bidder
34 guaranteeing the performance of the contract, and the
35 contract and bond, have been approved by the
36 governmental entity. The provisions of chapter 573,
37 where applicable, apply to contracts awarded under
38 this chapter.

39 Sec. 6. Section 26.11, Code 2007, is amended to
40 read as follows:

41 26.11 DELEGATION OF AUTHORITY.

42 When bids are required for any public improvement,
43 the governmental entity may delegate, by motion,
44 resolution, or policy to the city manager, clerk,
45 engineer, or other public officer, as applicable, the
46 duty of receiving and opening bids and announcing the
47 results. The officer shall report the results of the
48 bidding with the officer's recommendations to the next
49 regular meeting of the governmental entity's governing
50 body or at a special meeting called for that purpose.

Page 3

1 Sec. 7. Section 26.13, subsection 3, Code 2007, is
2 amended to read as follows:

3 3. If labor and materials are yet to be provided
4 at the time of the request for the release of the
5 retained funds ~~labor or materials are yet to be~~
6 ~~provided is made~~, an amount equal to two hundred
7 percent of the value of the labor or materials yet to
8 be provided, as determined by the governmental
9 entity's or the department's authorized contract
10 representative, may be withheld until such labor or
11 materials are provided. For purposes of this section,
12 "authorized contract representative" means the person
13 chosen by the governmental entity or the department to
14 represent its interests or the person designated in
15 the contract as the party representing the
16 governmental entity's or the department's interest
17 regarding administration and oversight of the project.

18 Sec. 8. Section 26.14, Code 2007, is amended to
19 read as follows:

20 26.14 COMPETITIVE QUOTATIONS FOR PUBLIC
21 IMPROVEMENT CONTRACTS.

22 1. Competitive quotations shall be required for a
23 public improvement having an estimated total cost that
24 exceeds the applicable threshold amount provided in
25 this section, but is less than the competitive bid
26 threshold established in section 26.3.

27 2. Unless the threshold ~~amount is~~ amounts are
28 adjusted pursuant to section 314.1B, the ~~competitive~~
29 ~~quotation following~~ threshold amounts shall ~~be as~~
30 ~~follows~~ apply:

- 31 a. Sixty-seven thousand dollars for a county,
32 including a county hospital.
- 33 b. Fifty-one thousand dollars for a city having a
34 population of fifty thousand or more.
- 35 c. Fifty-one thousand dollars for a school
36 district having a population of fifty thousand or
37 more.
- 38 d. Fifty-one thousand dollars for an aviation
39 authority created within a city having a population of
40 fifty thousand or more.
- 41 e. Thirty-six thousand dollars for a city having a
42 population of less than fifty thousand, for a school
43 district having a population of less than fifty
44 thousand, and for any other governmental entity.
- 45 f. The threshold amount applied to a city applies
46 to a city hospital.

47 3. a. When a competitive quotation is required,
48 the governmental entity shall make a good faith effort
49 to obtain quotations for the work from at least two
50 contractors regularly engaged in such work prior to

Page 4

1 letting a contract. Quotations may be obtained from
2 contractors after the governmental entity provides a
3 description of the work to be performed, including the
4 plans and specifications prepared by an architect,
5 landscape architect, or engineer, if required under
6 chapter 542B, 544B, or 544A, and an opportunity to
7 inspect the work site. The contractor shall include
8 in the quotation the price for labor, materials,
9 equipment, and supplies required to perform the work.
10 If the work can be performed by an employee or
11 employees of the governmental entity, the governmental
12 entity may file a quotation for the work to be
13 performed in the same manner as a contractor. If the
14 governmental entity receives no quotations after
15 making a good faith effort to obtain quotations from
16 at least two contractors regularly engaged in such
17 work, the governmental entity may negotiate a contract
18 with a contractor regularly engaged in such work.
19 b. The governmental entity shall designate the
20 time, place, and manner for filing quotations, which
21 may be received by mail, facsimile, or electronic
22 mail. The governmental entity shall award the
23 contract to the contractor submitting the lowest
24 responsive, responsible quotation subject to section
25 26.9, or the governmental entity may reject all of the
26 quotations. The unconditional acceptance and approval
27 of the lowest responsive, responsible quotation shall
28 constitute the award of a contract. The governmental
29 entity shall record the approved quotation in its
30 meeting minutes. ~~Quotations~~ The contractor awarded
31 the contract shall not commence work until the
32 contractor's performance and payment bond has been
33 approved by the governmental entity. A governmental
34 entity may delegate the authority to award a contract,
35 to execute a contract, to authorize work to proceed
36 under a contract, or to approve the contractor's
37 performance and payment bond to an officer or employee
38 of the governmental entity. A quotation approved
39 outside a meeting of the governing body of a
40 governmental entity shall be included in the minutes
41 of the next regular or special meeting of the
42 governing body. The governmental entity shall award
43 the contract to the contractor submitting the lowest
44 responsive, responsible quotation subject to section
45 26.9, or the governmental entity may reject all of the
46 quotations.
47 c. If a public improvement may be performed by an
48 employee of the governmental entity, the amount of
49 estimated sales and fuel tax and the premium cost for
50 the performance and payment bond which a contractor

Page 5

1 identifies in its quotation shall be deducted from the
2 contractor's price for determining the lowest
3 responsible ~~bidder quotation~~. If no quotations are
4 received to perform the work, or if the governmental
5 entity's estimated cost to do the work with its
6 employee is less than the lowest responsive,
7 responsible quotation received, the governmental
8 entity may authorize its employee or employees to
9 perform the work.

10 Sec. 9. NEW SECTION. 26.14A ALTERNATIVE
11 PROCEDURES.

12 1. When competitive quotations are required under
13 section 26.14 for a public improvement, the
14 governmental entity may proceed, in lieu of
15 competitive quotations, as if the estimated total cost
16 of the public improvement exceeds the competitive bid
17 threshold under section 26.3.

18 2. If the total estimated cost of the public
19 improvement does not warrant either competitive
20 quotations under section 26.14 or competitive bidding
21 under section 26.3, the governmental entity may
22 nevertheless proceed with competitive quotations or
23 competitive bidding for the public improvement.

24 Sec. 10. Section 380.4, unnumbered paragraph 1,
25 Code 2007, is amended to read as follows:

26 Passage of an ordinance, amendment, or resolution
27 requires a majority vote of all of the members of the
28 council, except when the mayor may vote to break a tie
29 vote in a city with an even number of council members,
30 as provided in section 372.4. Passage of a motion
31 requires a majority vote of a quorum of the council.
32 A resolution must be passed to spend public funds in
33 excess of ~~twenty five~~ one hundred thousand dollars on
34 ~~any one a public improvement~~ project, or to accept
35 public improvements and facilities upon their
36 completion. Each council member's vote on a measure
37 must be recorded. A measure which fails to receive
38 sufficient votes for passage shall be considered
39 defeated.

40 Sec. 11. Section 384.20, unnumbered paragraph 3,
41 Code 2007, is amended to read as follows:

42 "Continuing appropriation" means the unexpended
43 portion of the cost of public improvements, as defined
44 in section ~~26.3~~ 26.2, which cost was adopted through a
45 public hearing pursuant to section 26.12 and was
46 included in an adopted or amended budget of a city. A
47 continuing appropriation does not expire at the
48 conclusion of a fiscal year. A continuing
49 appropriation continues until the public improvement
50 is completed, but expenditures under the continuing

Page 6

1 appropriation shall not exceed the resources available
 2 for paying for the public improvement.
 3 Sec. 12. Section 384.23, Code 2007, is amended to
 4 read as follows:
 5 384.23 CONSTRUCTION OF WORDS “AND” AND “OR.”
 6 As used in divisions III to ~~VI~~ V of this chapter,
 7 the use of the conjunctive “and” includes the
 8 disjunctive “or” and the use of the disjunctive “or”
 9 includes the conjunctive “and,” unless the context
 10 clearly indicates otherwise.
 11 Sec. 13. Section 384.37, subsection 17, Code 2007,
 12 is amended to read as follows:
 13 17. “Proposal” means a legal bid on work
 14 advertised for a public improvement under ~~division VI~~
 15 ~~of this chapter 26.~~
 16 Sec. 14. Section 384.53, Code 2007, is amended to
 17 read as follows:
 18 384.53 PROCEDURES TO LET CONTRACT.
 19 Contract letting procedures shall be as provided in
 20 ~~division VI of this chapter 26.~~ The council may award
 21 any number of contracts for construction of any public
 22 improvement.
 23 Sec. 15. Section 386.6, subsection 6, Code 2007,
 24 is amended to read as follows:
 25 6. If the council orders the construction of the
 26 improvement, it shall proceed to let contracts
 27 therefor in accordance with chapter ~~384, division VI~~
 28 ~~26.~~
 29 Sec. 16. Section 386.7, subsection 3, Code 2007,
 30 is amended to read as follows:
 31 3. If the council orders the construction of the
 32 self-liquidating improvement, contracts for it shall
 33 be let in accordance with ~~division VI of chapter 384~~
 34 ~~26.~~”

HERMAN C. QUIRMBACH

S-3390

1 Amend the House amendment, S-3384, to Senate File
 2 546, as amended, passed, and reprinted by the Senate,
 3 as follows:
 4 1. Page 1, by inserting after line 11 the
 5 following:
 6 “ __. Page 2, line 17, by inserting after the
 7 word “denied,” the following: “In such a case, the
 8 amount of the lien shall be limited to the amount the
 9 hospital would have received if such charges were
 10 covered by the patient’s health plan.”
 11 2. By renumbering as necessary.

ROBERT M. HOGG

S-3391

- 1 Amend House File 641, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 3, by striking lines 14 through 35.
- 4 2. Title page, by striking lines 3 through 5 and
- 5 inserting the following: "counties, and the state."
- 6 3. By renumbering as necessary.

ROBERT M. HOGG

S-3392

- 1 Amend Senate File 598 as follows:
- 2 1. Page 12, by striking lines 4 and 5 and
- 3 inserting the following: "commission review by April
- 4 1, 2008. The commission shall".

JACK HATCH

S-3393

- 1 Amend Senate File 596 as follows:
- 2 1. Page 10, by striking lines 7 through 23.
- 3 2. Title page, lines 5 and 6, by striking the
- 4 words "and creating a reporting committee,".

MARK ZIEMAN

S-3394

- 1 Amend Senate File 455 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "DIVISION I
- 5 CRIMINAL PENALTIES
- 6 Section 1. Section 692A.1, subsection 5, Code
- 7 2007, is amended by adding the following new
- 8 paragraph:
- 9 NEW PARAGRAPH. o. Forced sex act in violation of
- 10 section 709.23.
- 11 Sec. 2. Section 692A.1, subsection 5, paragraph o,
- 12 Code 2007, is amended to read as follows:
- 13 ~~o. p.~~ An indictable offense committed in another
- 14 jurisdiction which would constitute an indictable
- 15 offense under paragraphs "a" through "~~n~~" "o".
- 16 Sec. 3. Section 692A.1, subsection 7, Code 2007,
- 17 is amended by adding the following new paragraph:
- 18 NEW PARAGRAPH. dd. Indecent exposure by
- 19 electronic transmission of an image in violation of
- 20 section 709.9A.

21 Sec. 4. NEW SECTION. 709.9A INDECENT EXPOSURE BY
 22 ELECTRONIC TRANSMISSION OF AN IMAGE INVOLVING A CHILD.

23 A person who electronically transmits an image of
 24 the person's exposed genitals or pubes, or
 25 electronically transmits an image of the person
 26 committing a sex act, commits an aggravated
 27 misdemeanor if all of the following apply:

28 1. The image is intended to be viewed by a child
 29 or a person believed to be a child.

30 2. The person intends to arouse or satisfy the
 31 sexual desires of either party.

32 Sec. 5. NEW SECTION. 709.23 FORCED SEX ACT
 33 INVOLVING MINORS.

34 1. A person eighteen years of age or older who,
 35 for the purpose of arousing or satisfying the person's
 36 sexual desires, forces, coerces, solicits, or uses a
 37 position of authority to persuade two or more minors
 38 to engage in a sex act, where at least one of the
 39 participants is under the age of twelve, is guilty of
 40 a class "B" felony.

41 2. A person eighteen years of age or older who,
 42 for the purpose of arousing or satisfying the person's
 43 sexual desires, forces, coerces, solicits, or uses a
 44 position of authority to persuade two or more minors
 45 to engage in a sex act, where at least one of the
 46 participants is twelve or thirteen years of age, is
 47 guilty of a class "C" felony.

48 3. A person eighteen years of age or older who,
 49 for the purpose of arousing or satisfying the person's
 50 sexual desires, forces, coerces, solicits, or uses a

Page 2

1 position of authority to persuade a minor under
 2 fourteen years of age to use an artificial sexual
 3 organ or substitute therefor to contact the minor's
 4 own genitalia or anus, is guilty of a class "D"
 5 felony.

6 4. The act of forcing, coercing, soliciting, or
 7 persuading each minor to engage in a sex act under
 8 subsection 1 or 2 constitutes a separate offense.

9 Sec. 6. NEW SECTION. 710.12 SEXUAL SOLICITATION
 10 OF A MINOR.

11 1. As used in this section:

12 a. "Instant message" means a form of real-time
 13 communication between two or more people based on
 14 typed text.

15 b. "Solicit" means to command, authorize, urge,
 16 entice, request, or advise a person by any means
 17 including in person, through an agent, over the
 18 telephone, through any print medium, by mail, by
 19 computer or internet, by instant message, or by any

20 other electronic means.

21 2. A person shall not, with the intent to commit
22 sexual abuse or sexual exploitation, knowingly solicit
23 a minor or a person reasonably believed to be a minor,
24 to engage in a prohibited sex act.

25 3. For purposes of determining jurisdiction under
26 section 803.1, an offense is considered committed in
27 this state if the solicitation of a minor or a person
28 believed to be a minor who is present in this state
29 originates from another state, or the solicitation of
30 a minor or a person believed to be a minor originates
31 from this state.

32 4. A person who violates this section commits a
33 class "C" felony if the person solicited is a minor
34 under thirteen years of age or a person reasonably
35 believed to be under thirteen years of age.

36 5. A person who violates this section commits a
37 class "D" felony if the person solicited is a minor
38 under sixteen years of age or a person reasonably
39 believed to be under sixteen years of age.

40 DIVISION II

41 SEX OFFENDERS AND THE

42 RESIDENCY RESTRICTION AND SAFETY ZONES

43 Sec. 7. Section 232.52, subsection 2, paragraph a,
44 Code 2007, is amended by adding the following new
45 subparagraph:

46 NEW SUBPARAGRAPH. (6) Whether the child shall be
47 supervised by an electronic monitoring system as
48 provided in section 692A.4B, if the child is required
49 to register as a sex offender under chapter 692A.

50 Sec. 8. NEW SECTION. 692A.1A JUVENILE

Page 3

1 REGISTRATION.

2 1. A juvenile convicted of an aggravated offense
3 as a result of adjudication of delinquency in juvenile
4 court shall be required to register in the same manner
5 as an adult offender convicted of an aggravated
6 offense is required to register under this chapter.

7 2. Notwithstanding any provision of this chapter
8 to the contrary, the juvenile court shall determine
9 the duration, if any, a juvenile convicted of a
10 criminal offense against a minor, sexual exploitation,
11 a sexually violent offense, or an other relevant
12 offense, as a result of adjudication of delinquency in
13 juvenile court, is required to register under this
14 chapter.

15 3. When a dispositional order expires pursuant to
16 section 232.52 or is terminated pursuant to section
17 232.54, the court shall make a final determination as
18 to whether a juvenile shall be required to remain on

19 the registry as an adult. If the court determines a
 20 juvenile shall remain on the registry, the duration of
 21 the registration shall be determined as provided in
 22 section 692A.2, and the juvenile shall be credited for
 23 the period served on the registry as a juvenile.

24 Sec. 9. Section 692A.2, subsection 6, Code 2007,
 25 is amended to read as follows:

26 6. A person is not required to register while
 27 incarcerated, in foster care, or in a residential
 28 treatment program. ~~A person who is convicted, as~~
 29 ~~defined in section 692A.1, of a criminal offense~~
 30 ~~against a minor, sexual exploitation, a sexually~~
 31 ~~violent offense, or an other relevant offense as a~~
 32 ~~result of adjudication of delinquency in juvenile~~
 33 ~~court shall be required to register as required in~~
 34 ~~this chapter unless the juvenile court finds that the~~
 35 ~~person should not be required to register under this~~
 36 ~~chapter. If a juvenile is required to register and~~
 37 ~~the court later modifies the order regarding the~~
 38 ~~requirement to register, the court shall immediately~~
 39 ~~notify the department.~~

40 6A. Convictions of more than one offense which
 41 require registration under this chapter but which are
 42 prosecuted within a single indictment shall be
 43 considered as a single offense for purposes of
 44 registration.

45 Sec. 10. Section 692A.2A, Code 2007, is amended to
 46 read as follows:

47 692A.2A RESIDENCY RESTRICTIONS — CHILD CARE
 48 FACILITIES AND SCHOOLS.

49 1. ~~For purposes of this section, “person” means a~~
 50 ~~person who has committed a criminal offense against a~~

Page 4

1 ~~minor, or an aggravated offense, sexually violent~~
 2 ~~offense, or other relevant offense that involved a~~
 3 ~~minor.~~

4 1. As used in this section:

5 a. “Minor” means a person who is under eighteen
 6 years of age or who is enrolled in a secondary school.

7 b. “Person” means a person required to register
 8 under this chapter who has been convicted of a
 9 criminal offense against a minor, or an offense
 10 involving a minor that is an aggravated offense,
 11 sexually violent offense, or other relevant offense.

12 c. “School” means a public or nonpublic elementary
 13 or secondary school.

14 2. For purposes of measuring the distance from the
 15 real property comprising a school or a child care
 16 facility to a residence, the distance shall be
 17 measured from the real property comprising the school

18 or child care facility to the real property comprising
 19 the residence where the person resides.

20 ~~2. 3. A person shall not reside within two~~
 21 ~~thousand feet of the real property comprising a public~~
 22 ~~or nonpublic elementary or secondary school or a child~~
 23 ~~care facility.~~

24 ~~3. A person who resides within two thousand feet~~
 25 ~~of the real property comprising a public or nonpublic~~
 26 ~~elementary or secondary school, or a child care~~
 27 ~~facility, commits an aggravated misdemeanor.~~

28 4. A person residing within two thousand feet of
 29 the real property comprising a ~~public or nonpublic~~
 30 ~~elementary or secondary~~ school or a child care
 31 facility does not commit a violation of this section
 32 if any of the following apply:

33 a. The person is required to serve a sentence at a
 34 jail, prison, juvenile facility, or other correctional
 35 institution or facility.

36 b. The person is subject to an order of commitment
 37 under chapter 229A.

38 c. The person has established a residence prior to
 39 July 1, 2002, ~~or a school or child care facility is~~
 40 ~~newly located on or after July 1, 2002.~~

41 d. The person has established a residence prior to
 42 any newly located school or child care facility being
 43 established.

44 ~~d. e. The person is a minor or a ward under a~~
 45 ~~guardianship.~~

46 f. The person is enrolled in a secondary school.

47 g. The person is a ward in a guardianship.

48 5. A person who commits a violation of this
 49 section commits an aggravated misdemeanor.

50 Sec. 11. NEW SECTION. 692A.2B PRESENCE ON THE

Page 5

1 REAL PROPERTY WHERE CHILDREN ARE PRESENT —
 2 RESTRICTION.

3 1. A person required to register under this
 4 chapter who has been convicted of a criminal offense
 5 against a minor, or an offense involving a minor that
 6 is an aggravated offense, sexually violent offense, or
 7 other relevant offense, shall not be knowingly present
 8 on the real property comprising a school or child care
 9 facility unless subsection 2 applies or any of the
 10 following apply:

11 a. The person is transporting a minor who is a
 12 child of the person to or from the school or child
 13 care facility.

14 b. The person is attending a parent-teacher
 15 conference regarding a minor who is a child of the
 16 person.

17 c. The person has been summoned to discuss the
18 academic or social progress of a minor who is a child
19 of the person.

20 d. The person is voting at the school or child
21 care facility during the hours designated to vote.

22 2. If the person intends to be present at a school
23 or child care facility for any other reason not
24 enumerated in subsection 1, the person shall first
25 notify the administrative offices of the school or
26 child care facility that the person intends to be
27 present on the real property comprising the school or
28 child care facility, and the person shall receive
29 written permission from the school or child care
30 facility prior to entering onto the real property
31 comprising the school or child care facility.

32 3. PENALTY. A person who commits a violation of
33 this section commits an aggravated misdemeanor.

34 Sec. 12. NEW SECTION. 692A.2C PUBLIC SAFETY
35 ADJUSTMENT.

36 1. A public safety adjustment is a specific
37 modification of the applicability of the residency
38 restrictions under section 692A.2A, presence
39 restrictions under section 692A.2B, or electronic
40 monitoring provisions under section 692A.4A.

41 Any modification may be more or less restrictive
42 than the restrictions or provisions under section
43 692A.2A or 692A.2B.

44 2. Except for a person convicted of an aggravated
45 offense, a person subject to the residency
46 restrictions under section 692A.2A or presence
47 restrictions under section 692A.2B may request a
48 public safety adjustment from the person's probation
49 or parole officer or the person's probation or parole
50 officer, may, on the officer's own initiative,

Page 6

1 determine a public safety adjustment is appropriate
2 under the circumstances.

3 3. If the person is on probation, parole, work
4 release, special sentence, or any other type of
5 conditional release, and the person violates the terms
6 of the public safety adjustment, the public safety
7 adjustment shall be revoked or modified in the same
8 manner as terms and conditions are modified for a
9 person on probation, parole, work release, special
10 sentence, or any other type of conditional release.

11 4. A person who is not on probation, parole, work
12 release, special sentence, or any other type of
13 conditional release, and who has not been convicted of
14 an aggravated offense, but is subject to the residency
15 restrictions under section 692A.2A or presence

16 restrictions under section 692A.2B, may request a
17 public safety adjustment from the judicial district
18 department of correctional services in the county
19 where the person resides.

20 a. Any person who receives a public safety
21 adjustment under this subsection shall be considered
22 to be on administrative probation with the judicial
23 district department of correctional services.

24 b. The public safety adjustment of a person on
25 administrative probation who violates the terms of the
26 public safety adjustment may be revoked or modified by
27 the judicial district department of correctional
28 services.

29 5. A person is not eligible for a public safety
30 adjustment unless a risk assessment has been performed
31 under section 692A.13A.

32 Sec. 13. NEW SECTION. 692A.2D PREEMPTION.

33 Enforcement of the residency restrictions under
34 section 692A.2A and the presence restrictions under
35 section 692A.2B shall be uniform throughout the state.
36 A political subdivision of the state shall not adopt
37 an ordinance restricting the residency or presence on
38 real property of a person required to register as a
39 sex offender under this chapter. An ordinance adopted
40 prior to, on, or after the effective date of this
41 section of this division of this Act is void and
42 unenforceable and any enforcement of an ordinance in
43 violation of this section is void.

44 Sec. 14. Section 692A.4A, Code 2007, is amended by
45 striking the section and inserting in lieu thereof the
46 following:

47 692A.4A ELECTRONIC MONITORING CLOSE SUPERVISION.

48 1. A person who is placed on probation, parole,
49 work release, special sentence, or any other form of
50 conditional release for an offense requiring the

Page 7

1 person to register under this chapter may be
2 supervised by an electronic monitoring system or an
3 increased level of close supervision in addition to
4 any other conditions of supervision.

5 2. For a person required to register under this
6 chapter, the person's probation or parole officer may
7 determine whether an electronic monitoring system or
8 an increased level of close supervision is appropriate
9 under the circumstances. The determination whether to
10 require electronic monitoring or an increased level of
11 close supervision shall be based upon information
12 available at the time the determination is made,
13 including the assessment of risk pursuant to section
14 692A.13A, guidelines developed by the department of

15 corrections and the judicial district departments of
 16 correctional services, the record review conducted by
 17 the board of parole pursuant to section 906.5, any
 18 information provided to the parole officer pursuant to
 19 section 906.11, and any other relevant facts as
 20 determined by the probation or parole officer.

21 3. If the probation or parole officer determines
 22 electronic monitoring is appropriate, the probation or
 23 parole officer shall determine the type of electronic
 24 monitoring system to be utilized.

25 4. This section shall not be construed as limiting
 26 the authority of the court or board of parole to
 27 require a person to be monitored by an electronic
 28 monitoring system and the type of system to be
 29 utilized.

30 Sec. 15. NEW SECTION. 692A.4B ELECTRONIC
 31 MONITORING — JUVENILES.

32 If the person required to register under this
 33 chapter is a juvenile subject to the jurisdiction of
 34 the juvenile court or is on youthful offender status,
 35 the juvenile court shall determine if an electronic
 36 monitoring system is appropriate under the
 37 circumstances.

38 Sec. 16. Section 692A.5, subsection 1, paragraph
 39 h, Code 2007, is amended by striking the paragraph and
 40 inserting in lieu thereof the following:

41 h. Inform the person of the residency restrictions
 42 under section 692A.2A and the presence restrictions
 43 under section 692A.2B.

44 DIVISION III

45 SEX OFFENDER NAME CHANGE

46 Sec. 17. Section 595.3A, Code 2007, is amended to
 47 read as follows:

48 595.3A APPLICATION FORM AND LICENSE — ABUSE
 49 PREVENTION ~~LANGUAGE~~ AND SEX OFFENDER INFORMATION.

50 1. In addition to any other information contained

Page 8

1 in an application form for a marriage license and a
 2 marriage license, the application form and license
 3 shall contain the following statement in bold print:
 4 “THE LAWS OF THIS STATE AFFIRM YOUR RIGHT TO ENTER
 5 INTO THIS MARRIAGE AND AT THE SAME TIME TO LIVE WITHIN
 6 THE MARRIAGE UNDER THE FULL PROTECTION OF THE LAWS OF
 7 THIS STATE WITH REGARD TO VIOLENCE AND ABUSE. NEITHER
 8 OF YOU IS THE PROPERTY OF THE OTHER. ASSAULT, SEXUAL
 9 ABUSE, AND WILLFUL INJURY OF A SPOUSE OR OTHER FAMILY
 10 MEMBER ARE VIOLATIONS OF THE LAWS OF THIS STATE AND
 11 ARE PUNISHABLE BY THE STATE.”

12 2. The application form for a marriage shall also
 13 contain a question about whether any of the parties

14 are required to register as a sex offender under
15 chapter 692A.

16 Sec. 18. Section 595.5, Code 2007, is amended by
17 adding the following new subsection:

18 NEW SUBSECTION. 1A. If a party to a marriage
19 discloses the person is required to register as a sex
20 offender under chapter 692A, and the person required
21 to register as a sex offender requests a name change,
22 the county recorder shall deliver a certified copy of
23 the marriage license to the department of public
24 safety for entry of the name change into the sex
25 offender registry.

26 Sec. 19. NEW SECTION. 595.8 FAILURE TO DISCLOSE
27 SEX OFFENDER REGISTRATION INFORMATION — PENALTY.

28 A party to a marriage commits an aggravated
29 misdemeanor if the party knowingly fails to disclose
30 on the application form for marriage as provided in
31 section 595.3A that the party is required to register
32 as a sex offender under chapter 692A.

33 Sec. 20. Section 598.37, Code 2007, is amended to
34 read as follows:

35 598.37 NAME CHANGE.

36 Either Except as otherwise provided in this
37 section, either party to a marriage may request as a
38 part of the decree of dissolution or decree of
39 annulment a change in the person's name to either the
40 name appearing on the person's birth certificate or to
41 the name the person had immediately prior to the
42 marriage. If a party requests a name change other
43 than to the name appearing on the person's birth
44 certificate, or to the name the person had immediately
45 prior to the marriage, or the person is required to
46 register as a sex offender under chapter 692A, the
47 request shall be made under chapter 674.

48 Sec. 21. Section 600.6, Code 2007, is amended by
49 adding the following new subsection:

50 NEW SUBSECTION. 6. If the person to be adopted is

Page 9

1 an adult and is required to register as a sex offender
2 under chapter 692A, a written statement by the person
3 to be adopted declaring the person is required to
4 register as a sex offender under chapter 692A.

5 Sec. 22. Section 600.13, subsection 5, Code 2007,
6 is amended to read as follows:

7 5. An interlocutory or a final adoption decree
8 shall be entered with the clerk of court. Such decree
9 shall set forth any facts of the adoption petition
10 which have been proven to the satisfaction of the
11 juvenile court or court and any other facts considered
12 to be relevant by the juvenile court or court and

13 shall grant the adoption petition. If so designated
 14 in the adoption decree, the name of the adopted person
 15 shall be changed by issuance of that decree. The
 16 clerk of the court shall, within thirty days of
 17 issuance, deliver one certified copy of any adoption
 18 decree to the petitioner, one copy of any adoption
 19 decree to the department and any agency or person
 20 making an independent placement who placed a minor
 21 person for adoption, and one certification of adoption
 22 as prescribed in section 144.19 to the state registrar
 23 of vital statistics. If the adopted person is an
 24 adult and the adopted person discloses the person is
 25 required to register as a sex offender under chapter
 26 692A, and the name of the adopted person is changed in
 27 the decree, the clerk of court shall deliver one
 28 certified copy of the adoption decree to the
 29 department of public safety for entry of the name
 30 change into the sex offender registry. Upon receipt
 31 of the certification, the state registrar shall
 32 prepare a new birth certificate pursuant to section
 33 144.23 and deliver to the parents named in the decree
 34 and any adult person adopted by the decree a copy of
 35 the new birth certificate. The parents shall pay the
 36 fee prescribed in section 144.46. If the person
 37 adopted was born outside this state but in the United
 38 States, the state registrar shall forward the
 39 certification of adoption to the appropriate agency in
 40 the state of birth. A copy of any interlocutory
 41 adoption decree vacation shall be delivered and
 42 another birth certificate shall be prepared in the
 43 same manner as a certification of adoption is
 44 delivered and the birth certificate was originally
 45 prepared.

46 Sec. 23. NEW SECTION. 600.26 FAILURE TO DISCLOSE
 47 SEX OFFENDER REGISTRATION INFORMATION — PENALTY.
 48 An adult adopted person, or adult person to be
 49 adopted, commits an aggravated misdemeanor if the
 50 person knowingly fails to disclose the person is

Page 10

1 required to register as a sex offender under chapter
 2 692A through a written statement attached to the
 3 petition pursuant to section 600.6.
 4 Sec. 24. Section 674.2, Code 2007, is amended by
 5 adding the following new subsection:
 6 NEW SUBSECTION. 4A. Whether the petitioner is
 7 required to register as a sex offender under chapter
 8 692A.
 9 Sec. 25. NEW SECTION. 674.7A COPY TO DEPARTMENT
 10 OF PUBLIC SAFETY.
 11 When the court grants a decree of change of name

12 and the petitioner is required to register as a sex
13 offender under chapter 692A, the clerk of court shall
14 furnish a certified copy of the decree to the
15 department of public safety for entry of the name
16 change into the sex offender registry as provided in
17 chapter 692A.

18 Sec. 26. NEW SECTION. 674.15 FAILURE TO DISCLOSE
19 SEX OFFENDER REGISTRATION INFORMATION — PENALTY.

20 A person commits an aggravated misdemeanor if the
21 person petitions the court seeking a name change as
22 provided in this chapter and the person knowingly
23 fails to disclose in the petition that the person is
24 required to register as a sex offender under chapter
25 692A.

26 Sec. 27. Section 692A.3, Code 2007, is amended by
27 adding the following new subsection:

28 NEW SUBSECTION. 6. The fact that the clerk of the
29 district court is forwarding name change information
30 to the department pursuant to section 595.5, 600.13,
31 or 674.7A, does not alleviate the responsibility of a
32 person required to register under this chapter to
33 notify the sheriff of a name change as provided in
34 this section.

35 DIVISION IV

36 SEX OFFENDER TREATMENT AND SUPERVISION TASK 37 FORCE

38 Sec. 28. NEW SECTION. 216A.139 SEX OFFENDER
39 TREATMENT AND SUPERVISION TASK FORCE.

40 1. The division shall establish and maintain a
41 task force to study and make recommendations for
42 treating and supervising sex offenders in correctional
43 institutions, community-based correctional programs,
44 and in the community.

45 2. Members of the task force shall include members
46 of the general assembly selected by the legislative
47 council and representatives of the following:

48 a. One representative from the state department of
49 transportation.

50 b. One representative of the Iowa civil liberties

Page 11

1 union.

2 c. One representative of the department of human
3 services.

4 d. One representative of the department of public
5 safety.

6 e. One representative of the Iowa state sheriffs'
7 and deputies' association.

8 f. One representative of the Iowa county attorneys
9 association.

10 g. One representative of the department of

11 corrections.
 12 h. One representative of the board of parole.
 13 i. One representative of a judicial district
 14 department of correctional services.
 15 j. One representative of the department of justice.
 16 k. One representative of the state public defender.
 17 l. One representative of the Iowa coalition against
 18 sexual assault.
 19 m. One representative of the juvenile court service
 20 officers' association.
 21 3. The task force shall study the following:
 22 a. The effectiveness of electronically monitoring
 23 sex offenders.
 24 b. The effects and costs of sex offender
 25 sentencing laws including the special sentence in
 26 chapter 903B.
 27 c. Risk assessment models created for sex
 28 offenders.
 29 d. Determining the best treatment programs
 30 available for sex offenders and the efforts of Iowa
 31 and other states to implement treatment programs.
 32 e. The efforts of Iowa and other states to prevent
 33 sex-related crimes and child sexual abuse.
 34 f. Sharing of public safety adjustment information
 35 between the judicial district departments of
 36 correctional services and state and local law
 37 enforcement agencies.
 38 g. Any other issues the task force deems necessary
 39 including but not limited to computer and internet
 40 sex-related crimes, the investigation of sex-related
 41 crimes, sex offender case management, best practices
 42 for sex offender supervision, the sex offender
 43 registry, and safety zones.
 44 4. During the 2007 interim and periodically
 45 thereafter the task force shall study and make
 46 specific recommendations for licensure or
 47 certification standards of sex offender treatment
 48 programs. The specific recommendations shall be part
 49 of any report submitted pursuant to subsection 5.
 50 5. Beginning on January 15, 2008, and every year

Page 12

1 thereafter by January 15, the task force shall report
 2 to the governor and the general assembly the issues
 3 studied, actions taken, and task force
 4 recommendations.
 5 Sec. 29. 2005 Iowa Acts, chapter 158, section 52,
 6 is amended by striking the section.
 7 DIVISION V
 8 JUVENILE COURT OFFICER TRAINING
 9 Sec. 30. JUVENILE COURT OFFICER TRAINING. The

10 judicial branch shall conduct a training conference
 11 for juvenile court officers on matters relating to
 12 juvenile sex offender supervision and managing the
 13 submission of DNA samples by juvenile sex offenders.

14 DIVISION VI

15 SEX ABUSE-RELATED PREVENTION PROGRAMS

16 Sec. 31. SEX ABUSE-RELATED PREVENTION PROGRAMS.

17 The department of human services shall expand, on a
 18 statewide basis, sex abuse-related prevention programs
 19 including expanding efforts with the Iowa coalition
 20 against sexual assault and prevent child abuse Iowa.

21 DIVISION VII

22 STATE MANDATE

23 Sec. 32. IMPLEMENTATION OF ACT. Section 25B.2,
 24 subsection 3, shall not apply to this Act.”

25 2. Title page, by striking lines 1 through 3 and
 26 inserting the following: “An Act relating to
 27 prohibitive sex acts including certain sex acts
 28 involving minors, sex offender restrictions, safety
 29 zones, and registry, and providing penalties.”

KEITH A. KREIMAN
 ROBERT E. DVORSKY
 ROBERT M. HOGG

S-3395

1 Amend Senate File 599 as follows:

- 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 “Section 1. NEW SECTION. 469.1 DEFINITIONS.
 5 For the purposes of this chapter:
 6 1. “Board” means the Iowa power fund board created
 7 in section 469.4.
 8 2. “Committee” means the due diligence committee
 9 created in section 469.5.
 10 3. “Director” means the director of the office of
 11 energy independence.
 12 4. “Fund” means the Iowa power fund created in
 13 section 469.7.
 14 5. “Office” means the governor’s office of energy
 15 independence.

16 Sec. 2. NEW SECTION. 469.2 OFFICE OF ENERGY
 17 INDEPENDENCE.

18 The office of energy independence is established to
 19 coordinate state activities concerning energy
 20 independence.

21 Sec. 3. NEW SECTION. 469.3 DIRECTOR OF OFFICE OF
 22 ENERGY INDEPENDENCE.

23 1. A director of the office of energy independence
 24 shall be appointed by the governor, subject to
 25 confirmation by the senate, and shall serve at the

26 pleasure of the governor. The governor shall fill a
27 vacancy in the office in the same manner as the
28 original appointment was made. The director shall be
29 selected primarily for administrative ability and
30 knowledge concerning renewable energy, renewable
31 fuels, and energy efficiency. The salary of the
32 director shall be fixed by the governor.

33 2. The director shall do all of the following:

34 a. Direct the office of energy independence.

35 b. Coordinate the administration of the Iowa power
36 fund.

37 c. Lead outreach and public education efforts
38 concerning renewable energy, renewable fuels, and
39 energy efficiency.

40 d. Pursue new research and investment funds from
41 federal and private sources.

42 e. Coordinate and monitor all existing state and
43 federal renewable energy, renewable fuels, and energy
44 efficiency grants, programs, and policy.

45 f. Advise the governor and general assembly
46 concerning renewable energy, renewable fuels, and
47 energy efficiency policy and legislation.

48 g. Establish performance measures for determining
49 effectiveness of renewable energy, renewable fuels,
50 and energy efficiency efforts.

Page 2

1 h. Contract for and utilize assistance from the
2 department of economic development and the department
3 of natural resources and the utilities board regarding
4 assistance in the administration of grants, loans, and
5 other financial incentives, and other state agencies
6 as appropriate.

7 i. Develop a state energy plan.

8 j. Submit an annual report to the governor and
9 general assembly by November 1 of each year concerning
10 the activities and programs of the office, Iowa power
11 fund, and other departments related to renewable
12 energy, renewable fuels, and energy efficiency. The
13 report shall include an assessment of needs with
14 respect to renewable energy, renewable fuels, and
15 energy efficiency efforts and policy and fiscal
16 recommendations for renewable energy, renewable fuels,
17 and energy efficiency. In addition, the director
18 shall review issues related to transportation of
19 biofuels and explore leading and participating in
20 multistate efforts related to renewable energy and
21 energy efficiency.

22 k. Adopt rules pursuant to chapter 17A concerning
23 the office, the Iowa power fund, and the programs and
24 functions of the office and the fund.

25 Sec. 4. NEW SECTION. 469.4 IOWA POWER FUND
26 BOARD.
27 1. An eighteen-member Iowa power fund board is
28 created with the following membership:
29 a. The chairperson of the utilities board or the
30 chairperson's designee.
31 b. The director of the department of economic
32 development or the director's designee.
33 c. The director of the department of natural
34 resources or the director's designee.
35 d. The secretary of agriculture or the secretary's
36 designee.
37 e. Seven members appointed by the governor subject
38 to confirmation by the senate. An appointee shall
39 have demonstrated experience or expertise in one or
40 more of the fields of renewable energy, renewable
41 fuels, energy efficiency, greenhouse gas reductions,
42 utility operations, agribusiness, research and
43 development of new technologies, commercialization of
44 new technologies, economic development, and finance.
45 The members shall be from the nonpublic sector,
46 business, or a research institution.
47 f. Seven members serving in an ex officio,
48 nonvoting capacity, appointed as follows:
49 (1) One member of the senate appointed by the
50 majority leader of the senate.

Page 3

1 (2) One member of the senate appointed by the
2 minority leader of the senate.
3 (3) One member of the house of representatives
4 appointed by the majority leader of the house of
5 representatives.
6 (4) One member of the house of representatives
7 appointed by the minority leader of the house of
8 representatives.
9 (5) One member representing the state board of
10 regents appointed by the president of the state board
11 of regents.
12 (6) One member representing the community colleges
13 appointed by the executive director of the Iowa
14 association of community college presidents.
15 (7) One member representing independent colleges
16 and universities appointed by the president of the
17 Iowa association of independent colleges and
18 universities.
19 A legislative member is eligible for per diem and
20 expenses as provided in section 2.10.
21 2. The members appointed by the governor shall be
22 appointed for three-year staggered terms beginning and
23 ending as provided in section 69.19. A vacancy on the

24 board shall be filled for the unexpired term in the
25 same manner as the original appointment was made.

26 3. The members of the board shall be reimbursed
27 for actual and necessary travel and related expenses
28 incurred in the discharge of official duties. Each
29 member of the board may also be eligible to receive
30 compensation as provided in section 7E.6.

31 4. A majority of the voting members of the board
32 constitutes a quorum, and a majority of the total
33 voting membership of the board is necessary to act in
34 any matter within the jurisdiction of the board.

35 5. The duties of the board include all of the
36 following:

37 a. Consider and approve grants, loans, or
38 investments and other financial incentives made from
39 the fund.

40 b. Advise the governor and director concerning
41 strategic direction for the fund.

42 c. Provide the governor with advice concerning
43 economic development, policy, technical issues, and
44 strategic direction concerning renewable energy,
45 renewable fuels, and energy efficiency.

46 d. Direct moneys from the fund to be used to
47 purchase private or public technical assistance needed
48 to conduct due diligence activities.

49 e. Develop a state energy plan.

50 Sec. 5. NEW SECTION. 469.5 DUE DILIGENCE

Page 4

1 COMMITTEE.

2 1. A seven-member due diligence committee is
3 created to review applications that will come before
4 the board for financial assistance from moneys in the
5 fund. The committee, after a thorough review, shall
6 determine whether a proposed project using moneys from
7 the fund is practical and shall provide
8 recommendations to the board regarding any moneys
9 proposed to be expended from the fund. Membership of
10 the committee shall consist of the following:

11 a. One member designated by the director of the
12 office of energy independence with expertise in the
13 financing of new businesses.

14 b. One member designated by the president of the
15 state board of regents.

16 c. One member designated by the director of the
17 department of economic development.

18 d. One member designated by the director of the
19 Iowa energy center.

20 e. One member designated by the director of the
21 department of economic development who represents the
22 three targeted industries of biosciences, advanced

23 manufacturing, and information technology.

24 f. Two members of the Iowa power fund board
25 designated by the chairperson of the board.

26 2. A majority of the members of the committee
27 shall constitute a quorum, and a quorum shall be
28 necessary to act on any matter within the jurisdiction
29 of the committee.

30 3. The director of the office of energy
31 independence shall provide office space, staff
32 assistance, and necessary supplies and equipment to
33 the committee. The director shall budget moneys to
34 pay the compensation expenses of the committee. In
35 performing its functions, the committee is performing
36 a public function on behalf of the state and is a
37 public instrumentality of the state.

38 Sec. 6. NEW SECTION. 469.6 CONFLICTS OF
39 INTEREST.

40 If a member of the board or due diligence committee
41 has an interest, either direct or indirect, in a
42 project for which financial assistance may be provided
43 by the board, the interest shall be fully disclosed to
44 the board in writing. The member having the interest
45 shall not participate in the decision-making process
46 with regard to the provision of such financial
47 assistance to the project.

48 Sec. 7. NEW SECTION. 469.7 IOWA POWER FUND.

49 1. An Iowa power fund is created in the state
50 treasury under the control of the office. The fund

Page 5

1 shall be separate from the general fund of the state
2 and the balance in the fund shall not be considered
3 part of the balance of the general fund of the state.
4 However, the fund shall be considered a special
5 account for the purposes of section 8.53, relating to
6 generally accepted accounting principles.

7 2. The fund shall be used to further the goals of
8 increasing the production, development, and use of
9 biofuels and other sources of renewable energy,
10 improve energy efficiency, and reduce greenhouse gas
11 emissions, and shall encourage, support, and provide
12 for research, development, commercialization, and the
13 implementation of energy technologies and practices.
14 The technologies and practices should reduce this
15 state's dependence on foreign sources of energy and
16 fossil fuels.

17 3. The fund shall consist of appropriations made
18 to the fund and other moneys available to and obtained
19 or accepted by the office from federal or private
20 sources to the credit of the fund. Notwithstanding
21 section 12C.7, subsection 2, interest or earnings on

22 moneys in the fund shall be credited to the fund.
23 Notwithstanding section 8.33, moneys credited to the
24 Iowa power fund shall not revert to the fund from
25 which appropriated.

26 4. The board shall develop criteria for the
27 awarding of grants from the fund, and shall submit the
28 criteria developed to the general assembly by January
29 1, 2008.

30 Sec. 8. NEW SECTION. 469.8 IOWA POWER FUND —
31 APPROPRIATION.

32 1. There is appropriated from the general fund of
33 the state to the office of energy independence for
34 each fiscal year of the fiscal period beginning July
35 1, 2008, and ending June 30, 2011, the sum of
36 twenty-five million dollars to be used for awarding
37 grants and making loans from the Iowa power fund
38 created in section 469.7.

39 2. Of the moneys appropriated to the office and
40 deposited in the fund, there shall be allocated on an
41 annual basis two million five hundred thousand dollars
42 to the department of economic development for deposit
43 into the workforce training and economic development
44 funds of the community colleges created pursuant to
45 section 260C.18A. Of the funds so deposited into the
46 workforce training and economic development funds of
47 the community colleges, two million five hundred
48 thousand dollars shall be used each year in the
49 development and expansion of energy industry areas and
50 for the department’s North American industrial

Page 6

1 classification system for targeted industry areas
2 established pursuant to section 260C.18A.

3 Sec. 9. IOWA POWER FUND.

4 1. There is appropriated from the general fund of
5 the state to the legislative council for the fiscal
6 year beginning July 1, 2006, and ending June 30, 2007,
7 the following amount, or so much thereof as is
8 necessary, to be used for the purposes designated:

9 For allocation by the legislative council for
10 purposes consistent with the Iowa power fund arising
11 prior to legislative approval of the criteria to be
12 developed pursuant to section 469.7, subsection 4:

13 \$ 4,000,000

14 2. If the criteria developed pursuant to section
15 469.7, subsection 4, are approved or are modified and
16 approved by the general assembly in an enactment,
17 there is appropriated from the general fund of the
18 state to the office of energy independence for the
19 fiscal year beginning July 1, 2007, and ending June
20 30, 2008, the following amount, or so much thereof as

21 is necessary, to be used for the purposes designated:

22 For deposit in the Iowa power fund created in
23 section 469.7:

24 \$ 21,000,000

25 Of the moneys appropriated to the office and
26 deposited in the fund, there shall be allocated on an
27 annual basis two million five hundred thousand dollars
28 to the department of economic development for deposit
29 into the workforce training and economic development
30 funds of the community colleges created pursuant to
31 section 260C.18A. Of the funds so deposited into the
32 workforce training and economic development funds of
33 the community colleges, two million five hundred
34 thousand dollars shall be used each year in the
35 development and expansion of energy industry areas and
36 for the department's North American industrial
37 classification system for targeted industry areas
38 established pursuant to section 260C.18A.

39 Sec. 10. EFFECTIVE DATE. This Act, being deemed
40 of immediate importance, takes effect upon enactment.”

JEFF ANGELO

S-3396

1 Amend Senate File 599 as follows:

2 1. Page 9, line 33, by striking the words
3 “twenty-five million” and inserting the following:
4 “twenty-two million five hundred thousand”.

5 2. Page 10, by striking lines 4 through 16.

6 3. Page 14, by inserting after line 3 the
7 following:

8 “Sec. ____ Section 260G.4B, subsection 1, Code
9 2007, is amended to read as follows:

10 1. The total amount of program job credits from
11 all employers which shall be allocated for all
12 accelerated career education programs in the state in
13 any one fiscal year shall not exceed the sum of ~~three~~
14 ~~million dollars in the fiscal year beginning July 1,~~
15 ~~2000, three million dollars in the fiscal year~~
16 ~~beginning July 1, 2001, three million dollars in the~~
17 ~~fiscal year beginning July 1, 2002, four million~~
18 ~~dollars in the fiscal year beginning July 1, 2003, and~~
19 ~~six million dollars in the fiscal year beginning July~~
20 ~~1, 2004~~ eight million five hundred thousand dollars in
21 the fiscal year beginning July 1, 2006, and every
22 fiscal year thereafter. ~~Any increase in program job~~
23 ~~credits above the six million dollar limitation per~~
24 ~~fiscal year shall be developed, based on~~
25 ~~recommendations in a study conducted by the department~~
26 ~~of economic development, pursuant to this section,~~
27 ~~Code Supplement 2003, of the needs and performance of~~

28 ~~approved programs in the fiscal years beginning July~~
 29 ~~1, 2000, and July 1, 2001.~~ A community college shall
 30 file a copy of each agreement with the department of
 31 economic development. The department shall maintain
 32 an annual record of the proposed program job credits
 33 under each agreement for each fiscal year. Upon
 34 receiving a copy of an agreement, the department shall
 35 allocate any available amount of program job credits
 36 to the community college according to the agreement
 37 sufficient for the fiscal year and for the term of the
 38 agreement. When the total available program job
 39 credits are allocated for a fiscal year, the
 40 department shall notify all community colleges that
 41 the maximum amount has been allocated and that further
 42 program job credits will not be available for the
 43 remainder of the fiscal year. Once program job
 44 credits have been allocated to a community college,
 45 the full allocation shall be received by the community
 46 college throughout the fiscal year and for the term of
 47 the agreement even if the statewide program job credit
 48 maximum amount is subsequently allocated and used.”
 49 4. Page 16, line 2, by striking the figure
 50 “24,670,000” and inserting the following:

Page 2

- 1 “22,170,000”.
- 2 5. page 16, by striking lines 3 through 14.
- 3 6. By renumbering as necessary.

LARRY McKIBBEN
 JEFF ANGELO
 MARY A. LUNDBY
 JAMES A. SEYMOUR
 LARRY NOBLE
 DAVID HARTSUCH
 PAT WARD
 HUBERT HOUSER
 JERRY BEHN
 NANCY J. BOETTGER
 E. THURMAN GASKILL
 JOHN PUTNEY
 JAMES F. HAHN
 PAUL McKINLEY
 STEVE KETTERING
 MARK ZIEMAN
 DAVID JOHNSON
 BRAD ZAUN
 DAVE MULDER
 RON WIECK

S-3397

1 Amend Senate File 598 as follows:

2 1. Page 1, by inserting after line 2 the
3 following:

4 "Sec. ____ ADDITIONAL ALLOWED GROWTH FUNDING.

5 There is appropriated from the general fund of the
6 state to the department of human services for the
7 fiscal year beginning July 1, 2006, and ending June
8 30, 2007, the following amount, or so much thereof as
9 is necessary, to be used for the purposes designated:

10 To be distributed to counties in the succeeding
11 fiscal year as additional funding for purposes of and
12 in accordance with the provisions of 2006 Iowa Acts,
13 chapter 1185, section 1, subsection 1A, as enacted by
14 this division of this Act:

15 \$ 12,000,000

16 Notwithstanding section 8.33, moneys appropriated
17 in this section that remain unencumbered or
18 unobligated at the close of the fiscal year shall not
19 revert but shall remain available for expenditure for
20 the purposes designated until the close of the
21 succeeding fiscal year."

22 2. Page 2, by inserting after line 6 the
23 following:

24 "Sec. ____ EFFECTIVE DATE. The section of this
25 division of this Act making an appropriation for the
26 fiscal year beginning July 1, 2006, for purposes of
27 additional allowed growth funding, being deemed of
28 immediate importance, takes effect upon enactment."

29 3. By renumbering as necessary.

BRAD ZAUN
DAVE MULDER
PAT WARD
PAUL McKINLEY
STEVE KETTERING
NANCY J. BOETTGER
JOHN PUTNEY
JAMES F. HAHN
DAVID JOHNSON
HUBERT HOUSER
LARRY McKIBBEN
RON WIECK
JEFF ANGELO
MARY A. LUNDBY
E. THURMAN GASKILL
LARRY NOBLE
DAVID HARTSUCH

S-3398

1 Amend House File 641, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 321.210A, Code 2007, is
6 amended by adding the following new subsection:
7 NEW SUBSECTION. 4. If after suspension, the
8 person enters into an installment agreement with the
9 county attorney or county attorney's designee in
10 accordance with section 321.210B to pay the fine,
11 penalty, court cost, or surcharge, the person's
12 license shall be reinstated by the department upon
13 receipt of a report of an executed installment
14 agreement.

15 Sec. 2. NEW SECTION. 321.210B INSTALLMENT
16 AGREEMENT.

17 1. If a person's fine, penalty, surcharge, or
18 court cost is deemed delinquent as provided in section
19 602.8107, subsection 3, and the person's driver's
20 license has been suspended pursuant to section
21 321.210A, the person may execute an installment
22 agreement with the county attorney or the county
23 attorney's designee to pay the delinquent amount and
24 the fee assessed in subsection 5 in installments.
25 Prior to execution of the installment agreement, the
26 person shall provide the county attorney or the county
27 attorney's designee with a financial statement in
28 order for the parties to the agreement to determine
29 the amount of the installment payments.

30 2. Upon execution of an installment agreement and
31 after the first installment payment, the county
32 attorney or the county attorney's designee shall send
33 the executed installment agreement to the department.

34 3. Upon receipt of an executed installment
35 agreement and upon payment of the reinstatement fee as
36 provided in section 321.191, the department shall
37 immediately reinstate the driver's license of the
38 person unless the driver's license of the person is
39 otherwise suspended, revoked, denied, or barred under
40 another provision of law.

41 4. If a driver's license is reinstated upon
42 receipt of an executed installment agreement the
43 driver shall provide proof of financial responsibility
44 pursuant to section 321A.17, if otherwise required by
45 law.

46 5. The civil penalty, if assessed pursuant to
47 section 321.218A, shall be added to the amount owing
48 under the installment agreement. The county attorney
49 or the county attorney's designee shall transmit to
50 the department, from the first funds collected, an

Page 2

1 amount equal to the amount of any civil penalty
2 assessed and added to the installment agreement. The
3 department shall transmit the funds received from the
4 county attorney or county attorney's designee pursuant
5 to this subsection to the treasurer of state for
6 deposit in the juvenile detention home fund created in
7 section 232.142.

8 6. The county attorney, or the county attorney's
9 designee, shall report any default to the department.

10 7. Upon receipt of a report of a default in the
11 making of any installment agreement payment, the
12 department shall suspend the driver's license of a
13 person as provided in section 321.210A. For purposes
14 of suspension and reinstatement of the driver's
15 license of a person in default, the suspension and any
16 subsequent reinstatement shall be considered a
17 suspension pursuant to section 321.210A.

18 8. If a new fine, penalty, surcharge, or court
19 cost is imposed on a person after the person has
20 executed an installment agreement with the county
21 attorney or the county attorney's designee, and the
22 new fine, penalty, surcharge, or court cost is deemed
23 delinquent as provided in section 602.8107, subsection
24 3, and the person's driver's license has been
25 suspended pursuant to section 321.210A, the person may
26 enter into a second installment agreement with the
27 county attorney or county attorney's designee to pay
28 the delinquent amount and the fee, if assessed, in
29 subsection 5 in installments.

30 9. If the person is in default in making the
31 installment agreement payment covering a particular
32 fine, penalty, surcharge, or court cost, that
33 particular fine, penalty, surcharge, or court cost
34 shall not become part of any new installment
35 agreement.

36 10. Each county attorney shall develop and
37 implement an installment agreement program pursuant to
38 this section, which may include using a designee as
39 defined in section 331.756, subsection 5. A person
40 shall execute an installment agreement in the county
41 where the fine, penalty, surcharge, or court cost was
42 imposed. A person is only eligible to enter into five
43 installment agreements in the person's lifetime.

44 11. Except for the civil penalty if assessed and
45 collected pursuant to subsection 5, any amount
46 collected under the installment agreement shall be
47 kept in an interest bearing account by the county
48 attorney or the county attorney's designee, and be
49 distributed as provided in section 602.8107,
50 subsection 4.

Page 3

1 Sec. 3. Section 321.210C, Code 2007, is amended to
2 read as follows:

3 321.210C PROBATION PERIOD.

4 A person whose driver's license or operating
5 privileges have been suspended, revoked, or barred
6 under this chapter for a conviction of a moving
7 traffic violation, or suspended, revoked, or barred
8 under section 321.205 or section 321.210, subsection
9 1, paragraph "e", or chapter 321J, must satisfactorily
10 complete a twelve-month probation period beginning
11 immediately after the end of the period of suspension,
12 revocation, or bar. Upon a second conviction of a
13 moving traffic violation which occurred during the
14 probation period, the department may suspend the
15 driver's license or operating privileges for an
16 additional period equal in duration to the original
17 period of suspension, revocation, or bar, or for one
18 year, whichever is the shorter period. For purposes
19 of determining a conviction under this section, the
20 department shall not consider the first two speeding
21 violations within the probation period that are ten
22 miles per hour or less over the legal speed limit in
23 speed zones having a legal speed limit between
24 thirty-four miles per hour and fifty-six miles per
25 hour.

26 Sec. 4. Section 321.215, subsection 1, Code 2007,
27 is amended by adding the following new paragraph:
28 **NEW PARAGRAPH.** f. The person's appointments with
29 the person's parole or probation officer.

30 Sec. 5. Section 321.218A, Code 2007, is amended to
31 read as follows:

32 321.218A CIVIL PENALTY — DISPOSITION —
33 REINSTATEMENT.

34 When the department suspends, revokes, or bars a
35 person's driver's license or nonresident operating
36 privilege for a conviction under this chapter, the
37 department shall assess the person a civil penalty of
38 two hundred dollars. However, for persons age
39 nineteen or under, the civil penalty assessed shall be
40 fifty dollars. The civil penalty does not apply to a
41 suspension issued for a violation of section 321.180B.
42 The money collected by the department under this
43 section shall be transmitted to the treasurer of state
44 who shall deposit the money in the juvenile detention
45 home fund created in section 232.142. ~~A~~ Except as
46 provided in section 321.210B, a temporary restricted
47 license shall not be issued or a driver's license or
48 nonresident operating privilege reinstated until the
49 civil penalty has been paid.

50 Sec. 6. Section 321J.20, subsection 1, unnumbered

Page 4

1 paragraph 1, Code 2007, is amended to read as follows:

2 The department may, on application, issue a
3 temporary restricted license to a person whose
4 noncommercial driver's license is revoked under this
5 chapter allowing the person to drive to and from the
6 person's home and specified places at specified times
7 which can be verified by the department and which are
8 required by the person's full-time or part-time
9 employment, continuing health care or the continuing
10 health care of another who is dependent upon the
11 person, continuing education while enrolled in an
12 educational institution on a part-time or full-time
13 basis and while pursuing a course of study leading to
14 a diploma, degree, or other certification of
15 successful educational completion, substance abuse
16 treatment, ~~and~~ court-ordered community service
17 responsibilities, and appointments with the person's
18 parole or probation officer if the person's driver's
19 license has not been revoked previously under section
20 321J.4, 321J.9, or 321J.12 and if any of the following
21 apply:

22 Sec. 7. Section 331.756, subsection 5, Code 2007,
23 is amended to read as follows:

24 5. Enforce all forfeited bonds and recognizances
25 and prosecute all proceedings necessary for the
26 recovery of debts, revenues, moneys, fines, penalties,
27 restitution of court-appointed attorney fees ordered
28 pursuant to section 815.9, including the expense of a
29 public defender, and forfeitures accruing to the
30 state, the county or a road district in the county,
31 and all suits in the county against public service
32 corporations which are brought in the name of the
33 state. To assist in this duty, the county attorney
34 may procure ~~professional collection services provided~~
35 ~~by persons or organizations, including private~~
36 ~~attorneys, which are generally considered to have~~
37 ~~knowledge and special abilities which are not~~
38 ~~generally available to state or local government or~~
39 ~~may designate another county official or agency a~~
40 designee to assist with collection efforts.

41 b. If the designee is a professional collection
42 ~~services are procured~~ agency, the county attorney
43 shall file with the clerk of the district court an
44 indication of the satisfaction of each obligation to
45 the full extent of all moneys collected in
46 satisfaction of that obligation, including all fees
47 and compensation retained by the ~~collection service~~
48 designee incident to the collection and not paid into
49 the office of the clerk.

50 c. Before a county attorney designates another

Page 5

1 county official or agency to assist with collection of
2 debts, revenues, moneys, fines, penalties, restitution
3 of court-appointed attorney fees ordered pursuant to
4 section 815.9, including the expense of a public
5 defender, and forfeitures, the board of supervisors of
6 the county must approve the designation.

7 d. All fines, penalties, court costs, fees, and
8 restitution for court-appointed attorney fees ordered
9 pursuant to section 815.9, including the expenses of a
10 public defender which are delinquent as defined in
11 section 602.8107 may be collected by the county
12 attorney or the ~~person procured or designated by the~~
13 ~~county attorney~~ county attorney's designee. The
14 county attorney or the county attorney's designee may
15 collect delinquent obligations under an installment
16 agreement pursuant to section 321.210B.

17 e. In order to receive a percentage of the amounts
18 collected pursuant to section 602.8107, the county
19 attorney must file annually with the clerk of the
20 district court on or before July 1 a notice of full
21 commitment to collect delinquent obligations and must
22 file on the first day of each month a list of the
23 cases in which the county attorney or the ~~person~~
24 ~~procured or designated by the county attorney~~ county
25 attorney's designee is pursuing the collection of
26 delinquent obligations. The list shall include a list
27 of cases where delinquent obligations are being
28 collected under an installment agreement pursuant to
29 section 321.210B, and a list of cases in default which
30 are no longer being collected under an installment
31 agreement but remain delinquent. The annual notice
32 shall contain a list of procedures which will be
33 initiated by the county attorney. Amounts collected
34 by the county attorney or the ~~person procured or~~
35 ~~designated by the county attorney~~ county attorney's
36 designee shall be distributed in accordance with
37 section 602.8107.

38 f. As used in this subsection, "designee" means a
39 professional collection services agency operated by a
40 person or organization, including a private attorney,
41 that is generally considered to have knowledge and
42 special abilities not generally possessed by the
43 state, a local government, or another county official
44 or agency.

45 Sec. 8. Section 602.8105, subsection 2, paragraph
46 e, Code 2007, is amended to read as follows:

47 e. For filing a praecipe to issue execution under
48 chapter 626, twenty-five dollars. The fee shall be
49 recoverable by the creditor against whom the execution
50 is issued. A fee payable by a political subdivision

Page 6

1 of the state under this paragraph shall be collected
2 by the clerk of the district court as provided in
3 section 602.8109. However, the clerk shall not
4 collect the fee from a political subdivision of the
5 state engaged in the collection of a delinquent
6 obligation owed the state pursuant to section
7 331.756.”

8 2. Page 2, by inserting after line 6 the
9 following:

10 “Sec. ____ Section 602.8107, subsection 6,
11 unnumbered paragraph 1, Code 2007, is amended to read
12 as follows:

13 If a county attorney does not file the notice and
14 list of cases required in section 331.756, subsection
15 5, including the list of installment agreements under
16 section 321.210B, the judicial branch may assign cases
17 to the centralized collection unit of the department
18 of revenue or its designee to collect debts owed to
19 the clerk of the district court. In addition, an
20 installment agreement in default that remains
21 delinquent may also be assigned to the centralized
22 collection unit of the department of revenue or its
23 designee.”

24 3. Page 3, by inserting after line 32 the
25 following:

26 “Sec. ____ INSTALLMENT AGREEMENT — COOPERATION.

27 It is the intent of the general assembly that the
28 judicial branch, the department of transportation, the
29 department of workforce development, county attorneys,
30 and other state and local agencies cooperate in the
31 collection of delinquent court fines, penalties,
32 surcharges, and court costs by coordinating efforts in
33 the collection of installment agreement payments under
34 section 321.210B.”

35 4. Title page, line 1, by inserting after the
36 word “procedures” the following: “and the issuance of
37 a driver’s license or temporary restricted license”.

38 5. Title page, line 2, by inserting after the
39 word “including” the following: “collection of a
40 delinquent obligation and reinstatement of a driver’s
41 license, and”.

42 6. By renumbering as necessary.

ROBERT M. HOGG

S-3399HOUSE AMENDMENT TO
SENATE FILE 340

1 Amend Senate File 340, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by striking lines 10 through 12, and
 4 inserting the following: "Future interests may be
 5 considered, but expectancies or interests arising from
 6 inherited or gifted property created under a will or
 7 other instrument under which the trustee, trustor,
 8 trust protector, or owner has the power to remove the
 9 party in question as a beneficiary, shall not be
 10 considered."

S-3400HOUSE AMENDMENT TO
SENATE FILE 457

1 Amend Senate File 457, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, line 4, by inserting after the word
 4 "officer" the following: "or where other
 5 investigations pursuant to state or federal law
 6 require different investigatory procedures".
 7 2. Page 2, by striking lines 13 through 22 and
 8 inserting the following:
 9 "5. An officer who is the subject of a complaint,
 10 shall at a minimum, be provided a written summary of
 11 the complaint prior to an interview. If a collective
 12 bargaining agreement applies, the complaint or written
 13 summary shall be provided pursuant to the procedures
 14 established under the collective bargaining agreement.
 15 If the complaint alleges domestic abuse, sexual abuse,
 16 or sexual harassment, an officer shall not receive
 17 more than a written summary of the complaint."
 18 3. Page 2, line 28, by striking the words "be
 19 electronically" and inserting the following: " , at a
 20 minimum, be audio".
 21 4. Page 2, by striking lines 29 through 31 and
 22 inserting the following:
 23 "8. The officer shall have the right to have legal
 24 counsel present, at the officer's expense, during the
 25 interview of the officer. In addition, the officer
 26 shall have the right, at the officer's expense, to
 27 have a union representative present during the
 28 interview or, if not a member of a union, the officer
 29 shall have the right to have a designee present."
 30 5. Page 3, line 8, by striking the words
 31 "intentionally false" and inserting the following: "a

32 violation of section 718.6”.

33 6. Page 3, line 12, by striking the words “making
34 a false report in” and inserting the following: “a”.

35 7. Page 3, by striking lines 13 through 17 and
36 inserting the following:

37 “13. An officer shall have the right to pursue
38 civil remedies under the law against a citizen arising
39 from the filing of a false complaint against the
40 officer.”

41 8. Page 3, line 20, by inserting after the word
42 “office” the following: “as long as the officer’s
43 candidacy does not violate the federal Hatch Act, 5
44 U.S.C. § 1501 et seq”.

45 9. Page 3, line 28, by inserting after the word
46 “duty” the following: “as long as the officer’s
47 political activity does not violate the federal Hatch
48 Act, 5 U.S.C. § 1501 et seq”.

S-3401

HOUSE AMENDMENT TO SENATE FILE 530

1 Amend Senate File 530, as passed by the Senate, as
2 follows:

3 1. Page 1, line 7, by inserting after the word
4 “country.” the following: “This subsection shall not
5 be interpreted to impact or alter a referral fee
6 structure which otherwise complies with the
7 requirements of this section.”

8 2. Page 1, by inserting after line 7 the
9 following:

10 “Sec. ____ Section 543B.60A, Code 2007, is amended
11 by adding the following new subsection:

12 NEW SUBSECTION. 9. A licensee or person licensed
13 in another state or foreign country who conducts
14 business in this state or refers business to a
15 licensee in this state shall disclose in writing to
16 the consumer and to the licensee to whom they are
17 referring business, the name of the consumer being
18 referred, the name of the referring company, and the
19 amount of compensation they are receiving for the
20 referral. This subsection shall not affect or
21 restrict business practices relating to payment
22 methods between listing and selling brokerages, and
23 shall be applicable strictly to properties containing
24 at least one but not more than four dwelling units.”

25 3. By renumbering, relettering, or redesignating
26 and correcting internal references as necessary.

S-3402

1 Amend Senate File 601 as follows:
 2 1. Page 35, by inserting after line 25 the
 3 following:
 4 "Sec. ____ Section 99F.4, subsection 24, Code
 5 2007, is amended to read as follows:
 6 24. To conduct a socioeconomic study on the impact
 7 of gambling on Iowans, every eight years beginning in
 8 calendar year ~~2008~~ 2013, and issue a report on that
 9 study. The commission shall ensure that the results
 10 of each study are readily accessible to the public."

MICHAEL CONNOLLY

S-3403

1 Amend Senate File 601 as follows:
 2 1. Page 25, by inserting after line 26 the
 3 following:
 4 "Sec. ____ AGRICULTURAL LEARNING CENTER. There is
 5 appropriated from the general fund of the state to the
 6 department of education for the fiscal year beginning
 7 July 1, 2007, and ending June 30, 2008, the following
 8 amount, or so much thereof as is necessary, to be used
 9 for the purposes designated:
 10 For allocation for ongoing costs to an agricultural
 11 learning center that is administered jointly by a high
 12 school and community college located in a county with
 13 a population based on the 2000 federal census of
 14 between 39,000 and 45,000 and that has a county seat
 15 with a population based on the 2000 federal census of
 16 between 20,000 to 25,000:
 17 \$ 100,000"

JAMES F. HAHN

S-3404

1 Amend Senate File 601 as follows:
 2 1. Page 40, by inserting after line 7 the
 3 following:
 4 "Sec. ____ NEW SECTION. 314.29 SIGNAGE HONORING
 5 HIGHWAY PATROL MEMBERS.
 6 The department, in consultation with the state
 7 patrol, shall erect and maintain appropriate signs
 8 along primary highways designating certain segments as
 9 memorials to individual members of the state patrol
 10 killed in the line of duty, provided that sufficient
 11 funds are available for the purpose. The department

12 may use any combination of public or private moneys
13 available and not otherwise restricted to pay the
14 costs of providing the memorial designations.”

LARRY NOBLE
TOM RIELLY

S-3405

1 Amend Senate File 601 as follows:

2 1. Page 25, by inserting after line 26 the
3 following:
4 “Sec. ____ UNITED STATES CENTER FOR CITIZEN
5 DIPLOMACY. There is appropriated from the general
6 fund of the state to the office of the secretary of
7 state for the fiscal year beginning July 1, 2007, and
8 ending June 30, 2008, the following amount, or so much
9 thereof as is necessary, to be used for the purpose
10 designated:

11 For a grant to support the United States center for
12 citizen diplomacy:
13 \$ 100,000”

DARYL BEALL
NANCY J. BOETTGER

S-3406

1 Amend Senate File 600 as follows:

2 1. Page 1, line 22, by inserting after the word
3 “utilities” the following: “, county conservation
4 boards.”

DENNIS H. BLACK

S-3407

1 Amend Senate File 601 as follows:

2 1. Page 41, by inserting after line 32 the
3 following:
4 “Sec. ____ Section 321E.8A, subsection 2, if
5 enacted by 2007 Iowa Acts, House File 793, is amended
6 to read as follows:
7 2. A vehicle described in subsection 1 shall not
8 be operated on a highway without a permit issued under
9 this section. The owner of a vehicle that is operated
10 in violation of section 321E.7, subsection 4, or this
11 section is subject to a civil penalty of ~~ten thousand~~
12 three hundred dollars, in addition to any other
13 penalties that may apply.”

GENE FRAISE
JERRY BEHN

S-3408

1 Amend Senate File 601 as follows:
 2 1. Page 43, by inserting after line 7 the
 3 following:
 4 "Sec. ____ Section 422.11S, subsection 7,
 5 paragraph a, subparagraph (2), Code 2007, is amended
 6 to read as follows:
 7 (2) "Total approved tax credits" means for the tax
 8 year beginning in the 2006 calendar year, two million
 9 five hundred thousand dollars, ~~and for the tax years~~
 10 ~~year beginning on or after January 1, in the 2007~~
 11 ~~calendar year, five million dollars, and for tax years~~
 12 ~~beginning on or after January 1, 2008, ten million~~
 13 ~~dollars."~~
 14 2. Title page, line 4, by inserting after the
 15 word "employees," the following: "providing for tax
 16 credits".

JOE M. SENG
TOM HANCOCK

S-3409

1 Amend Senate File 601 as follows:
 2 1. Page 19, by striking line 29 and inserting the
 3 following:
 4 "..... \$ 5,600,000"

LARRY McKIBBEN

S-3410

1 Amend House File 830, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 1, by inserting after line 8 the
 4 following:
 5 "Sec. ____ Section 26.2, subsection 4, Code 2007,
 6 is amended to read as follows:
 7 4. "Repair or maintenance work" means the
 8 preservation of a ~~road, street, bridge, culvert~~
 9 ~~building~~, storm sewer, sanitary sewer, or other public
 10 facility or structure so that it remains in sound or
 11 proper condition, including minor replacements and
 12 additions as necessary to restore the public facility
 13 or structure to its original condition with the same
 14 design."
 15 2. Page 1, by striking lines 17 through 20 and
 16 inserting the following: "to bidders shall be
 17 published at least once, not less than four and not
 18 more than forty-five days before the date for filing
 19 bids, in a newspaper published at least once weekly

20 and having general circulation in the geographic area
 21 served by the governmental entity. Additionally, the
 22 governmental entity may”.

23 3. Page 2, line 24, by inserting before the words
 24 “The governmental”, the following: “The date and time
 25 that each bid is received by the governmental entity,
 26 together with the name of the person receiving the
 27 bid, shall be recorded on the envelope containing the
 28 bid. All bids received after the deadlines for
 29 submission of bids as stated in the project
 30 specifications shall not be considered and shall be
 31 returned to the late bidder unopened.”

32 4. Page 4, by inserting after line 27 the
 33 following: “Good faith effort shall include advising
 34 all contractors who have filed with the governmental
 35 entity a request for notice of projects. The
 36 governmental entity shall provide such notice in a
 37 timely manner so that a requesting contractor will
 38 have a reasonable opportunity to submit a competitive
 39 quotation.”

40 5. Page 6, by inserting after line 19 the
 41 following:

42 “Sec. ____ Section 314.1B, subsection 2,
 43 paragraphs b and d, Code 2007, are amended to read as
 44 follows:

45 b. The subcommittee appointed under this
 46 subsection shall review the competitive bid thresholds
 47 applicable to governmental entities under chapter 26.
 48 The subcommittee shall review price adjustments for
 49 all types of construction, reconstruction, and public
 50 improvement projects based on the changes in the

Page 2

1 construction price index, building cost index, and
 2 material cost index from the preceding ~~year~~
 3 adjustment. Upon completion of the review the
 4 subcommittee may make adjustments in the applicable
 5 bid thresholds for types of work based on the price
 6 adjustments.

7 d. Beginning July 1, 2006, the subcommittee shall
 8 make adjustments to the competitive quotation
 9 threshold amounts in section 26.14 for vertical
 10 infrastructure in accordance with ~~adjustments made by~~
 11 ~~the horizontal infrastructure subcommittee under~~
 12 ~~subsection 1 applicable to city and county highway,~~
 13 ~~bridge, and culvert projects~~ the methodology of
 14 paragraph “b”.

15 Sec. ____ Section 314.1B, subsection 2, Code 2007,
 16 is amended by adding the following new paragraph:
 17 NEW PARAGRAPH. e. After 2012, the subcommittee
 18 shall adjust the competitive quotation threshold

19 amounts in section 26.14 at the same time and by the
 20 same percentage as adjustments are made to the
 21 competitive bid threshold.

22 Sec. ____ Section 331.341, subsection 1, Code
 23 2007, is amended to read as follows:

24 1. When the estimated total cost of a public
 25 improvement, other than improvements which may be paid
 26 for from the secondary road fund, exceeds the
 27 competitive bid threshold in section 26.3, or as
 28 established in section 314.1B, the board shall follow
 29 the competitive bid procedures for governmental
 30 entities in chapter 26 and the contract letting
 31 procedures in section 384.103. As used in this
 32 section, "public improvement" means the same as
 33 defined in section 26.2 as modified by this
 34 subsection."

35 6. By renumbering as necessary.

HERMAN C. QUIRMBACH

S-3411

1 Amend Senate File 601 as follows:

2 1. Page 32, by inserting after line 28 the
 3 following:

4 "Sec. ____ Section 8A.311, Code 2007, is amended
 5 by adding the following new subsection:

6 NEW SUBSECTION. 21. a. The director may
 7 authorize the procurement of goods and services in
 8 which a limitation of vendor liability is provided for
 9 and set forth in the documents initiating the
 10 procurement. The director, in consultation with the
 11 department of management, shall adopt rules setting
 12 forth the circumstances in which such procurement will
 13 be permitted and what types of limitations of
 14 liability are permitted. Rules adopted by the
 15 director shall establish criteria to be considered in
 16 making a determination of whether to permit a
 17 limitation of vendor liability with regard to any
 18 procurement of goods and services. The criteria, at a
 19 minimum, shall include all of the following:

20 (1) Whether authorizing a limitation of vendor
 21 liability is necessary to prevent harm to the state
 22 from a failure to obtain the goods or services sought,
 23 or from obtaining the goods or services at a higher
 24 price if the state refuses to allow a limitation of
 25 vendor liability.

26 (2) Whether the limitation of vendor liability is
 27 commercially reasonable when taking into account any
 28 risk to the state created by the goods or services to
 29 be procured and the purpose for which they will be
 30 used.

31 b. Notwithstanding paragraph “a”, a limitation of
32 vendor liability shall not include any limitation on
33 the liability of any vendor for intentional torts,
34 criminal acts, or fraudulent conduct.

35 c. The rules shall provide for the negotiation of
36 a limitation of vendor liability consistent with the
37 requirements of this section and any other
38 requirements of the department as provided in any
39 related documents associated with a procurement of
40 goods and services.”

JEFF DANIELSON

S-3412

1 Amend Senate File 601 as follows:

2 1. Page 35, by inserting after line 25 the
3 following:

4 “Sec. ____ Section 99F.11, subsection 3, paragraph
5 e, subparagraph (3), as enacted by 2006 Iowa Acts,
6 chapter 1151, subsection 6, is amended to read as
7 follows:

8 (3) One-half of the moneys remaining after the
9 appropriation in subparagraph (1) shall be credited,
10 on a quarterly basis, to the general fund of the state
11 for the purpose of funding the endow Iowa tax credit
12 provided in section 15E.305.”

WILLIAM A. DOTZLER, JR.

S-3413

1 Amend Senate File 601 as follows:

2 1. Page 2, by striking line 27 and inserting the
3 following:

4 “..... \$ 8,948,903”

JEFF ANGELO

S-3414

1 Amend Senate File 601 as follows:

2 1. Page 37, by striking lines 4 through 14.

JEFF ANGELO

S-3415

1 Amend Senate File 601 as follows:

2 1. By striking page 33, line 28, through page 34,
3 line 5.

JEFF ANGELO

S-3416

1 Amend the House amendment, S-3387, to Senate File
2 49, as passed by the Senate, as follows:

3 1. Page 1, by striking lines 5 through 17 and
4 inserting the following:

5 ““Sec. ____. Section 462A.12, Code 2007, is amended
6 by adding the following new subsection:
7 NEW SUBSECTION. 14. A person shall not operate a
8 vessel on the waters of this state under the
9 jurisdiction of the commission unless every person on
10 board the vessel who is under thirteen years of age is
11 wearing a type I, II, III, or V personal flotation
12 device, including “float coats” that meet this
13 definition, that is approved by the United States
14 coast guard, while the vessel is under way. This
15 subsection does not apply when the person under
16 thirteen years of age is in an enclosed cabin or below
17 deck, or is a passenger on a commercial vessel with a
18 passenger capacity of twenty-five persons or more.”

19 _____. Page 1, by inserting after line 4 the
20 following:

21 “Sec. ____. WARNING CITATIONS — TWELVE-MONTH
22 PERIOD. During the twelve-month period beginning on
23 the effective date of this section of this Act
24 amending section 462A.12, peace officers shall issue
25 only warning citations for violations of section
26 462A.12, subsection 14, as enacted by this Act.

27 Sec. ____. EFFECTIVE DATE. The section of this Act
28 amending section 462A.12, being deemed of immediate
29 importance, takes effect upon enactment.”

30 _____. Title page, by striking lines 1 and 2 and
31 inserting the following: “An Act relating to certain
32 vessels operated on state waters and providing for a
33 penalty and an effective date.””

MICHAEL E. GRONSTAL

S-3417

1 Amend Senate File 601 as follows:

2 1. Page 44, by inserting after line 8 the
3 following:

4 “Sec. ____. NATIVE WINE MANUFACTURERS — BLENDED
5 WINE EXCEPTION. Notwithstanding any provision of
6 chapter 123 to the contrary, the administrator of the
7 alcoholic beverages division of the department of
8 commerce shall allow native wine manufacturers to
9 import and use in manufacturing native wine bulk,
10 concentrated, or fortified wines used for blending
11 from wine manufactured outside of this state. The
12 authority to import wine manufactured outside of this

13 state for blending and manufacturing native wine shall
 14 continue until the adjournment of the 2008 regular
 15 session of the general assembly.”
 16 2. By renumbering as necessary.

JOE M. SENG

S-3418

1 Amend Senate File 601 as follows:
 2 1. Page 44, by inserting after line 8 the
 3 following:
 4 “Sec. ____ NATIVE WINE MANUFACTURERS — BLENDED
 5 WINE EXCEPTION — STUDY.
 6 1. Notwithstanding any provision of Code chapter
 7 123 to the contrary, the administrator of the
 8 alcoholic beverages division of the department of
 9 commerce shall allow native wine manufacturers to
 10 import and use in manufacturing native wine bulk,
 11 concentrated, or fortified wines used for blending
 12 from wine manufactured outside of this state. The
 13 authority to import wine manufactured outside of this
 14 state for blending and manufacturing native wine shall
 15 continue until June 30, 2008.
 16 2. The legislative council is requested to direct
 17 the legislative government oversight committee, or to
 18 authorize a 2007 legislative interim study committee,
 19 to conduct a study on issues relative to native wine
 20 manufacturers. The study recommendations and findings
 21 shall include but are not limited to identifying
 22 whether native wine manufacturers should be permitted
 23 to import and use in manufacturing native wine bulk,
 24 concentrated, or fortified wines used for blending
 25 from wine manufactured outside of this state and
 26 determining what percentage, if any, of out-of-state
 27 wine should be allowed. The study report, including
 28 findings and recommendations, shall be submitted to
 29 the general assembly for consideration during the 2008
 30 legislative session.”
 31 2. By renumbering as necessary.

JOE M. SENG

S-3419

1 Amend Senate File 601 as follows:
 2 1. Page 35, by inserting after line 25 the
 3 following:
 4 “Sec. ____ Section 123.56, subsection 6, Code
 5 2007, is amended to read as follows:
 6 6. For the purposes of this section,
 7 “manufacturer” includes only those persons who process

8 manufacture native wine for which at least
 9 seventy-five percent of the final product contains
 10 wine processed in Iowa ~~the~~ by fermenting fruit,
 11 vegetables, dandelions, clover, honey, or any
 12 combination of these ingredients, ~~by fermentation into~~
 13 wines and no more than twenty-five percent of the
 14 final product contains bulk, concentrated, or
 15 fortified wines used for blending from wine
 16 manufactured outside of this state. However, if in
 17 any year a natural disaster causes substantial loss to
 18 the Iowa crop of fruit, vegetables, clover, or honey
 19 used in manufacturing native wines, the secretary of
 20 agriculture may permit for that year an additional
 21 percentage, as determined by the secretary by rule, of
 22 wine manufactured outside the state for use in
 23 manufacturing native wine.”
 24 2. By renumbering as necessary.

JOE M. SENG

S-3420

1 Amend Senate File 601 as follows:
 2 1. Page 35, by inserting after line 25 the
 3 following:
 4 “Sec. ____ Section 123.56, subsection 6, Code
 5 2007, is amended to read as follows:
 6 6. For the purposes of this section,
 7 “manufacturer” includes only those persons who process
 8 in Iowa the fruit, vegetables, dandelions, clover,
 9 honey, or any combination of these ingredients, by
 10 fermentation into wines. In addition, “manufacturer”
 11 also includes persons holding a class “A”, class “B”,
 12 or class “C” native wine permit on or before July 1,
 13 2007, who manufacture native wine for which some, but
 14 no more than twenty-five percent, of the final product
 15 contains bulk, concentrated, or fortified wines used
 16 for blending from wine manufactured outside of this
 17 state.”
 18 2. By renumbering as necessary.

JOE M. SENG

S-3421

1 Amend Senate File 512 as follows:
 2 1. By striking page 5, line 33, through page 6,
 3 line 6, and inserting the following:
 4 “2. Information disclosed to a covered entity
 5 pursuant to section 155B.4 shall be deemed a trade
 6 secret for the purposes of chapter 550. Any
 7 disclosure of such information beyond that authorized

8 by section 155B.4 and this section shall be deemed a
9 misappropriation as defined in section 550.2 and is a
10 violation of chapter 550 for which the remedies
11 provided in chapter 550 shall be applicable.

12 3. This section does not prohibit a covered entity
13 from disclosing information made confidential and
14 proprietary under this section to the commissioner
15 pursuant to a written request initiated by the
16 commissioner. Information disclosed to the
17 commissioner pursuant to this subsection shall be held
18 by the commissioner as confidential and proprietary
19 information not subject to public inspection or
20 disclosure or to further dissemination.”

JEFF DANIELSON

S-3422

1 Amend House File 912, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 3, by inserting after line 14 the
4 following:

5 “Sec. ____ Section 423.4, Code 2007, is amended by
6 adding the following new subsection:

7 **NEW SUBSECTION.** 8. a. The owner of an
8 information technology facility located in this state
9 on July 1, 2007, may make an annual application for up
10 to five consecutive years to the department for the
11 refund of the sales or use tax upon the sales price of
12 all sales of fuel used in creating heat, power, and
13 steam for processing or generating electrical current,
14 or from the sale of electricity consumed by computers,
15 machinery, or other equipment for operation of the
16 technology facility.

17 b. An information technology facility shall
18 qualify for the refund in this subsection if all of
19 the following criteria are met:

20 (1) The facility’s six-digit North American
21 industry classification system number 518210 or 541519
22 indicates that the facility is primarily engaged in
23 providing computer-related services.

24 (2) The capital expenditures for computers,
25 machinery, and other equipment used in the operation
26 of the facility equals at least one million dollars.

27 (3) The facility is certified as meeting the
28 leadership in energy efficiency standards.

29 c. The refund may be obtained only in the
30 following manner and under the following conditions:

31 (1) The applicant shall use forms furnished by the
32 department.

33 (2) The applicant shall separately list the
34 amounts of sales and use tax paid during the reporting

35 period.

36 (3) The applicant may request when the refund
37 begins, but it must start on the first day of a month
38 and proceed for a continuous twelve-month period.

39 d. In determining the amount to be refunded, if
40 the dates of the utility billing or meter reading
41 cycle for the sale or furnishing of metered gas and
42 electricity is on or after the first day of the first
43 month through the last day of the last month of the
44 refund year, the full amount of tax charged in the
45 billings shall be refunded. In determining the amount
46 to be refunded, if the dates of the sale or furnishing
47 of fuel for purposes of commercial energy and the
48 delivery of the fuel is on or after the first day of
49 the first month through the last day of the last month
50 of the refund year, the full amount of tax charged in

Page 2

1 the billings shall be refunded.

2 e. To receive refunds during the five-year period,
3 the applicant shall file a refund claim within three
4 months after the end of each refund year.

5 f. The refund in this subsection applies only to
6 state sales and use tax paid and does not apply to
7 local option sales and services taxes imposed pursuant
8 to chapters 423B and 423E.”

9 2. Title page, by striking line 2 and inserting
10 the following: “exemptions and refunds for certain
11 computer-related service businesses.”

JEFF DANIELSON

S-3423

1 Amend Senate File 601 as follows:

2 1. Page 39, by inserting after line 15 the
3 following:

4 “Sec. ____ Section 257.17, Code 2007, is amended
5 to read as follows:

6 257.17 AID REDUCTION FOR EARLY SCHOOL STARTS.

7 State aid payments made pursuant to section 257.16
8 for a fiscal year shall be reduced by one
9 one-hundred-eightieth for each day of that fiscal year
10 for which the school district begins school before the
11 earliest starting date specified in section 279.10,
12 subsection 1. However, this section does not apply to
13 a school district that has received approval for a
14 pilot program for an innovative school year from ~~the~~
15 ~~director of the department of education~~ under section
16 279.10, ~~subsection 4, to commence classes for~~
17 ~~regularly established elementary and secondary schools~~

18 ~~in advance of the starting date established in section~~
 19 ~~279.10, subsection 1 3.”~~

20 2. Page 40, by inserting after line 1 the
 21 following:

22 “Sec. ____ Section 279.10, subsection 1, Code
 23 2007, is amended to read as follows:

24 1. The school year shall begin on the first day of
 25 July and each regularly established elementary and
 26 secondary school shall begin no sooner than ~~a day~~
 27 ~~during the calendar week in which the first day of~~
 28 ~~September falls~~ August 25 but no later than the first
 29 Monday in December unless the school district has
 30 received approval from the department of education for
 31 a pilot program in accordance with subsection 3.
 32 ~~However, if the first day of September falls on a~~
 33 ~~Sunday, school may begin on a day during the calendar~~
 34 ~~week which immediately precedes the first day of~~
 35 ~~September.~~ School shall continue for at least one
 36 hundred eighty days, except as provided in subsection
 37 3, and may be maintained during the entire calendar
 38 year. However, if the board of directors of a
 39 district extends the school calendar because inclement
 40 weather caused the district to temporarily close
 41 school during the regular school calendar, the
 42 district may excuse a graduating senior who has met
 43 district or school requirements for graduation from
 44 attendance during the extended school calendar. A
 45 school corporation may begin employment of personnel
 46 for in-service training and development purposes
 47 before the date to begin elementary and secondary
 48 school.

49 Sec. ____ Section 279.10, subsection 2, Code 2007,
 50 is amended to read as follows:

Page 2

1 2. The board of directors shall hold a public
 2 hearing on any ~~proposal~~ request made pursuant to
 3 subsection 3 prior to submitting it to the department
 4 of education for approval.

5 Sec. ____ Section 279.10, subsection 4, Code 2007,
 6 is amended by striking the subsection.”

7 3. Page 44, by inserting after line 11 the
 8 following:

9 “3. EFFECTIVE AND APPLICABILITY DATES. The
 10 section of this division of this Act that amends
 11 section 279.10, subsection 2, takes effect upon
 12 enactment and the sections of this division of this
 13 Act that amend section 257.17 and section 279.10,
 14 subsections 1 and 4, take effect July 1, 2008, and are

15 applicable for school years beginning on or after that
 16 date.”
 17 4. Title page, line 6, by inserting after the
 18 word “effective” the following: “and applicability”.

JOHN PUTNEY

S-3424

1 Amend Senate File 601 as follows:
 2 1. Page 43, by inserting after line 21 the
 3 following:
 4 “Sec. ___. Section 717F.1, subsection 1, if
 5 enacted by 2007 Iowa Acts, Senate File 564, section 1,
 6 is amended to read as follows:
 7 1. “Agricultural animal” means ~~the same as~~
 8 agricultural animal as defined in section 717A.1 ~~other~~
 9 than swine which is a member of the species sus scrofa
 10 linnaeus, including but not limited to swine commonly
 11 known as Russian boar or European boar of either sex.”
 12 2. Page 44, by inserting after line 3 the
 13 following:
 14 “Sec. ___. Section 717F.1, subsection 5, paragraph
 15 a, if enacted by 2007 Iowa Acts, Senate File 564,
 16 section 1, is amended by adding the following new
 17 subparagraph:
 18 NEW SUBPARAGRAPH. () Swine which is a member of
 19 the species sus scrofa linnaeus, including but not
 20 limited to swine commonly known as Russian boar or
 21 European boar of either sex.”
 22 3. Page 44, by inserting before line 7 the
 23 following:
 24 “Sec. ___. Section 717F.7, subsection 13, if
 25 enacted by 2007 Iowa Acts, Senate File 564, section 7,
 26 is amended to read as follows:
 27 13. A location operated by a person licensed to
 28 practice veterinary medicine pursuant to chapter 169.
 29 However, this subsection shall not apply to a swine
 30 which is a member of the species sus scrofa linnaeus,
 31 including but not limited to swine commonly known as
 32 Russian boar or European boar of either sex.
 33 Sec. ___. Section 717F.8, subsection 2, if enacted
 34 by 2007 Iowa Acts, Senate File 564, section 8, is
 35 amended by adding the following new paragraph:
 36 NEW PARAGRAPH. ___. Ten dollars for swine which
 37 is a member of the species sus scrofa linnaeus,
 38 including but not limited to swine commonly known as

39 Russian boar or European boar of either sex.”
40 4. By renumbering, redesignating, and correcting
41 internal references as necessary.

JOE M. SENG
THOMAS G. COURTNEY
DAVE MULDER
DAVID JOHNSON

S-3425

1 Amend House File 641, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 “Section 1. Section 602.8105, subsection 2,
6 paragraph e, Code 2007, is amended to read as follows:
7 e. For filing a praecipe to issue execution under
8 chapter 626, twenty-five dollars. The fee shall be
9 recoverable by the creditor against whom the execution
10 is issued. A fee payable by a political subdivision
11 of the state under this paragraph shall be collected
12 by the clerk of the district court as provided in
13 section 602.8109. However, the fee shall be waived
14 and shall not be collected from a political
15 subdivision of the state if a county attorney or
16 county attorney’s designee is collecting a delinquent
17 judgment pursuant to section 602.8107, subsection 4.”
18 2. Page 3, by striking lines 14 through 35.
19 3. Title page, by striking lines 3 through 5 and
20 inserting the following: “counties, and the state.”
21 4. By renumbering as necessary.

ROBERT M. HOGG

S-3426

1 Amend House File 641, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 “Section 1. NEW SECTION. 321.210B INSTALLMENT
6 PAYMENT PLAN PROGRAM — REINSTATEMENT.
7 The department may establish an installment payment
8 plan program for reinstatement of a driver’s license
9 for persons whose driver’s licenses have been
10 suspended pursuant to section 321.210A.”
11 2. Title page, line 2, by inserting after the
12 word “including” the following: “issuance of a
13 driver’s license when delinquent on court obligations,
14 and”.

KEITH A. KREIMAN

S-3427

- 1 Amend Senate File 601 as follows:
 2 1. Page 44, by inserting after line 8 the
 3 following:
 4 "NATIVE WINE MANUFACTURERS — WINE GALLONAGE TAX
 5 EXCEPTION.
 6 Notwithstanding any provision of section 123.183 to
 7 the contrary, wine imported into this state prior to
 8 June 1, 2007, and used for manufacturing native wine
 9 shall not be subject to the wine gallonage tax as
 10 provided by that section."
 11 2. Page 44, line 9, by inserting before the words
 12 "The section" the following: "1."
 13 3. Page 44, by inserting after line 11 the
 14 following:
 15 "2. The section of this division of this Act
 16 providing an exception to the imposition of the wine
 17 gallonage tax for native wine manufacturers, being
 18 deemed of immediate importance, takes effect upon
 19 enactment."
 20 4. By renumbering as necessary.

WILLIAM A. DOTZLER, JR.
 JOE M. SENG
 STACI APPEL
 PAUL McKINLEY
 JEFF ANGELO

S-3428

- 1 Amend Senate File 601 as follows:
 2 1. Page 19, by striking lines 18 and 19 and
 3 inserting the following:
 4 "Due to the high numbers of articulation agreements
 5 between the state school for the deaf and Iowa western
 6 community college, for allocation for arrangements
 7 made between the state school for the deaf and Iowa
 8 western community college for deaf interpreters."
 9 2. By striking page 21, line 29, through page 22,
 10 line 26.
 11 3. Page 24, by striking lines 1 through 6 and
 12 inserting the following:
 13 "For award to 211 nonprofit call centers providing
 14 human services information for citizens of this state,
 15 in accordance with this section."
 16 4. Page 24, by striking lines 8 through 10 and
 17 inserting the following:
 18 "1. The amount appropriated in this section shall
 19 be awarded to 211 call centers that apply for funding
 20 under this section and meet the criteria for the
 21 funding established by the department in consultation

22 with an industry advisory committee. The committee
 23 shall consist of two members who are executive
 24 officers from a statewide organization that provided
 25 funding to 211 call centers during calendar year 2006,
 26 one member representing the department of elder
 27 affairs, one member representing the board of
 28 directors of a nonprofit call center in this state,
 29 and an Iowa member representing the alliance of
 30 information and referral systems. The committee shall
 31 assist the department in reviewing funding
 32 applications and awarding the funds.

33 2. The department shall submit a report to the
 34 governor and general assembly providing detailed
 35 information concerning the funding distributed to call
 36 centers under this section, addressing the purposes
 37 for which the funding was used, the call volume for
 38 each call center, and the subject addressed by the
 39 calls.”

40 5. Page 25, by inserting after line 26 the
 41 following:

42 “Sec. ____ PLASMA ARC TECHNOLOGY. There is
 43 appropriated from the general fund of the state to the
 44 department of natural resources for the fiscal year
 45 beginning July 1, 2006, and ending June 30, 2007, the
 46 following amount, or so much thereof as is necessary,
 47 to be used for the purposes designated:

48 For a grant to a county with a population of more
 49 than 190,000 but less than 200,000, according to the
 50 2005 estimate issued by the United States bureau of

Page 2

1 the census:
 2 \$ 150,000

3 The grant shall be used to conduct a study of the
 4 feasibility of the use of plasma arc and other related
 5 energy technology for disposal of solid waste while
 6 generating energy.
 7 Notwithstanding section 8.33, moneys appropriated
 8 in this section that remain unencumbered or
 9 unobligated at the close of the fiscal year shall not
 10 revert but shall remain available for expenditure for
 11 the purposes designated until the close of the
 12 succeeding fiscal year.”

13 6. Page 27, by inserting before line 3 the
 14 following:

15 “Sec. ____ TIM SHIELDS CENTER. It is the intent
 16 of the general assembly that appropriations be made
 17 from moneys in the state treasury to assist the local
 18 government innovation commission in funding the Tim
 19 Shields center for governing excellence in Iowa
 20 established in section 8.68 if enacted by 2007 Iowa

21 Acts, Senate File 155.”

22 7. Page 32, by inserting after line 16 the
23 following:

24 “Sec. ____ EFFECTIVE DATE. The section of this
25 division of this Act making an appropriation to the
26 department of natural resources for a plasma arc
27 technology grant, being deemed of immediate
28 importance, takes effect upon enactment.”

29 8. Page 32, by inserting after line 28 the
30 following:

31 “Sec. ____ Section 7E.7, subsection 1, Code 2007,
32 is amended to read as follows:

33 1. ~~The Iowa finance authority and the Iowa~~
34 economic protective and investment authority shall be
35 considered ~~parts part~~ of the Iowa department of
36 economic development. The Iowa department of economic
37 development may provide staff assistance and
38 administrative support to the ~~authorities authority~~.

39 Sec. ____ Section 7E.7, subsection 2, Code 2007,
40 is amended by striking the subsection.”

41 9. Page 35, by inserting after line 25 the
42 following:

43 “Sec. ____ Section 135H.3, Code 2007, is amended
44 by adding the following new unnumbered paragraph:
45 NEW UNNUMBERED PARAGRAPH. A child who requires
46 treatment for a biologically based mental illness as
47 defined in section 514C.22, and meets the medical
48 assistance program criteria for admission to a
49 psychiatric medical institution for children shall be
50 deemed to meet the acuity criteria for inpatient

Page 3

1 benefits under a group policy, contract, or plan
2 providing for third-party payment or prepayment of
3 health, medical, and surgical coverage benefits issued
4 by a carrier, as defined in section 513B.2, or by an
5 organized delivery system authorized under 1993 Iowa
6 Acts, ch. 158, that is subject to section 514C.22.”

7 10. Page 35, by inserting before line 26 the
8 following:

9 “Sec. ____ Section 175.3, subsection 1, paragraph
10 a, Code 2007, is amended to read as follows:

11 a. The agricultural development authority is
12 ~~established within the office of treasurer of state.~~

13 ~~The authority is~~ constituted as a public
14 instrumentality and agency of the state exercising
15 public and essential governmental functions.

16 Sec. ____ Section 175.3, subsection 7, Code 2007,
17 is amended to read as follows:

18 7. The appointed members shall elect a chairperson
19 and vice chairperson annually, and other officers as

20 they determine, but the executive director shall serve
 21 as secretary to the authority. ~~The chairperson and~~
 22 ~~vice chairperson shall serve on the selection and~~
 23 ~~tenure committee as provided in section 175.7.~~
 24 Sec. ____ Section 175.7, subsection 1, Code 2007,
 25 is amended by striking the subsection and inserting in
 26 lieu thereof the following:

27 1. The governor, subject to confirmation by the
 28 senate, shall appoint an executive director of the
 29 authority, who shall serve at the pleasure of the
 30 governor. The executive director shall be selected
 31 primarily for administrative ability and knowledge in
 32 the field, without regard to political affiliation.

33 Sec. ____ Section 175.8, Code 2007, is amended by
 34 adding the following new subsection:

35 NEW SUBSECTION. 3. For fiscal years beginning on
 36 or after July 1, 2007, the auditor of state shall
 37 conduct an annual audit of the agricultural
 38 development authority to be paid from resources of the
 39 authority notwithstanding any other audit conducted on
 40 behalf of the authority's board of directors. The
 41 auditor of state may acquire the services of an
 42 outside audit firm, if necessary, to conduct the audit
 43 as required in this subsection."

44 11. Page 39, by inserting after line 15 the
 45 following:

46 "Sec. ____ Section 256C.3, subsection 5, if
 47 enacted by 2007 Iowa Acts, House File 877, is amended
 48 by adding the following new paragraph:

49 NEW PARAGRAPH. d. The state board, in
 50 collaboration with the department, shall ensure that

Page 4

1 the administrative rules adopted to support the
 2 preschool program emphasize that children's access to
 3 the program is voluntary, that the preschool
 4 foundation aid provided to a school district is
 5 provided based upon the enrollment of eligible
 6 students in the school district's local program
 7 regardless of whether an eligible student is a
 8 resident of the school district, and that agreements
 9 entered into by a school district for the provision of
 10 programming in settings other than the school
 11 district's facilities are between the school district
 12 and the private provider."

13 12. Page 40, by inserting after line 1 the
 14 following:

15 "Sec. ____ Section 284.13, subsection 1, paragraph
 16 d, as amended by 2007 Iowa Acts, Senate File 277,
 17 section 37, if enacted, is amended to read as follows:

18 d. (1) For the fiscal year beginning July 1,

19 2007, and ending June 30, 2008, up to twenty million
 20 dollars to the department for use by school districts
 21 for professional development as provided in section
 22 284.6. The department shall distribute funds
 23 allocated for the purpose of this paragraph based on
 24 the average per diem contract salary for each district
 25 as reported to the department for the school year
 26 beginning July 1, 2006, multiplied by the total number
 27 of full-time equivalent teachers in the base year.
 28 The department shall adjust each district's average
 29 per diem salary by the allowable growth rate
 30 established under section 257.8 for the fiscal year
 31 beginning July 1, 2007. The contract salary amount
 32 shall be the amount paid for their regular
 33 responsibilities but shall not include pay for
 34 extracurricular activities. These funds shall not
 35 supplant existing funding for professional development
 36 activities. Notwithstanding any provision to the
 37 contrary, moneys received by a school district under
 38 this paragraph shall not revert but shall remain
 39 available for the same purpose in the succeeding
 40 fiscal year. A school district shall submit a report
 41 to the department in a manner determined by the
 42 department describing its use of the funds received
 43 under this paragraph. The department shall submit a
 44 report on school district use of the moneys
 45 distributed pursuant to this paragraph to the general
 46 assembly and the legislative services agency not later
 47 than January 15 of the fiscal year for which moneys
 48 are allocated for purposes of this paragraph.
 49 (2) From moneys available under subparagraph (1)
 50 for the fiscal year beginning July 1, 2007, and ending

Page 5

1 June 30, 2008, the department shall allocate to area
 2 education agencies an amount per teacher employed by
 3 an area education agency that is approximately
 4 equivalent to the average per teacher amount allocated
 5 to the districts. The average per teacher amount
 6 shall be calculated by dividing the total number of
 7 teachers employed by school districts and the teachers
 8 employed by area education agencies into the total
 9 amount of moneys available under subparagraph (1).”

10 13. Page 40, by inserting after line 7 the
 11 following:

12 “Sec. ____. Section 313.2, unnumbered paragraph 5,
 13 Code 2007, as amended by 2007 Iowa Acts, Senate File
 14 403, section 36, if enacted, is amended to read as
 15 follows:

16 The department, either alone or in cooperation with
 17 any county, may utilize any land acquired incidental

18 to the acquisition of land for highway right of way
19 and to also accept by gift, lands not exceeding two
20 acres in area for roadside parks and parking areas.
21 The department may furnish necessary maintenance. The
22 department also may accept by gift, equipment or other
23 installations incidental to the use of such parks and
24 parking areas. Such parks and parking areas shall be
25 a part of the primary road system and the department
26 may at its discretion sell or otherwise dispose of
27 such lands. The Except for transactions to transfer
28 the jurisdiction of streets or highways, the sale,
29 exchange, or other means of disposal of any real
30 property with a fair market value of five million
31 dollars or more requires the prior authorization of a
32 constitutional majority of each house of the general
33 assembly and approval by the governor.”

34 14. Page 40, by inserting after line 31 the
35 following:

36 “Sec. ____ Section 321.34, subsection 8, Code
37 2007, as amended by 2007 Iowa Acts, House File 749, if
38 enacted, is amended to read as follows:

39 8. MEDAL OF HONOR PLATES. The owner of a motor
40 vehicle subject to registration under section 321.109,
41 subsection 1, motorcycle, trailer, or motor truck who
42 has been awarded the medal of honor may, upon written
43 application to the department, order special
44 registration plates which shall be red, white, and
45 blue in color and shall bear an emblem of the medal of
46 honor and an identifying number. Each applicant
47 applying for special registration plates under this
48 subsection may purchase order only one set of
49 registration plates under this subsection. The
50 application is subject to approval by the department

Page 6

1 and the special registration plates shall be issued at
2 no charge to the applicant in exchange for the
3 registration plates previously issued to the person.
4 ~~The special plates are subject to an annual~~
5 ~~registration fee of fifteen dollars. A person who is~~
6 ~~issued special plates under this subsection is exempt~~
7 ~~from payment of any annual registration fee for the~~
8 ~~motor vehicle bearing the special plates.~~ The
9 department shall validate the special plates in the
10 same manner as regular registration plates are
11 validated under this section. The department shall
12 not issue special registration plates until service
13 organizations in the state have furnished the
14 department either the special dies or the cost of the
15 special dies necessary for the manufacture of the
16 special registration plate.

17 The surviving spouse of a person who was issued
18 special plates under this subsection may continue to
19 use the special plates subject to registration of the
20 special plates in the surviving spouse's name ~~and upon~~
21 ~~payment of the fifteen dollar annual registration fee.~~

22 If the surviving spouse remarries, the surviving
23 spouse shall return the special plates to the
24 department and the department shall issue regular
25 registration plates to the surviving spouse.

26 Sec. ____ Section 321.34, subsection 12A, Code
27 2007, as amended by 2007 Iowa Acts, House File 749, if
28 enacted, is amended by striking the subsection and
29 inserting in lieu thereof the following:

30 12A. SPECIAL REGISTRATION PLATES — ARMED FORCES
31 SERVICES.

32 a. An owner of a vehicle referred to in subsection
33 12 who applies for any type of special registration
34 plates associated with service in the United States
35 armed forces shall be issued one set of the special
36 registration plates at no charge, but shall be subject
37 to the annual registration fee of fifteen dollars, if
38 the owner is eligible for, but has relinquished to the
39 department or the county treasurer or has not been
40 issued, ex-prisoner of war or legion of merit special
41 registration plates under this section.

42 b. An owner of a vehicle referred to in subsection
43 12 who applies for any type of special registration
44 plates associated with service in the United States
45 armed forces shall be issued one set of the special
46 registration plates at no charge and subject to no
47 annual registration fee if the owner is eligible for,
48 but has relinquished to the department or the county
49 treasurer or has not been issued, medal of honor
50 registration plates under subsection 8 or disabled

Page 7

1 veteran registration plates under section 321.105.

2 c. The owner shall provide the appropriate
3 information regarding the owner's eligibility for any
4 of the special registration plates described in
5 paragraph "a" or "b", and regarding the owner's
6 eligibility for the special registration plates for
7 which the owner has applied, as required by the
8 department.

9 d. The surviving spouse of a person who was issued
10 special plates under this subsection may continue to
11 use the special plates subject to registration of the
12 special plates in the surviving spouse's name and upon
13 payment of the same annual registration fee, if
14 applicable. If the surviving spouse remarries, the
15 surviving spouse shall return the special plates to

16 the department and the department shall issue regular
17 registration plates to the surviving spouse.”

18 15. By striking page 42, line 19, through page
19 43, line 7.

20 16. Page 43, by inserting before line 8 the
21 following:

22 “Sec. ____ Section 423.3, subsection 89, Code
23 2007, is amended to read as follows:

24 89. a. The sales price of all goods, wares, or
25 merchandise sold, or of services furnished, which are
26 used in the fulfillment of a written construction
27 contract for the original construction of a building
28 or structure to be used as a collaborative educational
29 facility.

30 b. The sales price of all goods, wares, or
31 merchandise sold, or of services furnished, which are
32 used in the fulfillment of a written construction
33 contract for the construction of additions or
34 modifications to a building or structure used as part
35 of a collaborative educational facility.

36 c. To receive the exemption provided in paragraph
37 “a” or “b”, a collaborative educational facility must
38 meet all of the ~~following~~ criteria in paragraph “d” or
39 “e”:

40 d. (1) The contract for construction of the
41 building or structure is entered into on or after
42 April 1, 2003.

43 (2) The building or structure is located within
44 the corporate limits of a city in the state with a
45 population in excess of one hundred ninety-five
46 thousand residents.

47 (3) The sole purpose of the building or structure
48 is to provide facilities for a collaborative of public
49 and private educational institutions that provide
50 education to students.

Page 8

1 (4) The owner of the building or structure is a
2 nonprofit corporation governed by chapter 504 or
3 former chapter 504A which is exempt from federal
4 income tax pursuant to section 501(a) of the Internal
5 Revenue Code.

6 e. (1) The contract for construction of the
7 building or structure is entered into on or after May
8 15, 2007.

9 (2) The sole purpose of the building or structure
10 is to provide facilities for a regional academy under
11 a collaborative of public and private educational
12 institutions that includes a community college
13 established under chapter 260C that provide education
14 to students.

15 (3) The owner of the building or structure is a
 16 qualified charitable nonprofit corporation governed by
 17 chapter 504 or former chapter 504A which is exempt
 18 from federal income tax pursuant to section 501(c)(3)
 19 of the Internal Revenue Code.

20 f. References to “building” or “structure” in
 21 subparagraphs (1) through (4) paragraphs “d” and “e”
 22 include any additions or modifications to the building
 23 or structure.”

24 17. Page 43, by inserting before line 8 the
 25 following:

26 “Sec. ____ . Section 455B.306, Code 2007, is amended
 27 by adding the following new subsection:
 28 NEW SUBSECTION. 12. This section shall not apply
 29 to a sanitary landfill project owned by an electric
 30 generating facility and used exclusively for the
 31 disposal of coal combustion residue. Notwithstanding
 32 section 455B.301, subsection 8, a utility under this
 33 subsection may demonstrate financial assurance through
 34 the use of a secured trust fund, a cash or surety
 35 bond, a corporate financial test as provided by the
 36 department, the obtaining of an irrevocable letter of
 37 credit, or an alternative method as provided by the
 38 department. The financial assurance instrument
 39 submitted must ensure the facility’s financial
 40 capability to provide reasonable and necessary
 41 response during the lifetime of the project and for a
 42 specified period of time following closure as required
 43 by rules adopted by the commission.”

44 18. Page 44, by striking lines 4 through 6 and
 45 inserting the following:

46 “Sec. ____ . Section 717F.7, subsection 3, if
 47 enacted by 2007 Iowa Acts, Senate File 564, section 7,
 48 is amended to read as follows:

49 3. A person who keeps falcons, if the person has
 50 been issued a falconry license by the department of

Page 9

1 natural resources pursuant to section 483A.1.”

2 19. Page 44, by inserting after line 8 the
 3 following:

4 “Sec. ____ . 2007 Iowa Acts, Senate File 403,
 5 section 34, if enacted, is repealed.”

6 20. Page 44, by inserting after line 8 the
 7 following:

8 “Sec. ____ . REFUNDS. Refunds of taxes, interest,
 9 or penalties which arise from claims resulting from
 10 the amendment to section 423.3, subsection 89, in this
 11 division of this Act for the exemption of the sales of
 12 goods, wares, and merchandise, and the furnishing of
 13 services used in the fulfillment of a written

14 construction contract for the original construction of
15 a building or structure to be used as a collaborative
16 educational facility occurring between May 15, 2007,
17 and June 30, 2007, shall not be allowed unless refund
18 claims are filed by October 1, 2007, notwithstanding
19 any other provision of law.”

20 21. Page 44, by inserting before line 9 the
21 following:

22 “Sec. ____ RESEARCH AND DEVELOPMENT
23 PREKINDERGARTEN THROUGH GRADE TWELVE SCHOOL —
24 FEASIBILITY STUDY. The department of education and
25 the university of northern Iowa shall convene a task
26 force to study the feasibility of creating a research
27 and development prekindergarten through grade twelve
28 school for the state of Iowa. The task force shall
29 include, at a minimum, university of northern Iowa
30 faculty and representatives from other institutions
31 governed by the state board of regents and from school
32 districts which offer prekindergarten through grade
33 twelve. The task force shall address the
34 possibilities of creating a site where innovative and
35 promising practices can be studied and implemented to
36 improve the achievement of students in prekindergarten
37 through grade twelve, processes in which the findings
38 of such studies are shared with Iowa educators, and an
39 appropriate governance structure, and shall address
40 the necessary funding and funding sources for the
41 school. The task force shall consider the existing
42 laboratory school located at the university of
43 northern Iowa as the site for the research and
44 development prekindergarten through grade twelve
45 school. The task force shall submit its findings and
46 recommendations in a report to the general assembly,
47 the state board of education, and the state board of
48 regents by January 14, 2008.”

49 22. Page 44, by inserting after line 11 the
50 following:

Page 10

1 “Sec. ____ EFFECTIVE DATE. The section of this
2 division of this Act establishing a prekindergarten
3 through grade twelve feasibility study, being deemed
4 of immediate importance, takes effect upon enactment.”

5 23. Page 44, by inserting after line 11 the
6 following:

7 “Sec. ____ EFFECTIVE DATE. The sections of this
8 division of this Act amending section 321.34,
9 subsections 8 and 12A, being deemed of immediate
10 importance, take effect upon enactment.”

11 24. Page 70, by inserting after line 33 the
12 following:

13 “Sec. ____ Section 8.65, subsection 1, paragraph
 14 a, subparagraph (6), if enacted by 2007 Iowa Acts,
 15 Senate File 155, is amended to read as follows:
 16 (6) One member representing the councils of
 17 governments appointed by the president of the Iowa
 18 association of regional councils ~~of government.~~”

19 25. Page 77, by inserting after line 11 the
 20 following:

21 “Sec. ____ Section 513B.2, subsection 6, paragraph
 22 a, subparagraph (4), unnumbered paragraph 1, as
 23 enacted by 2007 Iowa Acts, House File 790, section 4,
 24 is amended to read as follows:

25 The coverages are provided by a policy of group
 26 health insurance coverage through two or more bona
 27 fide associations as provided in section 509.1,
 28 subsection 7A, which a small employer carrier has
 29 aggregated as a distinct grouping that meets the
 30 requirements for a class of business under section
 31 513B.4. After a distinct grouping of bona fide
 32 associations is established as a class of business,
 33 the small ~~group~~ employer carrier shall not remove a
 34 bona fide association from the class based on the
 35 claims experience of that association. A small
 36 employer carrier may condition coverages under such a
 37 policy of group health insurance coverage on any of
 38 the following requirements:”

39 26. Page 77, by inserting after line 11 the
 40 following:

41 “Sec. ____ Section 515.82, Code 2007, as amended
 42 by 2007 Iowa Acts, Senate File 518, section 61, is
 43 amended to read as follows:

44 515.82 SHORT RATES.

45 The commissioner of insurance shall prepare and
 46 promulgate tables of the short rates provided for in
 47 sections ~~514.125~~ 515.125 and 515.126, for the various
 48 kinds and classes of insurance governed by the
 49 provisions of this chapter, which, when promulgated,
 50 shall be for the guidance of all companies covered in

Page 11

1 this chapter and shall be the rate to be given in any
 2 notice therein required. No company shall
 3 discriminate unfairly between like assureds in the
 4 rate or rates so provided.”

5 27. By renumbering as necessary.

ROBERT E. DVORSKY

S-3429

1 Amend Senate File 601 as follows:

2 1. Page 27, by inserting after line 2 the
3 following:

4 "Sec. ____ 2007 Iowa Acts, House File 752, section
5 1, subsection 3, if enacted, is amended to read as
6 follows:

7 3. For payments to the department of
8 administrative services for utility services:

9	\$	145,000
10		<u>188,207</u>

11 Sec. ____ 2007 Iowa Acts, House File 752, section
12 2, subsection 2, if enacted, is amended to read as
13 follows:

14 2. For payments to the department of
15 administrative services for utility services:

16	\$	888,000
17		<u>1,153,417</u>

18 2. Page 28, by inserting after line 4 the
19 following:

20 "Sec. ____ Section 15F.203, subsection 3,
21 paragraph e, Code 2007, is amended to read as follows:

22 e. The project is primarily a vertical
23 infrastructure project with demonstrated substantial
24 regional or statewide economic impact. For purposes
25 of the program, "vertical infrastructure" means land
26 acquisition and construction, major renovation and
27 major repair of buildings, all appurtenant structures,
28 utilities, site development, and recreational trails
29 and water trails. "Vertical infrastructure" does not
30 include routine, recurring maintenance or operational
31 expenses or leasing of a building, appurtenant
32 structure, or utility without a lease-purchase
33 agreement.

34 Sec. ____ Section 15F.204, subsection 8, Code
35 2007, is amended to read as follows:

36 8. a. There is appropriated from the rebuild Iowa
37 infrastructure fund to the community attraction and
38 tourism fund, the following amounts:

39 (1) For the fiscal year beginning July 1, 2004,
40 and ending June 30, 2005, the sum of twelve million
41 dollars.

42 (2) For the fiscal year beginning July 1, 2005,
43 and ending June 30, 2006, the sum of five million
44 dollars.

45 (3) For the fiscal year beginning July 1, 2006,
46 and ending June 30, 2007, the sum of five million
47 dollars.

48 (4) For the fiscal year beginning July 1, 2007,
49 and ending June 30, 2008, the sum of five million
50 dollars.

Page 2

1 (5) For the fiscal year beginning July 1, 2008,
2 and ending June 30, 2009, the sum of five million
3 dollars.

4 (6) For the fiscal year beginning July 1, 2009,
5 and ending June 30, 2010, the sum of five million
6 dollars.

7 (7) For the fiscal year beginning July 1, 2010,
8 and ending June 30, 2011, the sum of five million
9 dollars.

10 (8) For the fiscal year beginning July 1, 2011,
11 and ending June 30, 2012, the sum of five million
12 dollars.

13 (9) For the fiscal year beginning July 1, 2012,
14 and ending June 30, 2013, the sum of five million
15 dollars.

16 b. There is appropriated from the franchise tax
17 revenues deposited in the general fund of the state to
18 the community attraction and tourism fund, the
19 following amounts:

20 (1) For the fiscal year beginning July 1, 2005,
21 and ending June 30, 2006, the sum of seven million
22 dollars.

23 (2) For the fiscal year beginning July 1, 2006,
24 and ending June 30, 2007, the sum of seven million
25 dollars.

26 (3) For the fiscal year beginning July 1, 2007,
27 and ending June 30, 2008, the sum of seven million
28 dollars.

29 (4) For the fiscal year beginning July 1, 2008,
30 and ending June 30, 2009, the sum of seven million
31 dollars.

32 (5) For the fiscal year beginning July 1, 2009,
33 and ending June 30, 2010, the sum of seven million
34 dollars.

35 (6) For the fiscal year beginning July 1, 2010,
36 and ending June 30, 2011, the sum of seven million
37 dollars.

38 (7) For the fiscal year beginning July 1, 2011,
39 and ending June 30, 2012, the sum of seven million
40 dollars.

41 (8) For the fiscal year beginning July 1, 2012,
42 and ending June 30, 2013, the sum of seven million
43 dollars.

44 Notwithstanding the allocation requirements in
45 subsection 5, the board may make a multiyear
46 commitment to an applicant of up to ~~four~~ six million
47 dollars in any one fiscal year.”

48 3. Page 35, by inserting after line 25 the
49 following:

50 “Sec. ____ NEW SECTION. 90A.13 UNARMED COMBAT

Page 3

1 FIGHTING EXCLUDED FROM CHAPTER.

2 This chapter does not apply to unarmed combat
3 fighting. For purposes of this section, “unarmed
4 combat fighting” means mixed martial arts fighting,
5 extreme fighting, ultimate fighting, and shoot
6 fighting.”

7 4. Page 38, by inserting after line 35 the
8 following:

9 “Sec. ____ Section 216A.136, subsection 5, Code
10 2007, is amended by striking the subsection.”

11 5. Page 44, by inserting after line 6 the
12 following:

13 “Sec. ____ Section 904.602, subsection 2,
14 paragraph m, Code 2007, is amended by striking the
15 paragraph.

16 Sec. ____ Section 909.3A, Code 2007, is amended to
17 read as follows:

18 909.3A COMMUNITY SERVICE OPTION.

19 The court may, in its discretion, order the
20 defendant to perform community service work of an
21 equivalent value to the fine imposed where it appears
22 that the community service work will be adequate to
23 deter the defendant and to discourage others from
24 similar criminal activity. The rate at which
25 community service shall be calculated shall be the
26 federal or state minimum wage, whichever is higher.”

27 6. Page 44, by inserting after line 8 the
28 following:

29 “Sec. ____ Sections 811.2A and 901.4, Code 2007,
30 are repealed.”

31 7. Page 70, by inserting after line 31 the
32 following:

33 “DIVISION ____
34 FOOD INSPECTIONS

35 Sec. ____ Section 137C.6, Code 2007, is amended to
36 read as follows:

37 137C.6 AUTHORITY TO ENFORCE.

38 1. The director shall regulate, license, and
39 inspect hotels and enforce the Iowa hotel sanitation
40 code in Iowa. Municipal corporations shall not
41 regulate, license, inspect, or collect license fees
42 from hotels except as provided for in the Iowa hotel
43 sanitation code.

44 2. If a municipal corporation wants its local
45 board of health to license, inspect, and otherwise
46 enforce the Iowa hotel sanitation code within its
47 jurisdiction, the municipal corporation may enter into
48 an agreement to do so with the director. The director
49 may enter into the agreement if the director finds
50 that the local board of health has adequate resources

Page 4

1 to perform the required functions. A municipal
2 corporation may only enter into an agreement to
3 enforce the Iowa hotel sanitation code if it also
4 agrees to enforce the ~~Iowa food code~~ rules setting
5 minimum standards to protect consumers from foodborne
6 illness adopted pursuant to section ~~137F.3~~ 137F.2.

7 3. A local board of health that is responsible for
8 enforcing the Iowa hotel sanitation code within its
9 jurisdiction pursuant to an agreement, shall make an
10 annual report to the director providing the following
11 information:

12 ~~1.~~ a. The total number of hotel licenses granted
13 or renewed during the year.

14 ~~2.~~ b. The number of hotel licenses granted or
15 renewed during the year broken down into the following
16 categories:

17 ~~a.~~ (1) Hotels containing fifteen guest rooms or
18 less.

19 ~~b.~~ (2) Hotels containing more than fifteen but
20 less than thirty-one guest rooms.

21 ~~c.~~ (3) Hotels containing more than thirty but
22 less than seventy-six guest rooms.

23 ~~d.~~ (4) Hotels containing more than seventy-five
24 but less than one hundred fifty guest rooms.

25 ~~e.~~ (5) Hotels containing one hundred fifty or
26 more guest rooms.

27 ~~3.~~ c. The amount of money collected in license
28 fees during the year.

29 ~~4.~~ d. Other information the director requests.

30 4. The director shall monitor local boards of
31 health to determine if they are enforcing the Iowa
32 hotel sanitation code within their respective
33 jurisdictions. If the director determines that the
34 Iowa hotel sanitation code is enforced by a local
35 board of health, such enforcement shall be accepted in
36 lieu of enforcement by the department in that
37 jurisdiction. If the director determines that the
38 Iowa hotel sanitation code is not enforced by a local
39 board of health, the director may rescind the
40 agreement after reasonable notice and an opportunity
41 for a hearing. If the agreement is rescinded, the
42 director shall assume responsibility for enforcement
43 in the jurisdiction involved.

44 Sec. ____ Section 137C.9, Code 2007, is amended to
45 read as follows:

46 137C.9 LICENSE FEES.

47 1. Either the department or the municipal
48 corporation shall collect the following annual license
49 fees:

50 ~~1.~~ a. For a hotel containing fifteen guest rooms

Page 5

1 or less, ~~twenty~~ twenty-seven dollars.

2 ~~2. b.~~ For a hotel containing more than fifteen
3 but less than thirty-one guest rooms, ~~thirty~~ forty
4 dollars and fifty cents.

5 ~~3. c.~~ For a hotel containing more than thirty but
6 less than seventy-six guest rooms, ~~forty~~ fifty-four
7 dollars.

8 ~~4. d.~~ For a hotel containing more than
9 seventy-five but less than one hundred fifty guest
10 rooms, ~~fifty~~ fifty-seven dollars and fifty cents.

11 ~~5. e.~~ For a hotel containing one hundred fifty or
12 more guest rooms, ~~seventy-five~~ one hundred one dollars
13 and twenty-five cents.

14 2. Fees collected by the department shall be
15 deposited in the general fund of the state. Fees
16 collected by a municipal corporation shall be retained
17 by it and for its use.

18 Sec. ____ Section 137D.2, subsection 1, Code 2007,
19 is amended to read as follows:

20 1. A person shall not open or operate a home food
21 establishment until a license has been obtained from
22 the department of inspections and appeals. The
23 department shall collect a fee of ~~twenty-five~~
24 thirty-three dollars and seventy-five cents for a
25 license. After collection, the fees shall be
26 deposited in the general fund of the state. A license
27 shall expire one year from date of issue. A license
28 is renewable.

29 Sec. ____ Section 137F.1, subsection 7, Code 2007,
30 is amended by striking the subsection.

31 Sec. ____ Section 137F.1, subsection 8, unnumbered
32 paragraph 1, Code 2007, is amended to read as follows:

33 “Food establishment” means an operation that
34 stores, prepares, packages, serves, vends, or
35 otherwise provides food for human consumption and
36 includes a food service operation in a salvage or
37 distressed food operation, school, summer camp,
38 residential service substance abuse treatment
39 facility, halfway house substance abuse treatment
40 facility, correctional facility operated by the
41 department of corrections, the state training school,
42 or the Iowa juvenile home. “Food establishment” does
43 not include the following:

44 Sec. ____ Section 137F.2, Code 2007, is amended by
45 striking the section and inserting in lieu thereof the
46 following:

47 137F.2 ADOPTION BY RULE.

48 The department shall, in accordance with chapter
49 17A, adopt rules setting minimum standards for
50 entities covered under this chapter to protect

Page 6

1 consumers from foodborne illness. In so doing, the
2 department may adopt by reference, with or without
3 amendment, the United States food and drug
4 administration food code, which shall be specified by
5 title and edition, date of publication, or similar
6 information. The rules and standards shall be
7 formulated in consultation with municipal corporations
8 under agreement with the department, affected state
9 agencies, and industry, professional, and consumer
10 groups.

11 Sec. _____. Section 137F.3, Code 2007, is amended to
12 read as follows:

13 137F.3 AUTHORITY TO ENFORCE.

14 1. The director shall regulate, license, and
15 inspect food establishments and food processing plants
16 and enforce this chapter pursuant to rules adopted by
17 the department in accordance with chapter 17A.
18 Municipal corporations shall not regulate, license,
19 inspect, or collect license fees from food
20 establishments and food processing plants, except as
21 provided in this section.

22 2. A municipal corporation may enter into an
23 agreement with the director to provide that the
24 municipal corporation shall license, inspect, and
25 otherwise enforce this chapter within its
26 jurisdiction. The director may enter into the
27 agreement if the director finds that the municipal
28 corporation has adequate resources to perform the
29 required functions. A municipal corporation may only
30 enter into an agreement to enforce the ~~Iowa food code~~
31 rules setting minimum standards to protect consumers
32 from foodborne illness adopted pursuant to this
33 section 137F.2 if it also agrees to enforce the Iowa
34 hotel sanitation code pursuant to section 137C.6.
35 However, the department shall license and inspect all
36 food processing plants which manufacture, package, or
37 label food products. A municipal corporation may
38 license and inspect, as authorized by this section,
39 food processing plants whose operations are limited to
40 the storage of food products.

41 3. If the director enters into an agreement with a
42 municipal corporation as provided by this section, the
43 director shall provide that the inspection practices
44 of a municipal corporation are spot-checked on a
45 regular basis.

46 4. A municipal corporation that is responsible for
47 enforcing this chapter within its jurisdiction
48 pursuant to an agreement shall make an annual report
49 to the director providing the following information:

50 + a. The total number of licenses granted or

Page 7

1 renewed by the municipal corporation under this
2 chapter during the year.
3 ~~2. b.~~ The number of licenses granted or renewed
4 by the municipal corporation under this chapter during
5 the year in each of the following categories:
6 ~~a. (1)~~ Food establishments.
7 ~~b. (2)~~ Food processing plants.
8 ~~c. (3)~~ Mobile food units and pushcarts.
9 ~~d. (4)~~ Temporary food establishments.
10 ~~e. (5)~~ Vending machines.

11 ~~3. c.~~ The amount of money collected in license
12 fees during the year.
13 d. The amount expended to perform the functions
14 required under the agreement, submitted on a form
15 prescribed by the department.

16 ~~4. e.~~ Other information the director requests.
17 5. The director shall monitor municipal
18 corporations which have entered into an agreement
19 pursuant to this section to determine if they are
20 enforcing this chapter within their respective
21 jurisdictions. If the director determines that this
22 chapter is not enforced by a municipal corporation,
23 the director may rescind the agreement after
24 reasonable notice and an opportunity for a hearing.
25 If the agreement is rescinded, the director shall
26 assume responsibility for enforcement in the
27 jurisdiction involved.

28 6. The inspection staff of a municipal corporation
29 that has entered into an agreement with the director
30 to enforce this chapter shall be required by the
31 department to apply the current rules setting minimum
32 standards to protect consumers from foodborne illness
33 adopted pursuant to section 137F.2 to ensure
34 consistency in application of the rules. A municipal
35 corporation's failure to comply may result in the
36 department rescinding the agreement with the municipal
37 corporation, after reasonable notice and an
38 opportunity for a hearing.

39 Sec. ____ Section 137F.3A, Code 2007, is amended
40 to read as follows:

41 137F.3A MUNICIPAL CORPORATION INSPECTIONS —
42 CONTINGENT APPROPRIATION.

43 1. If a municipal corporation operating pursuant
44 to a chapter 28E agreement with the department of
45 inspections and appeals to enforce this chapter and
46 chapters 137C and 137D either fails to renew the
47 agreement effective after ~~July 1, 2005, but before~~
48 ~~July 1, 2007, April 1, 2007,~~ or discontinues ~~prior to~~
49 ~~July 1, 2007, after April 1, 2007,~~ enforcement
50 activities in one or more jurisdictions during the

Page 8

1 agreement time frame, or the department of inspections
 2 and appeals cancels an agreement ~~prior to July 1,~~
 3 ~~2007, after April 1, 2007,~~ due to noncompliance with
 4 the terms of the agreement, the department of
 5 inspections and appeals may employ additional
 6 full-time equivalent positions ~~for the fiscal years~~
 7 ~~ending prior to July 1, 2007,~~ to enforce the
 8 provisions of the chapters, with the approval of the
 9 department of management. Before approval is given,
 10 the director of the department of management shall
 11 determine that the expenses exceed the funds budgeted
 12 by the general assembly for food inspections to the
 13 department of inspections and appeals. The department
 14 of inspections and appeals may hire no more than one
 15 full-time equivalent position for each six hundred
 16 inspections required pursuant to this chapter and
 17 chapters 137C and 137D.

18 2. Notwithstanding chapter 137D, and sections
 19 137C.9 and 137F.6, if the conditions described in this
 20 section are met, fees imposed pursuant to that chapter
 21 and those sections shall be retained by and are
 22 appropriated to the department of inspections and
 23 appeals ~~for the each fiscal years ending prior to July~~
 24 ~~1, 2007, year~~ to provide for salaries, support,
 25 maintenance, and miscellaneous purposes associated
 26 with the additional inspections. The appropriation
 27 made in this subsection is not applicable in a fiscal
 28 year for which the general assembly enacts an
 29 appropriation made for the purposes described in this
 30 subsection.

31 ~~3. This section is repealed July 1, 2007.~~
 32 Sec. ____ Section 137F.6, Code 2007, is amended to
 33 read as follows:

34 137F.6 LICENSE FEES.

35 1. The regulatory authority shall collect the
 36 following annual license fees:

37 ~~1. a.~~ For a mobile food unit or pushcart, ~~twenty~~
 38 ~~twenty-seven~~ dollars.

39 ~~2. b.~~ For a temporary food establishment per
 40 fixed location, ~~twenty-five~~ thirty-three dollars and
 41 fifty cents.

42 ~~3. c.~~ For a vending machine, twenty dollars for
 43 the first machine and five dollars for each additional
 44 machine.

45 ~~4. d.~~ For a food establishment which prepares or
 46 serves food for individual portion service intended
 47 for consumption on-the-premises, the annual license
 48 fee shall correspond to the annual gross food and
 49 beverage sales of the food establishment, as follows:

50 ~~a.~~ (1) Annual gross sales of under fifty thousand

Page 9

- 1 dollars, ~~fifty sixty-seven~~ dollars and fifty cents.
2 ~~b.~~ (2) Annual gross sales of at least fifty
3 thousand dollars but less than one hundred thousand
4 dollars, ~~eighty-five~~ one hundred fourteen dollars ad
5 fifty cents.
6 ~~e.~~ (3) Annual gross sales of at least one hundred
7 thousand dollars but less than two hundred fifty
8 thousand dollars, ~~one hundred seventy-five~~ two hundred
9 thirty-six dollars and twenty-five cents.
10 ~~d.~~ (4) Annual gross sales of two hundred fifty
11 thousand dollars but less than five hundred thousand
12 dollars, two hundred seventy-five dollars.
13 ~~e.~~ (5) Annual gross sales of five hundred
14 thousand dollars or more, ~~two hundred twenty-five~~
15 three hundred three dollars and seventy-five cents.
16 ~~f.~~ e. For a food establishment which sells food
17 or food products to consumer customers intended for
18 preparation or consumption off-the-premises, the
19 annual license fee shall correspond to the annual
20 gross food and beverage sales of the food
21 establishment, as follows:
22 ~~a.~~ (1) Annual gross sales of under ten thousand
23 dollars, ~~thirty forty~~ dollars and fifty cents.
24 ~~b.~~ (2) Annual gross sales of at least ten
25 thousand dollars but less than two hundred fifty
26 thousand dollars, ~~seventy-five~~ one hundred one dollars
27 and twenty-five cents.
28 ~~c.~~ (3) Annual gross sales of at least two hundred
29 fifty thousand dollars but less than five hundred
30 thousand dollars, ~~one hundred fifteen~~ one hundred
31 fifty-five dollars and twenty-five cents.
32 ~~d.~~ (4) Annual gross sales of at least five
33 hundred thousand dollars but less than seven hundred
34 fifty thousand dollars, ~~one hundred fifty~~ two hundred
35 two dollars and fifty cents.
36 ~~e.~~ (5) Annual gross sales of seven hundred fifty
37 thousand dollars or more, ~~two hundred twenty-five~~
38 three hundred three dollars and seventy-five cents.
39 ~~f.~~ f. For a food processing plant, the annual
40 license fee shall correspond to the annual gross food
41 and beverage sales of the food processing plant, as
42 follows:
43 ~~a.~~ (1) Annual gross sales of under fifty thousand
44 dollars, ~~fifty sixty-seven~~ dollars and fifty cents.
45 ~~b.~~ (2) Annual gross sales of at least fifty
46 thousand dollars but less than two hundred fifty
47 thousand dollars, one hundred thirty-five dollars.
48 ~~c.~~ (3) Annual gross sales of at least two hundred
49 fifty thousand dollars but less than five hundred
50 thousand dollars, ~~one hundred fifty~~ two hundred two

Page 10

1 dollars and fifty cents.
2 ~~d. (4) Annual gross sales of five hundred~~
3 ~~thousand dollars or more, two hundred fifty three~~
4 ~~hundred thirty-seven dollars and fifty cents.~~
5 ~~7. g. For a farmers market where potentially~~
6 ~~hazardous food is sold or distributed, one seasonal~~
7 ~~license fee of one hundred dollars for each vendor on~~
8 ~~a countywide basis.~~
9 ~~A food establishment covered by subsections 4 and 5~~
10 ~~shall be assessed license fees not to exceed~~
11 ~~seventy five percent of the total fees applicable~~
12 ~~under both subsections.~~
13 2. If an establishment licensed under subsection
14 1, paragraph "d" or "e", has had a person in charge
15 for the entire previous twelve-month period who holds
16 an active certified food protection manager
17 certificate from a program approved by the conference
18 on food protection and the establishment has not been
19 issued a critical violation during the previous
20 twelve-month period, the establishment's license fee
21 for the current renewal period shall be reduced by
22 fifty dollars.
23 3. Fees collected by the department shall be
24 deposited in the general fund of the state. Fees
25 collected by a municipal corporation shall be retained
26 by the municipal corporation for regulation of food
27 establishments and food processing plants licensed
28 under this chapter.
29 4. Each vending machine licensed under this
30 chapter shall bear a readily visible identification
31 tag or decal provided by the licensee, containing the
32 licensee's business address and phone number, and a
33 company license number assigned by the regulatory
34 authority.
35 Sec. __. Section 137F.10, Code 2007, is amended
36 to read as follows:
37 137F.10 REGULAR INSPECTIONS.
38 The appropriate regulatory authority shall provide
39 for the inspection of each food establishment and food
40 processing plant in this state in accordance with this
41 chapter and with rules adopted pursuant to this
42 chapter in accordance with chapter 17A. A regulatory
43 authority may enter a food establishment or food
44 processing plant at any reasonable hour to conduct an
45 inspection. The manager or person in charge of the
46 food establishment or food processing plant shall
47 afford free access to every part of the premises and
48 render all aid and assistance necessary to enable the
49 regulatory authority to make a thorough and complete
50 inspection. As part of the inspection process, the

1 regulatory authority shall provide an explanation of
2 the violation or violations cited and provide guidance
3 as to actions for correction and elimination of the
4 violation or violations.

5 Sec. __. NEW SECTION. 137F.11A POSTING OF
6 INSPECTION REPORTS.

7 An establishment inspected under this chapter shall
8 post the most recent routine inspection report, along
9 with any current complaint or reinspection reports, in
10 a location at the establishment that is readily
11 visible to the public.

12 Sec. __. Section 196.3, Code 2007, is amended to
13 read as follows:

14 196.3 EGG HANDLER'S LICENSE AND FEE.

15 1. Every egg handler shall obtain an annual
16 license from the department. The fee for the license
17 shall be determined on the basis of the total number
18 of eggs purchased or handled during the preceding
19 month of April in each calendar year as follows:

20 1. a. Less than one hundred twenty-five	
21 cases	\$ 15.00
22	<u>20.20</u>
23 2. b. One hundred twenty-five cases or	
24 more but less than two hundred fifty	
25 cases	\$ 35.00
26	<u>47.25</u>
27 3. c. Two hundred fifty cases or more but	
28 less than one thousand cases	\$ 50.00
29	<u>67.50</u>
30 4. d. One thousand cases or more but less	
31 than five thousand cases	\$ 100.00
32	<u>135.00</u>
33 5. e. Five thousand cases or more but less	
34 than ten thousand cases	\$175.00
35	<u>236.25</u>
36 6. f. Ten thousand cases or more	\$ 250.00
37	<u>337.50</u>

38 2. The license shall expire one year after its
39 date of issue. For the purpose of determining fees, a
40 case shall be thirty dozen eggs. All fees collected
41 shall be remitted to the treasurer of state for
42 deposit in the general fund of the state.

43 3. If an egg handler is not operating during the
44 month of April, the department shall estimate the
45 volume of eggs purchased or handled, or both, and may
46 revise the fee based on three months of operation.

47 Sec. __. Section 331.756, subsection 32, Code
48 2007, is amended to read as follows:

49 32. Assist the department of inspections and
50 appeals in the enforcement of the ~~lowa food code~~ rules

Page 12

1 setting minimum standards to protect consumers from
 2 foodborne illness adopted pursuant to section 137F.2
 3 and the Iowa hotel sanitation code, as provided in
 4 sections 137F.19 and 137C.30.
 5 Sec. ____ FOOD CODE APPLICABILITY — TEMPORARY
 6 PROVISIONS. Pending the adoption of rules pursuant to
 7 section 137F.2, as amended by this division of this
 8 Act, the 1997 edition of the United States food and
 9 drug administration food code, with the amendments or
 10 exceptions thereto in effect prior to the effective
 11 date of this division of this Act, shall continue in
 12 effect.
 13 Sec. ____ EFFECTIVE DATE. The section of this
 14 division of this Act amending section 137F.3A, being
 15 deemed of immediate importance, takes effect upon
 16 enactment.”

ROBERT E. DVORSKY
 MICHAEL E. GRONSTAL
 WILLIAM A. DOTZLER, JR.

S-3430

1 Amend Senate File 601 as follows:
 2 1. Page 43, by inserting after line 7 the
 3 following:
 4 “Sec. ____ Section 422.11S, subsection 7,
 5 paragraph a, subparagraph (2), Code 2007, is amended
 6 to read as follows:
 7 (2) “Total approved tax credits” means for the tax
 8 year beginning in the 2006 calendar year, two million
 9 five hundred thousand dollars, and for the tax years
 10 beginning on or after January 1, in the 2007
 11 calendar year, five million dollars, and for tax years
 12 beginning on or after January 1, 2008, seven million
 13 five hundred thousand dollars.”
 14 2. Title page, line 4, by inserting after the
 15 word “employees,” the following: “providing for tax
 16 credits”.

JOE M. SENG
 TOM HANCOCK
 BRIAN SCHOENJAHN
 TOM RIELLY
 JEFF DANIELSON
 JOHN P. KIBBIE
 MICHAEL CONNOLLY
 FRANK B. WOOD
 DENNIS H. BLACK
 ROBERT M. HOGG

AMANDA RAGAN
STEVE WARNSTADT
WILLIAM A. DOTZLER, JR.
RICH OLIVE
WILLIAM M. HECKROTH
DARYL BEALL
BECKY SCHMIDT
ROGER STEWART
TOMAS G. COURTNEY
STACI APPEL
EUGENE S. FRAISE
JACK HATCH

S-3431

1 Amend Senate File 601 as follows:
2 1. Page 43, by inserting before line 8 the
3 following:
4 "Sec. ____ Section 452A.3, subsection 1,
5 unnumbered paragraph 1, Code 2007, is amended to read
6 as follows:
7 Except as otherwise provided in this section and in
8 this division, until June 30, ~~2007~~ 2012, this
9 subsection shall apply to the excise tax imposed on
10 each gallon of motor fuel used for any purpose for the
11 privilege of operating motor vehicles in this state.
12 Sec. ____ Section 452A.3, subsection 1A, Code
13 2007, is amended to read as follows:
14 1A. Except as otherwise provided in this section
15 and in this division, after June 30, ~~2007~~ 2012, an
16 excise tax of twenty cents is imposed on each gallon
17 of motor fuel used for any purpose for the privilege
18 of operating motor vehicles in this state."

MICHAEL E. GRONSTAL
JOHN P. KIBBIE
MARY A. LUNDBY

S-3432

1 Amend Senate File 601 as follows:
2 1. Page 7, by striking lines 7 and 8.
3 2. Page 18, by inserting after line 18 the
4 following:
5 "Sec. ____ Section 602.1501, subsection 6, Code
6 2007, is amended to read as follows:
7 6. Magistrates shall receive thirty-three percent
8 of the salary set by the general assembly for district
9 judges other than the chief judges, subject to section
10 602.6402."

JEFF ANGELO

S-3433

- 1 Amend the amendment, S-3429, to Senate File 601 as
2 follows:
3 1. Page 10, by striking lines 9 through 12 and
4 inserting the following:
5 "A food establishment covered by subsections 4 and
6 5 shall be assessed license fees not to exceed
7 seventy-five percent of the total fees applicable
8 under both subsections."

MICHAEL E. GRONSTAL

S-3434

- 1 Amend House File 829, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking everything after the enacting
4 clause and inserting the following:
5 "Section 1. NEW SECTION. 15.411 TARGETED
6 INDUSTRIES DEVELOPMENT — FINANCIAL ASSISTANCE.
7 1. As used in this section, unless the context
8 otherwise requires:
9 a. "Internship" means temporary employment of a
10 student that focuses on providing the student with
11 work experience in the student's field of study.
12 b. "Targeted industries" means the industries of
13 advanced manufacturing, biosciences, and information
14 technology.
15 2. The department shall, upon board approval,
16 contract with a provider through a request for
17 proposals process for services related to statewide
18 commercialization development in the targeted
19 industries. Services provided shall include all of
20 the following:
21 a. Assistance provided directly to businesses by
22 experienced serial entrepreneurs for all of the
23 following activities:
24 (1) Business plan development.
25 (2) Due diligence.
26 (3) Market assessments.
27 (4) Technology assessments.
28 (5) Other planning activities.
29 b. Operation and coordination of various available
30 competitive seed and prototype development funds.
31 c. Connecting businesses to private angel
32 investors and the venture capital community.
33 d. Assistance in obtaining access to an
34 experienced pool of managers and operations talent
35 that can staff, mentor, or advise start-up
36 enterprises.
37 e. Support and advice for accessing sources of

38 early stage financing.

39 3. The department shall establish and administer a
40 program to provide financial and technical assistance
41 to encourage prototype and concept development
42 activities that have a clear potential to lead to
43 commercially viable products or services within a
44 reasonable period of time in the targeted industries.
45 Financial assistance shall be awarded on a per project
46 basis upon board approval. The amount of financial
47 assistance available for a single project shall not
48 exceed one hundred fifty thousand dollars. In order to
49 receive financial assistance, an applicant must
50 demonstrate the ability to secure one dollar of

Page 2

1 nonstate moneys for every two dollars received from
2 the department.

3 4. The department shall, upon board approval,
4 establish and administer a program to provide
5 financial assistance for projects designed to
6 encourage collaboration between commercial users and
7 developers of information technology in the state for
8 the purpose of commercializing existing software and
9 applications technologies. Financial assistance shall
10 not exceed one hundred thousand dollars per project.
11 In order to receive financial assistance, an applicant
12 must demonstrate the ability to secure two dollars of
13 nonstate moneys for every one dollar received from the
14 department. Financial assistance shall be awarded to
15 projects that will result in technologies being
16 developed as commercial products for sale by Iowa
17 companies rather than as custom applications for
18 proprietary use by a participating firm.

19 5. The department shall, upon board approval,
20 establish and administer a program to provide
21 financial assistance to businesses or departments of
22 businesses engaged in the delivery of information
23 technology services in the state for the purpose of
24 upgrading the high-level technical skills of existing
25 employees. The amount of financial assistance shall
26 not exceed twenty-five thousand dollars for any
27 business site. In order to receive financial
28 assistance, an applicant must demonstrate the ability
29 to secure two dollars of nonstate moneys for every one
30 dollar received from the department.

31 6. The department shall, upon board approval,
32 establish and administer a targeted industries
33 internship program for students of Iowa community
34 colleges, private colleges, or institutions of higher
35 learning under the control of the state board of
36 regents. The purpose of the program is to link Iowa

37 students to small and medium sized firms in the
38 targeted industries through internship opportunities.
39 An employer may receive financial assistance in an
40 amount of one dollar for every two dollars paid by the
41 employer to an intern. The amount of financial
42 assistance shall not exceed three thousand one hundred
43 dollars for any single internship, or nine thousand
44 three hundred dollars for any single employer. In
45 order to be eligible to receive financial assistance
46 under this subsection, the employer must have five
47 hundred or fewer employees and must be engaged in a
48 targeted industry. The department shall encourage
49 youth who reside in economically distressed areas,
50 youth adjudicated to have committed a delinquent act,

Page 3

1 and youth transitioning out of foster care to
2 participate in the targeted industries internship
3 program.
4 7. The department of economic development shall
5 work with the department of workforce development to
6 create a statewide supplier capacity and product
7 database to assist the department of economic
8 development in linking suppliers to Iowa-based
9 companies. The department of economic development may
10 procure technical assistance for the creation of the
11 database from a third party through a request for
12 proposals process.
13 8. The technology commercialization committee
14 created pursuant to section 15.116 shall review all
15 applications for financial assistance and requests for
16 proposals pursuant to this section and make
17 recommendations to the board.
18 9. The board shall adopt rules pursuant to chapter
19 17A necessary for the administration of this section.
20 Sec. ____ Section 15G.111, subsection 1, paragraph
21 a, Code 2007, is amended to read as follows:
22 a. For the fiscal period beginning July 1, 2005,
23 and ending June 30, 2015, there is appropriated each
24 fiscal year from the grow Iowa values fund created in
25 section 15G.108, the following amounts for the
26 purposes designated:
27 (1) For the fiscal year beginning July 1, 2005,
28 and ending June 30, 2006, to the department of
29 economic development thirty-five million dollars for
30 programs administered by the department of economic
31 development.
32 (2) For each fiscal year of the fiscal period
33 beginning July 1, 2006, and ending June 30, ~~2009~~ 2007,
34 to the department of economic development thirty-three
35 million dollars for programs administered by the

36 department of economic development.
 37 (3) For each fiscal year of the fiscal period
 38 beginning July 1, 2007, and ending June 30, 2009, to
 39 the department of economic development thirty million
 40 dollars for programs administered by the department of
 41 economic development.
 42 ~~(3)~~ (4) For each fiscal year of the fiscal period
 43 beginning July 1, 2009, and ending June 30, 2015, to
 44 the department of economic development ~~thirty five~~
 45 thirty-two million dollars for programs administered
 46 by the department of economic development.
 47 Sec. ____ Section 15G.111, subsection 2,
 48 unnumbered paragraph 3, Code 2007, is amended by
 49 striking the unnumbered paragraph and inserting the
 50 following:

Page 4

1 By September 30, 2007, the legislative services
 2 agency shall submit a written report to the fiscal
 3 committee of the legislative council and the standing
 4 committees on economic growth in the senate and the
 5 house of representatives regarding a review of
 6 expenditures by the state board of regents from
 7 appropriations under this subsection and 2006 Iowa
 8 Acts, chapter 1179, section 14.
 9 Sec. ____ 15G.111, Code 2007, is amended by adding
 10 the following new subsection:
 11 NEW SUBSECTION. 7A. For the fiscal period
 12 beginning July 1, 2007, and ending June 30, 2015,
 13 there is appropriated for each fiscal year from the
 14 grow Iowa values fund created in section 15G.108 to
 15 the department of economic development three million
 16 dollars for the purpose of providing the
 17 commercialization services described in section
 18 15.411, subsections 2 and 3.
 19 Sec. ____ Section 262B.21, subsection 1, Code
 20 2007, is amended to read as follows:
 21 1. For purposes of this section; and ~~sections~~
 22 ~~262B.22 and section~~ 262B.23, "core platform areas"
 23 means the areas of advanced manufacturing,
 24 biosciences, information solutions, and financial
 25 services.
 26 Sec. ____ Section 262B.22, Code 2007, is repealed.
 27 Sec. ____ ALLOCATION OF CERTAIN MONEYS FROM LOAN
 28 REPAYMENTS AND OTHER RECAPTURES. For the fiscal year
 29 beginning July 1, 2007, and ending June 30, 2008, the
 30 department of economic development may expend
 31 additional moneys that may become available from loan
 32 repayments or other recaptures of awards from federal
 33 economic stimulus funds for implementation of the
 34 recommendations provided in separate consultant

35 reports on bioscience, advanced manufacturing,
 36 information technology, and entrepreneurship submitted
 37 to the department of economic development in the
 38 calendar years 2004, 2005, and 2006. The allocation
 39 of any additional available moneys shall be as
 40 follows:

- 41 1. For study and planning for the creation of a
 42 statewide lean manufacturing institute to provide
 43 executive level, in-depth training assistance to
 44 manufacturing companies in the state:
 45 \$ 100,000
- 46 2. For the study, planning, and creation of a
 47 statewide supplier capacity and product database:
 48 \$ 500,000
- 49 3. For the commercialization of orphaned
 50 technology as provided in section 15.411, subsection

Page 5

- 1 4:
 2 \$ 500,000
- 3 4. For information technology job training as
 4 provided in section 15.411, subsection 5:
 5 \$ 500,000
- 6 5. For the targeted industries internship program
 7 provided in section 15.411, subsection 6:
 8 \$ 480,000
- 9 6. For the sponsorship of student competitions in
 10 the areas of advanced manufacturing, biosciences,
 11 information technology, and entrepreneurial
 12 development:
 13 \$ 130,000
- 14 7. For the sponsorship of connectivity events to
 15 bring together private industry and public sector
 16 researchers to facilitate technology transfer:
 17 \$ 160,000
- 18 8. For the purpose of recruitment from
 19 out-of-state, personnel to fulfill the executive-level
 20 management and operations needs of new and expanding
 21 companies in the targeted industries:
 22 \$ 280,000
- 23 9. For a statewide public awareness campaign aimed
 24 at educating Iowans about the job career opportunities
 25 available in the targeted industries including career
 26 academies:
 27 \$ 250,000
- 28 10. For deployment of equipment and training
 29 software that is current and competitive to Iowa's
 30 community colleges for use in training programs and
 31 courses related to the targeted industries:
 32 \$ 1,000,000
- 33 Sec. 500. MATH AND SCIENCE EDUCATION IMPROVEMENT

34 GRANT PILOT PROJECT — APPROPRIATION.

35 1. a. The department of education shall establish
36 and administer a math and science education
37 improvement grant pilot project to provide a grant to
38 an area education agency for purposes of providing a
39 regional and cooperative program for one or more of
40 the following purposes:

41 (1) Teacher training, professional development,
42 and teacher-in-residence programs in the areas of math
43 and science.

44 (2) Supplemental math, science, engineering, and
45 other technology-oriented educational opportunities
46 for students, including opportunities for low-income,
47 female, and minority students.

48 (3) Internships and workplace learning

49 opportunities in the areas of math and science.

50 (4) Expansion and alignment of curriculum in the

Page 6

1 areas of math and science.

2 b. Participation of one or more Iowa targeted
3 businesses or business organizations is required in
4 order for an area education agency to receive a grant.

5 c. Not more than two percent of the grant amount
6 awarded shall be used for administrative costs.

7 d. The department, in consultation with business
8 organizations, shall award a grant and require a
9 report from the recipient regarding uses of the grant
10 and progress of projects.

11 e. The area education agency receiving the grant,
12 in collaboration with the department, shall share the
13 methods and results of its program with other area
14 education agencies.

15 2. a. There is appropriated from the general fund
16 of the state to the department of education for the
17 fiscal year beginning July 1, 2006, and ending June
18 30, 2007, two hundred thousand dollars for purposes of
19 this section.

20 b. Notwithstanding section 8.33, moneys
21 appropriated in this section that remain unencumbered
22 or unobligated at the close of the fiscal year shall
23 not revert but shall remain available for expenditure
24 for the purposes designated until the close of the
25 succeeding fiscal year.

26 Sec. ____ LEGISLATIVE INTENT. It is the intent of
27 the general assembly to recognize the strong role that
28 innovation in the advanced manufacturing, biosciences,
29 and information technology industries will play in the
30 growth of this state's economy. To that end, the
31 department of economic development, the department of
32 workforce development, and the department of education

33 shall work together for the purpose of addressing key
 34 issues that impact these industries by leveraging
 35 their different competencies and resources to work on
 36 the following areas:

- 37 1. Career awareness.
 - 38 2. Data integration and assessment tools.
 - 39 3. Identification of workforce competencies.
 - 40 4. Retention of Iowans in the workforce and
 41 recruitment of new workers to Iowa.
- 42 Sec. ____ EFFECTIVE DATE. Section 500 of this
 43 Act, being deemed of immediate importance, takes
 44 effect upon enactment.”
- 45 2. Title page, line 4, by striking the words “a
 46 contingent” and inserting the following:
 47 “appropriations and an”.
 - 48 3. By renumbering as necessary.

COMMITTEE ON APPROPRIATIONS
 ROBERT E. DVORSKY, Chair

S-3435

HOUSE AMENDMENT TO SENATE FILE 575

- 1 Amend Senate File 575, as amended, passed, and
 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 14, by striking the figure
 4 “8,917,205” and inserting the following: “8,907,205”.
 - 5 2. Page 5, by inserting after line 20 the
 6 following:
 7 “3. As a condition of the appropriations in
 8 subsection 1, the department shall hire 37 full-time
 9 equivalent correctional officer positions that were
 10 vacant on March 13, 2007.”
 - 11 3. Page 7, line 34, by striking the figure
 12 “20,000” and inserting the following: “30,000”.
 - 13 4. By renumbering, relettering, or redesignating
 14 and correcting internal references as necessary.

S-3436

HOUSE AMENDMENT TO SENATE FILE 551

- 1 Amend Senate File 551, as amended, passed, and
 2 reprinted by the Senate, as follows:
- 3 1. Page 18, by inserting after line 20 the
 4 following:
 5 “DIVISION ____
 6 IOWA HORSE AND DOG BREEDERS FUND
 7 Sec. ____ Section 99D.22, subsection 5, Code 2007,

8 is amended to read as follows:

9 5. To qualify for the Iowa horse and dog breeders
10 fund, a dog shall have been whelped in Iowa and raised
11 for the first six months of its life in Iowa in a
12 state inspected licensed facility. In addition, the
13 owner of the dog shall have been a resident of the
14 state for at least two years prior to the whelping.
15 The department of agriculture and land stewardship
16 shall adopt rules and prescribe forms to bring Iowa
17 breeders into compliance with residency requirements
18 of dogs and breeders in this subsection.”

19 2. Page 18, by inserting after line 20 the
20 following:

21 “DIVISION ____

22 CODE LANGUAGE — WATER QUALITY INITIATIVES

23 Sec. ____ Section 159.5, Code 2007, is amended by
24 adding the following new subsection:

25 NEW SUBSECTION. 15. In the administration of
26 programs relating to water quality improvement and
27 watershed improvements, cooperate with the department
28 of natural resources in order to maximize the receipt
29 of federal funds.

30 Sec. ____ Section 455A.4, subsection 1, Code 2007,
31 is amended by adding the following new paragraph:

32 NEW PARAGRAPH. j. In the administration of
33 programs relating to water quality improvement and
34 watershed improvements, cooperate with the department
35 of agriculture and land stewardship in order to
36 maximize the receipt of federal funds.

37 Sec. ____ Section 466A.2, subsection 2, paragraph
38 a, Code 2007, is amended to read as follows:

39 a. Enhancement of water quality in the state
40 through a variety of impairment-based, locally
41 directed watershed improvement grant projects.

42 Innovative water quality projects shall be encouraged.

43 Sec. ____ Section 466A.4, Code 2007, is amended by
44 adding the following new subsection:

45 NEW SUBSECTION. 1A. Public water supply
46 utilities, county conservation boards, and cities may
47 also be eligible and apply for and receive local
48 watershed improvement grants for water quality
49 improvement projects. An applicant shall coordinate
50 with a local watershed improvement committee or a soil

Page 2

1 and water conservation district and shall include in
2 the application a description of existing projects and
3 any potential impact the proposed project may have on
4 existing or planned water quality improvement
5 projects.

6 Sec. ____ 2006 Iowa Acts, chapter 1145, section 4,

7 subsection 1, unnumbered paragraph 1, is amended to
 8 read as follows:
 9 A watershed quality planning task force is
 10 established within the department of natural resources
 11 in cooperation with the Iowa department of agriculture
 12 and land stewardship. By ~~June 30, January 1, 2008,~~
 13 the task force shall report to the general assembly
 14 its recommendations for a voluntary statewide water
 15 quality program which is designed to achieve all of
 16 the following goals:"
 17 3. By renumbering, relettering, or redesignating
 18 and correcting internal references as necessary.

S-3437

1 Amend the amendment, S-3429, to Senate File 601 as
 2 follows:
 3 1. Page 10, by striking lines 9 through 12 and
 4 inserting the following:
 5 "A food establishment covered by ~~subsections 4 and~~
 6 ~~5 paragraphs "d" and "e"~~ shall be assessed license
 7 fees not to exceed seventy-five percent of the total
 8 fees applicable under both ~~subsections~~ paragraphs."

MICHAEL E. GRONSTAL

S-3438

1 Amend the amendment, S-3434, to House File 829, as
 2 amended, passed, and reprinted by the House, as
 3 follows:
 4 1. Page 6, by inserting after line 41 the
 5 following:
 6 "Sec. ____ REPORTING REQUIREMENT. By January 15,
 7 2008, the department of economic development shall
 8 file a written report with the general assembly and
 9 the governor detailing all expenditures of moneys
 10 appropriated and allocated to the department pursuant
 11 to this Act and 2007 Iowa Acts, House File 911."
 12 2. By renumbering as necessary.

WILLIAM A. DOTZLER, JR.

S-3439

1 Amend the amendment, S-3422, to House File 912, as
 2 amended, passed, and reprinted by the House, as
 3 follows:
 4 1. Page 1, line 21, by striking the word and
 5 figure "or 541519".

6 2. Page 1, by striking line 28 and inserting the
7 following: "Leadership in Energy Efficiency (LEED)
8 standards."

JEFF DANIELSON

S-3440

1 Amend Senate File 604 as follows:
2 1. By striking page 2, line 20, through page 3,
3 line 6.
4 2. Title page, line 2, by striking the words
5 "residential property and".
6 3. Title page, line 3, by striking the word "are"
7 and inserting the following: "is".

JEFF ANGELO

S-3441

1 Amend Senate File 604 as follows:
2 1. Page 4, by inserting after line 7 the
3 following:
4 "c. Notwithstanding paragraph "a", if a portion of
5 a parcel of property defined in paragraph "b" is not
6 used for or in conjunction with human habitation, the
7 assessor shall separately assess the multiple uses of
8 the property according to guidelines set forth by rule
9 by the department of revenue."
10 2. Title page, line 1, by striking the word "the"
11 and inserting the following: "assessment of property
12 for property tax purposes by establishing the
13 minimum".
14 3. Title page, line 3, by striking the words
15 "taxation and" and inserting the following:
16 "taxation,".
17 4. Title page, line 6, by inserting after the
18 word "cities" the following: ", and by allowing
19 multiple assessments of a parcel of commercial
20 residential property in certain circumstances".
21 5. By renumbering as necessary.

MATT McCOY

S-3442

HOUSE AMENDMENT TO
SENATE FILE 558

1 Amend Senate File 558, as passed by the Senate, as
2 follows:
3 1. Page 2, by striking lines 16 through 18 and

- 4 inserting the following: “are available for wetlands
- 5 conservation and to undertake projects in conjunction
- 6 with soil”.
- 7 2. Page 4, line 11, by striking the word “five”
- 8 and inserting the following: “three”.
- 9 3. Page 4, lines 11 and 12, by striking the word
- 10 “five-year” and inserting the following:
- 11 “three-year”.
- 12 4. Page 4, line 24, by striking the word “five”
- 13 and inserting the following: “three”.

S-3443

- 1 Amend House File 907, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 7, by inserting after line 11 the
- 4 following:
- 5 “4. To the department for the blind:
- 6 \$ 130,000
- 7 To plan, establish, administer, and promote a
- 8 statewide program to provide audio news and
- 9 information services to blind or visually impaired
- 10 persons residing in this state as provided pursuant to
- 11 section 216B.3, subsection 18.”
- 12 2. Page 8, line 24, by striking the figure
- 13 “9,100,000” and inserting the following: “9,230,000”.
- 14 3. By renumbering as necessary.

JEFF ANGELO

S-3444

- 1 Amend Senate File 604 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 “DIVISION I
- 5 PROPERTY ASSESSMENT AND STATE REPLACEMENT FUND”
- 6 2. Page 4, by inserting before line 8 the
- 7 following:
- 8 “DIVISION II
- 9 PROPERTY TAX STUDY
- 10 Sec. ____ LEGISLATIVE PROPERTY TAX STUDY
- 11 COMMITTEE.
- 12 1. A legislative property tax study committee is
- 13 established on July 1, 2007. The study committee
- 14 shall conduct a comprehensive review of property
- 15 taxation in Iowa including but not limited to the
- 16 continued use of property taxes as a major funding
- 17 source for local governments and for local school
- 18 districts in Iowa, the classification and assessment
- 19 of property for property tax purposes and the impact
- 20 of the tie between residential and agricultural

21 property assessments, the level of consistency
22 employed in classifying and assessing property for
23 property tax purposes, the various exemptions and
24 credits currently available to property taxpayers and
25 the impact on local government and state budgets and
26 on other taxpayers of providing those credits and
27 exemptions, and the use of property taxes as an
28 economic development tool and the impact on local and
29 state government budgets and on other taxpayers of
30 such use. In its study, the committee shall address
31 the goals of property tax simplification and equity.

32 2. a. The committee shall be comprised of the
33 following voting members:

34 (1) Three members who are members of the senate,
35 two of whom shall be appointed by the majority leader
36 of the senate and one of whom shall be appointed by
37 the minority leader of the senate.

38 (2) Three members who are members of the house of
39 representatives, two of whom shall be appointed by the
40 speaker of the house of representatives and one of
41 whom shall be appointed by the minority leader of the
42 house of representatives.

43 b. The committee shall be comprised of the
44 following voting members who shall be appointed by the
45 majority leader of the senate and the speaker of the
46 house of representatives in consultation with the
47 minority leaders of the senate and the house of
48 representatives:

49 (1) A representative of the Iowa state association
50 of counties.

Page 2

1 (2) A representative of the Iowa league of cities.

2 (3) A representative of the Iowa association of
3 school boards.

4 (4) Local assessors.

5 (5) County auditors.

6 (6) A representative of an organization
7 representing local economic development entities.

8 (7) A representative of commercial property
9 taxpayers.

10 (8) A representative of industrial property
11 taxpayers.

12 (9) A representative of residential property
13 taxpayers.

14 (10) A representative of agricultural property
15 taxpayers.

16 (11) Representatives of other interests as
17 designated by the legislative council.

18 c. The committee shall be comprised of the
19 following nonvoting members who shall be appointed by

20 the governor:

21 (1) A representative employed by the department of
22 management.

23 (2) A representative employed by the department of
24 revenue.

25 (3) A representative employed by the department of
26 economic development.

27 (4) A representative employed by the department of
28 education.

29 3. The property tax study committee shall meet
30 during the 2007 and 2008 legislative interims at the
31 call of the chairperson. The committee is authorized
32 to hold as many meetings as the committee deems
33 necessary.

34 4. The property tax study committee may contract
35 with one or more tax consultants or experts familiar
36 with the Iowa property tax system. The legislative
37 council, pursuant to its authority in section 2.42,
38 may allocate to the study committee funding from
39 moneys available to it in section 2.12 for the purpose
40 of contracting with the consultant or expert.

41 5. The property tax study committee shall submit a
42 final report to the general assembly on or before
43 January 5, 2009. The final report shall include but
44 not be limited to findings, analyses, and
45 recommendations by the committee.”

46 3. Title page, line 1, by striking the words “to
47 the” and inserting the following: “to property taxes
48 by establishing the minimum”.

49 4. Title page, line 3, by striking the words
50 “taxation and” and inserting the following:

Page 3

1 “taxation,”.

2 5. Title page, line 6, by inserting after the
3 word “cities” the following: “, and by establishing a
4 legislative property tax study committee”.

5 6. By renumbering as necessary.

JOE BOLKCOM

S-3445

1 Amend House File 909, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 7, line 13, by striking the figure
4 “1,690,000” and inserting the following: “2,215,000”.

5 2. Page 7, by inserting after line 13 the
6 following:

7 “The amount appropriated in this subsection for
8 addictive disorders reflects an increase of \$525,000

9 from the funding remaining in the gambling treatment
 10 fund from the carryforward of appropriations made for
 11 addictive disorders in previous fiscal years. Of this
 12 amount, \$50,000 shall be transferred to the department
 13 of corrections to supplement funding for the adult
 14 drug court program in Polk county, \$25,000 shall be
 15 transferred to the department of corrections to
 16 supplement funding for the adult drug court program in
 17 the second judicial district, \$150,000 shall be
 18 transferred to the department of human rights to
 19 supplement funding for the family development and
 20 self-sufficiency program, and \$300,000 shall be
 21 transferred to the department of human rights to be
 22 used in addition to any other funding appropriated in
 23 this Act for the energy utility assessment and
 24 resolution program established pursuant to section
 25 216A.104, as enacted by this Act.”

26 3. Page 10, line 26, by striking the word
 27 “commission” and inserting the following:
 28 “department”.

29 4. Page 10, lines 29 and 30, by striking the
 30 words “, which shall be done by” and inserting the
 31 following: “no later than”.

32 5. Page 11, by inserting after line 18 the
 33 following:

34 “Notwithstanding section 8.33, not more than 5
 35 percent of the moneys designated in this subsection
 36 that are allocated by the department for contracted
 37 services other than family development and
 38 self-sufficiency grant program services allocated
 39 under this subsection, that remain unencumbered or
 40 unobligated at the close of the fiscal year shall not
 41 revert but shall remain available for expenditure for
 42 the purposes designated until the close of the
 43 succeeding fiscal year. However, unless such moneys
 44 are encumbered or obligated on or before September 30,
 45 2008, the moneys shall revert.”

46 6. Page 14, line 26, by inserting after the
 47 figure “217.12” the following: “and for not more than
 48 the following full-time equivalent positions”.

49 7. Page 14, by inserting after line 27 the
 50 following:

Page 2

1 “..... FTEs 14.00”
 2 8. By striking page 15, line 34, through page 16,
 3 line 8.
 4 9. Page 16, line 21, by inserting after the word
 5 “funding.” the following: “If child support
 6 collections assigned under FIP are greater than
 7 estimated or are otherwise determined not to be

8 required for maintenance of effort, the state share of
9 either amount may be transferred to or retained in the
10 child support payment account.”

11 10. Page 16, line 35, by inserting after the word
12 “designated” the following: “and for not more than
13 the following full-time equivalent positions”.

14 11. Page 17, by inserting after line 4 the
15 following:

16 “..... FTEs 16.50”

17 12. Page 20, line 10, by striking the figure
18 “618,926,820” and inserting the following:
19 “618,826,820”.

20 13. Page 23, line 2, by inserting after the
21 figure “2008.” the following: “If a prescriber
22 determines that all smoking cessation aids on the
23 preferred drug list are not effective or medically
24 appropriate for a patient, the prescriber may apply
25 for an exception to policy for another product
26 approved by the United States food and drug
27 administration for smoking cessation pursuant to 441
28 IAC 1.8(1).”

29 14. Page 24, line 9, by inserting after the word
30 “purposes” the following: “and for not more than the
31 following full-time equivalent positions”.

32 15. Page 24, by inserting after line 10 the
33 following:

34 “..... FTEs 21.00”

35 16. Page 24, line 17, by inserting after the word
36 “purposes” the following: “and for not more than the
37 following full-time equivalent positions”.

38 17. Page 24, by inserting after line 18, the
39 following:

40 “..... FTEs 6.00”

41 18. Page 25, line 22, by inserting after the word
42 “PROGRAM.” the following:
43 “1.”

44 19. Page 25, by inserting after line 33 the
45 following:

46 “2. If sufficient funding is available under this
47 Act, and if federal reauthorization of the state
48 children’s health insurance program provides
49 sufficient federal allocations to the state and
50 authorization to cover the following populations as an

Page 3

1 option under the state children’s health insurance
2 program, the department may expand coverage under the
3 state children’s health insurance program as follows:
4 a. By eliminating the categorical exclusion of
5 state employees from receiving state children’s health
6 insurance program benefits.

7 b. By providing coverage for legal immigrant
8 children and pregnant women not eligible under current
9 federal guidelines.

10 c. By covering children up to age twenty-one, or
11 up to age twenty-three if the child is attending
12 school.”

13 20. Page 25, by inserting after line 33 the
14 following:

15 “3. If the United States congress does not
16 authorize additional federal funds necessary to
17 address the shortfall for the state children’s health
18 insurance program for the federal fiscal year
19 beginning October 1, 2006, and ending September 30,
20 2007, the department may use 100 percent state funds
21 from the appropriation made in this section for the
22 period beginning July 1, 2007, and ending September
23 30, 2007, and may additionally utilize funding from
24 the appropriations made in this Act for medical
25 assistance to maintain the state children’s health
26 insurance program. If deemed necessary, the
27 department shall request a supplemental appropriation
28 from the Eighty-second General Assembly, 2008 Session,
29 to address any remaining shortfall for the fiscal year
30 beginning July 1, 2007.”

31 21. Page 37, line 25, by striking the figure
32 “5,273,361” and inserting the following: “5,367,652”.

33 22. Page 37, line 31, by striking the figure
34 “6,409,501” and inserting the following: “6,540,101”.

35 23. Page 38, line 2, by striking the figure
36 “9,358,177” and inserting the following: “9,606,542”.

37 24. Page 38, line 8, by striking the figure
38 “1,339,216” and inserting the following: “1,522,598”.

39 25. Page 43, line 29, by striking the figure
40 “15,901,927” and inserting the following:
41 “16,101,927”.

42 26. Page 44, by inserting after line 3 the
43 following:

44 “3. Of the funds appropriated in this section,
45 \$100,000 is transferred to the department of human
46 rights to be used in addition to any other funding
47 appropriated in this Act for the energy utility
48 assessment and resolution program established pursuant
49 to section 216A.104, as enacted by this Act.”

50 27. Page 44, line 27, by inserting after the

Page 4

1 figure “(1).” the following: “The inflation factor
2 applied by the department shall not be less than
3 zero.”

4 28. Page 51, by inserting after line 32 the
5 following:

6 “Sec. ____ Section 217.23, subsection 2, Code
 7 2007, is amended to read as follows:
 8 2. The department ~~is hereby authorized to may~~
 9 expend moneys from the support allocation of the
 10 department as reimbursement for replacement or repair
 11 of personal items of the department’s employees
 12 damaged or destroyed by clients of the department
 13 during the employee’s tour of duty. However, the
 14 reimbursement shall not exceed ~~one~~ three hundred ~~fifty~~
 15 dollars for each item. The department shall establish
 16 rules in accordance with chapter 17A to carry out the
 17 purpose of this section.”

18 29. Page 51, by inserting after line 32 the
 19 following:

20 “Sec. ____ Section 231.33, Code 2007, is amended
 21 by adding the following new subsection:
 22 NEW SUBSECTION. 21. Provide the opportunity for
 23 elders residing in the planning and service area to
 24 offer substantive suggestions regarding the employment
 25 practices of the area agency on aging.”

26 30. By striking page 72, line 35, through page
 27 73, line 8.

28 31. Page 74, by inserting before line 14 the
 29 following:

30 “Sec. ____ Section 331.439, subsection 5, Code
 31 2007, is amended to read as follows:
 32 5. a. A county shall implement the county’s
 33 management plan in a manner so as to provide adequate
 34 funding for the entire fiscal year by budgeting for
 35 ninety-nine percent of the funding anticipated to be
 36 available for the plan. A county may expend all of
 37 the funding anticipated to be available for the plan.
 38 b. If a county determines that the county cannot
 39 provide services in accordance with the county’s
 40 management plan and remain in compliance with the
 41 budgeting requirement of paragraph “a” for the fiscal
 42 year, the county may implement a waiting list for the
 43 services. The procedures for establishing and
 44 applying a waiting list shall be specified in the
 45 county’s management plan. If a county implements a
 46 waiting list for services, the county shall notify the
 47 department of human services. The department shall
 48 maintain on the department’s internet website an
 49 up-to-date listing of the counties that have
 50 implemented a waiting list and the services affected

Page 5

1 by each waiting list.

2 Sec. ____ Section 331.440, subsection 4, as
 3 enacted by 2006 Iowa Acts, chapter 1115, section 17,
 4 is amended to read as follows:

5 4. a. An application for services may be made
6 through the central point of coordination process of
7 an adult person's county of residence. Effective July
8 1, 2007, if an adult person who is subject to a
9 central point of coordination process has legal
10 settlement in another county, the central point of
11 coordination process functions relating to the
12 application shall be performed by the central point of
13 coordination process of the person's county of
14 residence in accordance with the county of residence's
15 management plan approved under section 331.439 and the
16 person's county of legal settlement is responsible for
17 the cost of the services or other support authorized
18 at the rates reimbursed by the county of residence.

19 b. The county of residence shall determine whether
20 or not the person's county of legal settlement has
21 implemented a waiting list in accordance with section
22 331.439, subsection 5. If the person's county of
23 legal settlement has implemented a waiting list, the
24 services or other support for the person shall be
25 authorized by the county of residence in accordance
26 with the county of legal settlement's waiting list
27 provisions.

28 c. At the time services or other support are
29 authorized, the county of residence shall send the
30 county of legal settlement a copy of the authorization
31 notice."

32 32. Page 84, line 30, by inserting after the word
33 "pool." the following: "The mental health, mental
34 retardation, developmental disabilities, and brain
35 injury commission shall adopt rules pursuant to
36 chapter 17A providing criteria for the purposes of
37 this lettered paragraph and as necessary to implement
38 the other provisions of this subsection."

39 33. Page 86, line 12, by striking the word "The"
40 and inserting the following: "The Subject to the
41 amount available and obligated from the risk pool for
42 a fiscal year, the".

43 34. Page 86, by inserting after line 27 the
44 following:

45 "1. If the board has made its decisions but has
46 determined that there are otherwise qualifying
47 requests for risk pool assistance that are beyond the
48 amount available in the risk pool fund for a fiscal
49 year, the board shall compile a list of such requests
50 and the supporting information for the requests. The

Page 6

1 list and information shall be submitted to the mental
2 health, mental retardation, developmental
3 disabilities, and brain injury commission, the

4 department of human services, and the general
5 assembly.”

6 35. Page 94, line 18, by inserting after the
7 figure “331.424A.” the following: “A county
8 transferring moneys from other funds of the county to
9 the county’s services fund pursuant to this section or
10 utilizing the nonreversion authority provided in the
11 division of this Act relating to decategorization
12 project funding, shall submit a report detailing the
13 transfers made and fund affected and explaining how
14 the moneys made available by the nonreversion
15 authority were expended. The county shall submit the
16 report along with the county expenditure and
17 information report submitted by December 1, 2007, in
18 accordance with section 331.439.”

19 36. Page 94, line 31, by striking the figure
20 “9,332,254” and inserting the following: “8,993,754”.

21 37. Page 95, line 14, by striking the figure
22 “8,200,254” and inserting the following: “7,861,754”.

23 38. Page 95, line 24, by inserting after the word
24 “promotion.” the following: “Of the funds allocated
25 in this lettered paragraph, not more than \$500,000
26 shall be used for cessation media promotion.”

27 39. Page 95, line 30, by striking the figure
28 “439,000” and inserting the following: “877,500”.

29 40. Page 96, line 8, by striking the figure “337”
30 and inserting the following: “910”.

31 41. Page 96, line 12, by striking the figure
32 “517” and inserting the following: “906”.

33 42. Page 96, by inserting after line 12 the
34 following:

35 “e. Of the funds appropriated in this subsection,
36 \$10,000 shall be used for public health education and
37 awareness of the children’s vision initiatives,
38 including the InfantSee program and the student vision
39 program, administered through a statewide association
40 of optometric professionals for infants and preschool
41 children.

42 f. Of the funds appropriated in this subsection,
43 \$238,500 shall be used to provide audiological
44 services and hearing aids for children.

45 g. Of the funds appropriated in this subsection,
46 \$190,000 shall be used for implementation of the
47 families with a newborn child home visits program
48 pursuant to section 28.11, as enacted by this Act.”

49 43. Page 96, line 14, by striking the figure
50 “1,178,981” and inserting the following: “1,188,981”.

Page 7

1 44. Page 96, by striking lines 20 and 21 and
2 inserting the following: “shall be used for the

3 comprehensive cancer control program to reduce the
4 burden of cancer in Iowa through”.

5 45. Page 96, by inserting after line 31 the
6 following:

7 “e. Of the funds appropriated in this subsection,
8 \$10,000 shall be allocated to the university of Iowa,
9 Carver college of medicine, department of
10 cardiothoracic surgery, to offer extracorporeal
11 support for donation after cardiac death.”

12 46. Page 96, line 33, by striking the figure
13 “3,025,000” and inserting the following: “2,890,000”.

14 47. Page 97, line 3, by striking the figure
15 “200,000” and inserting the following: “300,000”.

16 48. Page 98, by striking lines 18 through 20.

17 49. Page 98, by inserting after line 26 the
18 following:

19 “ff. Of the funds appropriated in this subsection,
20 \$75,000 shall be used for implementation of the
21 recommendations of the direct care worker task force
22 established pursuant to 2005 Iowa Acts, chapter 88,
23 based upon the report submitted to the governor and
24 the general assembly in December 2006.

25 fff. Of the funds appropriated in this subsection,
26 \$140,000 shall be used for allocation to an
27 independent statewide direct care worker association
28 for education, outreach, leadership development,
29 mentoring, and other initiatives intended to enhance
30 the recruitment and retention of direct care workers
31 in health and long-term care.”

32 50. Page 99, line 8, by striking the figure
33 “97,103,096” and inserting the following:
34 “97,203,096”.

35 51. Page 99, line 10, by striking the figure
36 “78,065,357” and inserting the following:
37 “78,156,357”.

38 52. Page 100, by striking lines 28 through 32.

39 53. Page 100, by inserting before line 33 the
40 following:

41 “Sec. ____ DEPARTMENT OF CORRECTIONS. There is
42 appropriated from the health care trust fund created
43 in section 453A.35A to the department of corrections
44 for the fiscal year beginning July 1, 2007, and ending
45 June 30, 2008, the following amount, or so much
46 thereof as is necessary, for the purposes designated:

47 For additional funding for the drug court program
48 in the fourth judicial district:

49 \$ 25,000

50 Of the funds appropriated and allocated to the

Page 8

1 department of corrections in this Act and in 2007 Iowa
2 Acts, House File 907, if enacted, for each drug court
3 program in the first, second, third, fourth, fifth,
4 sixth, and seventh judicial districts, \$50,000 shall
5 be used for substance abuse treatment, and for the
6 drug court program in the eighth judicial district
7 \$100,000 shall be used for substance abuse treatment.”

8 54. Page 106, by striking lines 23 through 35 and
9 inserting the following: “providers for provision to
10 patients at the point of care, including the
11 development of a centralized intake concept to
12 determine the eligibility of safety net provider
13 patients for the prescription drug donation repository
14 program pursuant to chapter 135M, a drug discount
15 card, and pharmaceutical manufacturer assistance
16 programs.”

17 55. Page 107, by striking lines 5 through 7 and
18 inserting the following:
19 “3. Utilization of a pharmacy benefits manager to
20 provide low cost patient access to drug therapies.”

21 56. Page 107, by striking lines 8 through 10.

22 57. Page 107, line 18, by striking the word
23 “three” and inserting the following: “two”.

24 58. Page 115, line 8, by inserting after the word
25 “habilitation” the following: “or remedial”.

26 59. Page 124, by inserting after line 21 the
27 following:

28 “DIVISION ____

29 DEPENDENT ADULT ABUSE

30 Sec. ____ Section 235B.3, subsection 1, Code 2007,
31 is amended to read as follows:

32 1. a. The department shall receive dependent
33 adult abuse reports and shall collect, maintain, and
34 disseminate the reports by establishing a central
35 registry for dependent adult abuse information. The
36 department shall evaluate the reports expeditiously.
37 However, the department of inspections and appeals is
38 solely responsible for the evaluation and disposition
39 of dependent adult abuse cases within health care
40 facilities and shall inform the department of human
41 services of such evaluations and dispositions.

42 b. Reports of dependent adult abuse which is the
43 result of the acts or omissions of the dependent adult
44 shall be collected and maintained in the files of the
45 dependent adult as assessments only and shall not be
46 included in the central registry.

47 c. A report of dependent adult abuse that meets
48 the definition of dependent adult abuse under section
49 235B.2, subsection 5, paragraph “a”, subparagraph (1),
50 subparagraph subdivision (a) or (d), which the

Page 9

1 department determines is minor, isolated, and unlikely
 2 to reoccur shall be collected and maintained by the
 3 department as an assessment only for a five-year
 4 period and shall not be included in the central
 5 registry and shall not be considered to be founded
 6 dependent adult abuse. However, a subsequent report
 7 of dependent adult abuse that meets the definition of
 8 dependent adult abuse under section 235B.2, subsection
 9 5, paragraph "a", subparagraph (1), subparagraph
 10 subdivision (a) or (d), that occurs within the
 11 five-year period and that is committed by the
 12 caretaker responsible for the act or omission which
 13 was the subject of the previous report of dependent
 14 adult abuse which the department determined was minor,
 15 isolated, and unlikely to reoccur shall not be
 16 considered minor, isolated, and unlikely to reoccur.
 17 Sec. ____ Section 235B.9, Code 2007, is amended by
 18 adding the following new subsection:

19 NEW SUBSECTION. 5. Dependent adult abuse
 20 information which is determined to be minor, isolated,
 21 and unlikely to reoccur shall be expunged five years
 22 after the receipt of the initial report by the
 23 department. If a subsequent report of dependent adult
 24 abuse committed by the caretaker responsible for the
 25 act or omission which was the subject of the previous
 26 report of dependent adult abuse which the department
 27 determined was minor, isolated, and unlikely to
 28 reoccur is received by the department within the
 29 five-year period, the information shall be sealed ten
 30 years after receipt of the subsequent report unless
 31 good cause can be shown why the information should
 32 remain open to authorized access.

33 DIVISION ____

34 ENERGY UTILITY ASSESSMENT AND
 35 RESOLUTION PROGRAM

36 Sec. ____ NEW SECTION. 216A.104 ENERGY UTILITY
 37 ASSESSMENT AND RESOLUTION PROGRAM.

38 1. The general assembly finds that provision of
 39 assistance to prevent utility disconnections will also
 40 prevent the development of public health risks due to
 41 such disconnections. The division shall establish an
 42 energy utility assessment and resolution program
 43 administered by each community action agency for
 44 persons with low incomes who have or need a deferred
 45 payment agreement or are in need of an emergency fuel
 46 delivery to address home energy utility costs.
 47 2. A person must meet all of the following
 48 requirements to be eligible for the program:
 49 a. The person is eligible for the federal
 50 low-income home energy assistance program.

Page 10

- 1 b. The person is a residential customer of an
 2 energy utility approved for the program by the
 3 division.
 4 c. The person has or is in need of a deferred
 5 payment agreement to address the person's home energy
 6 utility costs.
 7 d. The person is able to maintain or regain
 8 residential energy utility service in the person's own
 9 name.
 10 e. The person provides the information necessary
 11 to determine the person's eligibility for the program.
 12 f. The person complies with other eligibility
 13 requirements adopted in rules by the division.
 14 3. The program components shall include but are
 15 not limited to all of the following:
 16 a. Analysis of a program participant's current
 17 financial situation.
 18 b. Review of a program participant's resource and
 19 money management options.
 20 c. Skills development and assistance for a program
 21 participant in negotiating a deferred payment
 22 agreement with the participant's energy utility.
 23 d. Development of a written household energy
 24 affordability plan.
 25 e. Provision of energy conservation training and
 26 assistance.
 27 f. A requirement that a program participant must
 28 make uninterrupted, regular utility payments while
 29 participating in the program.
 30 4. The division shall implement accountability
 31 measures for the program and require regular reporting
 32 on the measures by the community action agencies.
 33 5. The division shall implement the program
 34 statewide, subject to the funding made available for
 35 the program.

36 DIVISION ____

37 PASSPORT SANCTIONS

- 38 Sec. ____ Section 252B.5, subsection 11, paragraph
 39 a, Code 2007, is amended to read as follows:
 40 a. Comply with federal procedures to periodically
 41 certify to the secretary of the United States
 42 department of health and human services, a list of the
 43 names of obligors determined by the unit to owe
 44 delinquent support, under a support order as defined
 45 in section 252J.1, in excess of ~~five two~~ thousand five
 46 hundred dollars. The certification of the delinquent
 47 amount owed may be based upon one or more support
 48 orders being enforced by the unit if the delinquent
 49 support owed exceeds ~~five two~~ thousand five hundred
 50 dollars. The certification shall include any amounts

Page 11

1 which are delinquent pursuant to the periodic payment
2 plan when a modified order has been retroactively
3 applied. The certification shall be in a format and
4 shall include any supporting documentation required by
5 the secretary.

6 Sec. ____ Section 252B.5, subsection 11, paragraph
7 b, subparagraph (1), subparagraph subdivision (b),
8 Code 2007, is amended to read as follows:

9 (b) A statement providing information that if the
10 delinquency is in excess of ~~five two~~ thousand ~~five~~
11 hundred dollars, the United States secretary of state
12 may apply a passport sanction by revoking,
13 restricting, limiting, or refusing to issue a passport
14 as provided in 42 U.S.C. § 652(k).

15 Sec. ____ Section 252B.5, subsection 11, paragraph
16 b, subparagraph (2), subparagraph subdivision (a),
17 unnumbered paragraph 1, Code 2007, is amended to read
18 as follows:

19 A challenge shall be based upon mistake of fact.
20 For the purposes of this subsection, "mistake of fact"
21 means a mistake in the identity of the obligor or a
22 mistake in the amount of the delinquent child support
23 owed if the amount did not exceed ~~five two~~ thousand
24 five hundred dollars on the date of the unit's
25 decision on the challenge.

26 Sec. ____ Section 252B.5, subsection 11, paragraph
27 c, Code 2007, is amended to read as follows:

28 c. Following certification to the secretary, if
29 the unit determines that an obligor no longer owes
30 delinquent support in excess of ~~five two~~ thousand ~~five~~
31 hundred dollars, the unit shall provide information
32 and notice as the secretary requires to withdraw the
33 certification for passport sanction.

34 Sec. ____ EFFECTIVE DATE. This division of this
35 Act takes effect October 1, 2007.

36 DIVISION ____

37 MANDATORY REVIEW AND ADJUSTMENT 38 OF CHILD SUPPORT ORDERS

39 Sec. ____ Section 252B.26, Code 2007, is amended
40 to read as follows:

41 252B.26 SERVICE OF PROCESS.

42 Notwithstanding any provision of law to the
43 contrary, the unit may serve a petition, notice, or
44 rule to show cause under chapter 252A, 252C, 252F,
45 252H, 252K, 598, or 665 as specified in each chapter,
46 or as follows:

47 1. The unit may serve a petition, notice, or rule
48 to show cause by certified mail. Return
49 acknowledgment is required to prove service by
50 certified mail, rules of civil procedure 1.303(5) and

Page 12

1 1.308(5) shall not apply, and the return
 2 acknowledgment shall be filed with the clerk of court.
 3 2. The unit may serve a notice of intent under
 4 chapter 252H, or a notice of decision under section
 5 252H.14A, upon any party or parent who is receiving
 6 family investment program assistance for the parent or
 7 child by sending the notice by regular mail to the
 8 address maintained by the department. Rules of civil
 9 procedure 1.303(5) and 1.308(5) shall not apply and
 10 the unit shall file proof of service as provided in
 11 chapter 252H. If the notice is determined to be
 12 undeliverable, the unit shall serve the notice as
 13 otherwise provided in this section or by personal
 14 service.

15 Sec. ____ Section 252H.7, subsection 2, unnumbered
 16 paragraph 1, Code 2007, is amended to read as follows:

17 A parent may waive the postreview waiting period
 18 provided for in section 252H.8, subsection 1A or 6,
 19 for a court hearing or in section 252H.17 for
 20 requesting of a second review.

21 Sec. ____ Section 252H.8, subsection 1, Code 2007,
 22 is amended to read as follows:

23 1. For actions initiated under ~~subchapter II~~
 24 section 252H.15, either parent or the unit may request
 25 a court hearing within thirty days from the date of
 26 issuance of the notice of decision under section
 27 252H.16, or within ten days of the date of issuance of
 28 the second notice of decision under section 252H.17,
 29 whichever is later.

30 Sec. ____ Section 252H.8, Code 2007, is amended by
 31 adding the following new subsection:

32 NEW SUBSECTION. 1A. For actions initiated under
 33 section 252H.14A, either parent or the unit may
 34 request a court hearing within ten days of the
 35 issuance of the second notice of decision under
 36 section 252H.17.

37 Sec. ____ Section 252H.8, subsection 4, paragraph
 38 b, Code 2007, is amended to read as follows:

39 b. The return of service, proof of service,
 40 acceptance of service, or signed statement by the
 41 parent requesting review and adjustment or requesting
 42 modification, waiving service of the notice.

43 Sec. ____ Section 252H.8, subsection 6, Code 2007,
 44 is amended to read as follows:

45 6. For actions initiated under ~~subchapter II~~
 46 section 252H.15, a hearing shall not be held for at
 47 least thirty-one days following the date of issuance
 48 of the notice of decision unless the parents have
 49 jointly waived, in writing, the thirty-day postreview
 50 period.

Page 13

1 Sec. ____ Section 252H.9, subsection 1, Code 2007,
2 is amended to read as follows:

3 1. If timely request for a court hearing is not
4 made pursuant to section 252H.8, the unit shall
5 prepare and present an administrative order for
6 adjustment or modification, as applicable, for review
7 and approval, ex parte, to the district court where
8 the order to be adjusted or modified is filed.
9 Notwithstanding any other law to the contrary, if more
10 than one support order exists involving children with
11 the same legally established parents, for the purposes
12 of this subsection, the district court reviewing and
13 approving the matter shall have jurisdiction over all
14 other support orders entered by a court of this state
15 and affected under this subsection.

16 Sec. ____ Section 252H.10, unnumbered paragraph 1,
17 Code 2007, is amended to read as follows:

18 Pursuant to section 598.21C, any administrative or
19 court order resulting from an action initiated under
20 this chapter may be made retroactive only ~~to~~ from
21 three months after the date that all parties were
22 successfully served the notice required under section
23 252H.14A, 252H.15, or section 252H.19, as applicable.

24 Sec. ____ Section 252H.11, subsection 2, Code
25 2007, is amended to read as follows:

26 2. If the modification action filed by the parent
27 is subsequently dismissed before being heard by the
28 court, the unit shall continue the action previously
29 initiated under subchapter II or III, or initiate a
30 new action as follows:

31 a. If the unit previously initiated an action
32 under subchapter II, and had not issued a notice of
33 decision as required under section 252H.14A or
34 252H.16, the unit shall proceed as follows:

35 (1) If notice of intent to review was served
36 ninety days or less prior to the date the modification
37 action filed by the parent is dismissed, the unit
38 shall complete the review and issue the notice of
39 decision.

40 (2) If the modification action filed by the parent
41 is dismissed more than ninety days after the original
42 notice of intent to review was served, the unit shall
43 serve or issue a new notice of intent to review and
44 conduct the review.

45 (3) If the unit initiated a review under section
46 252H.14A, the unit may issue the notice of decision.

47 b. If the unit previously initiated an action
48 under subchapter II and had issued the notice of
49 decision as required under section 252H.14A or
50 252H.16, the unit shall proceed as follows:

Page 14

1 (1) If the notice of decision was issued ninety
2 days or less prior to the date the modification action
3 filed by the parent is dismissed, the unit shall
4 request, obtain, and verify any new or different
5 information concerning the financial circumstances of
6 the parents and issue a revised notice of decision to
7 each parent, or if applicable, to the parent's
8 attorney.

9 (2) If the modification action filed by the parent
10 is dismissed more than ninety days after the date of
11 issuance of the notice of decision, the unit shall
12 serve or issue a new notice of intent to review
13 pursuant to section 252H.15 and conduct a review
14 pursuant to section 252H.16, or conduct a review and
15 serve a new notice of decision under section 252H.14A.

16 c. If the unit previously initiated an action
17 under subchapter III, the unit shall proceed as
18 follows:

19 (1) If the modification action filed by the parent
20 is dismissed more than ninety days after the original
21 notice of intent to modify was served, the unit shall
22 serve a new notice of intent to modify pursuant to
23 section 252H.19.

24 (2) If the modification action filed by the parent
25 is dismissed ninety days or less after the original
26 notice of intent to modify was served, the unit shall
27 complete the original modification action initiated by
28 the unit under this subchapter.

29 (3) Each parent shall be allowed at least twenty
30 days from the date the administrative modification
31 action is reinstated to request a court hearing as
32 provided for in section 252H.8.

33 Sec. __. NEW SECTION. 252H.14A REVIEWS
34 INITIATED BY THE CHILD SUPPORT RECOVERY UNIT —
35 ABBREVIATED METHOD.

36 1. Notwithstanding section 252H.15, to assist the
37 unit in meeting the requirement for reviews and
38 adjustments under the federal Deficit Reduction Act of
39 2005, Pub. L. No. 109-171, the unit may use procedures
40 under this section to review a support order if all
41 the following apply:

42 a. The right to ongoing child support is assigned
43 to the state of Iowa due to the receipt of family
44 investment program assistance, and a review of the
45 support order is required under section 7302 of the
46 federal Deficit Reduction Act of 2005, Pub. L. No.
47 109-171.

48 b. The unit has access to information concerning
49 the financial circumstances of each parent and one of
50 the following applies:

Page 15

- 1 (1) The parent is a recipient of family investment
2 program assistance, medical assistance, or food
3 assistance from the department.
- 4 (2) The parent's income is from supplemental
5 security income paid pursuant to 42 U.S.C. § 1381a.
- 6 (3) The parent is a recipient of disability
7 benefits under the Act because of the parent's
8 disability.
- 9 (4) The parent is an inmate of an institution
10 under the control of the department of corrections.
- 11 2. If the conditions of subsection 1 are met, the
12 unit may conduct a review and determine whether an
13 adjustment is appropriate using information accessible
14 by the unit without issuing a notice under section
15 252H.15 or requesting additional information from the
16 parent.
- 17 3. Upon completion of the review, the unit shall
18 issue a notice of decision to each parent, or if
19 applicable, to each parent's attorney. The notice
20 shall be served in accordance with the rules of civil
21 procedure or as provided in section 252B.26.
- 22 4. All of the following shall be included in the
23 notice of decision:
- 24 a. The legal basis and purpose of the action,
25 including an explanation of the procedures for
26 determining child support, the criteria for
27 determining the appropriateness of an adjustment, and
28 a statement that the unit used the child support
29 guidelines established pursuant to section 598.21B and
30 the provisions for medical support pursuant to chapter
31 252E.
- 32 b. Information sufficient to identify the affected
33 parties and the support order or orders affected.
- 34 c. An explanation of the legal rights and
35 responsibilities of the affected parties, including
36 time frames in which the parties must act.
- 37 d. A statement indicating whether the unit finds
38 that an adjustment is appropriate and the basis for
39 the determination.
- 40 e. Procedures for contesting the action, including
41 that if a parent requests a second review both parents
42 will be requested to submit financial or income
43 information as necessary for application of the child
44 support guidelines established pursuant to section
45 598.21B.
- 46 f. Other information as appropriate.
- 47 5. Section 252H.16, subsection 5, regarding a
48 revised notice of decision shall apply to a notice of
49 decision issued under this section.
- 50 6. Each parent shall have the right to challenge

Page 16

1 the notice of decision issued under this section by
2 requesting a second review by the unit as provided in
3 section 252H.17. If there is no new or different
4 information to consider for the second review, the
5 unit shall issue a second notice of decision based on
6 prior information. Each parent shall have the right
7 to challenge the second notice of decision by
8 requesting a court hearing as provided in section
9 252H.8.

10 Sec. ____ Section 252H.15, subsection 1, Code
11 2007, is amended to read as follows:

12 1. ~~Prior~~ Unless an action is initiated under
13 section 252H.14A, prior to conducting a review of a
14 support order, the unit shall issue a notice of intent
15 to review and adjust to each parent, or if applicable,
16 to each parent's attorney. However, notice to a child
17 support agency or an agency entitled to receive child
18 or medical support payments as the result of an
19 assignment of support rights is not required.

20 Sec. ____ Section 252H.16, subsection 1, Code
21 2007, is amended to read as follows:

22 1. ~~The~~ For actions initiated under section
23 252H.15, the unit shall conduct the review and
24 determine whether an adjustment is appropriate. As
25 necessary, the unit shall make a determination of the
26 controlling order or the amount of delinquent support
27 due based upon the receipt of social security
28 disability payments as provided in sections 598.22 and
29 598.22C.

30 Sec. ____ Section 252H.17, subsections 1, 2, and
31 6, Code 2007, are amended to read as follows:

32 1. Each parent shall have the right to challenge
33 the notice of decision issued under section 252H.14A
34 or 252H.16, by requesting a second review by the unit.

35 2. A challenge shall be submitted, in writing, to
36 the local child support office that issued the notice
37 of decision, within thirty days of service of the
38 notice of decision under section 252H.14A or within
39 ten days of the issuance of the notice of decision
40 under section 252H.16.

41 6. The unit shall conduct a second review,
42 utilizing any new or additional information provided
43 or available since issuance of the notice of decision
44 under section 252H.14A or under section 252H.16, to
45 determine whether an adjustment is appropriate.

46 Sec. ____ RULES. Until the department of human
47 services amends rules pursuant to chapter 17A
48 necessary to conform with this Act, any existing rule
49 relating to review and adjustment of support orders
50 shall also apply to reviews initiated under section

Page 17

1 252H.14A, as created in this Act, except that a
2 provision for a time limit, notice, or other procedure
3 which conflicts with a provision of this Act shall not
4 apply.

5 Sec. ____ EFFECTIVE DATE. This division of this
6 Act takes effect October 1, 2007.

7 DIVISION ____
8 MEDICAL SUPPORT

9 Sec. ____ Section 252B.5, subsection 2, Code 2007,
10 is amended to read as follows:

11 2. Aid in establishing paternity and securing a
12 court or administrative order for support pursuant to
13 chapter 252A, 252C, 252F, or 600B, or any other
14 chapter providing for the establishment of paternity
15 or support. In an action to establish support, the
16 resident parent may be a proper party defendant for
17 purposes of determining medical support as provided in
18 section 252E.1A. The unit's independent cause of
19 action shall not bar a party from seeking support in a
20 subsequent proceeding.

21 Sec. ____ Section 252C.1, subsection 6, Code 2007,
22 is amended to read as follows:

23 6. "Medical support" means either the provision of
24 coverage under a health benefit plan, including a
25 group or employment-related or an individual health
26 benefit plan, or a health benefit plan provided
27 pursuant to chapter 514E, to meet the medical needs of
28 a dependent and the cost of any premium required by a
29 health benefit plan, or the payment to the obligee of
30 a monetary amount in lieu of providing coverage under
31 a health benefit plan, either of which is an
32 obligation separate from any monetary amount of child
33 support ordered to be paid. "Medical support" which
34 consists of payment of a monetary amount in lieu of a
35 health benefit plan is also an obligation separate
36 from any monetary amount a parent is ordered to pay
37 for uncovered medical expenses pursuant to the
38 guidelines established pursuant to section 598.21B.

39 Sec. ____ Section 252C.3, subsection 1, unnumbered
40 paragraph 1, Code 2007, is amended to read as follows:

41 The administrator may issue a notice stating the
42 intent to secure an order for either ~~payment of~~
43 medical support ~~established as defined~~ provided in
44 chapter 252E or payment of an accrued or accruing
45 support debt due and owed to the department or an
46 individual under section 252C.2, or both. The notice
47 shall be served upon the responsible person in
48 accordance with the rules of civil procedure. The
49 notice shall include all of the following:

50 Sec. ____ Section 252C.3, subsection 1, paragraph

Page 18

1 c, subparagraph (1), Code 2007, is amended to read as
2 follows:

3 (1) A statement that if the responsible person
4 desires to discuss the amount of support that ~~the a~~
5 responsible person should be required to pay, the
6 responsible person may, within ten days after being
7 served, contact the office of the child support
8 recovery unit which sent the notice and request a
9 negotiation conference.

10 Sec. ____ Section 252C.12, subsection 2, Code
11 2007, is amended to read as follows:

12 2. Upon receipt of a signed statement from ~~the~~
13 each responsible person waiving the time limitations
14 established in section 252C.3, the administrator may
15 proceed to enter an order for support and the court
16 may approve the order, whether or not the time
17 limitations have expired.

18 Sec. ____ Section 252D.18A, Code 2007, is amended
19 to read as follows:

20 252D.18A MULTIPLE INCOME WITHHOLDING ORDERS —
21 ORDERS FOR HEALTH BENEFIT PLANS — AMOUNTS WITHHELD BY
22 PAYOR.

23 When the obligor ~~is responsible for paying~~ has more
24 than one support obligation ~~and or~~ the payor of income
25 has received more than one ~~income withholding~~
26 notice ~~of an order~~ for the obligor for income
27 withholding or for coverage under a health benefit
28 plan pursuant to chapter 252E, the payor shall
29 withhold amounts in accordance with all of the
30 following:

31 1. The total of all amounts withheld shall not
32 exceed the amounts specified in 15 U.S.C. § 1673(b).
33 For orders or notices issued by the child support
34 recovery unit, the limit for the amount to be withheld
35 shall be specified in the order or notice.

36 2. As reimbursement for the payor's processing
37 costs, the payor may deduct a fee of no more than two
38 dollars for each payment withheld in addition to the
39 amount withheld for support.

40 3. Priority shall be given to the withholding of
41 current support ~~rather than delinquent support~~. The
42 payor shall not allocate amounts withheld in a manner
43 which results in the failure to withhold an amount for
44 one or more of the current child or spousal support
45 obligations. If the limits specified in subsection 1
46 prevent withholding the full amount specified in the
47 order or notice, the payor shall withhold amounts in
48 the following priority:

49 a. Withhold the amount specified for current child
50 and spousal support. To arrive at the amount to be

Page 19

1 withheld for each obligee, the payor shall total the
2 amounts due for current child and spousal support
3 under the income withholding orders and the notices of
4 orders and determine the proportionate share for each
5 obligee. The proportionate share shall be determined
6 by dividing the amount due for current child and
7 spousal support for each order or notice of order by
8 the total due for current child and spousal support
9 for all orders and notices of orders. The results are
10 the percentages of the obligor's net income which
11 shall be withheld for each obligee.

12 b. If, after completing the calculation in
13 paragraph "a", the withholding limit specified under
14 subsection 1 has not been attained, the payor shall
15 withhold the amount necessary to comply with an order
16 or notice of order for a current premium for coverage
17 of a child under a health benefit plan as provided in
18 section 252D.30 or section 252E.1A, subsection 2, or
19 for a current monetary amount for the child for
20 medical support. If there is more than one medical
21 support order or notice of order for a current
22 monetary amount for a child, the payor shall total the
23 amounts due for current monetary amounts for all
24 children for medical support and determine the
25 proportionate share for each obligee. The
26 proportionate amounts shall be established utilizing
27 the procedures established in paragraph "a" for
28 current child and spousal support obligations.

29 ~~b. c.~~ c. If, after completing the calculation
30 calculations in paragraph paragraphs "a" and "b", the
31 withholding limit specified under subsection 1 has not
32 been attained, the payor shall total the amounts due
33 for arrearages and determine the proportionate share
34 for each obligee. The proportionate share amounts
35 shall be established utilizing the procedures
36 established in paragraph "a" for current child and
37 spousal support obligations.

38 d. If after completing the calculations in
39 paragraphs "a", "b", and "c", the withholding limit
40 specified in subsection 1 has not been attained, the
41 payor shall withhold the amount necessary for other
42 child support obligations, unless the order or notice
43 directs otherwise as provided by Title IV, part D, of
44 the federal Social Security Act.

45 4. The payor shall identify and report payments by
46 the obligor's name, account number, amount, and date
47 withheld pursuant to section 252D.17. ~~Until October~~
48 ~~1, 1999, if payments for multiple obligees are~~
49 ~~combined, the portion of the payment attributable to~~
50 ~~each obligee shall be specifically identified.~~

Page 20

1 ~~Beginning October 1, 1999, if~~ If payments for multiple
 2 obligees are combined, the portion of the payment
 3 attributable to each obligee shall be specifically
 4 identified only if the payor is directed to do so by
 5 the child support recovery unit.

6 Sec. ____ Section 252E.1, subsection 9, Code 2007,
 7 is amended to read as follows:

8 9. "Medical support" means either the provision of
 9 a health benefit plan, including a group or
 10 employment-related or an individual health benefit
 11 plan, or a health benefit plan provided pursuant to
 12 chapter 514E, to meet the medical needs of a dependent
 13 and the cost of any premium required by a health
 14 benefit plan, or the payment to the obligee of a
 15 monetary amount in lieu of a health benefit plan,
 16 either of which is an obligation separate from any
 17 monetary amount of child support ordered to be paid.
 18 Medical support is not alimony. "Medical support"
 19 which consists of payment of a monetary amount in lieu
 20 of a health benefit plan is also an obligation
 21 separate from any monetary amount a parent is ordered
 22 to pay for uncovered medical expenses pursuant to the
 23 guidelines established pursuant to section 598.21B.

24 Sec. ____ NEW SECTION. 252E.1A ESTABLISHING AND
 25 MODIFYING ORDERS FOR MEDICAL SUPPORT.

26 This section shall apply to all initial or modified
 27 orders for support entered under chapter 234, 252A,
 28 252C, 252F, 252H, 598, 600B, or any other applicable
 29 chapter.

30 1. An order or judgment that provides for
 31 temporary or permanent support for a child shall
 32 include a provision for medical support for the child
 33 as provided in this section.

34 2. The court shall order as medical support for
 35 the child a health benefit plan if available to either
 36 parent at the time the order is entered or modified.
 37 A plan is available if the plan is accessible and the
 38 cost of the plan is reasonable.

39 a. The cost of a health benefit plan is considered
 40 reasonable, and such amount shall be stated in the
 41 order, if one of the following applies:

42 (1) The premium cost for a child to the parent
 43 ordered to provide the plan does not exceed five
 44 percent of that parent's gross income.

45 (2) The premium cost for a child exceeds five
 46 percent of the gross income of the parent ordered to
 47 provide the plan and that parent consents or does not
 48 object to entry of that order.

49 b. For purposes of this section, "gross income"
 50 has the same meaning as gross income for calculation

Page 21

1 of support under the guidelines established under
2 section 598.21B.

3 c. For purposes of this section, the premium cost
4 for a child to the parent ordered to provide the plan
5 means the amount of the premium cost for family
6 coverage to the parent which is in excess of the
7 premium cost for single coverage, regardless of the
8 number of individuals covered under the plan.
9 However, this paragraph shall not be interpreted to
10 reduce the amount of the health insurance premium
11 deduction a parent may be entitled to when calculating
12 the amount of a child support obligation under Iowa
13 court rule 9.5 of the child support guidelines.

14 3. If a health benefit plan is not available at
15 the time of the entry of the order, the court shall
16 order a reasonable monetary amount in lieu of a health
17 benefit plan, which amount shall be stated in the
18 order. For purposes of this subsection, a reasonable
19 amount means five percent of the gross income of the
20 parent ordered to provide the monetary amount for
21 medical support. This subsection shall not apply in
22 any of the following circumstances:

23 a. If the parent's monthly support obligation
24 established pursuant to the child support guidelines
25 prescribed by the supreme court pursuant to section
26 598.21B is the minimum obligation amount.

27 b. If subsection 7, paragraph "e" applies.

28 4. If the court orders the custodial parent to
29 provide a health benefit plan under subsection 2, the
30 court may also order the noncustodial parent to
31 provide a reasonable monetary amount in lieu of a
32 health benefit plan. For purposes of this subsection,
33 a reasonable monetary amount means an amount not to
34 exceed the lesser of a reasonable amount as described
35 in subsection 3, or the premium cost of coverage for
36 the child to the custodial parent as described in
37 subsection 2, paragraph "c".

38 5. Notwithstanding the requirements of this
39 section, the court may order provisions in the
40 alternative to those provided in this section to
41 address the health care needs of the child if the
42 court determines that extreme circumstances so require
43 and documents the court's written findings in the
44 order.

45 6. An order, decree, or judgment entered before
46 March 1, 2008, that provides for the support of a
47 child may be modified in accordance with this section.

48 7. If the child support recovery unit is providing
49 services under chapter 252B and initiating an action
50 to establish or modify support, all the following

Page 22

1 shall also apply:

2 a. If a health benefit plan is available as
3 described in subsection 2 to the noncustodial parent,
4 the unit shall seek an order for the noncustodial
5 parent to provide the plan.

6 b. If a health benefit plan is available as
7 described in subsection 2 to the custodial parent and
8 not to the noncustodial parent, the unit shall seek an
9 order for the custodial parent to provide the plan.

10 c. If a health benefit plan is available as
11 described in subsection 2 to each parent, and if there
12 is an order for joint physical care, the unit shall
13 seek an order for the parent currently ordered to
14 provide a health benefit plan to provide the plan. If
15 there is no current order for a health benefit plan
16 for the child, the unit shall seek an order for the
17 parent who is currently providing a health benefit
18 plan to provide the plan.

19 d. If a health benefit plan is not available, and
20 the noncustodial parent does not have income which may
21 be subject to income withholding for collection of a
22 reasonable monetary amount in lieu of a health benefit
23 plan at the time of the entry of the order, the unit
24 shall seek an order that the noncustodial parent
25 provide a health benefit plan when a plan becomes
26 available at reasonable cost, and the order shall
27 specify the amount of reasonable cost as defined in
28 subsection 2.

29 e. This section shall not apply to chapter 252H,
30 subchapter IV.

31 Sec. ____ NEW SECTION. 252E.2A SATISFACTION OF
32 MEDICAL SUPPORT ORDER.

33 This section shall apply if the child support
34 recovery unit is providing services under chapter
35 252B.

36 1. Notwithstanding any law to the contrary and
37 without a court order, a medical support order for a
38 child shall be deemed satisfied with regard to the
39 department, the child, the obligor, and the obligee
40 for the period during which all the following
41 conditions are met:

42 a. The order is issued under any applicable
43 chapter of the Code.

44 b. The unit is notified that the conditions of
45 paragraph "c" are met and there is a pending action to
46 establish or modify support initiated by the unit, or
47 the parent ordered to provide medical support submits
48 a written statement to the unit that the requirements
49 of paragraph "c" are met.

50 c. The parent ordered to provide medical support

Page 23

1 or the parent from whom the unit is seeking to
2 establish or modify medical support meets at least one
3 of the following conditions:

4 (1) The parent is an inmate of an institution
5 under the control of the department of corrections or
6 a comparable institution in another state.

7 (2) The parent's monthly child support obligation
8 under the guidelines established pursuant to section
9 598.21B is the minimum obligation amount.

10 (3) The parent is a recipient of assistance under
11 chapter 239B or 249A, or under comparable laws of
12 another state.

13 (4) The parent is residing with any child for whom
14 the parent is legally responsible and that child is a
15 recipient of assistance under chapter 239B, 249A, or
16 514I, or under comparable laws of another state. For
17 purposes of this subparagraph, "legally responsible"
18 means the parent has a legal obligation to the child
19 as specified in Iowa court rule 9.7 of the child
20 support guidelines.

21 d. The unit files a notice of satisfaction with
22 the clerk of the district court. The effective date
23 of the satisfaction shall be stated in the notice and
24 the effective date shall be no later than forty-five
25 days after the unit issues the notice of satisfaction.

26 2. If a medical support order is satisfied under
27 subsection 1, the satisfaction shall continue until
28 all of the following apply:

29 a. The unit is notified that none of the
30 conditions specified in subsection 1, paragraph "c",
31 still applies.

32 b. The unit files a satisfaction termination
33 notice that the requirements for a satisfaction under
34 this section no longer apply. The effective date
35 shall be stated in the satisfaction termination notice
36 and the effective date shall be no later than
37 forty-five days after the unit issues the satisfaction
38 termination notice.

39 3. The unit shall mail a copy of the notice of
40 satisfaction and the satisfaction termination notice
41 to the last known address of the obligor and obligee.

42 4. The department of human services may match data
43 for enrollees of the hawk-i program created pursuant
44 to chapter 514I with data of the unit to assist the
45 unit in implementing this section.

46 5. An order, decree, or judgment entered or
47 pending on or before March 1, 2008, that provides for
48 the support of a child may be satisfied as provided in
49 this section.

50 Sec. ____. Section 252E.4, subsection 1, Code 2007,

Page 24

1 is amended to read as follows:

2 1. When a support order requires an obligor to
3 provide coverage under a health benefit plan, the
4 district court or the department may enter an ex parte
5 order directing an employer to take all actions
6 necessary to enroll an obligor's dependent for
7 coverage under a health benefit plan or may include
8 the provisions in an ex parte income withholding order
9 or notice of income withholding pursuant to chapter
10 252D. The child support recovery unit, where
11 appropriate, shall issue a national medical support
12 notice to an employer within two business days after
13 the date information regarding a newly hired employee
14 is entered into the centralized employee registry and
15 matched with a noncustodial parent in the case being
16 enforced by the unit, or upon receipt of other
17 employment information for such parent. The
18 department may amend the information in the ex parte
19 order or may amend or terminate the national medical
20 support notice regarding health insurance provisions
21 if necessary to comply with health insurance
22 requirements including but not limited to the
23 provisions of section 252E.2, subsection 2, or to
24 correct a mistake of fact.

25 Sec. ____ Section 252E.5, subsection 3, Code 2007,
26 is amended to read as follows:

27 3. The employer shall withhold from the employee's
28 compensation, the employee's share, if any, of
29 premiums for the health benefit plan in an amount that
30 does not exceed the amount specified in the national
31 medical support notice or order or the amount
32 specified in 15 U.S.C. § 1673(b) and which is
33 consistent with federal law. The employer shall
34 forward the amount withheld to the insurer. If the
35 employee has more than one obligation and if there is
36 insufficient compensation available to meet the
37 employee's share necessary for coverage of the child
38 under a health benefit plan as required under this
39 section or section 252D.30, and to comply with an
40 order to withhold or notice under section 252D.17, the
41 employer shall allocate the funds available in
42 accordance with section 252D.18A.

43 Sec. ____ Section 252F.1, Code 2007, is amended by
44 adding the following new subsection:

45 NEW SUBSECTION. 3A. "Party" means a putative
46 father or a mother.

47 Sec. ____ Section 252F.3, subsection 1, unnumbered
48 paragraph 1, Code 2007, is amended to read as follows:

49 The unit may prepare a notice of alleged paternity
50 and support debt to be served on ~~the putative father a~~

Page 25

1 party if the mother of the child provides a written
2 statement to the unit certifying in accordance with
3 section 622.1 that the putative father is or may be
4 the biological father of the child or children
5 involved. The notice shall be accompanied by a copy
6 of the statement and served on the putative father in
7 accordance with rule of civil procedure 1.305.

8 Service upon the mother shall not constitute valid
9 service upon the putative father. The notice shall
10 include or be accompanied by all of the following:

11 Sec. ____ Section 252F.3, subsection 1, paragraphs
12 d, f, g, h, j, k, and m, Code 2007, are amended to
13 read as follows:

14 d. A statement that if paternity is established,
15 ~~the putative father~~ a party has a duty to provide
16 accrued and accruing medical support to the child or
17 children in accordance with chapter 252E.

18 f. (1) The right of ~~the putative father~~ a party
19 to request a conference with the unit to discuss
20 paternity establishment and the amount of support that
21 ~~the putative father~~ a party may be required to ~~pay~~
22 provide, within ten days of the date of service of the
23 original notice or, if paternity is contested and
24 paternity testing is conducted, within ten days of the
25 date the paternity test results are issued or mailed
26 ~~to the putative father~~ a party by the unit.

27 (2) A statement that if a conference is requested,
28 ~~the putative father~~ a party shall have one of the
29 following time frames, whichever is the latest, to
30 send a written request for a court hearing on the
31 issue of support to the unit:

32 (a) Ten days from the date set for the conference.

33 (b) Twenty days from the date of service of the
34 original notice.

35 (c) If paternity was contested and paternity
36 testing was conducted, and ~~the putative father~~ a party
37 does not deny paternity after the testing or challenge
38 the paternity test results, twenty days from the date
39 paternity test results are issued or mailed by the
40 unit to the ~~putative father~~ party.

41 (3) A statement that after the holding of the
42 conference, the unit shall issue a new notice of
43 alleged paternity and finding of financial
44 responsibility for child support or medical support,
45 or both, to be provided in person to ~~the putative~~
46 ~~father~~ each party or sent to ~~the putative father~~ each
47 party by regular mail addressed to the ~~putative~~
48 ~~father's~~ party's last known address or, if applicable,
49 to the last known address of the ~~putative father's~~
50 party's attorney.

Page 26

1 (4) A statement that if the unit issues a new
2 notice of alleged paternity and finding of financial
3 responsibility for child support or medical support,
4 or both, ~~the putative father~~ a party shall have one o
5 the following time frames, whichever is the latest, to
6 send a written request for a court hearing on the
7 issue of support to the unit:

8 (a) Ten days from the date of issuance of the new
9 notice.

10 (b) Twenty days from the date of service of the
11 original notice.

12 (c) If paternity was contested and paternity
13 testing conducted, and ~~the putative father~~ a party
14 does not deny paternity after the testing or challenge
15 the paternity test results, twenty days from the date
16 the paternity test results are issued or mailed to the
17 ~~putative father~~ party by the unit.

18 g. A statement that if a conference is not
19 requested, and ~~the putative father~~ a party does not
20 deny paternity or challenge the results of any
21 paternity testing conducted but objects to the finding
22 of financial responsibility or the amount of child
23 support or medical support, or both, the ~~putative~~
24 ~~father~~ party shall send a written request for a court
25 hearing on the issue of support to the unit within
26 twenty days of the date of service of the original
27 notice, or, if paternity was contested and paternity
28 testing conducted, and ~~the putative father~~ a party
29 does not deny paternity after the testing or challenge
30 the paternity test results, within twenty days from
31 the date the paternity test results are issued or
32 mailed to the ~~putative father~~ party by the unit,
33 whichever is later.

34 h. A statement that if a timely written request
35 for a hearing on the issue of support is received by
36 the unit, the ~~putative father~~ party shall have the
37 right to a hearing to be held in district court and
38 that if no timely written request is received and
39 paternity is not contested, the administrator shall
40 enter an order establishing the putative father as the
41 father of the child or children and establishing child
42 support or medical support, or both, in accordance
43 with the notice of alleged paternity and support debt.

44 j. A written explanation of ~~the putative father's~~
45 a party's right to deny paternity, the procedures for
46 denying paternity, and the consequences of the denial.

47 k. A statement that if ~~the putative father~~ a party
48 contests paternity, the ~~putative father~~ party shall
49 have twenty days from the date of service of the
50 original notice to submit a written denial of

Page 27

1 paternity to the unit.

2 m. A statement that if paternity tests are
3 conducted, the unit shall provide a copy of the test
4 results to ~~the putative father~~ each party in person or
5 send a copy to ~~the putative father~~ each party by
6 regular mail, addressed to ~~the putative father's~~
7 party's last known address, or, if applicable, to the
8 last known address of ~~the putative father's~~ party's
9 attorney.

10 Sec. ____ Section 252F.3, subsection 3, unnumbered
11 paragraph 1, Code 2007, is amended to read as follows:

12 If notice is served on ~~the putative father~~ a party,
13 the unit shall file a true copy of the notice and the
14 original return of service with the appropriate clerk
15 of the district court as follows:

16 Sec. ____ Section 252F.3, subsection 4, unnumbered
17 paragraph 1, Code 2007, is amended to read as follows:

18 A ~~putative father~~ party or the child support
19 recovery unit may request a court hearing regarding
20 establishment of paternity or a determination of
21 support, or both.

22 Sec. ____ Section 252F.3, subsection 4, paragraph
23 c, Code 2007, is amended to read as follows:

24 c. Any objection to the results of paternity tests
25 shall be filed no later than twenty days after the
26 date paternity test results are issued or mailed to
27 ~~the putative father~~ each party by the unit. Any
28 objection to paternity test results filed by a party
29 more than twenty days after the date paternity tests
30 are issued or mailed to the ~~putative father~~ party by
31 the unit shall not be accepted or considered by the
32 court.

33 Sec. ____ Section 252F.3, subsection 5, Code 2007,
34 is amended to read as follows:

35 5. If a timely written response and request for a
36 court hearing is not received by the unit and ~~the~~
37 ~~putative father~~ a party does not deny paternity, the
38 administrator shall enter an order in accordance with
39 section 252F.4.

40 Sec. ____ Section 252F.3, subsection 6, paragraphs
41 a, f, and m, Code 2007, are amended to read as
42 follows:

43 a. If a party contests the establishment of
44 paternity, the party shall submit, within twenty days
45 of service of the notice on the ~~putative father~~ party
46 under subsection 1, a written statement contesting
47 paternity establishment to the unit. Upon receipt of
48 a written challenge of paternity establishment, or
49 upon initiation by the unit, the administrator shall
50 enter ex parte administrative orders requiring the

Page 28

1 mother, child or children involved, and the putative
2 father to submit to paternity testing. Either the
3 mother or putative father may contest paternity under
4 this chapter.

5 f. An original copy of the test results shall be
6 filed with the clerk of the district court in the
7 county where the notice was filed. The child support
8 recovery unit shall issue a copy of the filed test
9 results to ~~the putative father and mother of the child~~
10 ~~or children~~ each party in person, or by regular mail
11 to the last known address of each, or if applicable,
12 to the last known address of the attorney for each.
13 However, if the action is the result of a request from
14 a foreign jurisdiction, the unit shall issue a copy of
15 the results to the initiating agency in that foreign
16 jurisdiction.

17 m. If the paternity test results exclude the
18 putative father as a potential biological father of
19 the child or children, and additional tests are not
20 requested by either party or conducted on the unit's
21 initiative, or if additional tests exclude the
22 putative father as a potential biological father, the
23 unit shall withdraw its action against the putative
24 father and shall file a notice of the withdrawal with
25 the clerk of the district court, and shall provide a
26 copy of the notice to ~~the putative father~~ each party
27 in person, or by regular mail sent to ~~the putative~~
28 ~~father's~~ each party's last known address, or if
29 applicable, the last known address of the ~~putative~~
30 ~~father's~~ party's attorney.

31 Sec. ____ Section 252F.4, Code 2007, is amended to
32 read as follows:

33 252F.4 ENTRY OF ORDER.

34 1. If ~~the putative father fails~~ both parties fail
35 to respond to the initial notice within twenty days
36 after the date of service of the notice or fails fail
37 to appear at a conference pursuant to section 252F.3
38 on the scheduled date of the conference, and paternity
39 has not been contested and ~~the putative father fails~~
40 both parties fail to timely request a court hearing on
41 the issue of support, the administrator shall enter an
42 order against the ~~putative father~~ parties, declaring
43 the putative father to be the legal father of the
44 child or children involved and assessing any accrued
45 and accruing child support obligation pursuant to the
46 guidelines established under section 598.21B, and
47 medical support pursuant to chapter 252E, ~~against the~~
48 ~~father~~.

49 2. If paternity is contested pursuant to section
50 252F.3, subsection 6, and the party contesting

Page 29

1 paternity fails to appear for a paternity test and
2 fails to request a rescheduling pursuant to section
3 252F.3, or fails to appear for both the initial and
4 the rescheduled paternity tests and ~~the putative~~
5 ~~father fails both parties fail~~ to timely request a
6 court hearing on the issue of support, the
7 administrator shall enter an order against the
8 ~~putative father parties~~ declaring the putative father
9 to be the legal father of the child or children
10 involved and assessing any accrued and accruing child
11 support obligation pursuant to the guidelines
12 established under section 598.21B, and medical support
13 pursuant to chapter 252E, ~~against the father.~~

14 3. If ~~the putative father appears at~~ a conference
15 pursuant to section 252F.3 ~~is held~~, and paternity is
16 not contested, and ~~the putative father fails both~~
17 ~~parties fail~~ to timely request a court hearing on the
18 issue of support, the administrator shall enter an
19 order against the ~~putative father parties~~ after the
20 second notice has been sent declaring the putative
21 father to be the legal father of the child or children
22 involved and assessing any accrued and accruing child
23 support obligation pursuant to the guidelines
24 established under section 598.21B, and medical support
25 pursuant to chapter 252E, ~~against the father.~~

26 4. If paternity was contested and paternity
27 testing was performed and the putative father was not
28 excluded, if the test results indicate that the
29 probability of the putative father's paternity is
30 ninety-five percent or greater, if the test results
31 are not timely challenged, and if ~~the putative father~~
32 ~~fails both parties fail~~ to timely request a court
33 hearing on the issue of support, the administrator
34 shall enter an order against the ~~putative father~~
35 ~~parties~~ declaring the putative father to be the legal
36 father of the child or children involved and assessing
37 any accrued and accruing child support obligation
38 pursuant to the guidelines established under section
39 598.21B, and medical support pursuant to chapter 252E,
40 ~~against the father.~~

41 5. The administrator shall establish a support
42 obligation under this section based upon the best
43 information available to the unit and pursuant to
44 section 252B.7A.

45 6. The order shall contain all of the following:
46 a. A declaration of paternity.
47 b. The amount of monthly support to be paid, with
48 direction as to the manner of payment.
49 c. The amount of accrued support.
50 d. The name of the custodial parent or caretaker.

Page 30

- 1 e. The name and birth date of the child or
2 children to whom the order applies.
- 3 f. A statement that property of ~~the father~~ a party
4 ordered to provide support is subject to income
5 withholding, liens, garnishment, tax offset, and other
6 collection actions.
- 7 g. The medical support required pursuant to
8 chapter 598 and chapter 252E.
- 9 h. A statement that ~~the father~~ a party who is
10 ordered to provide support is required to inform the
11 child support recovery unit, on a continuing basis, of
12 the name and address of the ~~father's~~ party's current
13 employer, whether the ~~father~~ party has access to
14 health insurance coverage ~~through employment or at~~
15 ~~reasonable cost through other sources as required in~~
16 the order, and if so, the health insurance policy
17 information.
- 18 i. If paternity was contested by the putative
19 father, the amount of any judgment assessed to the
20 father for costs of paternity tests conducted pursuant
21 to this chapter.
- 22 j. Statements as required pursuant to section
23 598.22B.
- 24 7. If paternity is not contested but ~~the putative~~
25 ~~father~~ a party does wish to challenge the issues of
26 child or medical support, the administrator shall
27 enter an order establishing paternity and reserving
28 the issues of child or medical support for
29 determination by the district court.
- 30 Sec. ____ Section 252F.5, subsection 2, Code 2007,
31 is amended to read as follows:
- 32 2. An action under this chapter may be certified
33 to the district court if a party timely contests
34 paternity establishment or paternity test results, or
35 if ~~the putative father~~ a party requests a court
36 hearing on the issues of child or medical support, or
37 both, or upon the initiation of the unit as provided
38 in this chapter. Review by the district court shall
39 be an original hearing before the court.
- 40 Sec. ____ Section 252F.5, subsection 3, paragraph
41 c, Code 2007, is amended to read as follows:
- 42 c. A timely written objection to paternity
43 establishment or paternity test results has been
44 received from a party, or a timely written request for
45 a court hearing on the issue of support has been
46 received from ~~the putative father~~ a party by the unit,
47 or the unit has requested a court hearing on the
48 unit's own initiative.
- 49 Sec. ____ Section 252H.2, subsection 2, paragraph
50 b, Code 2007, is amended to read as follows:

Page 31

1 b. An addition of or change to provisions for
2 medical support as ~~defined~~ provided in section 252E1
3 chapter 252E.

4 Sec. ____ Section 252H.2, subsection 13, Code
5 2007, is amended to read as follows:

6 13. "Support order" means a ~~"court order" as~~
7 defined in section 252C.1 or an order establishing
8 support entered pursuant to an administrative or
9 quasi-judicial process if authorized by law an order
10 for support issued pursuant to chapter 232, 234, 252A,
11 252C, 252E, 252F, 252H, 598, 600B, or any other
12 applicable chapter, or under a comparable statute of a
13 foreign jurisdiction as registered with the clerk of
14 court or certified to the child support recovery unit.

15 Sec. ____ NEW SECTION. 252H.3A ADDING A PARTY.

16 A mother or father may be added as a proper party
17 defendant to a support order upon service of a notice
18 as provided in this chapter and without a court order
19 as provided in the rules of civil procedure.

20 Sec. ____ Section 252H.14, subsection 1, paragraph
21 b, Code 2007, is amended to read as follows:

22 ~~b. The right to any ongoing medical support~~
23 ~~obligation is currently assigned to the state due to~~
24 ~~the receipt of public assistance unless:~~

25 (1) ~~b.~~ The support order ~~does not~~ already
26 ~~includes~~ include provisions ~~requiring the parent~~
27 ~~ordered to pay child support to also provide for~~
28 ~~medical support.~~

29 (2) ~~The parent entitled to receive support has~~
30 ~~satisfactory health insurance coverage for the~~
31 ~~children, excluding coverage resulting from the~~
32 ~~receipt of public assistance benefits.~~

33 Sec. ____ Section 252H.14, subsection 2, Code
34 2007, is amended to read as follows:

35 2. The unit may periodically initiate a request to
36 a child support agency of another state to conduct a
37 review of a support order entered in that state when
38 the right to any ongoing child or medical support
39 obligation due under the order is currently assigned
40 to the state of Iowa ~~or if the order does not include~~
41 provisions for medical support.

42 Sec. ____ Section 598.21B, subsection 3, Code
43 2007, is amended to read as follows:

44 3. MEDICAL SUPPORT. The court shall order ~~as~~
45 ~~child medical support a health benefit plan as defined~~
46 ~~in chapter 252E if available to either parent at a~~
47 ~~reasonable cost. A health benefit plan is considered~~
48 ~~reasonable in cost if it is employment related or~~
49 ~~other group health insurance, regardless of the~~
50 ~~service delivery mechanism~~ as provided in section

1 ~~252E.1A.~~ The premium cost of ~~the a~~ health benefit
 2 plan may be considered by the court as a reason for
 3 varying from the child support guidelines. ~~If a~~
 4 ~~health benefit plan is not available at a reasonable~~
 5 ~~cost, the court may order any other provisions for~~
 6 ~~medical support as defined in chapter 252E.~~

7 Sec. ____ Section 598.21C, subsection 2, paragraph
 8 a, Code 2007, is amended to read as follows:

9 a. Subject to 28 U.S.C. § 1738B, but
 10 notwithstanding subsection 1, a substantial change of
 11 circumstances exists when the court order for child
 12 support varies by ten percent or more from the amount
 13 which would be due pursuant to the most current child
 14 support guidelines established pursuant to section
 15 598.21B or ~~the obligor a parent~~ has access to a health
 16 benefit plan; available as provided in section 252E.1A
 17 and the current order for support does not contain
 18 provisions for medical support, ~~and the dependents are~~
 19 ~~not covered by a health benefit plan provided by the~~
 20 ~~obligee, excluding coverage pursuant to chapter 249A~~
 21 ~~or a comparable statute of a foreign jurisdiction.~~

22 Sec. ____ AMENDING AND NULLIFICATION OF
 23 ADMINISTRATIVE RULES.

24 1. Until the department of human services amends
 25 rules pursuant to chapter 17A necessary to conform
 26 with this Act, all of the following shall apply:

27 a. The child support recovery unit may initiate
 28 proceedings to establish or modify orders for medical
 29 support for a child in accordance with section 252E.1A
 30 as created in this Act, regardless of whether support
 31 is assigned to the state.

32 b. The term “child support account” in existing
 33 rules shall also mean a specified monetary amount for
 34 medical support, unless the context otherwise
 35 requires.

36 c. A reference to a health benefit plan at
 37 reasonable cost shall mean reasonable cost as defined
 38 in section 252E.1A, as enacted in this Act.

39 d. A requirement for including a provision for an
 40 employment-related or other group health benefit plan,
 41 or for determining medical support, shall be limited
 42 and applied in accordance with section 252E.1A, as
 43 created in this Act.

44 2. 441 Iowa administrative Code, rule 98.3,
 45 relating to the establishment of medical support is
 46 nullified.

47 Sec. ____ EFFECTIVE DATE. This division of this
 48 Act takes effect March 1, 2008.

Page 33

1 Sec. ____ Section 147.14, subsection 12, Code
2 2007, is amended to read as follows:

3 12. For the board of physician assistant
4 examiners, ~~three~~ five members licensed to practice as
5 physician assistants, at least two of whom practice in
6 counties with a population of less than fifty
7 thousand, one member licensed to practice medicine and
8 surgery who supervises a physician assistant, one
9 member licensed to practice osteopathic medicine and
10 surgery who supervises a physician assistant, and two
11 members who are not licensed to practice either
12 medicine and surgery or osteopathic medicine and
13 surgery or licensed as a physician assistant and who
14 shall represent the general public. At least one of
15 the physician members shall be in practice in a county
16 with a population of less than fifty thousand. A
17 majority of members of the board constitutes a quorum.

18 Sec. ____ NEW SECTION. 148C.12 ANNUAL REPORT.

19 By January 31 of each year the board and the board
20 of medical examiners shall provide to the general
21 assembly and the governor a joint report detailing the
22 boards' collaborative efforts and team building
23 practices.

24 DIVISION ____

25 NEWBORN HOME VISITS

26 Sec. ____ NEW SECTION. 28.11 FAMILIES WITH A
27 NEWBORN CHILD — HOME VISITS.

28 1. a. The Iowa empowerment board shall implement
29 a program with the goal of making available a home
30 visit for each household in the state with a family
31 that has a newborn child. The components of the home
32 visit shall include but are not limited to assessing
33 the child's home environment, educating the families
34 concerning newborn children, and assisting families in
35 accessing appropriate services.

36 b. The Iowa board shall coordinate with existing
37 programs that provide a visit to families with a
38 newborn child as necessary to make the best use of
39 resources while expanding the availability of home
40 visits.

41 2. The home visit program implemented under this
42 section shall be administered at the local level
43 through the local board of health as defined in
44 section 137.2. The following requirements shall apply
45 to local programs receiving funding under the program:

46 a. Home visits shall be made by qualified and
47 trained staff.

48 b. The program staff shall demonstrate a capacity
49 to competently complete home visits and facilitate
50 referrals to and interventions by other resources

1 available in the community, based upon needs
 2 identified during a home visit.
 3 c. The local program must have an acceptable plan
 4 for implementing a cooperative arrangement with local
 5 hospitals and birthing centers for the hospitals and
 6 centers to provide referral information for contacting
 7 families with a newborn child.
 8 d. The local program must have the capacity to
 9 bill third-party payors as appropriate and to leverage
 10 additional resources, such as local cash or in-kind
 11 matching contributions to sustain and enhance the
 12 local program.
 13 e. The local program must apply performance
 14 measures identified by the Iowa board and the local
 15 program administrator and shall report outcome
 16 information on a regular basis identified by the Iowa
 17 board.

18 DIVISION ____
 19 TELECOMMUTING

20 Sec. ____ STATE EMPLOYEE TELECOMMUTING — POLICY
 21 DEVELOPMENT — IMPLEMENTATION.

22 1. The director of a department or state agency to
 23 which appropriations are made pursuant to the
 24 provisions of this Act shall assess the extent to
 25 which job classifications or individual employment
 26 positions with the department or agency might be
 27 effectively performed from an employee's residence or
 28 other remote location through telecommuting, thereby
 29 increasing office space within the department or
 30 agency and reducing administrative costs. The
 31 assessment shall include an estimate of the number of
 32 department or agency employees whose job
 33 responsibilities could be effectively performed on a
 34 telecommuting basis, projected costs of establishing
 35 and maintaining work stations at an employee's
 36 residence or other remote location and providing
 37 telecommuter support, anticipated savings to the
 38 department or agency through a reduction in the
 39 office-based workforce, and anticipated time and cost
 40 savings to telecommuting employees. A report
 41 summarizing the assessment shall be submitted to the
 42 director of the department of administrative services,
 43 and the members of the general assembly, by November
 44 1, 2007.
 45 2. Based on the assessment conducted pursuant to
 46 subsection 1, the director shall develop a
 47 telecommuter employment policy for the department or
 48 agency and a timeline for initial policy
 49 implementation and plans for expanding the number of
 50 telecommuting employees. Specific office-based

Page 35

1 workforce reduction percentages shall be left to the
2 discretion of the director, but the director shall
3 implement a policy transferring some number of
4 office-based employees to telecommuter status by
5 January 1, 2008. The director shall report to the
6 director of the department of administrative services
7 and the members of the general assembly on an annual
8 basis beginning January 1, 2009, the number of
9 telecommuting employees, cost savings achieved by the
10 department or agency, and plans for continued transfer
11 of office-based employees to telecommuter status.

12 DIVISION ____

13 DENTAL BOARD

14 Sec. ____ Section 10A.402, subsection 1, Code
15 2007, as amended by 2007 Iowa Acts, Senate File 74,
16 section 6, is amended to read as follows:

17 1. Investigations relative to the practice of
18 regulated professions and occupations, except those
19 within the jurisdiction of the board of medicine, the
20 board of pharmacy, the dental board of ~~dentistry~~, and
21 the board of nursing.

22 Sec. ____ Section 135.11A, unnumbered paragraph 1,
23 Code 2007, as amended by 2007 Iowa Acts, Senate File
24 74, section 19, is amended to read as follows:

25 There shall be a professional licensure division
26 within the department of public health. Each board
27 under chapter 147 or under the administrative
28 authority of the department, except the board of
29 nursing, board of medicine, dental board of ~~dentistry~~,
30 and board of pharmacy, shall receive administrative
31 and clerical support from the division and may not
32 employ its own support staff for administrative and
33 clerical duties.

34 Sec. ____ Section 135.24, subsection 2, paragraph
35 a, Code 2007, as amended by 2007 Iowa Acts, Senate
36 File 74, section 20, is amended to read as follows:

37 a. Procedures for registration of health care
38 providers deemed qualified by the board of medicine,
39 the board of physician assistants, the dental board of ~~of~~
40 ~~dentistry~~, the board of nursing, the board of
41 chiropractic, the board of psychology, the board of
42 social work, the board of behavioral science, the
43 board of pharmacy, the board of optometry, the board
44 of podiatry, the board of physical and occupational
45 therapy, the board for respiratory care, and the Iowa
46 department of public health, as applicable.

47 Sec. ____ Section 135.31, Code 2007, as amended by
48 2007 Iowa Acts, Senate File 74, section 21, is amended
49 to read as follows:

50 135.31 LOCATION OF BOARDS — RULEMAKING.

Page 36

1 The offices for the board of medicine, the board of
2 pharmacy, the board of nursing, and the dental board
3 ~~of dentistry~~ shall be located within the department of
4 public health. The individual boards shall have
5 policymaking and rulemaking authority.

6 Sec. ____ Section 136C.3, subsection 2, unnumbered
7 paragraph 1, Code 2007, as amended by 2007 Iowa Acts,
8 Senate File 74, section 23, is amended to read as
9 follows:

10 Establish minimum training standards including
11 continuing education requirements, and administer
12 examinations and disciplinary procedures for operators
13 of radiation machines and users of radioactive
14 materials. A state of Iowa license to practice
15 medicine, osteopathy, chiropractic, podiatry,
16 dentistry, dental hygiene, or veterinary medicine, or
17 licensure as a physician assistant pursuant to chapter
18 148C, or certification by the dental board ~~of~~
19 ~~dentistry~~ in dental radiography, or by the board of
20 podiatry in podiatric radiography, or enrollment in a
21 program or course of study approved by the Iowa
22 department of public health which includes the
23 application of radiation to humans satisfies the
24 minimum training standards for operation of radiation
25 machines only.

26 Sec. ____ Section 139A.22, subsection 6, Code
27 2007, as amended by 2007 Iowa Acts, Senate File 74,
28 section 25, is amended to read as follows:

29 6. The board of medicine, the board of physician
30 assistants, the board of podiatry, the board of
31 nursing, the dental board ~~of dentistry~~, and the board
32 of optometry shall require that licensees comply with
33 the recommendations issued by the centers for disease
34 control and prevention of the United States department
35 of health and human services for preventing
36 transmission of human immunodeficiency virus and
37 hepatitis B virus to patients during exposure-prone
38 invasive procedures, with the recommendations of the
39 expert review panel established pursuant to subsection
40 3, with hospital protocols established pursuant to
41 subsection 1, and with health care facility procedures
42 established pursuant to subsection 2, as applicable.

43 Sec. ____ Section 147.13, subsection 8, Code 2007,
44 as amended by 2007 Iowa Acts, Senate File 74, section
45 32, is amended to read as follows:

46 8. For dentistry, dental hygiene, and dental
47 assisting, the dental board ~~of dentistry~~.

48 Sec. ____ Section 147.40, Code 2007, as amended by
49 2007 Iowa Acts, Senate File 74, section 50, is amended
50 to read as follows:

Page 37

1 147.40 CERTIFICATION OF APPLICANTS.

2 Every examination shall be passed upon in
3 accordance with the established rules of the board and
4 shall be satisfactory to at least a majority of the
5 professional members of the board. In the case of the
6 dental board of dentistry, only licensed dentist
7 members of the board shall determine whether an
8 applicant has passed the examination to practice as a
9 licensed dentist. After each examination, the board
10 shall certify the names of the successful applicants
11 to the department in the manner prescribed by it. The
12 department shall then issue the proper license.

13 Sec. __. Section 147.80, subsections 1 and 11,
14 Code 2007, as amended by 2007 Iowa Acts, Senate File
15 74, section 63, are amended to read as follows:

16 1. License to practice dentistry issued upon the
17 basis of an examination given by the dental board of
18 dentistry, license to practice dentistry issued under
19 a reciprocal agreement, resident dentist's license,
20 renewal of a license to practice dentistry.

21 11. License to practice dental hygiene issued upon
22 the basis of an examination given by the dental board
23 of dentistry, license to practice dental hygiene
24 issued under a reciprocal agreement, renewal of a
25 license to practice dental hygiene.

26 Sec. __. Section 147.80, unnumbered paragraph 3,
27 Code 2007, as amended by 2007 Iowa Acts, Senate File
28 74, section 63, is amended to read as follows:

29 The board of medicine, the board of pharmacy, the
30 dental board of dentistry, and the board of nursing
31 shall retain individual executive officers, but shall
32 make every effort to share administrative, clerical,
33 and investigative staffs to the greatest extent
34 possible. The department shall annually submit a
35 status report to the general assembly in December
36 regarding the sharing of staff during the previous
37 fiscal year.

38 Sec. __. Section 147.88, Code 2007, as amended by
39 2007 Iowa Acts, Senate File 74, section 65, is amended
40 to read as follows:

41 147.88 INSPECTIONS.

42 The department of inspections and appeals may
43 perform inspections as required by this subtitle,
44 except for the board of medicine, board of pharmacy,
45 board of nursing, and the dental board of dentistry.
46 The department of inspections and appeals shall employ
47 personnel related to the inspection functions.

48 Sec. __. Section 147.107, subsection 2,
49 unnumbered paragraph 1, Code 2007, as amended by 2007
50 Iowa Acts, Senate File 74, section 78, is amended to

Page 38

1 read as follows:

2 A pharmacist, physician, dentist, or podiatric
 3 physician who dispenses prescription drugs, including
 4 but not limited to controlled substances, for human
 5 use, may delegate nonjudgmental dispensing functions
 6 to staff assistants only when verification of the
 7 accuracy and completeness of the prescription is
 8 determined by the pharmacist or practitioner in the
 9 pharmacist's or practitioner's physical presence.
 10 However, the physical presence requirement does not
 11 apply when a pharmacist or practitioner is utilizing
 12 an automated dispensing system. When using an
 13 automated dispensing system the pharmacist or
 14 practitioner shall utilize an internal quality control
 15 assurance plan that ensures accuracy for dispensing.
 16 Verification of automated dispensing accuracy and
 17 completeness remains the responsibility of the
 18 pharmacist or practitioner and shall be determined in
 19 accordance with rules adopted by the board of
 20 pharmacy, the board of medicine, the dental board of
 21 ~~dentistry~~, and the board of podiatry for their
 22 respective licensees.

23 Sec. ____ Section 147.114, Code 2007, as amended
 24 by 2007 Iowa Acts, Senate File 74, section 81, is
 25 amended to read as follows:

26 147.114 INSPECTOR.

27 An inspector may be appointed by the dental board
 28 of ~~dentistry~~ pursuant to the provisions of chapter 8A,
 29 subchapter IV.

30 Sec. ____ Section 153.12, as enacted by 2007 Iowa
 31 Acts, Senate File 74, section 132, is amended to read
 32 as follows:

33 153.12 BOARD DEFINED.

34 As used in this chapter, "board" means the dental
 35 board of ~~dentistry~~, created under chapter 147.

36 Sec. ____ Section 272C.1, subsection 6, paragraph
 37 j, Code 2007, as amended by 2007 Iowa Acts, Senate
 38 File 74, section 171, is amended to read as follows:

39 j. The dental board of ~~dentistry~~, created pursuant
 40 to chapter 147."

41 60. By renumbering, relettering, or redesignating
 42 and correcting internal references as necessary.

COMMITTEE ON APPROPRIATIONS
 ROBERT E. DVORSKY, Chair

S-3446

1 Amend House File 912, as amended, passed, and
 2 reprinted by the House, as follows:

3 1. Page 3, by inserting after line 14 the
4 following:
5 "Sec. ____ Section 423.4, Code 2007, is amended by
6 adding the following new subsection:
7 NEW SUBSECTION. 8. a. The owner of an
8 information technology facility located in this state
9 on July 1, 2007, and having a primary business with a
10 North American industry classification system number
11 518210 or 541519 as verified by the department of
12 economic development using nationally recognized
13 third-party sources such as Hoovers, Harris Directory
14 or others designated by the department of economic
15 development, may make an annual application for up to
16 five consecutive years to the department for the
17 refund of the sales or use tax upon the sales price of
18 all sales of fuel used in creating heat, power, and
19 steam for processing or generating electrical current,
20 or from the sale of electricity consumed by computers,
21 machinery, or other equipment for operation of the
22 technology facility.
23 b. An information technology facility shall
24 qualify for the refund in this subsection if all of
25 the following criteria are met:
26 (1) The facility's six-digit North American
27 industry classification system number 518210 or 541519
28 indicates that the facility is primarily engaged in
29 providing computer-related services.
30 (2) The capital expenditures for computers,
31 machinery, and other equipment used in the operation
32 of the facility equals at least one million dollars.
33 (3) The facility is certified as meeting the
34 Leadership in Energy and Environmental Design (LEED)
35 standards.
36 c. The refund may be obtained only in the
37 following manner and under the following conditions:
38 (1) The applicant shall use forms furnished by the
39 department.
40 (2) The applicant shall separately list the
41 amounts of sales and use tax paid during the reporting
42 period.
43 (3) The applicant may request when the refund
44 begins, but it must start on the first day of a month
45 and proceed for a continuous twelve-month period.
46 d. In determining the amount to be refunded, if
47 the dates of the utility billing or meter reading
48 cycle for the sale or furnishing of metered gas and
49 electricity is on or after the first day of the first
50 month through the last day of the last month of the

Page 2

1 refund year, the full amount of tax charged in the
 2 billings shall be refunded. In determining the amount
 3 to be refunded, if the dates of the sale or furnishing
 4 of fuel for purposes of commercial energy and the
 5 delivery of the fuel is on or after the first day of
 6 the first month through the last day of the last month
 7 of the refund year, the full amount of tax charged in
 8 the billings shall be refunded.

9 e. To receive refunds during the five-year period,
 10 the applicant shall file a refund claim within three
 11 months after the end of each refund year.

12 f. The refund in this subsection applies only to
 13 state sales and use tax paid and does not apply to
 14 local option sales and services taxes imposed pursuant
 15 to chapters 423B and 423E.”

16 2. Title page, by striking line 2 and inserting
 17 the following: “exemptions and refunds for certain
 18 computer-related service businesses.”

JEFF DANIELSON

S-3447

1 Amend House File 909, as amended, passed, and
 2 reprinted by the House, as follows:

3 1. Page 14, by inserting after line 22 the
 4 following:

5 “0a. To be retained by the department of human
 6 services to be used for coordinating with the
 7 department of human rights to more effectively serve
 8 participants in the FIP program and other shared
 9 clients and to meet federal reporting requirements
 10 under the federal temporary assistance for needy
 11 family block grant:

12 \$ 20,000”

13 2. Page 14, line 27, by striking the figure
 14 “5,583,042” and inserting the following: “5,563,042”.

15 3. Page 14, line 32, by inserting after the word
 16 “department” the following: “of human rights”.

17 4. By striking page 14, line 35, through page 15,
 18 line 4, and inserting the following:

19 “(3) The department of human rights is responsible
 20 for complying with all federal temporary assistance
 21 for needy family block grant requirements with respect
 22 to the funds allocated in this lettered paragraph and
 23 for any federal penalty that may result from a failure
 24 to meet the requirements. These responsibilities
 25 include but are not limited to ensuring that all
 26 expenditures of federal block grant and state
 27 maintenance of effort funds are appropriate and

28 allowable in accordance with federal requirements and
29 meet federal work participation requirements with
30 respect to the population receiving benefits or
31 services under the family development and
32 self-sufficiency grant program that are subject to
33 work requirements.

34 (4) With the allocation of funding for the family
35 development and self-sufficiency grant program
36 directly to the department of human rights in lieu of
37 allocation through the department of human services,
38 the department of human rights shall assume all
39 responsibility for the grant program. The
40 responsibility includes identifying and addressing
41 implementation of any revisions in state law or
42 administrative rule needed to effect this change,
43 including but not limited to identifying any
44 amendments needed to section 217.12.

45 (5) The department of human rights, consistent
46 with the Accountable Government Act in chapter 8E,
47 shall adopt appropriate performance measures for the
48 grant program, including but not limited to measures
49 demonstrating how the program helps families achieve
50 self-sufficiency. The department of human rights

Page 2

1 shall submit to the governor and general assembly on
2 or before August 31, 2008, a report detailing these
3 measures and the outcomes achieved for fiscal year
4 2007–2008.

5 (6) The department of human rights shall develop a
6 memorandum of agreement with the department of human
7 services to coordinate referrals and delivery of
8 services to participants in the FIP program and other
9 shared clients and shall provide the department of
10 human services with information necessary for
11 compliance with federal temporary assistance for needy
12 families block grant state plan and reporting
13 requirements, including but not limited to financial
14 and data reports.”

15 5. By renumbering as necessary.

JACK HATCH

S-3448

1 Amend House File 918, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 11, by inserting after line 7 the
4 following:

5 “___.” “Greenhouse gas emissions” means a release
6 of a greenhouse gas, as defined and determined by the

7 United States environmental protection agency, into
 8 the outside atmosphere.
 9 _____. “Greenhouse gas reductions” means the
 10 reduction of greenhouse gas emissions as defined and
 11 determined by the United States environmental
 12 protection agency.”
 13 2. By renumbering as necessary.

DAVID JOHNSON

S-3449

1 Amend House File 918, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 2, line 28, by inserting after the word
 4 “fuels,” the following: “clean coal technology
 5 applications,”.
 6 2. Page 2, line 30, by inserting after the word
 7 “fuels,” the following: “clean coal technology
 8 applications,”.
 9 3. Page 3, line 16, by inserting after the word
 10 “fuels,” the following: “clean coal technology
 11 applications,”.
 12 4. Page 3, line 30, by inserting after the word
 13 “conservation” the following: “and clean coal
 14 technology applications,”.
 15 5. Page 6, line 32, by striking the word “and”.
 16 6. Page 6, line 33, by inserting after the word
 17 “efficiency” the following: “, and clean coal
 18 technology applications”.
 19 7. Page 8, line 24, by inserting after the word
 20 “efficiency” the following: “and clean coal
 21 technology applications”.
 22 8. Page 11, by inserting after line 6 the
 23 following:
 24 “7A. “Clean coal technology” means any technology,
 25 including technologies applied at the precombustion,
 26 combustion, or postcombustion stage, at a new or
 27 existing facility which will achieve significant
 28 reductions in air emissions of sulfur dioxide or
 29 oxides of nitrogen associated with the utilization of
 30 coal in the generation of electricity, in the
 31 processing of steam, or in industrial products.”
 32 9. By renumbering as necessary.

DAVID JOHNSON

S-3450

1 Amend the House amendment, S-3436, to Senate File
 2 551, as amended, passed, and reprinted by the Senate,
 3 as follows:

4 1. Page 1, by inserting before line 3, the
5 following:
6 “___ Page 3, by striking line 9, and inserting
7 the following: “maintenance, miscellaneous purposes,
8 and for not more than the following full-time
9 equivalent positions.”
10 ___ Page 3, by inserting after line 10, the
11 following:
12 “..... FTEs 1.00”
13 ___ Page 11, line 26, by striking the figure
14 “1,500,000” and inserting the following: “1,480,000”.
15 ___ Page 12, line 35, by striking the figure
16 “600,000” and inserting the following: “580,000”.
17 ___ Page 13, line 2, by striking the figure
18 “400,000” and inserting the following: “380,000”.
19 ___ Page 13, by inserting after line 17, the
20 following:
21 “___ For purposes of supporting a farm-to-school
22 program, as provided in chapter 190A, if enacted by
23 2007 Iowa Acts, Senate File 601, including salaries,
24 support, maintenance, and miscellaneous purposes:
25 \$ 80,000
26 ___ For purposes of supporting the office of
27 state apiarist, the state apiarist who shall be
28 appointed by the secretary of agriculture pursuant to
29 section 160.1, and for carrying out the duties of the
30 state apiarist as provided in chapter 160:
31 \$ 40,000”
32 ___ Page 14, line 5, by striking the figure
33 “2,490,000” and inserting the following: “2,470,000”.
34 ___ Page 14, line 19, by striking the figure
35 “400,000” and inserting the following: “360,000”.
36 ___ Page 15, line 9, by striking the figure
37 “500,000” and inserting the following: “480,000”.”

JOE M. SENG
DENNIS H. BLACK
NANCY J. BOETTGER

S-3451

1 Amend the amendment, S-3444, to Senate File 604 as
2 follows:
3 1. Page 2, by inserting after line 7 the
4 following:
5 “() A representative of an association
6 representing Iowa telecommunications property
7 taxpayers.”
8 2. By renumbering, redesignating, and correcting
9 internal references as necessary.

JOE BOLKCOM

S-3452

1 Amend House File 911, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 7, by inserting after line 2 the
4 following:

5 " _____. For the promotion of retail motor fuel sites
6 offering E-85 or biodiesel fuels for sale to the
7 public:

8 \$ 25,000

9 It is the intent of the general assembly that
10 moneys appropriated in this lettered paragraph shall
11 be used by the clean air choice program administered
12 by the American lung association for promotional use
13 for retail sites that sell E-85 or biodiesel fuels to
14 the public."

15 2. Page 34, by inserting after line 23 the
16 following:

17 "Sec. _____. Section 455G.31, Code 2007, is amended
18 to read as follows:

19 455G.31 E-85 GASOLINE STORAGE AND DISPENSING
20 INFRASTRUCTURE.

21 1. As used in this section, unless the context
22 otherwise requires:

23 a. "E-85 gasoline", "ethanol blended gasoline,"
24 and "retail dealer" mean the same as defined in
25 section 214A.1.

26 b. "Gasoline storage and dispensing
27 infrastructure" means any storage tank located below
28 ground or above ground and any associated equipment
29 including but not limited to a pipe, hose, connection,
30 fitting seal, or pump, which is used to store,
31 measure, and dispense gasoline by a retail dealer.

32 2. A retail dealer may use gasoline storage and
33 dispensing infrastructure to store and dispense E-85
34 gasoline if all of the following apply:

35 a. For gasoline storage and dispensing
36 infrastructure other than the dispenser, the
37 department of natural resources under this chapter or
38 the state fire marshal under chapter 101 must
39 determine that it is compatible with E-85 gasoline.
40 If the compatibility of the thread sealant or adhesive
41 is undetermined, the thread sealant or adhesive may
42 continue to be used if precision line testing is
43 conducted annually and if an analysis to determine
44 compatibility of the thread sealant or adhesive is
45 completed by July 1, 2011.

46 b. For a dispenser, ~~the manufacturer must state~~
47 all of the following shall apply:

48 (1) ~~That the dispenser is, in the opinion of the~~
49 ~~manufacturer, not incompatible with E-85 gasoline.~~
50 The manufacturer must state that the dispenser is

Page 2

1 listed by an independent testing laboratory as
 2 compatible with ethanol blended gasoline.

3 ~~(2) The manufacturer has initiated the process of~~
 4 ~~applying to an independent testing laboratory for~~
 5 ~~listing of the equipment for use in dispensing E-85~~
 6 ~~gasoline.~~

7 ~~A manufacturer's statement must include a written~~
 8 ~~statement, with reference to a particular type and~~
 9 ~~model of equipment for use in dispensing E-85~~
 10 ~~gasoline, signed by a responsible official on behalf~~
 11 ~~of the manufacturer, provided either to the retail~~
 12 ~~dealer using the gasoline storage and dispensing~~
 13 ~~infrastructure or to the department of natural~~
 14 ~~resources or the state fire marshal. If the written~~
 15 ~~statement is provided to a retail dealer, the~~
 16 ~~statement shall be retained in the files on the~~
 17 ~~premises of the retail dealer and shall be available~~
 18 ~~to personnel of the department of natural resources or~~
 19 ~~the state fire marshal upon request. The owner or~~
 20 ~~operator or a person authorized by the owner or~~
 21 ~~operator must visually inspect the dispenser and the~~
 22 ~~dispenser sump daily for leaks and equipment failure~~
 23 ~~and maintain a record of such inspection for at least~~
 24 ~~one year after the inspection. If a leak is detected,~~
 25 ~~the department of natural resources shall be notified~~
 26 ~~pursuant to section 455B.386.~~

27 If a commercially available dispenser is listed as
 28 compatible for use with E-85 gasoline by an
 29 independent testing laboratory, this paragraph "b"
 30 shall not apply to new dispensers installed after the
 31 commercial availability of such a certified dispenser.

32 ~~3. This section is repealed July 1, 2009."~~

33 3. By renumbering as necessary.

TOM RIELLY
 BRIAN SCHOENJAHN
 FRANK B. WOOD

S-3453

1 Amend House File 911, as amended, passed, and
 2 reprinted by the House, as follows:

3 1. Page 5, by inserting after line 32 the
 4 following:

5 "Of the amount appropriated in this lettered
 6 paragraph, \$100,000 shall be allocated for the EB
 7 Lyons nature and interpretive center at the mines of

8 Spain state recreation area.”
9 2. By renumbering as necessary.

TOM HANCOCK
ROGER STEWART
MICHAEL CONNOLLY

S-3454

1 Amend the amendment, S-3440, to Senate File 604, as
2 follows:
3 1. Page 1, by striking lines 2 through 7 and
4 inserting the following:
5 “ ___. Page 2, line 28, by striking the figure
6 “2007” and inserting the following: “2006”.
7 ___. Page 2, line 32, by striking the figure
8 “2007” and inserting the following: “2006”.
9 ___. Page 2, line 35, by striking the figure
10 “2007” and inserting the following: “2006”.”

HERMAN C. QUIRMBACH

S-3455

1 Amend the House amendment, S-3436, to Senate File
2 551, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 1, by inserting before line 3, the
5 following:
6 “ ___. Page 3, by striking line 9, and inserting
7 the following: “maintenance, miscellaneous purposes,
8 and for not more than the following full-time
9 equivalent positions:”
10 ___. Page 3, by inserting after line 10, the
11 following:
12 “ FTEs 1.00”
13 ___. Page 11, line 26, by striking the figure
14 “1,500,000” and inserting the following: “1,480,000”.
15 ___. Page 12, line 35, by striking the figure
16 “600,000” and inserting the following: “580,000”.
17 ___. Page 13, line 2, by striking the figure
18 “400,000” and inserting the following: “386,667”.
19 ___. Page 13, by inserting after line 17, the
20 following:
21 “ ___. For purposes of supporting a farm-to-school
22 program, as provided in chapter 190A, if enacted by
23 2007 Iowa Acts, Senate File 601, including salaries,
24 support, maintenance, and miscellaneous purposes:
25 \$ 80,000
26 ___. For purposes of supporting the office of
27 state apiarist, including the state apiarist who shall
28 be appointed by the secretary of agriculture pursuant

29 to section 160.1, and for carrying out the duties of
 30 the state apiarist as provided in chapter 160:
 31 \$ 40,000”
 32 _____. Page 14, line 5, by striking the figure
 33 “2,490,000” and inserting the following: “2,470,000”.
 34 _____. Page 14, line 19, by striking the figure
 35 “400,000” and inserting the following: “360,000”.
 36 _____. Page 15, line 9, by striking the figure
 37 “500,000” and inserting the following: “480,000”.

JOE M. SENG
 NANCY J. BOETTGER
 DENNIS H. BLACK

S-3456

1 Amend House File 911, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 2, by striking lines 26 through 28 and
 4 inserting the following:
 5 “o. For deposit into the Iowa workforce foundation
 6 for the worker’s monument committee for the purpose of
 7 constructing a worker’s monument to be located on the
 8 capitol complex.”
 9 2. Page 4, by inserting after line 15 the
 10 following:
 11 “____. For repairs to the historic Kimball organ
 12 located in Claremont, Iowa, notwithstanding section
 13 8.57, subsection 6, paragraph “c”:
 14 \$ 80,000”
 15 3. Page 4, by striking lines 17 through 22 and
 16 inserting the following:
 17 “a. For expenses to support the development and
 18 expansion of Iowa’s targeted industries pursuant to
 19 section 15G.111, notwithstanding section 8.57,
 20 subsection 6, paragraph “c”:
 21 \$ 900,000”
 22 4. Page 4, by inserting after line 33 the
 23 following:
 24 “____. For equal distribution to regional sports
 25 authority districts certified by the department
 26 pursuant to section 15E.321, as enacted in this Act:
 27 \$ 500,000
 28 _____. For deposit into the workforce training and
 29 economic development funds created for each community
 30 college in section 260C.18A, notwithstanding section
 31 8.57, subsection 6, paragraph “c”:
 32 \$ 2,000,000”
 33 5. Page 5, by inserting after line 10 the
 34 following:
 35 “____. For allocation to the northeast Iowa
 36 community college for merged area I for the national

37 education center for agricultural safety training for
 38 equipment purchase, notwithstanding section 8.57,
 39 subsection 6, paragraph “c”:
 40 \$ 35,000”
 41 6. Page 8, line 9, by striking the figure
 42 “1,900,000” and inserting the following: “1,400,000”.
 43 7. Page 8, by inserting after line 14 the
 44 following:
 45 “Of the amount appropriated in this lettered
 46 paragraph, \$200,000 shall be allocated to eastern Iowa
 47 community college district for the water rescue
 48 training center.”
 49 8. Page 8, by inserting after line 18 the
 50 following:

Page 2

1 “Priority for funding shall be given to those
 2 regional emergency response training centers whose
 3 first project bid was let before May 1, 2007. Grants
 4 awarded pursuant to this lettered paragraph shall not
 5 exceed \$300,000 each.”
 6 9. Page 8, line 22, by inserting after the word
 7 “subsection” the following: “, notwithstanding
 8 section 8.57, subsection 6, paragraph “c”.”
 9 10. Page 10, by inserting after line 10 the
 10 following:
 11 “Moneys appropriated in this lettered paragraph are
 12 contingent upon the hiring of ten new research teams
 13 to provide world class expertise in the area of
 14 biorenewable fuels research.”
 15 11. Page 10, by inserting after line 14 the
 16 following:
 17 “Of the amount appropriated in this lettered
 18 paragraph, \$215,000 shall be allocated to the Hamilton
 19 county conservation board for the Jewell-Ellsworth
 20 trail for the development of an abandoned railroad
 21 right-of-way and \$200,000 shall be allocated to the
 22 Jefferson county trails council for the development of
 23 the Fairfield loop trail.
 24 Moneys appropriated in this lettered paragraph may
 25 be used for purposes of building equestrian or
 26 snowmobile trails that run parallel to a recreational
 27 trail. It is the intent of the general assembly to
 28 promote multiple uses for trails funded in this
 29 lettered paragraph and to maximize the number of trail
 30 users.”
 31 12. Page 11, by inserting after line 8 the
 32 following:
 33 “Of the moneys deposited into the railroad
 34 revolving loan and grant fund pursuant to this
 35 lettered paragraph, up to \$100,000 may be used for the

36 acquisition and installation of close-clearance
37 warning devices along railroad tracks, consistent with
38 the provisions of 2007 Iowa Acts, Senate File 472, if
39 enacted.”

40 13. Page 11, line 22, by striking the figure
41 “2,500,000” and inserting the following: “532,000”.

42 14. Page 12, by inserting after line 9 the
43 following:

44 “Sec. ____ DEPARTMENT OF ECONOMIC DEVELOPMENT.

45 There is appropriated from the rebuild Iowa
46 infrastructure fund for the fiscal year beginning July
47 1, 2008, and ending June 30, 2009, the following
48 amount, or so much thereof as is necessary, to be used
49 for the purpose designated:

50 For equal distribution to regional sports authority

Page 3

1 districts certified by the department pursuant to
2 section 15E.321, as enacted in this Act:

3 \$ 500,000”

4 15. Page 13, by inserting after line 26 the
5 following:

6 “Moneys appropriated in this lettered paragraph are
7 contingent upon the hiring of ten new research teams
8 to provide world class expertise in the area of
9 biorenewable fuels research.”

10 16. Page 14, line 23, by striking the figure “1.”

11 17. Page 14, line 28, by striking the word
12 “subsection” and inserting the following: “section”.

13 18. Page 15, line 1, by striking the figure
14 “1,000,000” and inserting the following: “600,000”.

15 19. Page 16, by inserting after line 22 the
16 following:

17 “Of the amount appropriated in this lettered
18 paragraph, \$5,000 shall be allocated to the tri-state
19 graduate center for the purchase of technology-related
20 equipment and software.”

21 20. Page 27, by inserting after line 16 the
22 following:

23 “Sec. ____ NEW SECTION. 15E.321 REGIONAL SPORTS
24 AUTHORITY DISTRICTS.

25 1. As used in this section, “district” means a
26 regional sports authority district certified under
27 this section.

28 2. A convention and visitors bureau may apply to
29 the department for certification of a regional sports
30 authority district which may include more than one
31 city and more than one convention and visitors bureau
32 within the district. The department shall not certify
33 more than ten such districts.

34 3. Each district shall actively promote youth

35 sports, high school athletic activities, the special
36 olympics, and other nonprofessional sporting events in
37 the local area.

38 4. Each district shall be governed by a
39 seven-member board consisting of seven members
40 appointed by the convention and visitors bureau filing
41 the application pursuant to subsection 2. At least
42 three members of the board shall consist of city
43 council members of any cities located in the district.
44 Each board shall be responsible for administering
45 programs designed to promote the activities enumerated
46 in subsection 3.”

47 21. Page 34, by inserting after line 12 the
48 following:

49 “Sec. ____ Section 321.196, subsection 1, Code
50 2007, is amended to read as follows:

Page 4

1 1. a. Except as otherwise provided, a driver’s
2 license, other than an instruction permit, chauffeur’s
3 instruction permit, or commercial driver’s instruction
4 permit issued under section 321.180, expires five
5 years from the licensee’s birthday anniversary
6 occurring in the year of issuance if the licensee is
7 between the ages of seventeen years eleven months and
8 seventy years on the date of issuance of the license.
9 If the licensee is under the age of seventeen years
10 eleven months or age seventy or over, the license is
11 effective for a period of two years from the
12 licensee’s birthday anniversary occurring in the year
13 of issuance. A licensee whose license is restricted
14 due to vision or other physical deficiencies may be
15 required to renew the license every two years. If a
16 licensee is a foreign national who is temporarily
17 present in this state, the license shall be issued
18 only for the length of time the foreign national is
19 authorized to be present as determined by the
20 department, not to exceed two years.

21 b. On or about the first day of each month, the
22 department shall notify each licensee whose driver’s
23 license is due to expire in the following month of the
24 need to renew the license and the period for renewal.
25 Upon implementation of the requirements of the federal
26 real ID Act of 2005, Pub. L. No. 109-13, Division B,
27 by the department, the notice shall also include
28 information regarding documentation requirements for
29 renewal, consistent with the provisions of the federal
30 real ID Act of 2005, Pub. L. No. 109-13, Division B, if
31 applicable. The notice shall be mailed to the most
32 recent address of record provided by the licensee
33 pursuant to section 321.182, or the notice may be sent

34 electronically by prior arrangement with the licensee.
35 Failure to receive a renewal notice shall not affect
36 the expiration of a license or the requirements for
37 renewal of an expired license.”
38 22. By renumbering as necessary.

COMMITTEE ON APPROPRIATIONS
ROBERT E. DVORSKY, Chair

S-3457

1 Amend Senate File 604 as follows:
2 1. Page 3, by striking lines 16 through 27 and
3 inserting the following:
4 “(1) For valuations established for the assessment
5 year beginning January 1, 2008, ninety-five percent of
6 actual value.
7 (2) For valuations established for the assessment
8 year beginning January 1, 2009, ninety percent of
9 actual value.
10 (3) For valuations established for the assessment
11 year beginning January 1, 2010, eighty-five percent of
12 actual value.
13 (4) For valuations established for the assessment
14 year beginning January 1, 2011, eighty percent of
15 actual value.
16 (5) For valuations established for the assessment
17 year beginning January 1, 2012, seventy-five percent
18 of actual value.
19 (6) For valuations established for the assessment
20 year beginning January 1, 2013, seventy percent of
21 actual value.
22 (7) For valuations established for the assessment
23 year beginning January 1, 2014, sixty-five percent of
24 actual value.
25 (8) For valuations established for the assessment
26 year beginning January 1, 2015, sixty percent of
27 actual value.
28 (9) For valuations established for the assessment
29 year beginning January 1, 2016, and each year
30 thereafter, the same percentage as the percentage of
31 actual value established for residential property.”
32 2. By renumbering, redesignating, and correcting
33 internal references as necessary.

BRAD ZAUN
DAVE MULDER

S-3458

1 Amend House File 911, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 7, by inserting after line 2 the
4 following:

5 “___ For the promotion of retail motor fuel sites
6 offering E-85 or biodiesel fuels for sale to the
7 public:

8 \$ 25,000

9 It is the intent of the general assembly that
10 moneys appropriated in this lettered paragraph shall
11 be used by the clean air choice program administered
12 by the American lung association for promotional use
13 for retail sites that sell E-85 or biodiesel fuels to
14 the public.”

15 2. Page 34, by inserting after line 23 the
16 following:

17 “Sec. ___. Section 455G.31, Code 2007, is amended
18 to read as follows:

19 455G.31 E-85 GASOLINE STORAGE AND DISPENSING
20 INFRASTRUCTURE.

21 1. As used in this section, unless the context
22 otherwise requires:

23 a. “E-85 gasoline”, “ethanol blended gasoline”,
24 and “retail dealer” mean the same as defined in
25 section 214A.1.

26 b. “Gasoline storage and dispensing
27 infrastructure” means any storage tank located below
28 ground or above ground and any associated equipment
29 including but not limited to a pipe, hose, connection,
30 fitting seal, or pump, which is used to store,
31 measure, and dispense gasoline by a retail dealer.

32 2. A retail dealer may use gasoline storage and
33 dispensing infrastructure to store and dispense E-85
34 gasoline if all of the following apply:

35 a. For gasoline storage and dispensing
36 infrastructure other than the dispenser, the
37 department of natural resources under this chapter or
38 the state fire marshal under chapter 101 must
39 determine that it is compatible with E-85 gasoline.
40 If the compatibility of the thread sealant or adhesive
41 is undetermined, the thread sealant or adhesive may
42 continue to be used if precision line testing is
43 conducted annually and if an analysis to determine
44 compatibility of the thread sealant or adhesive is
45 completed by July 1, 2011.

46 b. For a dispenser, ~~the manufacturer must state~~
47 ~~all one~~ of the following shall apply:

48 (1) ~~That the dispenser is, in the opinion of the~~
49 ~~manufacturer, not incompatible with E-85 gasoline.~~
50 The manufacturer must state that the dispenser is

Page 2

1 listed by an independent testing laboratory as
 2 compatible with ethanol blended gasoline.

3 (2) ~~The manufacturer has initiated the process of~~
 4 ~~applying to an independent testing laboratory for~~
 5 ~~listing of the equipment for use in dispensing E-85~~
 6 ~~gasoline.~~

7 ~~A manufacturer's statement must include a written~~
 8 ~~statement, with reference to a particular type and~~
 9 ~~model of equipment for use in dispensing E-85~~
 10 ~~gasoline, signed by a responsible official on behalf~~
 11 ~~of the manufacturer, provided either to the retail~~
 12 ~~dealer using the gasoline storage and dispensing~~
 13 ~~infrastructure or to the department of natural~~
 14 ~~resources or the state fire marshal. If the written~~
 15 ~~statement is provided to a retail dealer, the~~
 16 ~~statement shall be retained in the files on the~~
 17 ~~premises of the retail dealer and shall be available~~
 18 ~~to personnel of the department of natural resources or~~
 19 ~~the state fire marshal upon request. The owner or~~
 20 ~~operator or a person authorized by the owner or~~
 21 ~~operator must visually inspect the dispenser and the~~
 22 ~~dispenser sump daily for leaks and equipment failure~~
 23 ~~and maintain a record of such inspection for at least~~
 24 ~~one year after the inspection. If a leak is detected,~~
 25 ~~the department of natural resources shall be notified~~
 26 ~~pursuant to section 455B.386.~~

27 If a commercially available dispenser is listed as
 28 compatible for use with E-85 gasoline by an
 29 independent testing laboratory, this paragraph "b"
 30 shall not apply to new dispensers installed after the
 31 commercial availability of such a certified dispenser.

32 ~~3. This section is repealed July 1, 2009."~~

33 3. By renumbering as necessary.

TOM RIELLY
 BRIAN SCHOENJAHN
 FRANK B. WOOD

S-3459

1 Amend Senate File 604 as follows:

2 1. Page 4, by inserting before line 8 the
 3 following:

4 "Sec. . NEW SECTION. 441.21A RENT REDUCTIONS
 5 IN CERTAIN CIRCUMSTANCES.

6 It is the intent of the general assembly that
 7 taxpayers whose property is classified as commercial
 8 residential property institute rent reductions to
 9 tenants of such commercial residential property based
 10 on operation of section 441.21, subsection 13,

11 beginning July 1, 2009.

12 If upon petition by a tenant, the department of
13 revenue, after considering relevant factors in each
14 particular case, determines that a landlord has not
15 decreased the tenant's rent based on operation of
16 section 441.21, subsection 13, the department of
17 revenue shall request the landlord by mail to reduce
18 the rent appropriately.

19 If the landlord fails to comply with the request of
20 the department of revenue within fifteen days after
21 the request is mailed by the department, the
22 department of revenue shall order the rent reduced by
23 an appropriate amount."

24 2. By renumbering as necessary.

PAT WARD

S-3460

1 Amend Senate File 604 as follows:

2 1. Page 1, line 5, by striking the figure "2014"
3 and inserting the following: "2016".

4 2. Page 1, line 13, by striking the figure "2014"
5 and inserting the following: "2016".

6 3. Page 1, line 34, by striking the words and
7 figures "or January 1, 2012," and inserting the
8 following: "January 1, 2012, January 1, 2013, or
9 January 1, 2014,".

10 4. Page 3, by striking lines 16 through 23 and
11 inserting the following:

12 "(1) For valuations established for the assessment
13 year beginning January 1, 2008, ninety-two and
14 five-tenths percent of actual value or the percentage
15 of actual value established for residential property,
16 whichever is higher.

17 (2) For valuations established for the assessment
18 year beginning January 1, 2009, eighty-five percent of
19 actual value or the percentage of actual value
20 established for residential property, whichever is
21 higher.

22 (3) For valuations established for the assessment
23 year beginning January 1, 2010, seventy-seven and
24 five-tenths percent of actual value or the percentage
25 of actual value established for residential property,
26 whichever is higher.

27 (4) For valuations established for the assessment
28 year beginning January 1, 2011, seventy percent of
29 actual value or the percentage of actual value
30 established for residential property, whichever is
31 higher.

32 (5) For valuations established for the assessment
33 year beginning January 1, 2012, sixty-two and

34 five-tenths percent of actual value or the percentage
 35 of actual value established for residential property,
 36 whichever is higher.

37 (6) For valuations established for the assessment
 38 year beginning January 1, 2013, fifty-five percent of
 39 actual value or the percentage of actual value
 40 established for residential property, whichever is
 41 higher.”

42 5. Page 3, line 24, by striking the figure “(5)”
 43 and inserting the following: “(7)”.

44 6. Page 3, line 25, by striking the figure “2012”
 45 and inserting the following: “2014”.

46 7. By renumbering, redesignating, and correcting
 47 internal references as necessary.

TOM RIELLY

S-3461

1 Amend House File 911, as amended, passed, and
 2 reprinted by the House, as follows:

3 1. Page 13, by inserting after line 12 the
 4 following:

5 “Sec. ____ DEPARTMENT OF VETERANS AFFAIRS. There
 6 is appropriated from the rebuild Iowa infrastructure
 7 fund for the fiscal year beginning July 1, 2008, and
 8 ending June 30, 2009, the following amount, or so much
 9 thereof as is necessary, to be used for the purposes
 10 designated:

11 For capital improvement projects at the Iowa
 12 veterans home:

13 \$ 5,600,000

14 Notwithstanding section 8.33, moneys appropriated
 15 in this section shall not revert at the close of the
 16 fiscal year for which they were appropriated but shall
 17 remain available for the purposes designated until the
 18 close of the fiscal year that begins July 1, 2011, or
 19 until the project for which the appropriation was made
 20 is completed, whichever is earlier.”

21 2. By renumbering as necessary.

LARRY McKIBBEN

S-3462

1 Amend House File 911, as amended, passed, and
 2 reprinted by the House, as follows:

3 1. Page 10, by striking lines 3 through 5 and
 4 inserting the following:

5 “b. For costs associated with the establishment of
 6 the Iowa institute for biomedical discovery for the
 7 study and research of certain health-related diseases

8 and issues including interdisciplinary research,
9 cancer, heart disease and stroke, brain disease, and
10 vision and age-related disease fragility, but not
11 including the study and research of issues relating to
12 somatic cell nuclear transfer at the state university
13 of Iowa.”

14 2. Page 13, by striking lines 17 through 19 and
15 inserting the following:

16 “1. For costs associated with the establishment of
17 the Iowa institute for biomedical discovery for the
18 study and research of certain health-related diseases
19 and issues including interdisciplinary research,
20 cancer, heart disease and stroke, brain disease, and
21 vision and age-related disease fragility, but not
22 including the study and research of issues relating to
23 somatic cell nuclear transfer at the state university
24 of Iowa:”

25 3. By renumbering as necessary.

JERRY BEHN

S-3463

1 Amend House File 911, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 7, by inserting after line 2 the
4 following:

5 “___ For the EB Lyons nature and interpretive
6 center at the mines of Spain state recreation area:
7 \$ 100,000”

8 2. By renumbering as necessary.

TOM HANCOCK
ROGER STEWART
MICHAEL CONNOLLY

S-3464

1 Amend Senate File 604 as follows:

2 1. Page 2, by striking lines 26 through 35 and
3 inserting the following: “shall be assessed shall not
4 be more than fifty percent. If the percentage of
5 actual value of residential property as calculated in
6 accordance with this subsection is more than fifty
7 percent, the director of revenue shall reduce the
8 percentage to fifty percent. For purposes of”.

JEFF ANGELO

S-3465

1 Amend House File 909, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 124, by inserting after line 21 the
4 following:

5 “DIVISION ____
6 GRANDPARENT AND GREAT-GRANDPARENT VISITATION
7 Sec. ____ NEW SECTION. 600C.1 GRANDPARENT AND
8 GREAT-GRANDPARENT VISITATION.

9 1. The grandparent or great-grandparent of a minor
10 child may petition the court for grandchild or
11 great-grandchild visitation.

12 2. The court shall consider a fit parent’s
13 objections to granting visitation under this section.
14 A rebuttable presumption arises that a fit parent’s
15 decision to deny visitation to a grandparent or
16 great-grandparent is in the best interest of a minor
17 child.

18 3. The court may grant visitation to the
19 grandparent or great-grandparent if the court finds
20 all of the following by clear and convincing evidence:

21 a. The grandparent or great-grandparent has
22 established a substantial relationship with the child
23 prior to the filing of the petition.

24 b. The parent who is being asked to temporarily
25 relinquish care, custody, and control of the child to
26 provide visitation is unfit to make the decision
27 regarding visitation.

28 c. It is in the best interest of the child to
29 grant such visitation.

30 4. For the purposes of this section, “court” means
31 the district court or the juvenile court if that court
32 currently has jurisdiction over the child in a pending
33 action. If an action is not pending, the district
34 court has jurisdiction.

35 5. Notwithstanding any provision of this chapter
36 to the contrary, venue for any action to establish,
37 enforce, or modify visitation under this section shall
38 be in the county where either parent resides if no
39 final custody order determination relating to the
40 grandchild or great-grandchild has been entered by any
41 other court. If a final custody order has been
42 entered by any other court, venue shall be located
43 exclusively in the county where the most recent final
44 custody order was entered. If any other custodial
45 proceeding is pending when an action to establish,
46 enforce, or modify visitation under this section is
47 filed, venue shall be located exclusively in the
48 county where the pending custodial proceeding was
49 filed.

50 6. Notice of any proceeding to establish, enforce,

Page 2

1 or modify visitation under this section shall be
 2 personally served upon all parents of a child whose
 3 interests are affected by a proceeding brought
 4 pursuant to this section and all grandparents or
 5 great-grandparents who have previously obtained a
 6 final order or commenced a proceeding under this
 7 section.

8 7. The court shall not enter any temporary order
 9 to establish, enforce, or modify visitation under this
 10 section.

11 8. An action brought under this section is subject
 12 to chapter 598B, and in an action brought to
 13 establish, enforce, or modify visitation under this
 14 section, each party shall submit in its first pleading
 15 or in an attached affidavit all information required
 16 by section 598B.209.

17 9. In any action brought to establish, enforce, or
 18 modify visitation under this section, the court may
 19 award attorney fees to the prevailing party in an
 20 amount deemed reasonable by the court.

21 10. If a proceeding to establish or enforce
 22 visitation under this section is commenced when a
 23 dissolution of marriage proceeding is pending
 24 concerning the parents of the affected minor child,
 25 the record and evidence of the dissolution action
 26 shall remain impounded pursuant to section 598.26.
 27 The impounded information shall not be released or
 28 otherwise made available to any person who is not the
 29 petitioner or respondent or an attorney of record in
 30 the dissolution of marriage proceeding.

31 Sec. ____ Section 600.11, subsection 2, paragraph
 32 e, Code 2007, is amended to read as follows:

33 e. A person who has been granted visitation rights
 34 with the child to be adopted pursuant to section
 35 ~~598.35~~ 600C.1.

36 Sec. ____ Section 598.35, Code 2007, is repealed.”

AMANDA RAGAN
 DAVE MULDER
 KEITH A. KREIMAN
 JACK HATCH

S-3466

1 Amend House File 909, as amended, passed, and
 2 reprinted by the House, as follows:

3 1. Page 9, line 18, by inserting after the word
 4 “FUND.” the following:
 5 “1.”

6 2. Page 9, line 32, by striking the word
 7 “section” and inserting the following: “subsection”.

- 8 3. Page 10, line 1, by striking the word
 9 "section" and inserting the following: "subsection".
 10 4. Page 10, line 4, by striking the word
 11 "section" and inserting the following: "subsection".
 12 5. Page 10, line 15, by striking the word
 13 "section" and inserting the following: "subsection".
 14 6. Page 10, by inserting after line 17 the
 15 following:
 16 "2. If after the contingent appropriation is made
 17 in subsection 1 the balance in the veterans trust fund
 18 for the fiscal year beginning July 1, 2007, exceeds
 19 \$5,000,000, exclusive of any amount from interest or
 20 earnings on moneys in the trust fund or otherwise
 21 received from a source other than the general fund of
 22 the state or the rebuild Iowa infrastructure fund, the
 23 amount in excess of \$5,000,000 is appropriated to the
 24 department of veterans affairs for the fiscal year
 25 beginning July 1, 2007, and ending June 30, 2008, for
 26 transfer to the Iowa finance authority to be used as
 27 funding in addition to the appropriation in subsection
 28 1 for the home ownership assistance program."
 29 7. By renumbering as necessary.

STEVE WARNSTADT

S-3467

- 1 Amend House File 909, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 8, line 16, by striking the figure
 4 "14,509,630" and inserting the following:
 5 "15,009,630".

LARRY McKIBBEN

S-3468

- 1 Amend the amendment, S-3456, to House File 911, as
 2 amended, passed, and reprinted by the House, as
 3 follows:
 4 1. Page 1, by striking lines 15 through 21 and
 5 inserting the following:
 6 " __. Page 4, line 22, by striking the figure
 7 "1,750,000" and inserting the following: "900,000".
 8 2. Page 2, by striking line 12 and inserting the
 9 following: "contingent upon the board of regents or
 10 Iowa state university of science and technology
 11 actively pursuing the hiring of new research teams".
 12 3. Page 2, line 22, by striking the words
 13 "Jefferson county trails council" and inserting the
 14 following: "city of Fairfield".
 15 4. Page 3, by striking line 7 and inserting the
 16 following: "contingent upon the board of regents or

17 Iowa state university of science and technology
 18 actively pursuing the hiring of new research teams”.

19 5. Page 3, by striking lines 10 through 12.
 20 6. Page 3, by inserting after line 14 the
 21 following:
 22 “___ Page 16, line 13, by striking the figure
 23 “4,010,375” and inserting the following:
 24 “3,810,375”.

25 7. Page 3, by inserting after line 20 the
 26 following:
 27 “___ Page 17, line 17, by striking the figure
 28 “380,000” and inserting the following: “580,000”.”

29 8. Page 3, by striking lines 49 and 50 and
 30 inserting the following:
 31 ““Sec. ___. Section 321.191, Code 2007, is amended
 32 by adding the following new subsection:
 33 NEW SUBSECTION. 11. RENEWAL NOTICE BY MAIL. The
 34 state department of transportation may assess a fee of
 35 up to one dollar for notification by first-class mail
 36 in advance of the period for renewal of a driver’s
 37 license, pursuant to section 321.196, subsection 1,
 38 paragraph “b”. Moneys collected from the fee assessed
 39 under this subsection are appropriated to the state
 40 department of transportation for the costs associated
 41 with the first-class mailings.
 42 Sec. ___. Section 321.196, subsection 1, Code
 43 2007, is amended to read as follows:”
 44 9. By renumbering as necessary.

MATT McCOY

S-3469

1 Amend House File 909, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 85, line 19, by striking the word “A”.
 4 2. Page 85, by striking lines 20 and 21 and
 5 inserting the following: “Any unobligated”.
 6 3. Page 85, line 30, by inserting after the word
 7 “~~individual~~.” the following: “A county may submit a
 8 preapproval application beginning on July 1 for the
 9 fiscal year of submission and the risk pool board
 10 shall notify the county of the risk pool board’s
 11 decision concerning the application within forty-five
 12 days of receiving the application.”

FRANK B. WOOD
 JACK HATCH

S-3470

1 Amend the amendment, S-3445, to House File 909, as
 2 amended, passed, and reprinted by the House, as
 3 follows:
 4 1. Page 2, line 19, by striking the figure
 5 “618,826,820” and inserting the following:
 6 “625,826,820”.
 7 2. Page 4, by inserting after line 3 the
 8 following:
 9 “___. Page 45, by striking lines 32 through 34
 10 and inserting the following:
 11 “c. (1) For the fiscal year beginning July 1,
 12 2007, reimbursement rates for inpatient and outpatient
 13 hospital services shall be increased to reflect the
 14 rebased inpatient and outpatient rates determined
 15 pursuant to 2005 Iowa Acts, chapter 175, section 29,
 16 subsection 1, paragraph “c”, for the fiscal year
 17 beginning July 1, 2005, and notwithstanding the
 18 limitation on funding specified in that paragraph “c”,
 19 the rebased amount shall be fully funded.””

JAMES A. SEYMOUR
 JERRY BEHN
 E. THURMAN GASKILL
 LARRY NOBLE
 PAUL McKINLEY
 BRAD ZAUN
 DAVID JOHNSON
 PAT WARD
 DAVID HARTSUCH
 MARK ZIEMAN
 NANCY J. BOETTGER
 JOHN PUTNEY
 LARRY McKIBBEN
 JEFF ANGELO
 RON WIECK
 STEVE KETTERING
 JAMES F. HAHN
 MARY A. LUNDBY

S-3471

1 Amend House File 909, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 124, by inserting after line 21 the
 4 following:
 5 “DIVISION ___
 6 BODY PIERCING AND MODIFICATION
 7 Sec. __ Section 135.37, Code 2007, is amended to
 8 read as follows:
 9 135.37 TATTOOING, BODY PIERCING, BODY MODIFICATION

10 — PERMIT REQUIREMENT — PARENTAL CONSENT — PENALTY.

11 1. A person shall not own, control and lease, act
 12 as an agent for, conduct, manage, or operate an
 13 establishment to practice the art of tattooing, body
 14 piercing, or body modification, or engage in the
 15 practice of tattooing, body piercing, or body
 16 modification, without first applying for and receiving
 17 a permit from the Iowa department of public health.

18 2. A minor shall not obtain a tattoo, or undergo a
 19 body piercing or body modification, and a person shall
 20 not provide a tattoo, body piercing, or body
 21 modification to a minor. ~~For the purposes of this~~
 22 ~~section, "minor" means an unmarried person who is~~
 23 ~~under the age of eighteen years.~~

24 2A. For the purposes of this section:

25 a. "Body modification" means for commercial
 26 purposes the permanent or semipermanent deliberate
 27 altering of the human body for nonmedical reasons.
 28 "Body modification" does not include tattooing or body
 29 piercing.

30 b. "Body piercing" means for commercial purposes
 31 the act of penetrating the skin to make a hole, mark,
 32 or scar. "Body piercing" does not include the use of
 33 a mechanized, presterilized, ear-piercing system that
 34 penetrates the outer perimeter or lobe of the ear, or
 35 both.

36 c. "Minor" means an unmarried person who is under
 37 the age of eighteen years.

38 3. A person who fails to meet the requirements of
 39 subsection 1 or a person providing a tattoo, body
 40 piercing, or body modification to a minor is guilty of
 41 ~~a serious an aggravated~~ misdemeanor.

42 4. The Iowa department of public health shall:

43 a. Adopt rules pursuant to chapter 17A and
 44 establish and collect all fees necessary to administer
 45 this section. The provisions of chapter 17A,
 46 including licensing provisions, judicial review, and
 47 appeal, shall apply to this chapter.

48 b. Establish minimum safety and sanitation
 49 criteria for the operation of tattooing, body
 50 piercing, and body modification establishments.

Page 2

1 5. If the Iowa department of public health
 2 determines that a provision of this section has been
 3 or is being violated, the department may order that a
 4 tattooing, body piercing, or body modification
 5 establishment not be operated until the necessary
 6 corrective action has been taken. If the
 7 establishment continues to be operated in violation of
 8 the order of the department, the department may

9 request that the county attorney or the attorney
 10 general make an application in the name of the state
 11 to the district court of the county in which the
 12 violations have occurred for an order to enjoin the
 13 violations and confiscate commercial property and
 14 equipment. This remedy is in addition to any other
 15 legal remedy available to the department.
 16 6. This section shall not apply to a procedure
 17 performed by a person licensed pursuant to chapter 148
 18 or 150A.”

19 2. By renumbering as necessary.

NANCY J. BOETTGER
 JERRY BEHN
 E. THURMAN GASKILL
 JAMES A. SEYMOUR
 PAUL McKINLEY
 LARRY NOBLE
 BRAD ZAUN
 DAVE MULDER
 DAVID JOHNSON
 PAT WARD
 JOHN PUTNEY
 DAVID HARTSUCH
 MARK ZIEMAN
 LARRY McKIBBEN
 RON WIECK
 STEVE KETTERING
 JAMES F. HAHN
 MARY A. LUNDBY

S-3472

1 Amend House File 909, as amended, passed, and
 2 reprinted by the House, as follows:

3 1. Page 76, by inserting after line 11 the
 4 following:

5 “Sec. ____ ADDITIONAL ALLOWED GROWTH FUNDING.

6 There is appropriated from the general fund of the
 7 state to the department of human services for the
 8 fiscal year beginning July 1, 2006, and ending June
 9 30, 2007, the following amount, or so much thereof as
 10 is necessary, to be used for the purposes designated:

11 To be distributed to counties in the succeeding
 12 fiscal year as additional funding for purposes of and
 13 in accordance with the provisions of 2006 Iowa Acts,
 14 chapter 1185, section 1, subsection 1A, as enacted by
 15 this division of this Act:

16 \$ 12,000,000

17 Notwithstanding section 8.33, moneys appropriated
 18 in this section that remain unencumbered or
 19 unobligated at the close of the fiscal year shall not

20 revert but shall remain available for expenditure for
 21 the purposes designated until the close of the
 22 succeeding fiscal year.”

23 2. Page 81, by inserting after line 25 the
 24 following:

25 “Sec. ____ EFFECTIVE DATE. The section of this
 26 division of this Act making an appropriation for the
 27 fiscal year beginning July 1, 2006, for purposes of
 28 additional allowed growth funding, being deemed of
 29 immediate importance, takes effect upon enactment.”

30 3. By renumbering as necessary.

BRAD ZAUN
 DAVE MULDER
 PAT WARD
 PAUL McKINLEY
 STEVE KETTERING
 DAVID HARTSUCH
 MARK ZIEMAN
 NANCY J. BOETTGER
 JOHN PUTNEY
 LARRY McKIBBEN
 MARY A. LUNDBY
 DAVID JOHNSON
 RON WIECK
 JEFF ANGELO
 E. THURMAN GASKILL
 LARRY NOBLE
 JERRY BEHN

S-3473

1 Amend House File 909, as amended, passed, and
 2 reprinted by the House, as follows:

3 1. Page 1, by striking lines 13 through 15 and
 4 inserting the following: “elderly, resident advocate
 5 committee”.

6 2. Page 65, by striking lines 15 through 17 and
 7 inserting the following: “senior living program,”.

8 3. Page 65, by striking lines 30 through 32 and
 9 inserting the following: “elderly waiver.”

DAVID JOHNSON
 JERRY BEHN
 E. THURMAN GASKILL
 JAMES A. SEYMOUR
 LARRY NOBLE
 PAUL McKINLEY
 BRAD ZAUN
 DAVE MULDER
 PAT WARD
 DAVID HARTSUCH

MARK ZIEMAN
NANCY J. BOETTGER
JOHN PUTNEY
LARRY McKIBBEN
JEFF ANGELO
RON WIECK
STEVE KETTERING
JAMES F. HAHN
MARY A. LUNDBY

S-3474

1 Amend House File 909, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 50, by inserting after line 17 the
4 following:
5 “12A. Notwithstanding any provision of this Act to
6 the contrary, for the fiscal period beginning July 1,
7 2007, the following providers and services shall be
8 provided reimbursement in an amount that is three
9 percent greater than the reimbursement amount in
10 effect on June 30, 2007: inpatient and outpatient
11 hospital services; disproportionate share hospitals,
12 indirect medical education and direct medical
13 education; home health services; physician services;
14 anesthesia services; psychiatric services; family
15 planning services; early periodic screening,
16 diagnosis, and treatment; dental services; optometric
17 services; supplies; ambulance services; practitioner
18 services; podiatric services; chiropractic services;
19 clinic services; community mental health centers; home
20 and community-based waiver services; the Iowa plan for
21 behavioral health; health maintenance organizations;
22 case management services; rehabilitative treatment
23 services; adult rehabilitative option services; and
24 pharmacy dispensing fees.”
25 2. Page 50, by inserting after line 19 the
26 following:
27 “Sec. ____ MEDICAL ASSISTANCE — PROVIDER
28 REIMBURSEMENT INCREASE. Notwithstanding section 8.57,
29 prior to the appropriation and distribution to the
30 senior living trust fund and the cash reserve fund of
31 the surplus existing in the general fund of the state
32 at the conclusion of the fiscal year beginning July 1,
33 2006, and ending June 30, 2007, pursuant to section
34 8.57, subsections 1 and 2, of that surplus,
35 \$14,497,989 is appropriated to the department of human
36 services to supplement the medical assistance
37 appropriation in this Act made from the general fund
38 of the state to be used for the purpose of increasing
39 provider reimbursement rates by 3 percent over the
40 rates in effect on June 30, 2007, in the succeeding

41 fiscal year as provided in this Act.”
 42 3. Page 63, by inserting after line 31 the
 43 following:
 44 “___ The provision relating to the appropriation
 45 from the surplus existing in the general fund of the
 46 state at the close of the fiscal year beginning July
 47 1, 2006, to supplement the medical assistance
 48 appropriation for the purpose of increasing
 49 reimbursement rates to providers under the medical
 50 assistance program for the succeeding fiscal year.”

Page 2

1 4. By renumbering as necessary.

DAVE MULDER
 JERRY BEHN
 E. THURMAN GASKILL
 JAMES A. SEYMOUR
 LARRY NOBLE
 PAUL McKINLEY
 BRAD ZAUN
 DAVID JOHNSON
 PAT WARD
 DAVID HARTSUCH
 MARK ZIEMAN
 NANCY J. BOETTGER
 JOHN PUTNEY
 LARRY McKIBBEN
 JEFF ANGELO
 RON WIECK
 JAMES F. HAHN
 STEVE KETTERING
 MARY A. LUNDBY

S-3475

1 Amend House File 909, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 47, by striking line 11 and inserting the
 4 following:
 5 “j. For the fiscal year”.
 6 2. Page 47, line 12, by striking the words “the
 7 average reimbursement rate for”.
 8 3. Page 47, by striking lines 15 through 17 and
 9 inserting the following: “pursuant to section
 10 249A.20, shall be reimbursed in accordance with that
 11 section.”

DAVID JOHNSON
 JERRY BEHN
 E. THURMAN GASKILL

JAMES A. SEYMOUR
 LARRY NOBLE
 PAUL McKINLEY
 BRAD ZAUN
 PAT WARD
 DAVID HARTSUCH
 MARK ZIEMAN
 NANCY J. BOETTGER
 JOHN PUTNEY
 LARRY McKIBBEN
 JEFF ANGELO
 RON WIECK
 STEVE KETTERING
 JAMES F. HAHN
 MARY A. LUNDBY

S-3476

- 1 Amend House File 909, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 20, by inserting after line 28 the
 4 following:
 5 "1A. Medically necessary abortions do not include
 6 partial birth abortions as defined in section 707.8A."
 7 2. By renumbering as necessary.

DAVID JOHNSON
 JERRY BEHN
 E. THURMAN GASKILL
 JAMES A. SEYMOUR
 LARRY NOBLE
 PAUL McKINLEY
 BRAD ZAUN
 DAVE MULDER
 PAT WARD
 DAVID HARTSUCH
 MARK ZIEMAN
 NANCY J. BOETTGER
 JOHN PUTNEY
 LARRY McKIBBEN
 JEFF ANGELO
 RON WIECK
 STEVE KETTERING
 JAMES F. HAHN
 MARY A. LUNDBY

S-3477

- 1 Amend House File 909, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 124, by inserting after line 21 the
 4 following:

“DIVISION ___

PREADOPTIVE CARE PROVIDERS

Sec. ___. Section 232.91, subsection 3, Code 2007, is amended to read as follows:

3. Any person who is entitled under section 232.88 to receive notice of a hearing concerning a child shall be given the opportunity to be heard in any other review or hearing involving the child. A foster parent, relative, or other individual with whom a child has been placed for preadoptive care shall have the right to be heard in any proceeding involving the child.

Sec. ___. Section 232.116, subsection 2, paragraph c, Code 2007, is amended to read as follows:

~~c. For a child who has been placed in foster family care, any~~ The relevant testimony or written statement provided by the child's foster parents that a foster parent, relative, or other individual with whom the child has been placed for preadoptive care or other care has a right to provide to the court.”

2. By renumbering as necessary.

KEITH A. KREIMAN

S-3478

Amend House File 909, as amended, passed, and reprinted by the House, as follows:

1. Page 50, by inserting after line 19 the following:

“Sec. ___. MEDICAL ASSISTANCE — HOSPITAL REIMBURSEMENT. Notwithstanding section 8.57, prior to the appropriation and distribution to the senior living trust fund and the cash reserve fund of the surplus existing in the general fund of the state at the conclusion of the fiscal year beginning July 1, 2006, and ending June 30, 2007, pursuant to section 8.57, subsections 1 and 2, of that surplus, \$2,061,630 is appropriated to the department of human services to supplement the medical assistance appropriation in this Act made from the general fund of the state to be used for the purpose of providing hospital reimbursement rates pursuant to section 249A.19A, in the succeeding fiscal year as provided in this Act.”

2. Page 54, by inserting after line 14 the following:

“Sec. ___. NEW SECTION. 249A.19A HOSPITAL REIMBURSEMENT.

Beginning July 1, 2007, the department shall reimburse hospitals as defined in section 135B.1 for provision of services under the medical assistance program at the reimbursement rate allowed under the Medicare program for the same service, subject to the

28 medical assistance program upper payment limit. The
29 reimbursement rate shall be adjusted annually, on July
30 1, in accordance with the requirements of this section
31 and shall provide for reimbursement that is not less
32 than the reimbursement provided under the Medicare
33 program, subject to the medical assistance program
34 upper payment limit.”

35 3. Page 63, by inserting after line 31 the
36 following:

37 “___ The provision relating to the appropriation
38 from the surplus existing in the general fund of the
39 state at the close of the fiscal year beginning July
40 1, 2006, to supplement the medical assistance
41 appropriation for the purpose of providing hospital
42 reimbursement rates pursuant to section 249A.19A, as
43 enacted in this Act.”

MARK ZIEMAN
JERRY BEHN
E. THURMAN GASKILL
JAMES A. SEYMOUR
LARRY NOBLE
PAUL McKINLEY
MARY A. LUNDBY
JAMES F. HAHN
STEVE KETTERING
RON WIECK
JEFF ANGELO
JOHN PUTNEY
BRAD ZAUN
DAVID JOHNSON
PAT WARD
DAVID HARTSUCH
MARK ZIEMAN
NANCY J. BOETTGER
LARRY McKIBBEN

S-3479

1 Amend House File 909, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 45, line 14, by striking the figure
4 “4.52” and inserting the following: “5.52”.

JEFF ANGELO
JERRY BEHN
E. THURMAN GASKILL
JAMES A. SEYMOUR
LARRY NOBLE
PAUL McKINLEY
BRAD ZAUN
DAVE MULDER

DAVID JOHNSON
 PAT WARD
 DAVID HARTSUCH
 MARK ZIEMAN
 NANCY J. BOETTGER
 JOHN PUTNEY
 LARRY McKIBBEN
 RON WIECK
 STEVE KETTERING
 JAMES F. HAHN
 MARY A. LUNDBY

S-3480

1 Amend the amendment, S-3445, to House File 909, as
 2 amended, passed, and reprinted by the House, as
 3 follows:

4 1. Page 2, by inserting after line 28 the
 5 following:

6 “___ Page 23, by inserting after line 35 the
 7 following:

8 “Sec. ___. MEDICAL ASSISTANCE FULL FUNDING. In
 9 addition to any other funding appropriated in this
 10 division of this Act for medical assistance, there is
 11 appropriated from the general fund of the state to the
 12 department of human services for the fiscal year
 13 beginning July 1, 2007, and ending June 30, 2008, the
 14 following amount, or so much thereof as is necessary,
 15 for the purpose designated:

16 For fully funding the medical assistance program:
 17 \$ 11,950,000”

18 2. By renumbering as necessary.

JEFF ANGELO
 JERRY BEHN
 E. THURMAN GASKILL
 JAMES A. SEYMOUR
 LARRY NOBLE
 PAUL McKINLEY
 BRAD ZAUN
 DAVE MULDER
 DAVID JOHNSON
 PAT WARD
 DAVID HARTSUCH
 MARK ZIEMAN
 JOHN PUTNEY
 NANCY J. BOETTGER
 LARRY McKIBBEN
 RON WIECK
 STEVE KETTERING
 JAMES F. HAHN
 MARY A. LUNDBY

S-3481

1 Amend House File 909, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 104, by inserting after line 19 the
4 following:

5 "Sec. ____ Section 155A.3, Code 2007, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. 7A. "Current usual and customary
8 retail price" means the actual price that a pharmacy
9 charges a retail purchaser without prescription drug
10 coverage for a prescription drug at the listed dosage,
11 and does not include discounts, special promotions, or
12 other programs initiated to reduce prices for product
13 costs available to the general public or to a special
14 population.

15 Sec. ____ NEW SECTION. 155A.42 PRESCRIPTION DRUG
16 RETAIL PRICE COMPARISON — INTERNET SITE.

17 1. The office of the attorney general shall create
18 and operate a prescription drug retail price
19 comparison internet site accessible by the general
20 public to educate consumers about the retail prices of
21 prescription drugs. The retail price information
22 provided shall include information from the
23 prescription drug retail price disclosure lists
24 reported by participating pharmacies under this
25 section. Participation by a pharmacy shall be
26 voluntary. The information provided shall be
27 organized in a format that is conducive to review and
28 comparison by consumers and which allows consumers to
29 search by locality and by both brand name and generic
30 name.

31 2. The board shall prepare the prescription drug
32 retail price disclosure list on an annual basis. The
33 list shall be a compilation of the twenty-five most
34 frequently dispensed drugs together with their usual
35 dosages. The list shall be available to all
36 participating pharmacies in both printed and
37 electronic formats.

38 3. A participating pharmacy shall compile a
39 prescription drug retail price disclosure list which
40 shall contain the prescription drugs on the list
41 provided by the board and the pharmacy's corresponding
42 current usual and customary retail prices for all of
43 the prescription drugs. A participating pharmacy
44 shall update its prescription drug retail price
45 disclosure list at least once every three months, and
46 shall provide the list to any person upon request.
47 The pharmacy shall also report the information
48 included on the list to the office of the attorney
49 general every three months in a form and manner
50 established by the office of the attorney general."

1 2. By renumbering as necessary.

JAMES A. SEYMOUR
 JERRY BEHN
 E. THURMAN GASKILL
 LARRY NOBLE
 PAUL McKINLEY
 BRAD ZAUN
 DAVID JOHNSON
 PAT WARD
 DAVE MULDER
 MARK ZIEMAN
 NANCY J. BOETTGER
 JOHN PUTNEY
 LARRY McKIBBEN
 JEFF ANGELO
 RON WIECK
 STEVE KETTERING
 JAMES F. HAHN
 MARY A. LUNDBY

S-3482

1 Amend House File 909, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 124, by inserting after line 21 the
4 following:

5 “DIVISION ____
 6 PROVIDER APPEALS

7 Sec. ____ NEW SECTION. 217.41B PROVIDER APPEALS
 8 — FINAL DECISION.

9 1. a. Notwithstanding any conflicting provision
 10 of chapter 17A, when an administrative law judge,
 11 assigned by the division of administrative hearings in
 12 accordance with the provisions of section 10A.801, is
 13 the presiding officer at a provider appeal hearing as
 14 described in subsection 2, the administrative law
 15 judge shall make a proposed decision that shall
 16 include findings of fact and conclusions of law,
 17 separately stated.

18 b. When the presiding officer makes a proposed
 19 decision, that decision then becomes the final
 20 decision of the department, and shall meet the
 21 requirements of a final decision pursuant to section
 22 17A.16, without further proceedings, unless there is
 23 an appeal to, or review on motion of, the department
 24 within the time provided by rule.

25 c. On appeal or review of the proposed decision,
 26 the department may only reject or modify the presiding
 27 officer’s findings of fact and conclusions of law if
 28 the department states, with particularity, the
 29 department’s reasons for rejecting or modifying each

30 finding of fact and conclusion of law.

31 (1) The department may only reject or modify
32 findings of fact if the department first determines
33 from a review of the entire record, and states with
34 particularity in the order, that the findings of fact
35 were clearly erroneous in view of the reliable,
36 probative, and substantial evidence on the record as a
37 whole, or that the proceedings on which the findings
38 were based did not comply with the essential
39 requirements of law.

40 (2) The department may only reject or modify the
41 conclusions of law if the department first determines
42 from a review of the entire record, and states with
43 particularity in the order, that the conclusions of
44 law were clearly erroneous in view of the reliable,
45 probative, and substantial evidence on the record as a
46 whole.

47 (3) Rejection or modification of conclusions of
48 law shall not form the basis for rejection or
49 modification of findings of fact.

50 d. A party to a provider appeal hearing as

Page 2

1 described in subsection 2 may file a request for
2 rehearing pursuant to section 17A.16.

3 e. A party who is aggrieved or adversely affected
4 by a final decision under this section is entitled to
5 judicial review as provided in section 17A.19.

6 2. A provider appeal hearing shall be available to
7 a provider, if any of the following conditions, which
8 constitutes a contested case, is met:

9 a. The provider's license, certification,
10 registration, approval, or accreditation has been
11 denied or revoked or has not been acted upon in a
12 timely manner.

13 b. The provider's claim for payment or request for
14 prior authorization for payment has been denied.

15 c. The provider's contract as a medical assistance
16 patient manager has been terminated.

17 d. The provider has been notified that an
18 overpayment has been established and repayment is
19 requested.

20 e. The provider has been notified that the
21 reconsideration process has been exhausted and the
22 provider is not satisfied with the result.

23 f. The provider's claim for payment was not made
24 according to department policy.

25 g. The provider's application for a child care
26 quality rating has not been acted upon in a timely
27 manner, the provider disagrees with the department's
28 quality rating decision, or the provider's certificate

29 of quality rating has been revoked.
 30 3. For purposes of this subsection, "provider"
 31 means provider as defined in section 249A.2 or a
 32 provider of child care as defined in section 237A.1."
 33 2. By renumbering as necessary.

DAVID JOHNSON
 JERRY BEHN
 E. THURMAN GASKILL
 JAMES A. SEYMOUR
 LARRY NOBLE
 PAUL McKINLEY
 BRAD ZAUN
 PAT WARD
 JAMES F. HAHN
 DAVID HARTSUCH
 MARK ZIEMAN
 NANCY J. BOETTGER
 JOHN PUTNEY
 LARRY McKIBBEN
 JEFF ANGELO
 RON WIECK
 STEVE KETTERING
 MARY A. LUNDBY

S-3483

1 Amend the amendment, S-3445, to House File 909, as
 2 amended, passed, and reprinted by the House, as
 3 follows:
 4 1. Page 1, by inserting after line 2 the
 5 following:
 6 " _____. Page 5, line 16, by striking the word "if"
 7 and inserting the following: "as".
 8 _____. Page 6, by striking lines 10 through 12 and
 9 inserting the following: "shall be used to administer
 10 or implement the information and"."
 11 2. Page 1, line 14, by striking the words "Polk
 12 county" and inserting the following: "the fifth
 13 judicial district".
 14 3. Page 1, line 20, by inserting after the word
 15 "self-sufficiency" the following: "grant".
 16 4. Page 1, by inserting after line 25 the
 17 following:
 18 "_____. Page 9, by striking lines 27 through 30 and
 19 inserting the following: "of the United States, in
 20 accordance with section 35A.15, as enacted by 2007
 21 Iowa Acts, Senate File 407:""
 22 5. Page 1, by striking lines 37 and 38 and
 23 inserting the following: "services other than family
 24 self-sufficiency grant services allocated".
 25 6. By striking page 1, line 46, through page 2,

- 26 line 1.
- 27 7. Page 3, line 23, by striking the word
- 28 “additionally” and inserting the following: “, after
- 29 consultation with the governor and the general
- 30 assembly.”.
- 31 8. Page 3, by inserting after line 30 the
- 32 following:
- 33 “____. Page 33, line 31, by striking the words
- 34 “and related”.”
- 35 9. By striking page 3, line 50, through page 4,
- 36 line 3.
- 37 10. Page 6, line 26, by inserting after the word
- 38 “promotion.” the following: “Of the funds allocated
- 39 in this lettered paragraph, \$255,000 may be utilized
- 40 by the department for administrative purposes.”
- 41 11. Page 6, by inserting after line 26 the
- 42 following:
- 43 “____. Page 95, by striking lines 25 and 26.”
- 44 12. Page 6, line 28, by striking the figure
- 45 “877,500” and inserting the following: “687,500”.
- 46 13. Page 6, line 44, by inserting after the word
- 47 “children.” the following: “The department may enter
- 48 into a contract to administer this paragraph.”
- 49 14. Page 6, by striking lines 45 through 48.
- 50 15. Page 7, line 37, by striking the figure

Page 2

- 1 “78,156,357” and inserting the following:
- 2 “78,165,357”.
- 3 16. Page 7, by inserting after line 40 the
- 4 following:
- 5 “Sec. ____ DEPARTMENT OF MANAGEMENT — COMMUNITY
- 6 EMPOWERMENT OFFICE. There is appropriated from the
- 7 health care trust fund created in section 453A.35A to
- 8 the department of management for the fiscal year
- 9 beginning July 1, 2007, and ending June 30, 2008, the
- 10 following amount, or so much thereof as is necessary,
- 11 for the purposes designated:
- 12 For the community empowerment office to implement
- 13 the families with a newborn child voluntary home
- 14 visits program pursuant to section 28.11, as enacted
- 15 by this Act, and for not more than the following
- 16 full-time equivalent positions:
- 17 \$ 190,000
- 18 FTEs 1.00”
- 19 17. Page 8, line 3, by striking the word
- 20 “fifth.”.
- 21 18. Page 8, line 4, by striking the words “and
- 22 seventh” and inserting the following: “seventh, and
- 23 eighth”.
- 24 19. Page 8, line 6, by striking the word “eighth”

25 and inserting the following: “fifth”.

26 20. Page 8, by striking lines 24 and 25.

27 21. Page 8, by inserting before line 26, the
28 following:

29 “___ . Page 117, by striking lines 24 through 29

30 and inserting the following:

31 “Sec. ___ . FUNDING — CONTINGENCY.

32 1. The provision in this division of this Act
33 relating to eligibility for certain persons with
34 disabilities under the medical assistance program
35 shall only be implemented if the department of human
36 services determines that funding is available in
37 appropriations made in this Act, in combination with
38 federal allocations to the state, for the state
39 children’s health insurance program, in excess of the
40 amount needed to cover the current and projected
41 enrollment under the state children’s health insurance
42 program. If such a determination is made, the
43 department of human services shall transfer funding
44 from the appropriations made in this Act for the state
45 children’s health insurance program, not otherwise
46 required for that program, to the appropriations made
47 in this Act for medical assistance, as necessary, to
48 implement such provision of this division of this Act.

49 2. The provision in this division of this Act
50 relating to the development and support of a

Page 3

1 family-to-family health information center shall be
2 implemented only if discretionary funding is received
3 from the health resources and services administration
4 of the United States department of health and human
5 services for this purpose.”

6 22. By striking page 33, line 26, through page
7 34, line 17, and inserting the following:

8 “Sec. ___ . NEW SECTION. 28.11 HOUSEHOLDS WITH A
9 NEWBORN CHILD — VOLUNTARY HOME VISITS.

10 1. a. The Iowa empowerment board shall develop a
11 program with the goal of offering all households in
12 the state with a newborn child a voluntary home visit.
13 The components of the home visit shall include but are
14 not limited to assessing the child’s home environment,
15 identifying the family and child needs and the
16 services that could appropriately meet those needs,
17 and assisting the family in accessing appropriate
18 services.

19 b. The Iowa board shall coordinate with existing
20 programs that provide home-based instruction or
21 support to households with a newborn child as
22 necessary to make the best use of resources while
23 expanding the availability of home visits.

24 2. All of the following requirements shall apply
 25 to services provided under the program:
 26 a. Home visits shall be made by qualified and
 27 trained staff.
 28 b. Staff shall demonstrate a capacity to
 29 competently complete home visits, including the
 30 ability to identify family and child needs and
 31 facilitate referrals to and interventions by other
 32 resources available in the community, based upon needs
 33 identified during a home visit.
 34 c. The program shall have a plan for implementing
 35 a cooperative arrangement with local hospitals and
 36 birthing centers for the hospitals and centers to
 37 provide referral information for contacting families
 38 with a newborn child.
 39 d. The program shall incorporate performance
 40 measures and provide for reporting of outcome measures
 41 on a regular basis, both as identified by the Iowa
 42 board.
 43 3. The Iowa board shall implement the provisions
 44 of this section subject to the funding provided for
 45 purposes of this section.”
 46 23. By renumbering as necessary.

JACK HATCH

S-3484

1 Amend Senate File 604 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 “DIVISION I
 5 COMMERCIAL PROPERTY TAX CREDIT
 6 Section 1. NEW SECTION. 422.11T COMMERCIAL
 7 PROPERTY TAX CREDIT.
 8 1. The taxes imposed under this division, less the
 9 credits allowed under sections 422.12 and 422.12B,
 10 shall be reduced by a commercial property tax credit.
 11 To qualify for this credit, the taxpayer shall have
 12 paid property tax during the tax year levied on
 13 property that is assessed as improved commercial
 14 property for property tax purposes, and the assessed
 15 value of such improved commercial property owned by
 16 the taxpayer does not exceed, in the aggregate
 17 statewide, three hundred thousand dollars.
 18 For purposes of this section, “improved commercial
 19 property” means land containing one or more structures
 20 that are being put to productive use.
 21 2. The total amount of tax credit that may be
 22 claimed by a taxpayer equals three hundred twenty
 23 dollars.
 24 3. The amount of the tax credit claimed under this

25 section shall not be deducted in computing the
26 taxpayer's taxable income for state income tax
27 purposes.

28 4. Any credit in excess of the tax liability shall
29 be refunded with interest computed under section
30 422.25. In lieu of claiming a refund, a taxpayer may
31 elect to have the overpayment shown on the taxpayer's
32 final, completed return credited to the tax liability
33 for the following tax year.

34 5. An individual may claim the tax credit allowed
35 a partnership, limited liability company, S
36 corporation, estate, or trust electing to have the
37 income taxed directly to the individual. The amount
38 claimed by the individual shall be based upon the pro
39 rata share of the individual's earnings of the
40 partnership, limited liability company, S corporation,
41 estate, or trust.

42 6. This section is repealed January 1, 2012, for
43 the tax years beginning on or after that date.

44 Sec. 2. Section 422.33, Code 2007, is amended by
45 adding the following new subsection:

46 NEW SUBSECTION. 24. a. The taxes imposed under
47 this division shall be reduced by a commercial
48 property tax credit. To qualify for this credit, the
49 taxpayer shall have paid property tax during the tax
50 year levied on property that is assessed as improved

Page 2

1 commercial property for property tax purposes, and the
2 assessed value of such improved commercial property
3 owned by the taxpayer does not exceed, in the
4 aggregate statewide, three hundred thousand dollars.

5 For purposes of this subsection, "improved
6 commercial property" means land containing one or more
7 structures that are being put to productive use.

8 b. The total amount of credit that may be claimed
9 by a taxpayer equals three hundred twenty dollars.
10 For corporations that file a consolidated Iowa return
11 in accordance with section 422.37, each corporation
12 filing on the consolidated return that paid commercial
13 property tax during the tax year may claim the maximum
14 tax credit.

15 c. The amount of the tax credit claimed under this
16 subsection shall not be deducted in computing the
17 taxpayer's taxable income for state income tax
18 purposes. For corporations that file a consolidated
19 Iowa return in accordance with section 422.37, each
20 corporation filing on the consolidated return that
21 claimed the credit shall not deduct the amount of the
22 tax credit claimed by it for state income tax
23 purposes.

24 d. Any credit in excess of the tax liability shall
25 be refunded with interest computed under section
26 422.25. In lieu of claiming a refund, a taxpayer may
27 elect to have the overpayment shown on the taxpayer's
28 final, completed return credited to the tax liability
29 for the following tax year.

30 e. This subsection is repealed January 1, 2012,
31 for tax years beginning on or after that date.

32 Sec. 3. EFFECTIVE AND RETROACTIVE APPLICABILITY
33 DATES. This division of this Act, being deemed of
34 immediate importance, takes effect upon enactment and
35 applies retroactively to January 1, 2007, for tax
36 years beginning on or after that date.

37 DIVISION II

38 ASSESSMENT OF PROPERTY

39 Sec. 4. Section 441.21, subsection 5, Code 2007,
40 is amended to read as follows:

41 5. For valuations established as of January 1,
42 1979, commercial property and industrial property,
43 excluding properties referred to in section 427A.1,
44 subsection 8, shall be assessed as a percentage of the
45 actual value of each class of property. The
46 percentage shall be determined for each class of
47 property by the director of revenue for the state in
48 accordance with the provisions of this section. For
49 valuations established as of January 1, 1979, the
50 percentage shall be the quotient of the dividend and

Page 3

1 divisor as defined in this section. The dividend for
2 each class of property shall be the total actual
3 valuation for each class of property established for
4 1978, plus six percent of the amount so determined.
5 The divisor for each class of property shall be the
6 valuation for each class of property established for
7 1978, as reported by the assessors on the abstracts of
8 assessment for 1978, plus the amount of value added to
9 the total actual value by the revaluation of existing
10 properties in 1979 as equalized by the director of
11 revenue pursuant to section 441.49. For valuations
12 established as of January 1, 1979, property valued by
13 the department of revenue pursuant to chapters 428,
14 433, 437, and 438 shall be considered as one class of
15 property and shall be assessed as a percentage of its
16 actual value. The percentage shall be determined by
17 the director of revenue in accordance with the
18 provisions of this section. For valuations
19 established as of January 1, 1979, the percentage
20 shall be the quotient of the dividend and divisor as
21 defined in this section. The dividend shall be the
22 total actual valuation established for 1978 by the

23 department of revenue, plus ten percent of the amount
24 so determined. The divisor for property valued by the
25 department of revenue pursuant to chapters 428, 433,
26 437, and 438 shall be the valuation established for
27 1978, plus the amount of value added to the total
28 actual value by the revaluation of the property by the
29 department of revenue as of January 1, 1979. For
30 valuations established as of January 1, 1980,
31 commercial property and industrial property, excluding
32 properties referred to in section 427A.1, subsection
33 8, shall be assessed at a percentage of the actual
34 value of each class of property. The percentage shall
35 be determined for each class of property by the
36 director of revenue for the state in accordance with
37 the provisions of this section. For valuations
38 established as of January 1, 1980, the percentage
39 shall be the quotient of the dividend and divisor as
40 defined in this section. The dividend for each class
41 of property shall be the dividend as determined for
42 each class of property for valuations established as
43 of January 1, 1979, adjusted by the product obtained
44 by multiplying the percentage determined for that year
45 by the amount of any additions or deletions to actual
46 value, excluding those resulting from the revaluation
47 of existing properties, as reported by the assessors
48 on the abstracts of assessment for 1979, plus four
49 percent of the amount so determined. The divisor for
50 each class of property shall be the total actual value

Page 4

1 of all such property in 1979, as equalized by the
2 director of revenue pursuant to section 441.49, plus
3 the amount of value added to the total actual value by
4 the revaluation of existing properties in 1980. The
5 director shall utilize information reported on the
6 abstracts of assessment submitted pursuant to section
7 441.45 in determining such percentage. For valuations
8 established as of January 1, 1980, property valued by
9 the department of revenue pursuant to chapters 428,
10 433, 437, and 438 shall be assessed at a percentage of
11 its actual value. The percentage shall be determined
12 by the director of revenue in accordance with the
13 provisions of this section. For valuations
14 established as of January 1, 1980, the percentage
15 shall be the quotient of the dividend and divisor as
16 defined in this section. The dividend shall be the
17 total actual valuation established for 1979 by the
18 department of revenue, plus eight percent of the
19 amount so determined. The divisor for property valued
20 by the department of revenue pursuant to chapters 428,
21 433, 437, and 438 shall be the valuation established

22 for 1979, plus the amount of value added to the total
23 actual value by the revaluation of the property by the
24 department of revenue as of January 1, 1980. For
25 valuations established as of January 1, 1981, and each
26 year thereafter, the percentage of actual value as
27 equalized by the director of revenue as provided in
28 section 441.49 at which commercial property and
29 industrial property, excluding properties referred to
30 in section 427A.1, subsection 8, shall be assessed
31 shall be calculated in accordance with the methods
32 provided herein, except that any references to six
33 percent in this subsection shall be four percent. For
34 valuations established as of January 1, 2008, the
35 percentage of actual value as equalized by the
36 director of revenue as provided in section 441.49 at
37 which commercial property and industrial property,
38 excluding properties referred to in section 427A.1,
39 subsection 8, shall be assessed shall be calculated in
40 accordance with the methods provided herein, except
41 that any references to six percent in this subsection
42 shall be three percent. For valuations established as
43 of January 1, 2009, the percentage of actual value as
44 equalized by the director of revenue as provided in
45 section 441.49 at which commercial property and
46 industrial property, excluding properties referred to
47 in section 427A.1, subsection 8, shall be assessed
48 shall be calculated in accordance with the methods
49 provided herein, except that any references to six
50 percent in this subsection shall be two percent. For

Page 5

1 valuations established as of January 1, 2010, and each
2 year thereafter, the percentage of actual value as
3 equalized by the director of revenue as provided in
4 section 441.49 at which commercial property and
5 industrial property, excluding properties referred to
6 in section 427A.1, subsection 8, shall be assessed
7 shall be calculated in accordance with the methods
8 provided herein, except that any references to six
9 percent in this subsection shall be one percent. For
10 valuations established as of January 1, 1981, and each
11 year thereafter, the percentage of actual value at
12 which property valued by the department of revenue
13 pursuant to chapters 428, 433, 437, and 438 shall be
14 assessed shall be calculated in accordance with the
15 methods provided herein, except that any references to
16 ten percent in this subsection shall be eight percent.
17 Beginning with valuations established as of January 1,
18 1979, and each year thereafter, property valued by the
19 department of revenue pursuant to chapter 434 shall
20 also be assessed at a percentage of its actual value

21 which percentage shall be equal to the percentage
 22 determined by the director of revenue for commercial
 23 property, industrial property, or property valued by
 24 the department of revenue pursuant to chapters 428,
 25 433, 437, and 438, whichever is lowest.

26 DIVISION III

27 PROPERTY TAX STUDY

28 Sec. 5. LEGISLATIVE PROPERTY TAX STUDY COMMITTEE.

29 1. A legislative property tax study committee is
 30 established. The study committee shall conduct a
 31 comprehensive review of property taxation in Iowa
 32 including but not limited to the continued use of
 33 property taxes as a major funding source for local
 34 governments and for local school districts in Iowa,
 35 the classification and assessment of property for
 36 property tax purposes and the impact of the tie
 37 between residential and agricultural property
 38 assessments, the level of consistency employed in
 39 classifying and assessing property for property tax
 40 purposes, the various exemptions and credits currently
 41 available to property taxpayers and the impact on
 42 local government and state budgets and on other
 43 taxpayers of providing those credits and exemptions,
 44 and the use of property taxes as an economic
 45 development tool and the impact on local and state
 46 government budgets and on other taxpayers of such use.
 47 In its study, the committee shall address the goals of
 48 property tax simplification and equity.

49 2. a. The committee shall be comprised of the
 50 following voting members:

Page 6

1 (1) Five members who are members of the senate,
 2 three of whom shall be appointed by the majority
 3 leader of the senate and two of whom shall be
 4 appointed by the minority leader of the senate.

5 (2) Five members who are members of the house of
 6 representatives, three of whom shall be appointed by
 7 the speaker of the house of representatives and two of
 8 whom shall be appointed by the minority leader of the
 9 house of representatives.

10 b. The committee shall be comprised of the
 11 following nonvoting members who shall be appointed by
 12 the majority leader of the senate and the speaker of
 13 the house of representatives in consultation with the
 14 minority leaders of the senate and the house of
 15 representatives:

16 (1) One member from an association representing
 17 Iowa counties.

18 (2) One member from an association representing
 19 Iowa cities.

- 20 (3) One member from an association representing
21 Iowa school boards.
- 22 (4) One member from an association representing
23 agricultural property taxpayers.
- 24 (5) One member from an association representing
25 Iowa commercial property taxpayers.
- 26 (6) One member from an association representing
27 Iowa industrial taxpayers.
- 28 (7) One member representing residential taxpayers.
- 29 (8) One member from an association representing
30 Iowa telecommunications property taxpayers.
- 31 (9) Representatives of other interests as
32 designated by the legislative council.
- 33 c. The committee shall be comprised of the
34 following nonvoting members who shall be appointed by
35 the governor:
- 36 (1) A representative employed by the department of
37 management.
- 38 (2) A representative employed by the department of
39 revenue.
- 40 (3) A representative employed by the department of
41 economic development.
- 42 3. The property tax study committee shall meet
43 during the 2007 and 2008 legislative interims at the
44 call of the chairperson. The committee is authorized
45 to hold as many meetings as the committee deems
46 necessary.
- 47 4. The property tax study committee may contract
48 with one or more tax consultants or experts familiar
49 with the Iowa property tax system. The legislative
50 council, pursuant to its authority in section 2.42,

Page 7

- 1 may allocate to the study committee funding from
2 moneys available to it in section 2.12 for the purpose
3 of contracting with the consultant or expert.
- 4 5. The property tax study committee shall submit a
5 final report to the general assembly on or before
6 January 5, 2009. The final report shall include but
7 not be limited to findings, analyses, and
8 recommendations by the committee.”
- 9 2. Title page, by striking lines 1 through 6 and
10 inserting the following: “An Act relating to state
11 and local budgets and taxes by authorizing a
12 commercial property tax credit for individual and
13 corporate income tax, reducing the assessment
14 limitation for commercial and industrial property,
15 establishing a legislative property tax study

16 committee, and including effective and retroactive
17 applicability date provisions.”
18 3. By renumbering as necessary.

JEFF ANGELO

S-3485

1 Amend House File 911, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 6, by inserting after line 3 the
4 following:
5 “(1) It is the intent of the general assembly that
6 the department of natural resources shall implement
7 the lake restoration annual report and plan submitted
8 to the joint appropriations subcommittee on
9 transportation, infrastructure, and capitals and the
10 legislative services agency on December 26, 2006,
11 pursuant to section 456A.33B. The lake restoration
12 projects that are recommended by the department to
13 receive funding for fiscal year 2007–2008 and that
14 satisfy the criteria in section 456A.33B, including
15 local commitment of funding for the projects, shall be
16 funded in the amounts provided in the report.

17 Of the amounts appropriated in this lettered
18 paragraph, at least the following amounts shall be
19 allocated as follows:

20 (a) For clear lake in Cerro Gordo county:		
21	\$	2,500,000
22 (b) For storm lake in Buena Vista county:		
23	\$	1,000,000
24 (c) For crystal lake in Hancock county:		
25	\$	250,000”

26 2. Page 6, line 4, by inserting before the word
27 “Of” the following: “(2)”.

28 3. Page 6, line 9, by striking the figure “(1)”
29 and inserting the following: “(a)”.

30 4. Page 6, line 14, by striking the figure “(2)”
31 and inserting the following: “(b)”.

32 5. By renumbering as necessary.

AMANDA RAGAN
E. THURMAN GASKILL

S-3486

1 Amend Senate File 604 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 “Section 1. NEW SECTION. 422.11T INCOME TAX
5 CREDIT FOR CERTAIN RENTERS.
6 1. The taxes imposed under this division, less the

7 credits allowed under sections 422.12 and 422.12B,
8 shall be reduced by a renters tax credit. The tax
9 credit shall not exceed an amount equal to ten percent
10 of the total rent paid by the taxpayer for lease of
11 property described in section 441.21, subsection 13,
12 during the tax year.

13 2. Any credit in excess of the tax liability shall
14 be refunded with interest computed under section
15 422.25. In lieu of claiming a refund, a taxpayer may
16 elect to have the overpayment shown on the taxpayer's
17 final, completed return credited to the tax liability
18 for the following tax year.

19 3. An individual may claim the tax credit allowed
20 a partnership, limited liability company, S
21 corporation, estate, or trust electing to have the
22 income taxed directly to the individual. The amount
23 claimed by the individual shall be based upon the pro
24 rata share of the individual's earnings of the
25 partnership, limited liability company, S corporation,
26 estate, or trust.

27 Sec. ____. Section 422.33, Code 2007, is amended by
28 adding the following new subsection:

29 NEW SUBSECTION. 24. a. The taxes imposed under
30 this division shall be reduced by a renters tax
31 credit. The tax credit shall not exceed an amount
32 equal to ten percent of the total rent paid by the
33 taxpayer for lease of property described in section
34 441.21, subsection 13, during the tax year.

35 b. For corporations that file a consolidated Iowa
36 return in accordance with section 422.37, each
37 corporation filing on the consolidated return that
38 paid rent for lease of property described in section
39 441.21, subsection 13, during the tax year may claim
40 the tax credit.

41 c. Any credit in excess of the tax liability shall
42 be refunded with interest computed under section
43 422.25. In lieu of claiming a refund, a taxpayer may
44 elect to have the overpayment shown on the taxpayer's
45 final, completed return credited to the tax liability
46 for the following tax year."

47 2. Page 4, by inserting before line 8 the
48 following:

49 "Sec. ____. APPLICABILITY. The sections of this
50 Act enacting new Code section 422.11T and amending

Page 2

1 Code section 422.33 apply to tax years beginning on or
2 after January 1, 2009."

3 3. Title page, line 1, by striking the words "to
4 the" and inserting the following: "to income and
5 property taxes by creating an income tax credit for

- 6 certain renters and by establishing the minimum”.
- 7 4. Title page, line 6, by inserting after the
- 8 word “cities” the following: “and including an
- 9 applicability provision”.
- 10 5. By renumbering as necessary.

LARRY McKIBBEN

S-3487

HOUSE AMENDMENT TO
SENATE FILE 427

- 1 Amend Senate File 427, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 4, by striking the words
- 4 “identity, appearance, expression, or behavior” and
- 5 inserting the following: “identity”.
- 6 2. Page 8, by inserting after line 4 the
- 7 following:
- 8 “Sec. . NEW SECTION. 216.21 CONSTRUCTION OF
- 9 CHAPTER.
- 10 This chapter shall not be construed to allow
- 11 marriage between persons of the same sex, in
- 12 accordance with chapter 595.”
- 13 3. By renumbering as necessary.

S-3488

- 1 Amend Senate File 455 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 “DIVISION I
- 5 CRIMINAL PENALTIES
- 6 Section 1. Section 692A.1, subsection 7, Code
- 7 2007, is amended by adding the following new
- 8 paragraph:
- 9 NEW PARAGRAPH. dd. Indecent exposure by
- 10 electronic transmission of an image in violation of
- 11 section 709.9A.
- 12 Sec. 2. NEW SECTION. 709.9A INDECENT EXPOSURE BY
- 13 ELECTRONIC TRANSMISSION OF AN IMAGE INVOLVING A CHILD.
- 14 A person who electronically transmits an image of
- 15 the person’s exposed genitals or pubes, or
- 16 electronically transmits an image of the person
- 17 committing a sex act, commits an aggravated
- 18 misdemeanor if all of the following apply:
- 19 1. The image is intended to be viewed by a child
- 20 or a person believed to be a child.
- 21 2. The person intends to arouse or satisfy the
- 22 sexual desires of either party.
- 23 Sec. 3. NEW SECTION. 710.12 SEXUAL SOLICITATION

24 OF A MINOR.

25 1. As used in this section:

26 a. "Instant message" means a form of real-time
27 communication between two or more people based on
28 typed text.

29 b. "Solicit" means to command, authorize, urge,
30 entice, request, or advise a person by any means
31 including in person, through an agent, over the
32 telephone, through any print medium, by mail, by
33 computer or internet, by instant message, or by any
34 other electronic means.

35 2. A person shall not, with the intent to commit
36 sexual abuse or sexual exploitation, knowingly solicit
37 a minor or a person reasonably believed to be a minor,
38 to engage in a prohibited sex act.

39 3. For purposes of determining jurisdiction under
40 section 803.1, an offense is considered committed in
41 this state if the solicitation of a minor or a person
42 believed to be a minor who is present in this state
43 originates from another state, or the solicitation of
44 a minor or a person believed to be a minor originates
45 from this state.

46 4. A person who violates this section commits a
47 class "C" felony if the person solicited is a minor
48 under thirteen years of age or a person reasonably
49 believed to be under thirteen years of age.

50 5. A person who violates this section commits a

Page 2

1 class "D" felony if the person solicited is a minor
2 under sixteen years of age or a person reasonably
3 believed to be under sixteen years of age.

4 DIVISION II

5 JUVENILE SEX OFFENDERS AND

6 SEX OFFENDER RESIDENCY RESTRICTIONS

7 Sec. 4. Section 692A.2, subsection 1, paragraph c,
8 Code 2007, is amended to read as follows:

9 c. From the date of release as a juvenile from
10 group foster care or residential treatment.

11 Sec. 5. Section 692A.2, subsection 6, Code 2007,
12 is amended to read as follows:

13 6. A person is not required to register while
14 incarcerated, in group foster care, or in a state or
15 private residential treatment program. ~~A person who~~
16 ~~is convicted, as defined in section 692A.1, of a~~
17 ~~criminal offense against a minor, sexual exploitation,~~
18 ~~a sexually violent offense, or an other relevant~~
19 ~~offense as a result of adjudication of delinquency in~~
20 ~~juvenile court shall be required to register as~~
21 ~~required in this chapter unless the juvenile court~~
22 ~~finds that the person should not be required to~~

~~23 register under this chapter. If a juvenile is
24 required to register and the court later modifies the
25 order regarding the requirement to register, the court
26 shall immediately notify the department. Convictions
27 of more than one offense which require registration
28 under this chapter but which are prosecuted within a
29 single indictment shall be considered as a single
30 offense for purposes of registration.~~

31 Sec. 6. Section 692A.2, Code 2007, is amended by
32 adding the following new subsections:
33 NEW SUBSECTION. 7. A person who is convicted, as
34 defined in section 692A.1, of a criminal offense
35 against a minor, an aggravated offense, a sexually
36 violent offense, or an other relevant offense as a
37 result of an adjudication of delinquency shall be
38 required to register as required in this chapter
39 unless the juvenile court finds, pursuant to
40 subsection 8, that the person should not be required
41 to register or that the person shall register for a
42 period of time shorter in duration than otherwise
43 required. If the court later modifies the requirement
44 to register or the period of registration, the court
45 shall immediately notify the department.
46 NEW SUBSECTION. 8. The juvenile court, upon
47 motion of the person required to register as a result
48 of an adjudication of delinquency, shall set a hearing
49 on the motion and give reasonable notice to all
50 parties. For good cause, the court may order that the

Page 3

1 person not be required to register or order that the
2 person register for a period of time shorter in
3 duration than otherwise required. The motion shall be
4 made and hearing shall be held prior to the person's
5 discharge from juvenile court jurisdiction for the
6 offense requiring registration. If the person has
7 been ordered to participate or is voluntarily
8 participating in an appropriate outpatient treatment
9 program for juvenile sex offenders, the juvenile court
10 may temporarily suspend the registration requirement
11 and may defer the hearing on the matter until the
12 person has completed or has been discharged from the
13 treatment program. A final order shall be entered
14 within thirty days from the date of the person's
15 completion of or discharge from treatment. An order
16 that suspends or modifies the registration requirement
17 shall include written findings that a departure from
18 the registry requirements is warranted and shall
19 include appropriate restrictions during the period of
20 suspension or modification of the registry
21 requirements.

22 NEW SUBSECTION. 9. Notwithstanding any other
23 provision of this chapter to the contrary, if a person
24 required to register under this chapter is a minor at
25 the time the offense was committed, the court having
26 jurisdiction of the person's offense, upon application
27 of the person, after reasonable notice and hearing,
28 may order a period of registration shorter in duration
29 than what is otherwise required. The court shall make
30 written findings that a shorter period of registration
31 is warranted based upon any of the following: the
32 person's successful completion of treatment; age of
33 the person at the time the offense was committed; the
34 nature of the offense; or any other relevant
35 information.

36 NEW SUBSECTION. 10. Convictions of more than one
37 offense which require registration under this chapter
38 but which are prosecuted within a single indictment
39 shall be considered as a single offense for purposes
40 of registration.

41 Sec. 7. Section 692A.2, subsection 7, Code 2007,
42 is amended to read as follows:

43 ~~7. 11.~~ A person who has been convicted of an
44 offense under the laws of this state or of another
45 state which would qualify the person as a sexually
46 violent predator shall register as provided in this
47 chapter for life.

48 Sec. 8. Section 692A.2A, Code 2007, is amended to
49 read as follows:

50 692A.2A RESIDENCY RESTRICTIONS — CHILD CARE

Page 4

1 FACILITIES AND SCHOOLS.

2 ~~1. For purposes of this section, "person" means a~~
3 ~~person who has committed a criminal offense against a~~
4 ~~minor, or an aggravated offense, sexually violent~~
5 ~~offense, or other relevant offense that involved a~~
6 ~~minor.~~

7 1. As used in this section:

8 a. "Person" means a person required to register
9 under this chapter who has been convicted of a
10 criminal offense against a minor, or an offense
11 involving a minor that is an aggravated offense,
12 sexually violent offense, or other relevant offense.

13 b. "School" means a public or nonpublic elementary
14 or secondary school.

15 2. For purposes of measuring the distance from the
16 real property comprising a school or a child care
17 facility to a residence, the distance shall be
18 measured from the real property comprising the school
19 or child care facility to the real property comprising
20 the residence where the person resides.

21 ~~2. 3.~~ A person shall not reside within two
22 thousand feet of the real property comprising a ~~public~~
23 ~~or nonpublic elementary or secondary~~ school or a child
24 care facility.

25 ~~3. A person who resides within two thousand feet~~
26 ~~of the real property comprising a public or nonpublic~~
27 ~~elementary or secondary school, or a child care~~
28 ~~facility, commits an aggravated misdemeanor.~~

29 4. A person residing within two thousand feet of
30 the real property comprising a ~~public or nonpublic~~
31 ~~elementary or secondary~~ school or a child care
32 facility does not commit a violation of this section
33 if any of the following apply:

34 a. The person is required to serve a sentence at a
35 jail, prison, juvenile facility, or other correctional
36 institution or facility.

37 b. The person is subject to an order of commitment
38 under chapter 229A.

39 c. The person has established a residence prior to
40 July 1, 2002, ~~or a school or child care facility is~~
41 ~~newly located on or after July 1, 2002.~~

42 ~~d. The person has established a residence prior to~~
43 ~~any newly located school or child care facility being~~
44 ~~established.~~

45 ~~d. e.~~ The person is a minor ~~or a ward under a~~
46 ~~guardianship.~~

47 ~~f. The person is enrolled in a secondary school.~~

48 ~~g. The person is a ward in a guardianship.~~

49 5. A person who commits a violation of this
50 section commits an aggravated misdemeanor.

Page 5

DIVISION III

SEX OFFENDER TREATMENT AND SUPERVISION TASK

FORCE

Sec. 9. NEW SECTION. 216A.139 SEX OFFENDER
TREATMENT AND SUPERVISION TASK FORCE.

1. The division shall establish and maintain a
task force to study and make recommendations for
treating and supervising sex offenders in correctional
institutions, community-based correctional programs,
and in the community.

2. Members of the task force shall include members
of the general assembly selected by the legislative
council and representatives of the following:

a. One representative from the state department of
transportation.

b. One representative of the Iowa civil liberties
union.

c. One representative of the department of human
services.

- 20 d. One representative of the department of public
21 safety.
- 22 e. One representative of the Iowa state sheriffs'
23 and deputies' association.
- 24 f. One representative of the Iowa county attorneys
25 association.
- 26 g. One representative of the department of
27 corrections.
- 28 h. One representative of the board of parole.
- 29 i. One representative of a judicial district
30 department of correctional services.
- 31 j. One representative of the department of
32 justice.
- 33 k. One representative of the state public
34 defender.
- 35 l. One representative of the Iowa coalition
36 against sexual assault.
- 37 m. One representative of the judicial branch.
- 38 3. The task force shall study the following:
- 39 a. The effectiveness of electronically monitoring
40 sex offenders.
- 41 b. The effects and costs of sex offender
42 sentencing laws including the special sentence in
43 chapter 903B.
- 44 c. Risk assessment models created for sex
45 offenders.
- 46 d. Determining the best treatment programs
47 available for sex offenders and the efforts of Iowa
48 and other states to implement treatment programs.
- 49 e. The efforts of Iowa and other states to prevent
50 sex-related crimes and child sexual abuse.

Page 6

- 1 f. Any other issues the task force deems necessary
2 including but not limited to computer and internet
3 sex-related crimes, the investigation of sex-related
4 crimes, sex offender case management, best practices
5 for sex offender supervision, the sex offender
6 registry, and the effectiveness of safety zones.
- 7 4. During the 2007 interim and periodically
8 thereafter the task force shall study and make
9 specific recommendations for licensure or
10 certification standards of sex offender treatment
11 programs. The specific recommendations shall be part
12 of any report submitted pursuant to subsection 6.
- 13 5. In addition, during the 2007 interim the task
14 force shall study the federal Adam Walsh Child
15 Protection and Safety Act of 2006 and compare the Act
16 with Iowa's sex offender registry laws, and make
17 recommendations part of any report submitted pursuant
18 to subsection 6.

19 6. Beginning on January 15, 2008, and every year
20 thereafter by January 15, the task force shall report
21 to the governor and the general assembly the issues
22 studied, actions taken, and task force
23 recommendations.

24 Sec. 10. 2005 Iowa Acts, chapter 158, section 52,
25 is amended by striking the section.”

26 2. Title page, by striking lines 1 through 3 and
27 inserting the following: “An Act relating to
28 prohibited sex acts including certain sex acts
29 involving minors, the sex offender registry, sex
30 offender residency restrictions, the sex offender task
31 force, and providing penalties.”

KEITH A. KREIMAN
ROBERT E. DVORSKY
ROBERT M. HOGG

S-3489

1 Amend House File 911, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by inserting after line 34 the
4 following:

5 “___. For the purchase and installation of
6 decorative planters in the downtown area of Urbandale,
7 Iowa, notwithstanding section 8.57, subsection 6,
8 paragraph “c”:

9 \$ 120,000

10 ___. For the purchase and installation of
11 decorative planters in the downtown Beavertdale area of
12 Des Moines, Iowa, notwithstanding section 8.57,
13 subsection 6, paragraph “c”:

14 \$ 120,000”

15 2. By renumbering as necessary.

BRAD ZAUN

S-3490

1 Amend House File 556, as passed by the House, as
2 follows:

3 1. Page 2, line 21, by inserting after the word
4 “ten” the following: “voting”.

5 2. Page 3, by inserting after line 11 the
6 following:

7 “___. The following persons shall be ex officio,
8 nonvoting members of the council designated for
9 three-year terms as follows:

10 a. A professional fire fighter designated by the
11 Iowa association of professional fire chiefs.

12 b. A volunteer fire fighter designated by the Iowa

13 firemen’s association.

14 c. An experienced plumber involved in plumbing
15 training programs designated by the Iowa state
16 building and construction trades council.

17 d. A heating, ventilation, and air conditioning
18 professional involved in heating, ventilation, and air
19 conditioning training programs designated by the Iowa
20 state building and construction trades council.

21 e. A community college instructor with experience
22 in conducting fire safety programs designated by the
23 Iowa association of community college presidents.

24 f. A representative of a property and casualty
25 insurance company with experience in insuring sellers
26 of propane gas designated by the Iowa insurance
27 institute.”

28 3. Page 3, line 32, by inserting after the word
29 “The” the following: “voting members of the”.

30 4. Page 3, line 33, by striking the words “its
31 membership” and inserting the following: “the voting
32 members”.

33 5. Page 8, line 28, by striking the words “fire
34 marshal” and inserting the following: “general
35 assembly”.

36 6. By renumbering as necessary.

JOE BOLKCOM

S-3491

1 Amend the House amendment, S-3436, to Senate File
2 551, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by inserting after line 2 the
5 following:

6 “___. Page 8, by inserting after line 1 the
7 following:

8 “Sec. ___. BIOFUEL PROMOTION. There is
9 appropriated from the general fund of the state to the
10 department of natural resources for the fiscal year
11 beginning July 1, 2007, and ending June 30, 2008, the
12 following amount, or so much thereof as is necessary,
13 to be used for the purposes designated:

14 For the promotion of retail motor fuel sites
15 offering E-85 gasoline or biodiesel blended fuels for
16 sale to the public:

17 \$ 25,000

18 It is the intent of the general assembly that
19 moneys appropriated in this section shall be used by
20 the clean air choice program administered by the
21 American lung association for promotional use for
22 retail motor fuel sites that sell E-85 gasoline or
23 biodiesel blended fuels to the public.”

24 2. Page 2, by inserting after line 16 the
25 following:

26 “___ Page 20, by inserting after line 27 the
27 following:

28 “DIVISION ___
29 E-85 GASOLINE

30 Sec. ___. Section 455G.31, Code 2007, is amended
31 to read as follows:

32 455G.31 E-85 GASOLINE STORAGE AND DISPENSING
33 INFRASTRUCTURE.

34 1. As used in this section, unless the context
35 otherwise requires:

36 a. “E-85 gasoline”, “ethanol blended gasoline”,
37 and “retail dealer” mean the same as defined in
38 section 214A.1.

39 b. “Gasoline storage and dispensing
40 infrastructure” means any storage tank located below
41 ground or above ground and any associated equipment
42 including but not limited to a pipe, hose, connection,
43 fitting seal, or pump, which is used to store,
44 measure, and dispense gasoline by a retail dealer.

45 2. A retail dealer may use gasoline storage and
46 dispensing infrastructure to store and dispense E-85
47 gasoline if all of the following apply:

48 a. For gasoline storage and dispensing
49 infrastructure other than the dispenser, the
50 department of natural resources under this chapter or

Page 2

1 the state fire marshal under chapter 101 must
2 determine that it is compatible with E-85 gasoline.
3 If the compatibility of the thread sealant or adhesive
4 is undetermined, the thread sealant or adhesive may
5 continue to be used if precision line testing is
6 conducted annually and if an analysis to determine
7 compatibility of the thread sealant or adhesive is
8 completed by July 1, 2011.

9 b. For a dispenser, ~~the manufacturer must state~~
10 ~~all one~~ of the following ~~shall~~ apply:

11 (1) ~~That the dispenser is, in the opinion of the~~
12 ~~manufacturer, not incompatible with E-85 gasoline.~~
13 The manufacturer must state that the dispenser is
14 listed by an independent testing laboratory as
15 compatible with ethanol blended gasoline.

16 (2) ~~The manufacturer has initiated the process of~~
17 ~~applying to an independent testing laboratory for~~
18 ~~listing of the equipment for use in dispensing E-85~~
19 ~~gasoline.~~

20 ~~A manufacturer's statement must include a written~~
21 ~~statement, with reference to a particular type and~~
22 ~~model of equipment for use in dispensing E-85~~

23 ~~gasoline, signed by a responsible official on behalf~~
 24 ~~of the manufacturer, provided either to the retail~~
 25 ~~dealer using the gasoline storage and dispensing~~
 26 ~~infrastructure or to the department of natural~~
 27 ~~resources or the state fire marshal. If the written~~
 28 ~~statement is provided to a retail dealer, the~~
 29 ~~statement shall be retained in the files on the~~
 30 ~~premises of the retail dealer and shall be available~~
 31 ~~to personnel of the department of natural resources or~~
 32 ~~the state fire marshal upon request. The owner or~~
 33 ~~operator or a person authorized by the owner or~~
 34 ~~operator must visually inspect the dispenser and the~~
 35 ~~dispenser sump daily for leaks and equipment failure~~
 36 ~~and maintain a record of such inspection for at least~~
 37 ~~one year after the inspection. If a leak is detected,~~
 38 ~~the department of natural resources shall be notified~~
 39 ~~pursuant to section 455B.386.~~

40 If a commercially available dispenser is listed as
 41 compatible for use with E-85 gasoline by an
 42 independent testing laboratory, this paragraph "b"
 43 shall not apply to new dispensers installed after the
 44 commercial availability of such a certified dispenser.

45 ~~3. This section is repealed July 1, 2009."~~

46 3. By renumbering as necessary.

TOM RIELLY
 BRIAN SCHOENJAHN
 FRANK B. WOOD

S-3492

1 Amend Senate File 604 as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 "Section 1. NEW SECTION. 422.11T COMMERCIAL
 5 PROPERTY TAX CREDIT.
 6 1. The taxes imposed under this division, less the
 7 credits allowed under sections 422.12 and 422.12B,
 8 shall be reduced by a commercial property tax credit.
 9 To qualify for this credit, the taxpayer shall have
 10 paid property tax during the tax year levied on
 11 property that is assessed as commercial property for
 12 property tax purposes.
 13 2. The total amount of tax credit that may be
 14 claimed by a taxpayer equals two hundred seventy-five
 15 dollars.
 16 3. The amount of the tax credit claimed under this
 17 section shall not be deducted in computing the
 18 taxpayer's taxable income for state income tax
 19 purposes.
 20 4. Any credit in excess of the tax liability shall
 21 be refunded with interest computed under section

22 422.25. In lieu of claiming a refund, a taxpayer may
 23 elect to have the overpayment shown on the taxpayer's
 24 final, completed return credited to the tax liability
 25 for the following tax year.

26 5. An individual may claim the tax credit allowed
 27 a partnership, limited liability company, S
 28 corporation, estate, or trust electing to have the
 29 income taxed directly to the individual. The amount
 30 claimed by the individual shall be based upon the pro
 31 rata share of the individual's earnings of the
 32 partnership, limited liability company, S corporation,
 33 estate, or trust.

34 6. This section is repealed January 1, 2009, for
 35 the tax years beginning on or after that date.

36 Sec. 2. Section 422.33, Code 2007, is amended by
 37 adding the following new subsection:

38 NEW SUBSECTION. 24. a. The taxes imposed under
 39 this division shall be reduced by a commercial
 40 property tax credit. To qualify for this credit, the
 41 taxpayer shall have paid property tax during the tax
 42 year levied on property that is assessed as commercial
 43 property for property tax purposes.

44 b. The total amount of credit that may be claimed
 45 by a taxpayer equals two hundred seventy-five dollars.
 46 For corporations that file a consolidated Iowa return
 47 in accordance with section 422.37, each corporation
 48 filing on the consolidated return that paid commercial
 49 property tax during the tax year may claim the maximum
 50 tax credit.

Page 2

1 c. The amount of the tax credit claimed under this
 2 subsection shall not be deducted in computing the
 3 taxpayer's taxable income for state income tax
 4 purposes. For corporations that file a consolidated
 5 Iowa return in accordance with section 422.37, each
 6 corporation filing on the consolidated return that
 7 claimed the credit shall not deduct the amount of the
 8 tax credit claimed by it for state income tax
 9 purposes.

10 d. Any credit in excess of the tax liability shall
 11 be refunded with interest computed under section
 12 422.25. In lieu of claiming a refund, a taxpayer may
 13 elect to have the overpayment shown on the taxpayer's
 14 final, completed return credited to the tax liability
 15 for the following tax year.

16 e. This subsection is repealed January 1, 2009,
 17 for tax years beginning on or after that date."

18 2. Page 4, by inserting before line 8 the
 19 following:

20 "Sec. ____. EFFECTIVE AND APPLICABILITY DATES. The

21 sections of this Act enacting section 422.11T and
22 amending section 422.33 apply to tax years beginning
23 on or after January 1, 2009.”

24 3. Title page, line 6, by inserting after the
25 word “cities” the following: “and by providing a
26 commercial property tax credit and an applicability
27 date.”

28 4. By renumbering as necessary.

JEFF ANGELO

S-3493

1 Amend Senate File 604 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 “Section 1. NEW SECTION. 422.11T COMMERCIAL
5 PROPERTY TAX CREDIT.

6 1. The taxes imposed under this division, less the
7 credits allowed under sections 422.12 and 422.12B,
8 shall be reduced by a commercial property tax credit.

9 To qualify for this credit, the taxpayer shall have
10 paid property tax during the tax year levied on
11 property that is assessed as improved commercial
12 property for property tax purposes, and the assessed
13 value of such improved commercial property owned by
14 the taxpayer does not exceed, in the aggregate
15 statewide, three hundred thousand dollars.

16 For purposes of this section, “improved commercial
17 property” means land containing one or more structures
18 that are being put to productive use.

19 2. The total amount of tax credit that may be
20 claimed by a taxpayer equals three hundred twenty
21 dollars.

22 3. The amount of the tax credit claimed under this
23 section shall not be deducted in computing the
24 taxpayer’s taxable income for state income tax
25 purposes.

26 4. Any credit in excess of the tax liability shall
27 be refunded with interest computed under section
28 422.25. In lieu of claiming a refund, a taxpayer may
29 elect to have the overpayment shown on the taxpayer’s
30 final, completed return credited to the tax liability
31 for the following tax year.

32 5. An individual may claim the tax credit allowed
33 a partnership, limited liability company, S
34 corporation, estate, or trust electing to have the
35 income taxed directly to the individual. The amount
36 claimed by the individual shall be based upon the pro
37 rata share of the individual’s earnings of the
38 partnership, limited liability company, S corporation,
39 estate, or trust.

40 6. This section is repealed January 1, 2012, for
 41 the tax years beginning on or after that date.
 42 Sec. 2. Section 422.33, Code 2007, is amended by
 43 adding the following new subsection:
 44 NEW SUBSECTION. 24. a. The taxes imposed under
 45 this division shall be reduced by a commercial
 46 property tax credit. To qualify for this credit, the
 47 taxpayer shall have paid property tax during the tax
 48 year levied on property that is assessed as improved
 49 commercial property for property tax purposes, and the
 50 assessed value of such improved commercial property

Page 2

1 owned by the taxpayer does not exceed, in the
 2 aggregate statewide, three hundred thousand dollars.
 3 For purposes of this subsection, "improved
 4 commercial property" means land containing one or more
 5 structures that are being put to productive use.
 6 b. The total amount of credit that may be claimed
 7 by a taxpayer equals three hundred twenty dollars.
 8 For corporations that file a consolidated Iowa return
 9 in accordance with section 422.37, each corporation
 10 filing on the consolidated return that paid commercial
 11 property tax during the tax year may claim the maximum
 12 tax credit.
 13 c. The amount of the tax credit claimed under this
 14 subsection shall not be deducted in computing the
 15 taxpayer's taxable income for state income tax
 16 purposes. For corporations that file a consolidated
 17 Iowa return in accordance with section 422.37, each
 18 corporation filing on the consolidated return that
 19 claimed the credit shall not deduct the amount of the
 20 tax credit claimed by it for state income tax
 21 purposes.
 22 d. Any credit in excess of the tax liability shall
 23 be refunded with interest computed under section
 24 422.25. In lieu of claiming a refund, a taxpayer may
 25 elect to have the overpayment shown on the taxpayer's
 26 final, completed return credited to the tax liability
 27 for the following tax year.
 28 e. This subsection is repealed January 1, 2012,
 29 for tax years beginning on or after that date."
 30 2. Page 4, by inserting before line 8 the
 31 following:
 32 "Sec. __. APPLICABILITY DATE. The sections of
 33 this Act enacting Code section 422.11T and amending
 34 Code section 422.33 apply to tax years beginning on or
 35 after January 1, 2009."
 36 3. Title page, line 6, by inserting after the
 37 word "cities" the following: "and by providing a
 38 commercial property tax credit and applicability

39 date”.

40 4. By renumbering as necessary.

JEFF ANGELO

S-3494

1 Amend the House amendment, S-3436, to Senate File
2 551, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by inserting before line 3, the
5 following:
6 “ ___. Page 3, by striking line 9, and inserting
7 the following: “maintenance, miscellaneous purposes,
8 and for not more than the following full-time
9 equivalent positions.”

10 ___. Page 3, by inserting after line 10, the
11 following:

12 “..... FTEs 1.00”

13 ___. Page 11, line 26, by striking the figure
14 “1,500,000” and inserting the following: “1,480,000”.

15 ___. Page 12, line 35, by striking the figure
16 “600,000” and inserting the following: “580,000”.

17 ___. Page 13, line 2, by striking the figure
18 “400,000” and inserting the following: “386,667”.

19 ___. Page 13, line 8, by striking the figure
20 “200,000” and inserting the following: “193,333”.

21 ___. Page 13, by inserting after line 17, the
22 following:

23 “___. For purposes of supporting a farm-to-school
24 program, as provided in chapter 190A, if enacted by
25 2007 Iowa Acts, Senate File 601, including salaries,
26 support, maintenance, and miscellaneous purposes:
27 \$ 80,000

28 ___. For purposes of supporting the office of
29 state apiarist, including the state apiarist who shall
30 be appointed by the secretary of agriculture pursuant
31 to section 160.1, and for carrying out the duties of
32 the state apiarist as provided in chapter 160:
33 \$ 40,000”

34 ___. Page 14, line 5, by striking the figure
35 “2,490,000” and inserting the following: “2,470,000”.

36 ___. Page 14, line 19, by striking the figure
37 “400,000” and inserting the following: “360,000”.

38 ___. Page 15, line 9, by striking the figure
39 “500,000” and inserting the following: “480,000”.

JOE M. SENG
NANCY J. BOETTGER
DENNIS H. BLACK

S-3495

1 Amend the House amendment, S-3436, to Senate File
2 551, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 2, by inserting after line 16 the
5 following:
6 “ _____. Page 20, by inserting after line 27 the
7 following:

8 “DIVISION ____
9 E-85 GASOLINE

10 Sec. _____. Section 455G.31, Code 2007, is amended
11 to read as follows:

12 455G.31 E-85 GASOLINE STORAGE AND DISPENSING
13 INFRASTRUCTURE.

14 1. As used in this section, unless the context
15 otherwise requires:

16 a. “E-85 gasoline”, “ethanol blended gasoline”,
17 and “retail dealer” mean the same as defined in
18 section 214A.1.

19 b. “Gasoline storage and dispensing
20 infrastructure” means any storage tank located below
21 ground or above ground and any associated equipment
22 including but not limited to a pipe, hose, connection,
23 fitting seal, or pump, which is used to store,
24 measure, and dispense gasoline by a retail dealer.

25 2. A retail dealer may use gasoline storage and
26 dispensing infrastructure to store and dispense E-85
27 gasoline if all of the following apply:

28 a. For gasoline storage and dispensing
29 infrastructure other than the dispenser, the
30 department of natural resources under this chapter or
31 the state fire marshal under chapter 101 must
32 determine that it is compatible with E-85 gasoline.
33 If the compatibility of the thread sealant or adhesive
34 is undetermined, the thread sealant or adhesive may
35 continue to be used if precision line testing is
36 conducted annually and if an analysis to determine
37 compatibility of the thread sealant or adhesive is
38 completed by July 1, 2011.

39 b. For a dispenser, ~~the manufacturer must state~~
40 all of the following shall apply:

41 (1) ~~That the dispenser is, in the opinion of the~~
42 ~~manufacturer, not incompatible with E-85 gasoline.~~
43 The manufacturer must state that the dispenser is
44 listed by an independent testing laboratory as
45 compatible with ethanol blended gasoline.

46 (2) ~~The manufacturer has initiated the process of~~
47 ~~applying to an independent testing laboratory for~~
48 ~~listing of the equipment for use in dispensing E-85~~
49 ~~gasoline.~~

50 ~~A manufacturer’s statement must include a written~~

Page 2

1 ~~statement, with reference to a particular type and~~
 2 ~~model of equipment for use in dispensing E-85~~
 3 ~~gasoline, signed by a responsible official on behalf~~
 4 ~~of the manufacturer, provided either to the retail~~
 5 ~~dealer using the gasoline storage and dispensing~~
 6 ~~infrastructure or to the department of natural~~
 7 ~~resources or the state fire marshal. If the written~~
 8 ~~statement is provided to a retail dealer, the~~
 9 ~~statement shall be retained in the files on the~~
 10 ~~premises of the retail dealer and shall be available~~
 11 ~~to personnel of the department of natural resources or~~
 12 ~~the state fire marshal upon request. The owner or~~
 13 ~~operator or a person authorized by the owner or~~
 14 ~~operator must visually inspect the dispenser and the~~
 15 ~~dispenser sump daily for leaks and equipment failure~~
 16 ~~and maintain a record of such inspection for at least~~
 17 ~~one year after the inspection. If a leak is detected,~~
 18 ~~the department of natural resources shall be notified~~
 19 ~~pursuant to section 455B.386.~~

20 ~~If a commercially available dispenser is listed as~~
 21 ~~compatible for use with E-85 gasoline by an~~
 22 ~~independent testing laboratory, this paragraph "b"~~
 23 ~~shall not apply to new dispensers installed after the~~
 24 ~~commercial availability of such a certified dispenser.~~

25 ~~3. This section is repealed July 1, 2009."~~

26 2. By renumbering as necessary.

TOM RIELLY
 BRIAN SCHOENJAHN
 FRANK B. WOOD

S-3496

1 Amend Senate File 512 as follows:

2 1. Page 4, by striking line 13 and inserting the
 3 following: "dealing in performance of the pharmacy
 4 benefits manager's contractual obligations toward the
 5 covered entity."

6 2. Page 4, by striking lines 27 and 28 and
 7 inserting the following:

8 "a. The aggregate amount of all rebates".

9 3. Page 4, line 29, by striking the word "by" and
 10 inserting the following: "from".

11 4. By striking page 5, line 33, through page 6,
 12 line 6, and inserting the following:

13 "2. Information disclosed to a covered entity
 14 pursuant to section 155B.4 shall be deemed a trade
 15 secret for the purposes of chapter 550. Any
 16 disclosure of such information beyond that authorized
 17 by section 155B.4 and this section shall be deemed a

18 misappropriation as defined in section 550.2 and is a
 19 violation of chapter 550 for which the remedies
 20 provided in chapter 550 shall be applicable.

21 3. This section does not prohibit a covered entity
 22 from disclosing information made confidential and
 23 proprietary under this section to the commissioner
 24 pursuant to a written request initiated by the
 25 commissioner. Information disclosed to the
 26 commissioner pursuant to this subsection shall be held
 27 by the commissioner as confidential and proprietary
 28 information not subject to public inspection or
 29 disclosure or to further dissemination.”

30 5. Page 6, line 22, by striking the word “may”
 31 and inserting the following: “and the pharmacy
 32 benefits manager shall mutually”.

33 6. Page 7, by striking lines 23 through 32 and
 34 inserting the following: “entity the cost of both
 35 drugs and any benefit or payment directly or
 36 indirectly accruing to the pharmacy benefits manager
 37 as a result of the substitution. A pharmacy benefits
 38 manager is not required to disclose the information
 39 required in this subsection to the covered entity
 40 under any of the following circumstances:

41 a. The drug substitution is initiated for patient
 42 safety reasons.

43 b. The currently prescribed drug is no longer
 44 available in the market.”

45 7. Page 8, line 24, by striking the word
 46 “twenty-four” and inserting the following: “a
 47 reasonable period of time, not to exceed seventy-two”.

JEFF DANIELSON

S-3497

HOUSE AMENDMENT TO SENATE FILE 559

1 Amend Senate File 559, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 3, by striking lines 1 through 11 and
 4 inserting the following: “payments made under the
 5 purchase agreement, except that the seller a limited
 6 liability corporation that was formed in 2002 for the
 7 purpose of purchasing a cemetery from a foreign entity
 8 reorganizing under bankruptcy and such corporation is
 9 comprised of six establishments all located within the
 10 same county may withdraw so much of the interest or
 11 income as represents the difference between the amount
 12 needed to adjust the trust funds for inflation as set
 13 by the commissioner based on the consumer price index
 14 and the interest or income earned during the preceding

15 year not to exceed fifty percent of the total interest
16 or income on a calendar-year basis. The early
17 withdrawal of interest or income under this provision
18 does not affect the purchaser's right to a credit of
19 such interest or income in the event of a
20 nonguaranteed price agreement, cancellation, or
21 nonperformance by ~~the seller~~ such limited liability
22 corporation."

23 2. Page 10, by striking lines 19 through 26 and
24 inserting the following:

25 "7. ~~An initial permit is valid for two years from~~
26 ~~the date the application is filed. A permit may~~
27 ~~preceed seller's license shall~~ be renewed ~~for two~~
28 every four years by filing the form prescribed by the
29 commissioner under subsection 2, accompanied by a ~~ten~~
30 ~~dollar~~ renewal fee in an amount set by the
31 commissioner by rule. Submission of purchase
32 agreements is not required for renewals unless the
33 purchase agreements have been modified since the last
34 filing."

35 3. Page 13, by striking lines 11 through 16 and
36 inserting the following:

37 "5. ~~An initial permit expires one year from the~~
38 ~~date the application is filed. The permit may sales~~
39 license shall be renewed ~~for every~~ four years by
40 filing the form prescribed by the commissioner under
41 subsection 3, accompanied by a ~~twenty dollar filing~~
42 renewal fee in an amount set by the commissioner by
43 rule."

44 4. Page 14, line 16, by striking the words "
45 including a copy of" and inserting the following:
46 "describing".

47 5. Page 17, lines 28 and 29, by striking the
48 words "the end of the calendar month that we received"
49 and inserting the following: "receipt of".

50 6. Page 18, by striking lines 5 through 8, and

Page 2

1 inserting the following:

2 "“An”.

3 7. Page 18, line 15, by inserting after the word
4 "confirmation." the following: "For your protection,
5 you have the right to confirm that the insurance
6 policy or annuity is issued as required by law."

7 8. Page 18, by striking lines 26 through 29, and
8 inserting the following:

9 "“Coverage under a surety bond in”.

10 9. Page 19, line 4, by inserting after the word
11 "agreement." the following: "For your protection, you
12 have the right to confirm that the surety bond is
13 issued as required by law."

14 10. Page 20, by striking lines 8 through 18, and
 15 inserting the following:
 16 “Sec. ____ Section 523A.703, Code 2007, is amended
 17 to read as follows:

18 523A.703 FRAUDULENT PRACTICES.

19 ~~A~~ Except as otherwise provided in section 523A.704,
 20 a person who willfully commits any of the following
 21 acts commits a fraudulent practice and is punishable
 22 as provided in chapter 714:

23 1. ~~Knowingly fails~~ Fails to comply with any
 24 requirement of this chapter, ~~or any rule adopted or~~
 25 order issued under this chapter.

26 2. ~~Knowingly makes~~ Makes, causes to be made, or
 27 subscribes to a false statement or representation in a
 28 report or other document required under this chapter,
 29 implementing rules, or orders, or renders such a
 30 report or document misleading through the deliberate
 31 omission of information properly belonging in the
 32 report or document.

33 3. ~~Conspires to defraud in~~ In connection with the
 34 sale of cemetery merchandise, funeral merchandise,
 35 funeral services, or a combination thereof ~~under this~~
 36 ~~chapter, directly or indirectly makes an untrue~~
 37 statement of a material fact or omits to state a
 38 material fact that is necessary to make the statements
 39 made, in light of the circumstances under which they
 40 were made, not misleading.

41 4. ~~Fails to deposit funds under sections 523A.201~~
 42 ~~and 523A.202 or withdraws any funds in a manner~~
 43 ~~inconsistent with this chapter. Unless the purchase~~
 44 ~~agreement expressly provides otherwise, excludes in~~
 45 ~~the sale of cemetery merchandise, funeral merchandise,~~
 46 ~~or a combination thereof, funeral services that are~~
 47 necessary for the delivery, use, or installation of
 48 the cemetery merchandise or funeral merchandise at the
 49 time of the burial or funeral.

50 5. ~~Knowingly sells or offers cemetery merchandise,~~

Page 3

1 ~~funeral merchandise, funeral services, or a~~
 2 ~~combination thereof without an establishment permit.~~

3 6. ~~Deliberately misrepresents or omits a material~~
 4 ~~fact relative to the sale of cemetery merchandise,~~
 5 ~~funeral merchandise, funeral services, or a~~
 6 ~~combination thereof under this chapter. When selling~~
 7 ~~cemetery merchandise or funeral merchandise, a seller~~
 8 ~~shall not exclude the funeral services necessary for~~
 9 ~~the delivery, use, or installation of the cemetery~~
 10 ~~merchandise or funeral merchandise at the time of the~~
 11 ~~funeral or burial unless the purchase agreement~~
 12 ~~expressly provides otherwise.~~

13 Sec. ____ NEW SECTION. 523A.704 VIOLATIONS.

14 A person who willfully violates section 523A.501,
15 subsection 1, or section 523A.502, subsection 1, is
16 guilty of a class “D” felony.”

17 11. Page 20, by inserting after line 34 the
18 following:

19 “Sec. ____ Section 523A.801, Code 2007, is amended
20 by adding the following new subsection:

21 NEW SUBSECTION. 3. The commissioner shall submit
22 an annual report to the legislative oversight
23 committee by October 1 of each year reporting on the
24 administration of this chapter. The report shall set
25 forth any recommendations for changes in the law that
26 the commissioner deems necessary or desirable to
27 prevent abuses or evasions of this chapter or rules
28 implementing this chapter or to rectify undesirable
29 conditions in connection with the administration of
30 this chapter or rules implementing this chapter.”

31 12. Page 24, by inserting after line 27 the
32 following:

33 “Sec. ____ Section 523I.201, Code 2007, is amended
34 by adding the following new subsection:

35 NEW SUBSECTION. 3. The commissioner shall submit
36 an annual report to the legislative oversight
37 committee by October 1 of each year reporting on the
38 administration of this chapter. The report shall set
39 forth any recommendations for changes in the law that
40 the commissioner deems necessary or desirable to
41 prevent abuses or evasions of this chapter or rules
42 implementing this chapter or to rectify undesirable
43 conditions in connection with the administration of
44 this chapter or rules implementing this chapter.”

45 13. Page 26, line 26, by striking the word “five”
46 and inserting the following: “three”.

47 14. Page 26, line 29, by inserting after the word
48 “requirement” the following: “or the seller has
49 previously provided to the commissioner a certified
50 copy of an audit conducted by an independent certified

Page 4

1 public accountant verifying compliance with this
2 chapter for each year in question and the examination
3 conducted by the commissioner does not disclose that
4 the seller has not complied with this chapter for the
5 years in question”.

6 15. Page 27, by inserting after line 32 the
7 following:

8 “Sec. ____ Section 523I.304, Code 2007, is amended
9 by adding the following new subsection:

10 NEW SUBSECTION. 7. A cemetery owned and
11 controlled by a governmental subdivision shall adopt

12 and enforce a rule allowing any veteran who is a
 13 landowner or who lives within the governmental
 14 subdivision to purchase an interment space and to be
 15 interred within the cemetery. For the purposes of
 16 this section, "veteran" means the same as defined in
 17 section 35.1 or a resident of this state who served in
 18 the armed forces of the United States, completed a
 19 minimum aggregate of ninety days of active federal
 20 service, and was discharged under honorable
 21 conditions."

22 16. By renumbering, relettering, or redesignating
 23 and correcting internal references as necessary.

S-3498

HOUSE AMENDMENT TO SENATE FILE 503

1 Amend Senate File 503, as passed by the Senate, as
 2 follows:

3 1. Page 7, by inserting after line 14 the
 4 following:

5 "DIVISION ____
 6 PREADOPTIVE CARE PROVIDERS

7 Sec. ____ Section 232.91, subsection 3, Code 2007,
 8 is amended to read as follows:

9 3. Any person who is entitled under section 232.88
 10 to receive notice of a hearing concerning a child
 11 shall be given the opportunity to be heard in any
 12 other review or hearing involving the child. A foster
 13 parent, relative, or other individual with whom a
 14 child has been placed for preadoptive care shall have
 15 the right to be heard in any proceeding involving the
 16 child.

17 Sec. ____ Section 232.116, subsection 2, paragraph
 18 c, Code 2007, is amended to read as follows:

19 c. ~~For a child who has been placed in foster~~
 20 ~~family care, any~~ The relevant testimony or written
 21 statement provided by the child's foster parents that
 22 a foster parent, relative, or other individual with
 23 whom the child has been placed for preadoptive care or
 24 other care has a right to provide to the court."

25 2. By renumbering as necessary.

S-3499

HOUSE AMENDMENT TO SENATE FILE 421

1 Amend Senate File 421, as passed by the Senate, as
 2 follows:

3 1. Page 2, line 17, by inserting after the word

4 “reasonable.” the following: “This section does not
 5 affect the responsibility of an insurance carrier or
 6 an employer to pay amounts not in dispute or a health
 7 service provider’s right to receive payment from an
 8 employee’s nonoccupational plan as provided in section
 9 85.38, subsection 2.”

10 2. Page 2, by inserting after line 35 the
 11 following:

12 “Sec. ____ Section 537.5301, subsection 4, Code
 13 2007, is amended to read as follows:

14 4. A person who willfully and knowingly violates
 15 the provisions of section 537.7103 is guilty of a
 16 serious misdemeanor. However, this subsection is not
 17 applicable to a violation of section 537.7103,
 18 subsection 7.”

19 3. By renumbering as necessary.

S-3500

1 Amend Senate File 606 as follows:

2 1. Page 3, by inserting after line 1 the
 3 following:

4 “Sec. ____ Section 312.2, subsections 12 and 13,
 5 Code 2007, are amended to read as follows:

6 12. The treasurer of state, before making the
 7 allotments provided for in this section, shall credit
 8 monthly from the road use tax fund to the revitalize
 9 Iowa’s sound economy fund, created under section
 10 315.2, the revenue accruing to the road use tax fund
 11 in the amount equal to the revenues collected under
 12 each of the following:

13 a. From the excise tax on motor fuel and special
 14 fuel imposed under the tax rate of section 452A.3
 15 except aviation gasoline, the amount of excise tax
 16 collected from one and ~~eleven twentieths~~ three-fourths
 17 cents per gallon.

18 b. From the excise tax on special fuel for diesel
 19 engines, the amount of excise tax collected from one
 20 and ~~eleven twentieths~~ three-fourths cents per gallon.

21 13. The treasurer of state, before making the
 22 allotments provided for in this section, shall credit
 23 monthly from the road use tax fund to the secondary
 24 road fund the revenue accruing to the road use tax
 25 fund in the amount equal to the revenues collected
 26 under each of the following:

27 a. From the excise tax on motor fuel and special
 28 fuel imposed under the tax rate of section 452A.3,
 29 except aviation gasoline, the amount of excise tax
 30 collected from ~~nine twentieths~~ one-fourth cent per
 31 gallon.

32 b. From the excise tax on special fuel for diesel
 33 engines, the amount of excise tax collected from

34 ~~nine twentieths~~ one-fourth cent per gallon.
 35 Sec. ____ Section 315.4, Code 2007, is amended to
 36 read as follows:
 37 315.4 ALLOCATION OF FUND.
 38 Moneys credited to the RISE fund shall be allocated
 39 as follows:
 40 1. ~~Twenty thirty firsts~~ Four-sevenths for deposit
 41 in the primary road fund for the use of the department
 42 on primary road projects ~~exclusively for highways~~
 43 ~~which are identified under section 307A.2 as being~~
 44 ~~part of the network of commercial and industrial~~
 45 ~~highways.~~ as follows:
 46 a. Fifty percent for highways that support the
 47 production or transport of renewable fuels, including
 48 primary highways that connect biofuel facilities to
 49 highways in the commercial and industrial highway
 50 network.

Page 2

1 b. Fifty percent for highways that have been
 2 designated by the state transportation commission as
 3 access Iowa highways pursuant to 2005 Iowa Acts,
 4 chapter 178, section 41.
 5 2. ~~One thirty first~~ One-seventh for the use of
 6 counties on secondary road projects, including
 7 secondary roads that connect biofuel facilities to
 8 highways in the commercial and industrial highway
 9 network.
 10 3. ~~Ten thirty firsts~~ Two-sevenths for the use of
 11 cities on city street projects.
 12 Commencing June 30, 1990, all uncommitted moneys in
 13 the RISE fund on June 30 of each year which are
 14 allocated under this section for the use of counties
 15 on secondary road projects shall be credited to the
 16 secondary road fund.”
 17 2. Title page, by striking lines 2 through 4 and
 18 inserting the following: “of roads.”
 19 3. By renumbering as necessary.

STEVE WARNSTADT
 STEVE KETTERING

S-3501

1 Amend Senate File 606 as follows:
 2 1. Page 3, line 21, by striking the figure “1,”
 3 and inserting the following: “15.”

MATT McCOY

S-3502

1 Amend the amendment, S-3488, to Senate File 455, as
2 follows:
3 1. Page 4, by inserting after line 50 the
4 following:
5 “Sec. ____ NEW SECTION. 692A.2B PRESENCE ON THE
6 REAL PROPERTY WHERE CHILDREN ARE PRESENT —
7 RESTRICTION.
8 1. DEFINITIONS. As used in this section, “school”
9 means a public or nonpublic elementary or secondary
10 school.
11 2. RESTRICTION. A person required to register
12 under this chapter who has been convicted of a
13 criminal offense against a minor, or an offense
14 involving a minor that is an aggravated offense,
15 sexually violent offense, or other relevant offense,
16 shall not be knowingly present on the real property
17 comprising a school, child care facility, public park,
18 athletic field, library, zoo, public swimming pool,
19 video arcade, or profit or nonprofit athletic or
20 activity club unless subsection 3 or 4 applies or any
21 of the following apply after the person has provided
22 timely written notification with respect to paragraphs
23 “a” through “d” to the administrative offices of the
24 school or child care facility of the date and times of
25 the person’s presence:
26 a. The person is transporting a minor who is a
27 child of the person to or from the school or child
28 care facility.
29 b. The person is attending a parent-teacher
30 conference regarding a minor who is a child of the
31 person.
32 c. The person has been summoned to discuss the
33 academic or social progress of a minor who is a child
34 of the person.
35 d. The person is voting at the school or child
36 care facility during the hours designated to vote.
37 3. SCHOOL OR CHILD CARE FACILITY EXCEPTION. If
38 the person intends to be present at a school or child
39 care facility for any other reason not enumerated in
40 subsection 2, paragraphs “a” through “d”, the person
41 shall first notify the administrative offices of the
42 school or child care facility that the person intends
43 to be present on the real property comprising the
44 school or child care facility, and the person shall
45 receive written permission from the school or child
46 care facility prior to entering onto the real property
47 comprising the school or child care facility.
48 4. PUBLIC PARK, ATHLETIC FIELD, LIBRARY, ZOO,
49 PUBLIC SWIMMING POOL, VIDEO ARCADE, OR PROFIT OR
50 NONPROFIT ATHLETIC OR ACTIVITY CLUB EXCEPTION. If the

Page 2

1 person intends to be present at a public park,
2 athletic field, library, zoo, public swimming pool,
3 video arcade, or profit or nonprofit athletic or
4 activity club, the person shall first notify the
5 administrative offices of the public park, athletic
6 field, library, zoo, public swimming pool, video
7 arcade, or profit or nonprofit athletic or activity
8 club that the person intends to be present on the real
9 property comprising the public park, athletic field,
10 library, zoo, public swimming pool, video arcade, or
11 profit or nonprofit athletic or activity club, and the
12 person shall receive written permission from the
13 administrative offices of the public park, athletic
14 field, library, zoo, public swimming pool, video
15 arcade, or profit or nonprofit athletic or activity
16 club prior to entering onto the real property
17 comprising the public park, athletic field, library,
18 zoo, public swimming pool, video arcade, or profit or
19 nonprofit athletic or activity club. Written
20 permission received pursuant to this subsection
21 permits entry onto the real property until such time
22 as the administrative office revokes the written
23 permission.

24 5. PENALTY. A person who commits a violation of
25 this section commits a class "D" felony."

26 2. Page 6, line 30, by inserting after the word
27 "residency" the following: "and safety zone".

LARRY McKIBBEN
JERRY BEHN
E. THURMAN GASKILL
JAMES A. SEYMOUR
LARRY NOBLE
PAUL McKINLEY
BRAD ZAUN
DAVE MULDER
DAVID JOHNSON
PAT WARD
DAVID HARTSUCH
MARK ZIEMAN
NANCY J. BOETTGER
JOHN PUTNEY
MARY A. LUNDBY
RON WIECK
STEVE KETTERING
JAMES F. HAHN

S-3503

1 Amend the amendment, S-3488, to Senate File 455 as
2 follows:

3 1. Page 1, by inserting after line 11 the
4 following:

5 “Sec. ____ NEW SECTION. 692A.7A DUTY TO INFORM
6 LAW ENFORCEMENT — PENALTY.

7 A person commits a class “D” felony if the person
8 knows that another person is required to register
9 under this chapter and that the other person is not in
10 compliance with this chapter or is eluding a law
11 enforcement agency that is seeking to find the other
12 person, and the person does any of the following acts:

13 1. Withholds information from or fails to notify a
14 law enforcement agency about the whereabouts of the
15 other person.

16 2. Provides materially false information to a
17 peace officer about the other person.

18 3. Harbors the other person.

19 4. Conceals the other person.”

20 2. Page 2, by inserting after line 3 the
21 following:

22 “Sec. ____ Section 902.9, unnumbered paragraph 1,
23 Code 2007, is amended to read as follows:

24 The maximum sentence for any person convicted of a
25 felony shall be that prescribed by statute or, if not
26 prescribed by statute, if other than a class “A” or
27 class “B1” felony shall be determined as follows:

28 Sec. ____ NEW SECTION. 902.9A CLASS “B1” FELONS.

29 A person convicted of a class “B1” felony shall be
30 confined for a term of years as ordered by the court
31 at the time of sentencing. The minimum term of
32 confinement shall be twenty-five years and the maximum
33 term of confinement may be for the rest of the
34 defendant’s life.

35 Sec. ____ NEW SECTION. 902.15 SEXUAL ABUSE,
36 LASCIVIOUS ACTS, OR SEXUAL EXPLOITATION —
37 ENHANCEMENT.

38 Notwithstanding the penalty for a violation of
39 section 709.3, 709.8, or 728.12, if a person eighteen
40 years of age or older commits an offense against a
41 child twelve years of age or younger in violation of
42 section 709.3, 709.8, or 728.12, subsection 1, the
43 person commits a class “B1” felony and shall be denied
44 parole or work release until the term of the sentence
45 ordered pursuant to section 902.9A has been served.

46 Sec. ____ Section 903A.2, subsection 1, unnumbered
47 paragraph 1, Code 2007, is amended to read as follows:

48 Each inmate committed to the custody of the
49 director of the department of corrections is eligible
50 to earn a reduction of sentence, except as provided in

Page 2

1 paragraph “c”, in the manner provided in this section.
2 For purposes of calculating the amount of time by
3 which an inmate’s sentence may be reduced, inmates
4 shall be grouped into the following ~~two~~ three
5 sentencing categories:

6 Sec. __. Section 903A.2, subsection 1, Code 2007,
7 is amended by adding the following new paragraph:
8 NEW PARAGRAPH. c. Category “C” sentences are
9 those sentences which are classified as class “B1”
10 felonies under section 902.15. An inmate of an
11 institution under the control of the department of
12 corrections who is serving a category “C” sentence is
13 not eligible for a reduction of sentence.

14 Sec. __. Section 903A.7, Code 2007, is amended to
15 read as follows:

16 903A.7 SEPARATE SENTENCES.

17 Consecutive multiple sentences that are within the
18 same category under section 903A.2 shall be construed
19 as one continuous sentence for purposes of calculating
20 reductions of sentence for earned time. If a person
21 is sentenced to serve sentences of ~~both~~ multiple
22 categories, category “C” sentences shall be served
23 before category “B” or “A” sentences are served,
24 category “B” sentences shall be served before category
25 “A” sentences are served, and earned time accrued
26 against category “C” sentences shall not be used to
27 reduce category “B” or “A” sentences, and earned time
28 accrued against the category “B” sentences shall not
29 be used to reduce the category “A” sentences. If an
30 inmate serving a category “A” sentence is sentenced to
31 serve either a category “C” or “B” sentence, the
32 category “A” sentence shall be interrupted, and no
33 further earned time shall accrue against that sentence
34 until the category “C” or “B” sentence is completed.

35 Sec. __. Section 903B.1, Code 2007, is amended to
36 read as follows:

37 903B.1 SPECIAL SENTENCE — CLASS “B1”, CLASS “B”,
38 OR CLASS “C” FELONIES.

39 A person convicted of a class “C” felony or greater
40 offense under chapter 709, ~~or~~ a class “C” felony under
41 section 728.12, or a class “B1” felony under section
42 902.15, shall also be sentenced, in addition to any
43 other punishment provided by law, to a special
44 sentence committing the person into the custody of the
45 director of the Iowa department of corrections for the
46 rest of the person’s life, with eligibility for parole
47 as provided in chapter 906. The special sentence
48 imposed under this section shall commence upon
49 completion of the sentence imposed under any
50 applicable criminal sentencing provisions for the

Page 3

1 underlying criminal offense and the person shall begin
 2 the sentence under supervision as if on parole. The
 3 person shall be placed on the corrections continuum in
 4 chapter 901B, and the terms and conditions of the
 5 special sentence, including violations, shall be
 6 subject to the same set of procedures set out in
 7 chapters 901B, 905, 906, and ~~chapter~~ 908, and rules
 8 adopted under those chapters for persons on parole.
 9 The revocation of release shall not be for a period
 10 greater than two years upon any first revocation, and
 11 five years upon any second or subsequent revocation.
 12 A special sentence shall be considered a category "A"
 13 sentence for purposes of calculating earned time under
 14 section 903A.2.
 15 Sec. ____ Section 907.3, subsection 1, paragraph
 16 a, Code 2007, is amended to read as follows:
 17 a. The offense is a violation of section 709.8 or
 18 728.12, subsection 1, and the child is twelve years of
 19 age or under."
 20 3. Page 6, line 28, by striking the word "acts"
 21 and inserting the following: "offenses".
 22 4. By renumbering as necessary.

LARRY McKIBBEN
 JERRY BEHN
 E. THURMAN GASKILL
 JAMES A. SEYMOUR
 LARRY NOBLE
 PAUL McKINLEY
 BRAD ZAUN
 DAVE MULDER
 DAVID JOHNSON
 PAT WARD
 DAVID HARTSUCH
 MARK ZIEMAN
 NANCY J. BOETTGER
 JOHN PUTNEY
 MARY A. LUNDBY
 RON WIECK
 STEVE KETTERING
 JAMES F. HAHN

S-3504

1 Amend the amendment, S-3488, to Senate File 455 as
 2 follows:
 3 1. Page 1, by inserting after line 22 the
 4 following:
 5 "Sec. ____ NEW SECTION. 709.23 FORCED SEX ACT
 6 INVOLVING MINORS.

7 1. A person eighteen years of age or older who,
 8 for the purpose of arousing or satisfying the person's
 9 sexual desires, forces, coerces, solicits, or uses a
 10 position of authority to persuade two or more minors
 11 to engage in a sex act, where at least one of the
 12 participants is under the age of twelve, is guilty of
 13 a class "B" felony.

14 2. A person eighteen years of age or older who,
 15 for the purpose of arousing or satisfying the person's
 16 sexual desires, forces, coerces, solicits, or uses a
 17 position of authority to persuade two or more minors
 18 to engage in a sex act, where at least one of the
 19 participants is twelve or thirteen years of age, is
 20 guilty of a class "C" felony.

21 3. A person eighteen years of age or older who,
 22 for the purpose of arousing or satisfying the person's
 23 sexual desires, forces, coerces, solicits, or uses a
 24 position of authority to persuade a minor under
 25 fourteen years of age to use an artificial sexual
 26 organ or substitute therefor to contact the minor's
 27 own genitalia or anus, is guilty of a class "D"
 28 felony.

29 4. The act of forcing, coercing, soliciting, or
 30 persuading each minor to engage in a sex act under
 31 subsection 1 or 2 constitutes a separate offense."

32 2. By renumbering as necessary.

LARRY McKIBBEN
 JERRY BEHN
 E. THURMAN GASKILL
 JAMES A. SEYMOUR
 LARRY NOBLE
 PAUL McKINLEY
 BRAD ZAUN
 DAVE MULDER
 RON WIECK
 DAVID JOHNSON
 PAT WARD
 DAVID HARTSUCH
 MARK ZIEMAN
 NANCY J. BOETTGER
 JOHN PUTNEY
 MARY A. LUNDBY
 STEVE KETTERING
 JAMES F. HAHN

S-3505

HOUSE AMENDMENT TO SENATE FILE 344

1 Amend Senate File 344 as follows:

- 2 1. Page 1, line 34, by striking the word “thirty”
- 3 and inserting the following: “sixty”.
- 4 2. Page 1, line 35, by inserting after the word
- 5 “department” the following: “by certified mail”.

S-3506

HOUSE AMENDMENT TO
SENATE FILE 588

1 Amend Senate File 588, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 15, by inserting after line 35 the
4 following:
5 “The state board of regents shall conduct a
6 detailed study examining campus security protocols,
7 processes, procedures, technologies, and prevention
8 counseling techniques in use at each of the
9 institutions of higher learning the board governs.
10 The study shall also explore process, protocol, and
11 technology improvements, as well as any other
12 improvements which may lead to significant
13 improvements in campus safety and security. The study
14 shall include a review of arming campus security
15 officers. The board shall complete the study by
16 October 1, 2007, and shall submit its findings and
17 recommendations in a report to the governor and the
18 general assembly by October 15, 2007.”

19 2. By striking page 19, line 31, through page 20,
20 line 1, and inserting the following: “adults with
21 disabilities and special needs. The funds shall be
22 used for a nationally recognized program that began in
23 1986 and has been replicated in at least thirty
24 other”.

25 3. Page 21, by inserting after line 35 the
26 following:
27 “Sec. ____ STATE BOARD OF REGENTS — GEORGE
28 WASHINGTON CARVER ENDOWED CHAIR. There is
29 appropriated from the general fund of the state to the
30 state board of regents for the fiscal period beginning
31 July 1, 2007, and ending June 30, 2009, the following
32 amounts, or so much thereof as is necessary, to be
33 used for the purpose designated:
34 For purposes of recruiting and retaining
35 high-quality faculty and to support their academic
36 pursuits and endeavors through the establishment of
37 the George Washington Carver endowed chair at the Iowa
38 state university of science and technology:

39 FY 2007–2008	\$	250,000
40 FY 2008–2009	\$	250,000
41 Moneys appropriated for purposes of the George		
42 Washington Carver endowed chair as provided by this		

43 section shall be allocated only to the extent that the
 44 state moneys are matched from other sources by the
 45 Iowa state university of science and technology on a
 46 basis of a two dollar university contribution for
 47 every one dollar appropriated under this section.”

48 4. Page 22, by inserting after line 14 the
 49 following:

50 5. Page 22, by inserting after line 14 the

Page 2

1 following:

2 “Sec. ____ . PARTICIPATION IN AN INSTRUCTIONAL
 3 SUPPORT PROGRAM BY SCHOOL DISTRICTS — SUSPENSION OF
 4 REQUIREMENTS. Notwithstanding any contrary provision
 5 in chapter 257, including sections 257.18 through
 6 257.21, a school district that has participated in a
 7 board-approved instructional support program during
 8 the fiscal year beginning July 1, 2006, and ending
 9 June 30, 2007, may continue to participate in the
 10 board-approved instructional support program for the
 11 fiscal year beginning July 1, 2007, and ending June
 12 30, 2008, to the extent established by the board’s
 13 resolution, as if it had complied with those sections,
 14 if all of the following apply:

15 1. The board of directors of the school district
 16 has adopted or adopts a resolution not later than May
 17 15, 2007, to participate in the board-approved
 18 instructional support program as otherwise provided in
 19 section 257.18. If the board of directors has adopted
 20 a budget which did not account for the board-approved
 21 instructional support program, the board of directors
 22 may adjust its budget to account for the
 23 board-approved instructional support program as
 24 approved by the department of management.

25 2. The secretary of the board of directors does
 26 not receive a petition as authorized in section
 27 257.18, subsection 2, within twenty-eight days
 28 following the adoption of the resolution by the board
 29 of directors of the school district to participate in
 30 the board-approved instructional support program as
 31 provided in subsection 1, which asks that an election
 32 be called to approve or disapprove the action of the
 33 board of directors in adopting the resolution.”

34 “Sec. ____ . The Iowa learning technology commission
 35 shall submit a report by January 1, 2008, to the
 36 general assembly which shall include a description and
 37 the results of the pilot programs which received
 38 funding pursuant to section 280A.4 and, based on the
 39 findings resulting from implementation of the
 40 programs, the commission’s recommendations for funding
 41 and implementing statewide learning technology

42 initiatives.”

43 6. Page 25, by inserting after line 14 the
44 following:

45 “Sec. ____ . Section 256.9, Code 2007, is amended by
46 adding the following new subsection:

47 NEW SUBSECTION. 55. Establish and maintain a
48 process and a procedure, in cooperation with the board
49 of educational examiners, to compare a practitioner’s
50 teaching assignment with the license and endorsements

Page 3

1 held by the practitioner. The director may report
2 noncompliance issues identified by this process to the
3 board of educational examiners pursuant to section
4 272.15, subsection 3.”

5 7. By striking page 26, line 34, through page 27,
6 line 15, and inserting the following:

7 “a. A school district that provides a virtual
8 class to a pupil in another school district and the
9 school district receiving that virtual class for a
10 pupil shall each receive a supplemental weighting of
11 one-twentieth of the percentage of the pupil’s school
12 day during which the pupil attends the virtual class.

13 b. Fifty percent of the funding the school
14 district providing the virtual class receives as a
15 result of this subsection shall be reserved as
16 additional pay for the virtual classroom instructor.
17 If an instructor’s contract provides additional pay
18 for teaching a virtual class, the instructor shall
19 receive the greater amount of either the amount
20 provided for in this paragraph or the amount provided
21 for in the instructor’s contract.

22 c. A school district receiving a virtual class for
23 a pupil from a community college, which class meets
24 the sharing agreement requirements in section 257.11,
25 subsection 3, shall receive a supplemental funding
26 weighting of one-twentieth of the percentage of the
27 pupil’s school day during which the pupil attends the
28 virtual class.

29 d. For the purposes of this subsection, “virtual
30 class” means either of the following:

31 (1) A class provided by a school district to a
32 pupil in another school district via the Iowa
33 communications network’s video services.

34 (2) A class provided by a community college to a
35 pupil in a school district via the Iowa communications
36 network’s video services.”

37 8. Page 39, by inserting after line 4 the
38 following:

39 “Sec. ____ . Section 272.15, Code 2007, is amended
40 to read as follows:

41 272.15 ~~SCHOOL REPORTING REQUIREMENT~~ REQUIREMENTS
42 — COMPLAINTS.

43 1. The board of directors of a school district or
44 area education agency, the superintendent of a school
45 district or the chief administrator of an area
46 education agency, and the authorities in charge of a
47 nonpublic school shall report to the board the
48 nonrenewal or termination, for reasons of alleged or
49 actual misconduct, of a person's contract executed
50 under sections 279.12, 279.13, 279.15 through 279.21,

Page 4

1 279.23, and 279.24, and the resignation of a person
2 who holds a license, certificate, or authorization
3 issued by the board as a result of or following an
4 incident or allegation of misconduct that, if proven,
5 would constitute a violation of the rules adopted by
6 the board to implement section 272.2, subsection 14,
7 paragraph "b", subparagraph (1), when the board or
8 reporting official has a good faith belief that the
9 incident occurred or the allegation is true.
10 Information reported to the board in accordance with
11 this section is privileged and confidential, and
12 except as provided in section 272.13, is not subject
13 to discovery, subpoena, or other means of legal
14 compulsion for its release to a person other than the
15 respondent and the board and its employees and agents
16 involved in licensee discipline, and is not admissible
17 in evidence in a judicial or administrative proceeding
18 other than the proceeding involving licensee
19 discipline. The board shall review the information
20 reported to determine whether a complaint should be
21 initiated. In making that determination, the board
22 shall consider the factors enumerated in section
23 272.2, subsection 14, paragraph "a". For purposes of
24 this section, unless the context otherwise requires,
25 "misconduct" means an action disqualifying an
26 applicant for a license or causing the license of a
27 person to be revoked or suspended in accordance with
28 the rules adopted by the board to implement section
29 272.2, subsection 14, paragraph "b", subparagraph (1).
30 2. If, in the course of performing official
31 duties, an employee of the department becomes aware of
32 any alleged misconduct by an individual licensed under
33 this chapter, the employee shall report the alleged
34 misconduct to the board of educational examiners under
35 rules adopted pursuant to subsection 1.
36 3. If the executive director of the board verifies
37 through a review of official records that a teacher
38 who holds a practitioner's license under this chapter
39 is assigned instructional duties for which the teacher

40 does not hold the appropriate license or endorsement,
41 either by grade level or subject area, by a school
42 district or accredited nonpublic school, the executive
43 director may initiate a complaint against the teacher
44 and the administrator responsible for the
45 inappropriate assignment of instructional duties.”

46 9. Page 39, by inserting after line 18 the
47 following:

48 “Sec. ____ NEW SECTION. 279.43 REPORTING
49 INAPPROPRIATE TEACHING ASSIGNMENTS.

50 An employee licensed by the board of educational

Page 5

1 examiners and holding a contract as described in
2 section 279.13 shall disclose any occurrence of a
3 teaching assignment for which that employee is not
4 properly licensed to the school official responsible
5 for determining teaching assignments. Failure of the
6 employee to disclose this occurrence or failure of the
7 school official responsible for determining teaching
8 assignments to make appropriate adjustments to the
9 employee’s teaching assignment once the employee
10 discloses the occurrence shall constitute an incident
11 of misconduct as provided in section 272.2, subsection
12 14, and is actionable by the board. If the school
13 official fails to make appropriate adjustments to the
14 teaching assignment once disclosure by the employee is
15 made, the employee shall report this occurrence to the
16 department or to the board for further action.”

17 10. Page 41, by inserting after line 30 the
18 following:

19 “Sec. ____ NEW SECTION. 279.66 DISCIPLINE AND
20 PERSONAL CONDUCT STANDARDS.

21 The board of directors of a school district shall
22 review and modify existing policies related to student
23 discipline and student conduct that are designed to
24 promote responsible behavior on school property and at
25 school functions in order that the policy shall govern
26 the conduct of students, teachers and other school
27 personnel, and visitors; provide opportunities for
28 students to exercise self-discipline and practice
29 cooperative classroom behavior; and encourage students
30 and practitioners to model fairness, equity, and
31 respect. The policy shall specify the
32 responsibilities of students, parents and guardians,
33 and practitioners in creating an atmosphere where all
34 individuals feel a sense of respect, safety, and
35 belonging, and shall set forth the consequences for
36 unacceptable behavior. The policy shall be published
37 in the student handbook.”

38 11. Page 45, line 13, by inserting after the word

39 “EFFECTIVE” the following: “AND APPLICABILITY”.

40 12. Page 45, by inserting after line 16 the
41 following:

42 “___ The section of this Act enacting section
43 257.11, subsection 6, takes effect July 1, 2007, and
44 is applicable to school budget years beginning on or
45 after July 1, 2008.”

46 13. Page 45, by inserting after line 16 the
47 following:

48 “___ The section of this Act relating to a
49 suspension of the requirements for participation in an
50 instructional support program by school districts,

Page 6

1 being deemed of immediate importance, takes effect
2 upon enactment.”

3 14. Title page, line 4, by inserting after the
4 word “regents,” the following: “providing for related
5 matters concerning the Iowa learning technology
6 commission,”.

7 15. Title page, line 4, by inserting after the
8 word “regents,” the following: “providing for a
9 related matter concerning participation in an
10 instructional support program by school districts,”.

11 16. By renumbering, relettering, or redesignating
12 and correcting internal references as necessary.

S-3507

1 Amend Senate File 512 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 “Section 1. NEW SECTION. 510B.1 DEFINITIONS.

5 As used in this chapter, unless the context
6 otherwise requires:

7 1. “Commissioner” means the commissioner of
8 insurance.

9 2. “Covered entity” means a nonprofit hospital or
10 medical services corporation, health insurer, health
11 benefit plan, or health maintenance organization; a
12 health program administered by a department or the
13 state in the capacity of provider of health coverage;
14 or an employer, labor union, or other group of persons
15 organized in the state that provides health coverage.
16 “Covered entity” does not include a self-funded health
17 coverage plan that is exempt from state regulation
18 pursuant to the federal Employee Retirement Income
19 Security Act of 1974 (ERISA), as codified at 29 U.S.C.
20 § 1001 et seq., a plan issued for health coverage for
21 federal employees, or a health plan that provides
22 coverage only for accidental injury, specified

23 disease, hospital indemnity, Medicare supplemental,
24 disability income, or long-term care, or other limited
25 benefit health insurance policy or contract.

26 3. "Covered individual" means a member,
27 participant, enrollee, contract holder, policyholder,
28 or beneficiary of a covered entity who is provided
29 health coverage by the covered entity, and includes a
30 dependent or other person provided health coverage
31 through a policy, contract, or plan for a covered
32 individual.

33 4. "Generic drug" means a chemically equivalent
34 copy of a brand-name drug with an expired patent.

35 5. "Labeler" means a person that receives
36 prescription drugs from a manufacturer or wholesaler
37 and repackages those drugs for later retail sale and
38 that has a labeler code from the federal food and drug
39 administration pursuant to 21 C.F.R. § 207.20.

40 6. "Pharmacy" means pharmacy as defined in section
41 155A.3.

42 7. "Pharmacy benefits management" means the
43 administration or management of prescription drug
44 benefits provided by a covered entity under the terms
45 and conditions of the contract between the pharmacy
46 benefits manager and the covered entity.

47 8. "Pharmacy benefits manager" means a person who
48 performs pharmacy benefits management services.
49 "Pharmacy benefits manager" includes a person acting
50 on behalf of a pharmacy benefits manager in a

Page 2

1 contractual or employment relationship in the
2 performance of pharmacy benefits management services
3 for a covered entity. "Pharmacy benefits manager"
4 does not include a health insurer licensed in the
5 state if the health insurer or its subsidiary is
6 providing pharmacy benefits management services
7 exclusively to its own insureds, or a public
8 self-funded pool or a private single employer
9 self-funded plan that provides such benefits or
10 services directly to its beneficiaries.

11 9. "Prescription drug" means prescription drug as
12 defined in section 155A.3.

13 10. "Prescription drug order" means prescription
14 drug order as defined in section 155A.3.

15 Sec. 2. NEW SECTION. 510B.2 CERTIFICATION AS A
16 THIRD-PARTY ADMINISTRATOR REQUIRED.

17 A pharmacy benefits manager doing business in this
18 state shall obtain a certificate as a third-party
19 administrator under chapter 510, and the provisions
20 relating to a third-party administrator pursuant to
21 chapter 510 shall apply to a pharmacy benefits

22 manager.

23 Sec. 3. NEW SECTION. 510B.3 ENFORCEMENT —
24 RULES.

25 1. The commissioner shall enforce the provisions
26 of this chapter.

27 2. The commissioner shall adopt rules pursuant to
28 chapter 17A to administer this chapter including rules
29 relating to all of the following:

- 30 a. Timely payment of pharmacy claims.
- 31 b. A process for adjudication of complaints and
32 settlement of disputes between a pharmacy benefits
33 manager and a licensed pharmacy related to pharmacy
34 auditing practices, termination of pharmacy
35 agreements, and timely payment of pharmacy claims.

36 Sec. 4. NEW SECTION. 510B.4 PERFORMANCE OF
37 DUTIES — GOOD FAITH — CONFLICT OF INTEREST.

38 1. A pharmacy benefits manager shall perform the
39 pharmacy benefits manager’s duties exercising good
40 faith and fair dealing in the performance of its
41 contractual obligations toward the covered entity.

42 2. A pharmacy benefits manager shall notify the
43 covered entity in writing of any activity, policy,
44 practice ownership interest, or affiliation of the
45 pharmacy benefits manager that presents any conflict
46 of interest.

47 Sec. 5. NEW SECTION. 510B.5 CONTACTING COVERED
48 INDIVIDUAL — REQUIREMENTS.

49 A pharmacy benefits manager, unless authorized
50 pursuant to the terms of its contract with a covered

Page 3

1 entity, shall not contact any covered individual
2 without the express written permission of the covered
3 entity.

4 Sec. 6. NEW SECTION. 510B.6 DISPENSING OF
5 SUBSTITUTE PRESCRIPTION DRUG FOR PRESCRIBED DRUG.

6 1. The following provisions shall apply when a
7 pharmacy benefits manager requests the dispensing of a
8 substitute prescription drug for a prescribed drug to
9 a covered individual:

10 a. The pharmacy benefits manager may request the
11 substitution of a lower priced generic and
12 therapeutically equivalent drug for a higher priced
13 prescribed drug.

14 b. If the substitute drug’s net cost to the
15 covered individual or covered entity exceeds the cost
16 of the prescribed drug, the substitution shall be made
17 only for medical reasons that benefit the covered
18 individual.

19 2. A pharmacy benefits manager shall obtain the
20 approval of the prescribing practitioner prior to

21 requesting any substitution under this section.

22 3. A pharmacy benefits manager shall not
23 substitute an equivalent prescription drug contrary to
24 a prescription drug order that prohibits a
25 substitution.

26 Sec. 7. NEW SECTION. 510B.7 DUTIES TO PHARMACY
27 NETWORK PROVIDERS.

28 1. A pharmacy benefits manager shall not mandate
29 basic recordkeeping that is more stringent than that
30 required by state or federal law or regulation.

31 2. If a pharmacy benefits manager receives notice
32 from a covered entity of termination of the covered
33 entity's contract, the pharmacy benefits manager shall
34 notify, within ten working days of the notice, all
35 pharmacy network providers of the effective date of
36 the termination.

37 3. Within three business days of a price increase
38 notification by a manufacturer or supplier, a pharmacy
39 benefits manager shall adjust its payment to the
40 pharmacy network provider consistent with the price
41 increase.

42 Sec. 8. PHARMACY BENEFITS MANAGER LEGISLATIVE
43 INTERIM COMMITTEE. The legislative council is
44 requested to establish a legislative interim committee
45 on pharmacy benefits managers to review all of the
46 following:

47 1. Transparency and disclosure arrangements
48 between pharmacy benefits managers and covered
49 entities.

50 2. Confidentiality protections for information

Page 4

1 disclosed to covered entities and remedies for
2 unauthorized disclosure.

3 3. The ability of covered entities to audit
4 pharmacy benefits managers.

5 4. Appropriate remedies for covered entities to
6 enforce a provision of or for violation of a provision
7 of chapter 510B, as enacted in this Act.

8 Sec. 9. EFFECTIVE DATE — DIRECTIVE TO
9 COMMISSIONER OF INSURANCE.

10 1. This Act takes effect January 1, 2008.

11 2. Notwithstanding the effective date of this Act,
12 the commissioner of insurance shall commence the
13 process of developing proposed rules to implement and
14 administer this Act beginning July 1, 2007.”

15 2. Title page, by striking line 2 and inserting

16 the following: “and making penalties applicable, and
17 providing an effective date.”

JEFF DANIELSON
PAT WARD
MARK ZIEMAN

S-3508

1 Amend Senate File 606 as follows:
2 1. Page 3, by inserting after line 1 the
3 following:
4 “Sec. ____ Section 312.2, Code 2007, is amended by
5 adding the following new subsection:
6 **NEW SUBSECTION.** 19. The treasurer of state,
7 before making the allotments provided for in this
8 section, shall credit monthly to the TIME-21 fund
9 created in section 312A.2 the revenue accruing to the
10 road use tax fund from motor vehicle registration fees
11 that is attributable to the change in registration
12 fees for motor trucks with an unladen weight of seven
13 thousand five hundred pounds or less, to be determined
14 as follows:
15 a. For months in the calendar year beginning
16 January 1, 2008, the motor vehicle registration
17 revenue attributable to the change in motor truck
18 registration fees shall be the actual increase in
19 revenue derived from basing registration fees for
20 motor trucks weighing seven thousand five hundred
21 pounds or less on the vehicle’s weight and value, as
22 required under section 321.109, instead of charging
23 the flat fee required under section 321.122, Code
24 2007. In calculating the actual increase in revenue
25 derived from the change in motor truck fees, the
26 department shall take into consideration any automatic
27 reduction applied to the registration fees for motor
28 trucks weighing seven thousand five hundred pounds or
29 less pursuant to section 321.113.
30 b. The total amount of motor vehicle registration
31 revenue attributable to the change in motor truck
32 registration fees for all months in the calendar year
33 beginning January 1, 2008, as determined under
34 paragraph “a”, divided by the total amount of all
35 motor vehicle registration revenues credited to the
36 road use tax fund for that calendar year, is the
37 “percentage multiplier” to be used to determine the
38 motor vehicle registration revenue attributable to the
39 change in motor truck registration fees for months in
40 subsequent calendar years, as provided in paragraph
41 “c”.
42 c. For months in the calendar year beginning
43 January 1, 2009, and subsequent years, the motor

44 vehicle registration revenue attributable to the
45 change in motor truck registration fees is the product
46 of the total amount of all motor vehicle registration
47 revenues credited to the road use tax fund for the
48 month multiplied by the percentage multiplier under
49 paragraph "b".

50 2. Page 3, by inserting before line 2 the

Page 2

1 following:
2 "Sec. ____ Section 321.109, subsection 1,
3 paragraph a, Code 2007, is amended to read as follows:
4 a. The annual fee for all motor vehicles including
5 vehicles designated by manufacturers as station
6 wagons, ~~and~~ 1993 and subsequent model years for
7 multipurpose vehicles, and 2009 and subsequent model
8 year motor trucks with an unladen weight of seven
9 thousand five hundred pounds or less, except motor
10 trucks registered under section 321.122, special
11 trucks, motor homes, ambulances, hearses, motorcycles,
12 motorized bicycles, and 1992 and older model years for
13 multipurpose vehicles, shall be equal to one percent
14 of the value as fixed by the department plus forty
15 cents for each one hundred pounds or fraction thereof
16 of weight of vehicle, as fixed by the department. The
17 weight of a motor vehicle, fixed by the department for
18 registration purposes, shall include the weight of a
19 battery, heater, bumpers, spare tire, and wheel.
20 Provided, however, that for any new vehicle purchased
21 in this state by a nonresident for removal to the
22 nonresident's state of residence the purchaser may
23 make application to the county treasurer in the county
24 of purchase for a transit plate for which a fee of ten
25 dollars shall be paid. And provided, however, that
26 for any used vehicle held by a registered dealer and
27 not currently registered in this state, or for any
28 vehicle held by an individual and currently registered
29 in this state, when purchased in this state by a
30 nonresident for removal to the nonresident's state of
31 residence, the purchaser may make application to the
32 county treasurer in the county of purchase for a
33 transit plate for which a fee of three dollars shall
34 be paid. The county treasurer shall issue a
35 nontransferable certificate of registration for which
36 no refund shall be allowed; and the transit plates
37 shall be void thirty days after issuance. Such
38 purchaser may apply for a certificate of title by
39 surrendering the manufacturer's or importer's
40 certificate or certificate of title, duly assigned as
41 provided in this chapter. In this event, the
42 treasurer in the county of purchase shall, when

43 satisfied with the genuineness and regularity of the
44 application, and upon payment of a fee of ten dollars,
45 issue a certificate of title in the name and address
46 of the nonresident purchaser delivering the title to
47 the owner. If there is a security interest noted on
48 the title, the county treasurer shall mail to the
49 secured party an acknowledgment of the notation of the
50 security interest. The county treasurer shall not

Page 3

1 release a security interest that has been noted on a
2 title issued to a nonresident purchaser as provided in
3 this paragraph. The application requirements of
4 section 321.20 apply to a title issued as provided in
5 this subsection, except that a natural person who
6 applies for a certificate of title shall provide
7 either the person's social security number, passport
8 number, or driver's license number, whether the
9 license was issued by this state, another state, or
10 another country. The provisions of this subsection
11 relating to multipurpose vehicles are effective
12 January 1, 1993, for all 1993 and subsequent model
13 years. The annual registration fee for multipurpose
14 vehicles that are 1992 model years and older shall be
15 in accordance with section 321.124.
16 Sec. ____ Section 321.122, subsection 1,
17 unnumbered paragraph 1, Code 2007, is amended to read
18 as follows:

19 The annual registration fee for truck tractors,
20 road tractors, and motor trucks, except 2009 and
21 subsequent model year motor trucks with an unladen
22 weight of seven thousand five hundred pounds or less
23 and motor trucks registered as special trucks, shall
24 be based on the combined gross weight of the vehicle
25 or combination of vehicles. All such trucks, truck
26 tractors, or road tractors registered under this
27 section shall be registered for a gross weight equal
28 to or in excess of the unladen weight of the vehicle
29 or combination of vehicles. The annual registration
30 ~~fee fees~~ for such vehicles or combination of vehicles,
31 except special trucks, ~~shall be~~ are as follows:

32 Sec. ____ Section 321.123, subsection 2, Code
33 2007, is amended by adding the following new
34 paragraph:
35 NEW PARAGRAPH. c. This subsection does not apply
36 to motor trucks registered under section 321.109.”

37 3. Page 3, by inserting after line 21 the
38 following:
39 “Sec. ____ APPLICABILITY. The following sections
40 of this Act apply to registrations of 2009 and
41 subsequent model year motor trucks with an unladen

42 weight of seven thousand five hundred pounds or less
43 registered on or after January 1, 2008:

- 44 1. The section of this Act that enacts section
- 45 312.2, subsection 19.
- 46 2. The section of this Act that amends section
- 47 321.109, subsection 1, paragraph "a".
- 48 3. The section of this Act that amends section
- 49 321.122, subsection 1.
- 50 4. The section of this Act that enacts section

Page 4

- 1 321.123, subsection 2, paragraph "c".
- 2 4. Title page, line 1, by inserting after the
- 3 word "to" the following: "certain motor truck
- 4 registration fees, allocation of revenue from the
- 5 fees, and applicability of the fee provisions, and to
- 6 other".
- 7 5. By renumbering as necessary.

JOHN PUTNEY

S-3509

- 1 Amend House File 923, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by inserting after line 20 the
- 4 following:
- 5 "Sec. ____ Section 331.434, subsection 1, Code
- 6 2007, is amended to read as follows:
- 7 1. The budget shall show the amount required for
- 8 each class of proposed expenditures, a comparison of
- 9 the amounts proposed to be expended with the amounts
- 10 expended for like purposes for the two preceding
- 11 years, the revenues from sources other than property
- 12 taxation, a tax increment financing budget including
- 13 information required under section 384.16 for each
- 14 urban renewal area established by the county, and the
- 15 amount to be raised by property taxation, in the
- 16 detail and form prescribed by the director of the
- 17 department of management.
- 18 Sec. ____ Section 384.16, subsection 1, Code 2007,
- 19 is amended by adding the following new paragraph:
- 20 NEW PARAGRAPH. d. A tax increment financing
- 21 budget for each urban renewal area established by the
- 22 city.
- 23 Sec. ____ Section 384.16, subsection 1, unnumbered
- 24 paragraph 2, Code 2007, is amended to read as follows:
- 25 A budget must show comparisons between the
- 26 estimated expenditures in each program in the
- 27 following year, the latest estimated expenditures in
- 28 each program in the current year, and the actual

29 expenditures in each program from the annual report as
 30 provided in section 384.22, or as corrected by a
 31 subsequent audit report. Wherever practicable, as
 32 provided in rules of the committee, a budget,
 33 including the tax increment financing budget, must
 34 show comparisons between the levels of service
 35 provided by each program as estimated for the
 36 following year, and actual levels of service provided
 37 by each program during the two preceding years.
 38 Wherever practicable, the tax increment financing
 39 budget shall include estimated and actual tax
 40 increment financing revenues and all estimated and
 41 actual expenditures of the revenues, proceeds from
 42 debt and all estimated and actual expenditures of the
 43 debt proceeds, and identification of any entity
 44 receiving a direct payment of taxes funded by tax
 45 increment financing revenues.”

COMMITTEE ON WAYS AND MEANS
 JOE BOLKCOM, Chair

S-3510

1 Amend House File 923, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 9, by inserting after line 4 the
 4 following:
 5 “Sec. ____ Section 427.3, Code 2007, is amended to
 6 read as follows:
 7 427.3 ABATEMENT OF TAXES OF CERTAIN EXEMPT
 8 ENTITIES.
 9 The board of supervisors may abate the taxes levied
 10 against property acquired by gift or purchase by a
 11 person or entity if the property acquired by gift or
 12 purchase was transferred to the person or entity after
 13 the deadline for filing for property tax exemption in
 14 the year in which the property was transferred and the
 15 property acquired by gift or purchase would have been
 16 exempt under section 427.1, subsection 7, 8, or 9, if
 17 the person or entity had been able to file for
 18 exemption in a timely manner.
 19 Sec. ____ REFUND OF PROPERTY TAXES.
 20 Notwithstanding the deadline for filing a claim for
 21 property tax exemption for property described in
 22 section 427.1, subsection 8 or 9, and notwithstanding
 23 any other provision to the contrary, the board of
 24 supervisors of a county having a population based upon
 25 the latest federal decennial census of more than
 26 eighty-eight thousand but not more than ninety-five
 27 thousand shall refund the property taxes paid, with
 28 all interest, penalties, fees, and costs which were
 29 due and payable in the fiscal year beginning July 1,

30 2002, and in the fiscal year beginning July 1, 2005,
 31 on the land and buildings of an institution that
 32 purchased property and that did not receive a property
 33 tax exemption for the property due to the inability or
 34 failure to file for the exemption. To receive the
 35 refund provided for in this section, the institution
 36 shall apply to the county board of supervisors by
 37 October 1, 2007, and provide appropriate information
 38 establishing that the land and buildings for which the
 39 refund is sought were used by the institution for its
 40 appropriate objectives during the fiscal year
 41 beginning July 1, 2002, and during the fiscal year
 42 beginning July 1, 2005. The refund allowed under this
 43 section only applies to property taxes, with all
 44 interest, penalties, fees, and costs, due and payable
 45 in the fiscal year beginning July 1, 2002, and in the
 46 fiscal year beginning July 1, 2005.
 47 Sec. ____ IMMEDIATE EFFECTIVE DATE. The section
 48 of this division of this Act, amending section 427.3,
 49 being deemed of immediate importance, takes effect
 50 upon enactment and applies retroactively to property
 Page 2

1 taxes due and payable in the fiscal year beginning
 2 July 1, 2002, and in the fiscal year beginning July 1,
 3 2005.”

JOE BOLKCOM

S-3511

1 Amend House File 918, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 15, by inserting after line 15 the
 4 following:
 5 “Sec. ____ NEW SECTION. 476.110 TRADING OF
 6 CREDITS.
 7 The board may establish or participate in a program
 8 to track, record, and verify the trading of credits
 9 for electricity generated from renewable energy
 10 sources among electric generators, utilities, and
 11 other interested entities, within this state and with
 12 similar entities in other states.
 13 Sec. ____ NEW SECTION. 476A.17 COAL-FIRED
 14 MERCHANT POWER PLANTS.
 15 1. For purposes of this section, “coal-fired
 16 merchant power plant” means a power plant located in
 17 this state that burns primarily coal and was built
 18 after January 1, 2007, that is not owned more than
 19 fifty percent by a public utility, municipally owned
 20 utility, municipal power agency, or electric
 21 cooperative corporation or association, and which is

22 not subject to rate regulation pursuant to chapter
 23 476.
 24 2. As a condition of a permit issued by the board
 25 pursuant to this chapter, the board shall order an
 26 owner or operator of a coal-fired merchant power plant
 27 to do all of the following:
 28 a. Fulfill a plan or agreement to generate,
 29 provide, or purchase renewable energy, including but
 30 not limited to the use of biomass, in Iowa equal to at
 31 least two percent of the energy generated by the
 32 coal-fired merchant power plant.
 33 b. Provide one-tenth of one percent of annual
 34 gross revenues for the support of the Iowa energy
 35 center created in section 266.39C and the center for
 36 global and regional environmental research created by
 37 the state board of regents.
 38 c. Provide one-half of one percent of annual gross
 39 revenues for a statewide energy efficiency education
 40 program to be operated by the center for energy and
 41 environmental education at the university of northern
 42 Iowa in conjunction with the board.
 43 3. The board, after consultation with the
 44 department of natural resources, may waive all or part
 45 of the requirements of subsection 2 upon finding that
 46 the coal-fired merchant power plant has exceeded
 47 another requirement of subsection 2 or implemented
 48 other methods to expand renewable energy, energy
 49 efficiency, and energy research, or to offset its
 50 production of greenhouse gases and other pollutants.

Page 2

1 4. The board shall adopt rules pursuant to chapter
 2 17A prescribing regulatory standards and
 3 implementation procedures relating to the application
 4 of the requirements in subsection 2.”
 5 2. By renumbering as necessary.

ROBERT M. HOGG
 JEFF DANIELSON

S-3512

1 Amend Senate File 606 as follows:
 2 1. Page 3, by inserting after line 1 the
 3 following:
 4 “Sec. ____ Section 312.2, Code 2007, is amended by
 5 adding the following new subsection:
 6 NEW SUBSECTION. 19. The treasurer of state,
 7 before making the allotments provided for in this
 8 section, shall credit annually to the TIME-21 fund
 9 created in section 312A.2 the revenue accruing to the

10 road use tax fund from motor vehicle registration fees
11 that is attributable to the change in registration
12 fees for motor trucks with an unladen weight of seven
13 thousand five hundred pounds or less. For purposes of
14 this subsection, the motor vehicle registration fee
15 revenue attributable to the change in motor truck
16 registration fees is the amount in excess of the total
17 amount collected for the fiscal year beginning July 1,
18 2006, and ending June 30, 2007, from registration fees
19 for motor trucks with a combined gross weight of four
20 tons or less under section 321.122, Code 2007.”

21 2. Page 3, by inserting before line 2 the
22 following:

23 “Sec. ____ Section 321.109, subsection 1,
24 paragraph a, Code 2007, is amended to read as follows:

25 a. The annual fee for all motor vehicles including
26 vehicles designated by manufacturers as station
27 wagons, ~~and~~ 1993 and subsequent model years for
28 multipurpose vehicles, and 2009 and subsequent model
29 year motor trucks with an unladen weight of seven
30 thousand five hundred pounds or less, except motor
31 trucks registered under section 321.122, special
32 trucks, motor homes, ambulances, hearses, motorcycles,
33 motorized bicycles, and 1992 and older model years for
34 multipurpose vehicles, shall be equal to one percent
35 of the value as fixed by the department plus forty
36 cents for each one hundred pounds or fraction thereof
37 of weight of vehicle, as fixed by the department. The
38 weight of a motor vehicle, fixed by the department for
39 registration purposes, shall include the weight of a
40 battery, heater, bumpers, spare tire, and wheel.
41 Provided, however, that for any new vehicle purchased
42 in this state by a nonresident for removal to the
43 nonresident’s state of residence the purchaser may
44 make application to the county treasurer in the county
45 of purchase for a transit plate for which a fee of ten
46 dollars shall be paid. And provided, however, that
47 for any used vehicle held by a registered dealer and
48 not currently registered in this state, or for any
49 vehicle held by an individual and currently registered
50 in this state, when purchased in this state by a

Page 2

1 nonresident for removal to the nonresident’s state of
2 residence, the purchaser may make application to the
3 county treasurer in the county of purchase for a
4 transit plate for which a fee of three dollars shall
5 be paid. The county treasurer shall issue a
6 nontransferable certificate of registration for which
7 no refund shall be allowed; and the transit plates
8 shall be void thirty days after issuance. Such

9 purchaser may apply for a certificate of title by
 10 surrendering the manufacturer's or importer's
 11 certificate or certificate of title, duly assigned as
 12 provided in this chapter. In this event, the
 13 treasurer in the county of purchase shall, when
 14 satisfied with the genuineness and regularity of the
 15 application, and upon payment of a fee of ten dollars,
 16 issue a certificate of title in the name and address
 17 of the nonresident purchaser delivering the title to
 18 the owner. If there is a security interest noted on
 19 the title, the county treasurer shall mail to the
 20 secured party an acknowledgment of the notation of the
 21 security interest. The county treasurer shall not
 22 release a security interest that has been noted on a
 23 title issued to a nonresident purchaser as provided in
 24 this paragraph. The application requirements of
 25 section 321.20 apply to a title issued as provided in
 26 this subsection, except that a natural person who
 27 applies for a certificate of title shall provide
 28 either the person's social security number, passport
 29 number, or driver's license number, whether the
 30 license was issued by this state, another state, or
 31 another country. The provisions of this subsection
 32 relating to multipurpose vehicles are effective
 33 January 1, 1993, for all 1993 and subsequent model
 34 years. The annual registration fee for multipurpose
 35 vehicles that are 1992 model years and older shall be
 36 in accordance with section 321.124.
 37 Sec. ____ Section 321.122, subsection 1,
 38 unnumbered paragraph 1, Code 2007, is amended to read
 39 as follows:

40 The annual registration fee for truck tractors,
 41 road tractors, and motor trucks, except 2009 and
 42 subsequent model year motor trucks with an unladen
 43 weight of seven thousand five hundred pounds or less
 44 and motor trucks registered as special trucks, shall
 45 be based on the combined gross weight of the vehicle
 46 or combination of vehicles. All such trucks, truck
 47 tractors, or road tractors registered under this
 48 section shall be registered for a gross weight equal
 49 to or in excess of the unladen weight of the vehicle
 50 or combination of vehicles. The annual registration

Page 3

1 ~~fee fees~~ for such vehicles or combination of vehicles
 2 except special trucks, ~~shall be~~ are as follows:
 3 Sec. ____ Section 321.123, subsection 2, Code
 4 2007, is amended by adding the following new
 5 paragraph:
 6 NEW PARAGRAPH. c. This subsection does not apply
 7 to motor trucks registered under section 321.109.”

- 8 3. Page 3, by inserting after line 21 the
9 following:
10 “Sec. ____ APPLICABILITY. The following sections
11 of this Act apply to registrations of 2009 and
12 subsequent model year motor trucks with an unladen
13 weight of seven thousand five hundred pounds or less
14 registered on or after January 1, 2008:
15 1. The section of this Act that enacts section
16 312.2, subsection 19.
17 2. The section of this Act that amends section
18 321.109, subsection 1, paragraph “a”.
19 3. The section of this Act that amends section
20 321.122, subsection 1.
21 4. The section of this Act that enacts section
22 321.123, subsection 2, paragraph “c.”
23 4. Title page, line 1, by inserting after the
24 word “to” the following: “certain motor truck
25 registration fees, allocation of revenue from the
26 fees, and applicability of the fee provisions, and to
27 other”.
28 5. By renumbering as necessary.

JOHN PUTNEY

S-3513

- 1 Amend House File 901, as passed by the House, as
2 follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 “Section 1. NEW SECTION. 91.7 SECURITY EMPLOYEE
6 TRAINING — FEES — RETENTION.
7 1. The commissioner shall establish and conduct
8 security employee training for designated security
9 employees, as defined in section 123.3, who are
10 required to be trained and certified pursuant to
11 section 123.32. The commissioner shall assess a fee
12 of not more than twenty-five dollars to a person
13 participating in the training.
14 2. Fees assessed pursuant to this section shall be
15 retained by the commissioner and shall be considered
16 repayment receipts as defined in section 8.2, and
17 shall be used to offset the cost of conducting the
18 training. Notwithstanding section 8.33, repayment
19 receipts collected by the commissioner for security
20 employee training that remain unencumbered or
21 unobligated at the close of the fiscal year shall not
22 revert but shall remain available for expenditure for
23 the purpose designated until the close of the
24 succeeding fiscal year.”
25 2. Page 1, line 11, by inserting after the word
26 “However,” the following: “the local authority for a

27 city with a population of more than forty thousand
 28 shall require”.
 29 3. Page 1, by striking lines 12 through 18 and
 30 inserting the following: “licensee or permittee of
 31 premises with an occupancy of at least one hundred
 32 fifty persons to have at least one designated security
 33 employee, who shall be designated as the supervising
 34 security person, who is trained and certified in
 35 security methods, on the premises during an event for
 36 which an admission or a cover charge of at least five
 37 dollars is charged or collected to enter the premises
 38 or attend a performance or program on the premises
 39 while”.

40 4. Page 1, line 21, by striking the words
 41 “authorized by the administrator” and inserting the
 42 following: “conducted by the division of labor
 43 services of the department of workforce development.
 44 However, a designated security employee who is a
 45 certified peace officer shall be exempt from the
 46 requirement to be trained and certified through a
 47 program conducted by the division of labor services”.

48 5. Page 1, by inserting after line 33 the
 49 following:
 50 “Sec. ____ EFFECTIVE DATE. The section of this

Page 2

1 Act amending section 123.32 takes effect July 1,
 2 2008.”

3 6. Title page, line 3, by inserting after the
 4 word “permit” the following: “and providing an
 5 effective date”.

6 7. By renumbering as necessary.

WILLIAM A. DOTZLER, JR.

S-3514

1 Amend House File 911, as amended, passed, and
 2 reprinted by the House, as follows:

3 1. Page 3, by inserting after line 3, the
 4 following:

5 “____. For distribution to other governmental
 6 entities:
 7 \$ 2,000,000

8 Moneys appropriated in this lettered paragraph
 9 shall be separately accounted for in a distribution
 10 account and shall be distributed to other governmental
 11 entities based upon a formula established by the
 12 department to pay for services provided during the
 13 fiscal year to such other governmental entities by the
 14 department associated with the integrated information

- 15 for Iowa system, notwithstanding section 8.57,
 16 subsection 6, paragraph “c”:
 17 2. Page 8, line 23, by striking the figure
 18 “4,500,000” and inserting the following: “2,000,000”.
 19 3. Page 14, by inserting after line 15 the
 20 following:
 21 “Sec. __. 2007 Iowa Acts, House File 874, section
 22 1, subsection 1, paragraph “c”, if enacted, is amended
 23 by striking the paragraph.”
 24 4. Page 21, line 9, by striking the figure
 25 “4,100,000” and inserting the following: “3,600,000”.
 26 5. Page 21, line 11, by striking the figure
 27 “22,800,000” and inserting the following:
 28 “23,300,000”.
 29 6. By renumbering as necessary.

MATT McCOY

S-3515

- 1 Amend the House amendment, S-3506, to Senate File
 2 588, as amended, passed, and reprinted by the Senate,
 3 as follows:
 4 1. Page 1, by inserting after line 2 the
 5 following:
 6 “__. Page 2, by striking line 21 and inserting
 7 the following:
 8 “..... \$ 485,400”
 9 __. Page 3, line 20, by striking the figure
 10 “395,600” and inserting the following: “295,600”.
 11 __. Page 3, line 21, by striking the figure
 12 “215,600” and inserting the following: “162,508”.
 13 __. Page 7, by striking line 29 and inserting
 14 the following:
 15 “..... \$ 1,801,761”
 16 __. Page 7, by striking line 32 and inserting
 17 the following:
 18 “..... \$ 1,823,432”
 19 __. Page 8, by striking line 5 and inserting the
 20 following:
 21 “..... \$ 8,448,649”
 22 __. Page 11, by striking lines 26 through 30.
 23 __. Page 13, by striking line 16 and inserting
 24 the following:
 25 “..... \$ 400,000”
 26 __. Page 13, by striking line 26 and inserting
 27 the following:
 28 “..... \$ 2,500,000”
 29 2. By renumbering as necessary.

FRANK B. WOOD

S-3516

- 1 Amend House File 556, as passed by the House, as
2 follows:
- 3 1. Page 1, by striking lines 28 through 32.
 - 4 2. By striking page 2, line 16, through page 3,
5 line 11, and inserting the following:
6 “___ The Iowa propane education and research
7 council is established. Members of the council shall
8 be appointed by the governor. The council shall
9 consist of the following members:
10 a. One member who is a representative of a
11 community college.
12 b. Two members who are fire fighters or emergency
13 medical services providers.
14 c. One member who is a building inspector.
15 d. One member who represents building contractors.
16 e. One member who is a representative of a
17 building trade union.
18 f. Three members appointed from a list of nominees
19 submitted by qualified propane industry organizations
20 within thirty days after the effective date of this
21 Act and by December 15 of each year thereafter.
22 g. One member who is a member of the general
23 public.
24 The fire marshal or a designee may serve as an ex
25 officio, nonvoting member of the council.”
 - 26 3. By renumbering as necessary.

HERMAN C. QUIRMBACH

S-3517

- 1 Amend House File 556, as passed by the House, as
2 follows:
- 3 1. Page 4, by striking lines 18 through 20 and
4 inserting the following: “benefits to the fullest
5 extent practicable. The council shall coordinate
6 its”.
 - 7 2. Page 4, by striking lines 28 through 33 and
8 inserting the following:
9 “8. On or before December 15 of each year, the
10 council shall submit a budget plan to the general
11 assembly for the next fiscal year that includes the
12 probable cost of all programs, projects, and contracts
13 recommended to be undertaken and a requested
14 appropriation sufficient to cover the probable costs.
15 The council may submit the proposed budget and
16 appropriation request to the fire marshal for review
17 and comment.”
 - 18 3. By striking page 5, line 34, through page 8,
19 line 22.

- 20 4. Page 8, line 24, by striking the word
 21 “collected” and inserting the following: “received”.
- 22 5. Page 8, line 28, by striking the words “fire
 23 marshal” and inserting the following: “general
 24 assembly”.
- 25 6. Page 8, by striking lines 29 through 35.
- 26 7. Page 9, line 14, by inserting after the word
 27 “to” the following: “the general assembly and to”.
- 28 8. Page 9, by striking lines 20 through 34 and
 29 inserting the following:
 30 “Sec. ____ NEW SECTION. 101B.12 FUTURE REPEAL.
 31 This chapter is repealed December 31, 2012.
 32 Sec. ____ EFFECTIVE DATE. This Act, being deemed
 33 of immediate importance, takes effect upon enactment.”
- 34 9. Title page, by striking lines 3 through 5 and
 35 inserting the following: “projects related to
 36 propane, and providing for a repeal and an effective
 37 date.”
- 38 10. By renumbering as necessary.

HERMAN C. QUIRMBACH

S-3518

- 1 Amend the amendment, S-3512, to Senate File 606 as
 2 follows:
- 3 1. Page 1, line 12, by inserting after the word
 4 “trucks” the following: “, other than business trade
 5 trucks and farm trucks.”
- 6 2. Page 1, line 15, by inserting after the word
 7 “in” the following: “those”.
- 8 3. Page 1, by inserting after line 22 the
 9 following:
 10 ““Sec. ____ Section 321.1, Code 2007, is amended
 11 by adding the following new subsections:
 12 NEW SUBSECTION. 7A. “Business trade truck” means
 13 a motor truck with an unladen weight of seven thousand
 14 five hundred pounds or less that is any of the
 15 following:
 16 a. Owned, leased, or used by a person who files a
 17 schedule C form with the federal internal revenue
 18 service.
 19 b. Eligible for depreciation under 26 U.S.C. §
 20 167.
 21 c. Owned, leased, or used by a person engaged in a
 22 business or trade and regularly used to haul supplies,
 23 trade tools, equipment, merchandise, or freight for
 24 that business or trade.
 25 NEW SUBSECTION. 95. “Farm truck” means a motor
 26 truck with an unladen weight of seven thousand five
 27 hundred pounds or less that is any of the following:
 28 a. Owned, leased, or used by a person who files a

29 schedule F form with the federal internal revenue
 30 service.
 31 b. Eligible for depreciation under 26 U.S.C. §
 32 167.
 33 c. Owned, leased, or used by a person who is
 34 engaged in the production of farm products, including
 35 but not limited to crops, energy, livestock, or
 36 poultry, equal in value to more than one thousand
 37 dollars annually.”
 38 4. Page 1, line 23, by striking the word ““Sec.”
 39 and inserting the following: “Sec.”
 40 5. Page 1, lines 31 and 32, by striking the
 41 figure and words “321.122, special trucks” and
 42 inserting the following: “321.120, 321.121, or
 43 321.122”.
 44 6. Page 2, by inserting after line 36 the
 45 following:
 46 “Sec. ____ NEW SECTION. 321.120 BUSINESS TRADE
 47 TRUCKS AND FARM TRUCKS.
 48 1. The annual registration fee for a business
 49 trade truck or farm truck shall be determined pursuant
 50 to section 321.122, subsection 1, paragraph “a” or

Page 2

1 “b”.
 2 2. Upon application for a new registration or a
 3 renewal, an owner who registers a 2009 or subsequent
 4 model year vehicle as a business trade truck or farm
 5 truck may be required to provide proof or certify by
 6 signed affidavit that the vehicle meets the definition
 7 of a business trade truck or farm truck. The
 8 department may adopt rules as necessary to prescribe
 9 the documentation required as proof or certification
 10 under this subsection.
 11 3. If the department determines by audit or other
 12 means that a person has registered a vehicle as a
 13 business trade truck or farm truck that is not
 14 qualified for such registration, the person may be
 15 required to pay regular registration fees applicable
 16 to the vehicle under section 321.109 or 321.113, in
 17 addition to any other penalty or sanction imposed by
 18 law.”
 19 7. Page 2, line 42, by inserting after the word
 20 “trucks” the following: “, other than business trade
 21 trucks and farm trucks.”
 22 8. Page 3, by inserting after line 16 the
 23 following:
 24 “____. The section of this Act that enacts section
 25 321.1, subsections 7A and 95.”
 26 9. Page 3, by inserting after line 18 the
 27 following:

28 “___ . The section of this Act that enacts section
29 321.120.”
30 10. By renumbering as necessary.

GENE FRAISE

S-3519

1 Amend House File 911, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by striking lines 31 through 34.
4 2. By renumbering as necessary.

BRAD ZAUN

S-3520

1 Amend House File 556 as passed by the House as
2 follows:
3 1. Page 6, by striking lines 3 through 5 and
4 inserting the following: “cent on each gallon of
5 odorized propane sold. The”

MICHAEL CONNOLLY
JOE BOLKCOM

S-3521

HOUSE AMENDMENT TO
SENATE FILE 580

1 Amend Senate File 580, as passed by the Senate, as
2 follows:
3 1. Page 2, by inserting after line 16 the
4 following:
5 “___ . In promoting and marketing the tax amnesty
6 program, the director and the Iowa lottery shall
7 collaborate in the use of television, print, and radio
8 advertising.”
9 2. Page 2, by inserting after line 29 the
10 following:
11 “___ . If new full-time equivalent positions are
12 hired by the department as a result of the
13 appropriation made in subsection 1 or 2, the
14 department shall eliminate such full-time equivalent
15 positions by June 30, 2008, and these full-time
16 equivalent positions are not authorized for employment
17 by the department after that date.”
18 3. By renumbering, relettering, or redesignating
19 and correcting internal references as necessary.

S-3522

1 Amend House File 932, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 3, by inserting after line 28 the
4 following:

5 "Sec. ____ Section 312.2, Code 2007, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 19. The treasurer of state,
8 before making the allotments provided for in this
9 section, shall credit annually to the TIME-21 fund
10 created in section 312A.2 the revenue accruing to the
11 road use tax fund from motor vehicle registration fees
12 that is attributable to the change in registration
13 fees for motor trucks with an unladen weight of seven
14 thousand five hundred pounds or less. For purposes of
15 this subsection, the motor vehicle registration fee
16 revenue attributable to the change in motor truck
17 registration fees is the amount in excess of the total
18 amount collected for the fiscal year beginning July 1,
19 2006, and ending June 30, 2007, from registration fees
20 for motor trucks with a combined gross weight of four
21 tons or less under section 321.122, Code 2007."

22 2. Page 4, by inserting after line 20 the
23 following:

24 "Sec. ____ Section 321.109, subsection 1,
25 paragraph a, Code 2007, is amended to read as follows:

26 a. The annual fee for all motor vehicles including
27 vehicles designated by manufacturers as station
28 wagons, ~~and~~ 1993 and subsequent model years for
29 multipurpose vehicles, and 2009 and subsequent model
30 year motor trucks with an unladen weight of seven
31 thousand five hundred pounds or less, except motor
32 trucks registered under section 321.122, special
33 trucks, motor homes, ambulances, hearses, motorcycles,
34 motorized bicycles, and 1992 and older model years for
35 multipurpose vehicles, shall be equal to one percent
36 of the value as fixed by the department plus forty
37 cents for each one hundred pounds or fraction thereof
38 of weight of vehicle, as fixed by the department. The
39 weight of a motor vehicle, fixed by the department for
40 registration purposes, shall include the weight of a
41 battery, heater, bumpers, spare tire, and wheel.
42 Provided, however, that for any new vehicle purchased
43 in this state by a nonresident for removal to the
44 nonresident's state of residence the purchaser may
45 make application to the county treasurer in the county
46 of purchase for a transit plate for which a fee of ten
47 dollars shall be paid. And provided, however, that
48 for any used vehicle held by a registered dealer and
49 not currently registered in this state, or for any
50 vehicle held by an individual and currently registered

Page 2

1 in this state, when purchased in this state by a
2 nonresident for removal to the nonresident's state of
3 residence, the purchaser may make application to the
4 county treasurer in the county of purchase for a
5 transit plate for which a fee of three dollars shall
6 be paid. The county treasurer shall issue a
7 nontransferable certificate of registration for which
8 no refund shall be allowed; and the transit plates
9 shall be void thirty days after issuance. Such
10 purchaser may apply for a certificate of title by
11 surrendering the manufacturer's or importer's
12 certificate or certificate of title, duly assigned as
13 provided in this chapter. In this event, the
14 treasurer in the county of purchase shall, when
15 satisfied with the genuineness and regularity of the
16 application, and upon payment of a fee of ten dollars,
17 issue a certificate of title in the name and address
18 of the nonresident purchaser delivering the title to
19 the owner. If there is a security interest noted on
20 the title, the county treasurer shall mail to the
21 secured party an acknowledgment of the notation of the
22 security interest. The county treasurer shall not
23 release a security interest that has been noted on a
24 title issued to a nonresident purchaser as provided in
25 this paragraph. The application requirements of
26 section 321.20 apply to a title issued as provided in
27 this subsection, except that a natural person who
28 applies for a certificate of title shall provide
29 either the person's social security number, passport
30 number, or driver's license number, whether the
31 license was issued by this state, another state, or
32 another country. The provisions of this subsection
33 relating to multipurpose vehicles are effective
34 January 1, 1993, for all 1993 and subsequent model
35 years. The annual registration fee for multipurpose
36 vehicles that are 1992 model years and older shall be
37 in accordance with section 321.124.
38 Sec. ____ Section 321.122, subsection 1,
39 unnumbered paragraph 1, Code 2007, is amended to read
40 as follows:
41 The annual registration fee for truck tractors,
42 road tractors, and motor trucks, except 2009 and
43 subsequent model year motor trucks with an unladen
44 weight of seven thousand five hundred pounds or less
45 and motor trucks registered as special trucks, shall
46 be based on the combined gross weight of the vehicle
47 or combination of vehicles. All such trucks, truck
48 tractors, or road tractors registered under this
49 section shall be registered for a gross weight equal
50 to or in excess of the unladen weight of the vehicle

Page 3

1 or combination of vehicles. The annual registration
 2 ~~fee fees~~ for such vehicles or combination of vehicles
 3 except special trucks, ~~shall be~~ **are as follows:**
 4 Sec. __. Section 321.123, subsection 2, Code
 5 2007, is amended by adding the following new
 6 paragraph:
 7 **NEW PARAGRAPH.** c. This subsection does not apply
 8 to motor trucks registered under section 321.109.”
 9 3. Page 5, by inserting after line 5 the
 10 following:
 11 “Sec. __. **APPLICABILITY.** The following sections
 12 of this Act apply to registrations of 2009 and
 13 subsequent model year motor trucks with an unladen
 14 weight of seven thousand five hundred pounds or less
 15 registered on or after January 1, 2008:
 16 1. The section of this Act that enacts section
 17 312.2, subsection 19.
 18 2. The section of this Act that amends section
 19 321.109, subsection 1, paragraph “a”.
 20 3. The section of this Act that amends section
 21 321.122, subsection 1.
 22 4. The section of this Act that enacts section
 23 321.123, subsection 2, paragraph “c”.
 24 4. Title page, line 1, by inserting after the
 25 word “to” the following: “certain motor truck
 26 registration fees, allocation of revenue from the
 27 fees, and applicability of the fee provisions, and to
 28 other”.
 29 5. By renumbering as necessary.

JOHN PUTNEY

S-3523

HOUSE AMENDMENT TO
 SENATE FILE 593

1 Amend Senate File 593, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 “Section 1. Section 598.16, Code 2007, is amended
 6 to read as follows:
 7 598.16 **CONCILIATION — DOMESTIC RELATIONS**
 8 **DIVISIONS.**
 9 1. A majority of the judges in any judicial
 10 district, with the cooperation of any county board of
 11 supervisors in the district, may establish a domestic
 12 relations division of the district court of the county
 13 where the board is located. The division shall offer

14 counseling and related services to persons before the
15 court.

16 2. Upon Except as provided in subsection 7, upon
17 the application of the petitioner in the petition or
18 by the respondent in the responsive pleading thereto
19 or, within twenty days of appointment, of an attorney
20 appointed under section 598.12, the court shall
21 require the parties to participate in conciliation
22 efforts for a period of sixty days from the issuance
23 of an order setting forth the conciliation procedure
24 and the conciliator.

25 3. At any time upon its own motion or upon the
26 application of a party the court may require the
27 parties to participate in conciliation efforts for
28 sixty days or less following the issuance of such an
29 order.

30 4. Every order for conciliation shall require the
31 conciliator to file a written report by a date certain
32 which shall state the conciliation procedures
33 undertaken and such other matters as may have been
34 required by the court. The report shall be a part of
35 the record unless otherwise ordered by the court.
36 Such conciliation procedure may include, but is not
37 limited to, referrals to the domestic relations
38 division of the court, if established, public or
39 private marriage counselors, family service agencies,
40 community health centers, physicians and clergy.

41 5. The costs of conciliation procedures shall be
42 paid in full or in part by the parties and taxed as
43 court costs; however, if the court determines that the
44 parties will be unable to pay the costs without
45 prejudicing their financial ability to provide
46 themselves and any minor children with economic
47 necessities, the costs may be paid in full or in part
48 by the county.

49 6. Persons providing counseling and other services
50 pursuant to this section are not court employees, but

Page 2

1 are subject to court supervision.
2 7. Upon application, the court shall grant a
3 waiver from the requirements of this section if a
4 party demonstrates that a history of domestic abuse,
5 as defined in section 236.2, exists. In determining
6 whether a history of domestic abuse exists, the
7 court's consideration shall include, but is not
8 limited to, commencement of an action pursuant to
9 section 236.3, the issuance of a protective order
10 against a party or the issuance of a court order or
11 consent agreement pursuant to section 236.5, the
12 issuance of an emergency order pursuant to section

13 236.6, the holding of a party in contempt pursuant to
 14 section 664A.7, the response of a peace officer to the
 15 scene of alleged domestic abuse or the arrest of a
 16 party following response to a report of alleged
 17 domestic abuse, or a conviction for domestic abuse
 18 assault pursuant to section 708.2A.”

19 2. Page 1, by inserting after line 10 the
 20 following:

21 “Sec. ____ Section 664A.1, subsection 2, Code
 22 2007, is amended to read as follows:

23 2. “Protective order” means a protective order
 24 issued pursuant to chapter 232, a court order or
 25 court-approved consent agreement entered pursuant to
 26 chapter 236, including a valid foreign protective
 27 order under section 236.19, subsection 3, a temporary
 28 or permanent protective order or order to vacate the
 29 homestead under chapter 598, ~~and~~ or an order that
 30 establishes conditions of release or is a protective
 31 order or sentencing order in a criminal prosecution
 32 arising from a domestic abuse assault under section
 33 708.2A, or a civil injunction issued pursuant to
 34 section 915.22.

35 Sec. ____ Section 664A.2, subsection 2, Code 2007,
 36 is amended to read as follows:

37 2. A protective order issued in a civil proceeding
 38 shall be issued pursuant to chapter 232, 236, ~~or~~ 598,
 39 or 915. Punishment for a violation of a protective
 40 order shall be imposed pursuant to section 664A.7.

41 Sec. ____ Section 664A.3, Code 2007, is amended by
 42 adding the following new subsection:

43 NEW SUBSECTION. 1A. Notwithstanding chapters 804
 44 and 805, a person taken into custody pursuant to
 45 section 236.11 or arrested pursuant to section 236.12
 46 may be released on bail or otherwise only after
 47 initial appearance before a magistrate as provided in
 48 chapter 804 and the rules of criminal procedure or
 49 section 236.11, whichever is applicable.

50 Sec. ____ Section 664A.5, Code 2007, is amended to

Page 3

1 read as follows:

2 664A.5 MODIFICATION — ENTRY OF PERMANENT
 3 NO-CONTACT ORDER.

4 If a defendant is convicted of, receives a deferred
 5 judgment for, or pleads guilty to a public offense
 6 referred to in section 664A.2, subsection 1, or is
 7 held in contempt for a violation of a no-contact order
 8 issued under section 664A.3 or for a violation of a
 9 protective order issued pursuant to chapter 232, 236,
 10 ~~or~~ 598, or 915, the court shall either terminate or
 11 modify the temporary no-contact order issued by the

12 magistrate. The court may enter a no-contact order or
13 continue the no-contact order already in effect for a
14 period of five years from the date the judgment is
15 entered or the deferred judgment is granted,
16 regardless of whether the defendant is placed on
17 probation.

18 Sec. ____ Section 664A.6, Code 2007, is amended by
19 adding the following new subsection:

20 NEW SUBSECTION. 3. A peace officer shall not be
21 held civilly or criminally liable for acting pursuant
22 to this section provided the peace officer acts in
23 good faith and on reasonable grounds and the peace
24 officer's acts do not constitute a willful or wanton
25 disregard for the rights or safety of another.

26 Sec. ____ Section 664A.7, subsections 3 and 4,
27 Code 2007, are amended to read as follows:

28 3. If convicted of or held in contempt for a
29 violation of a no-contact order or a modified
30 no-contact order for a public offense referred to in
31 section 664A.2, subsection 1, or held in contempt of a
32 no-contact order issued during a contempt proceeding
33 brought pursuant to section 236.11, the person shall
34 be confined in the county jail for a minimum of seven
35 days. A jail sentence imposed pursuant to this
36 subsection shall be served on consecutive days. No
37 portion of the mandatory minimum term of confinement
38 imposed by this subsection shall be deferred or
39 suspended. A deferred judgment, deferred sentence, or
40 suspended sentence shall not be entered for a
41 violation of a no-contact order, ~~or~~ modified
42 no-contact order, or protective order and the court
43 shall not impose a fine in lieu of the minimum
44 sentence, although a fine may be imposed in addition
45 to the minimum sentence.

46 4. Violation of a no-contact order entered for the
47 offense or alleged offense of domestic abuse assault
48 in violation of section 708.2A or a violation of a
49 protective order issued pursuant to chapter 232, 236,
50 ~~or~~ 598, or 915 constitutes a public offense and is

Page 4

1 punishable as a simple misdemeanor. Alternatively,
2 the court may hold a person in contempt of court for
3 such a violation, as provided in subsection 3.

4 Sec. ____ Section 664A.7, Code 2007, is amended by
5 adding the following new subsection:

6 NEW SUBSECTION. 3A. If convicted or held in
7 contempt for a violation of a civil protective order
8 referred to in section 664A.2, the person shall serve
9 a jail sentence. A jail sentence imposed pursuant to
10 this subsection shall be served on consecutive days.

11 A person who is convicted of or held in contempt for a
 12 violation of a protective order referred to in section
 13 664A.2 may be ordered by the court to pay the
 14 plaintiff's attorney's fees and court costs.

15 Sec. ____ Section 664A.8, Code 2007, is amended to
 16 read as follows:

17 664A.8 EXTENSION OF NO-CONTACT ORDER.

18 Upon the filing of an application by the state or
 19 by the victim of any public offense referred to in
 20 section 664A.2, subsection 1 which is filed within
 21 ninety days prior to the expiration of a modified
 22 no-contact order, the court shall modify and extend
 23 the no-contact order for an additional period of five
 24 years, unless the court finds that the defendant no
 25 longer poses a threat to the safety of the victim,
 26 persons residing with the victim, or members of the
 27 victim's family. The number of modifications
 28 extending the no-contact order permitted by this
 29 section is not limited.

30 3. Page 1, line 18, by inserting after the figure
 31 "907.14." the following: "However, the court shall
 32 assess any required surcharge, court cost, or fee upon
 33 the total amount of the fine prior to reduction
 34 pursuant to this subsection."

35 4. Title page, by striking lines 1 and 2 and
 36 inserting the following: "An Act relating to court
 37 procedures including conciliation proceedings and
 38 civil and criminal fees, penalties, and protective
 39 orders."

40 5. By renumbering, relettering, or redesignating
 41 and correcting internal references as necessary.

S-3524

1 Amend House File 556, as passed by the House, as
 2 follows:

3 1. Page 4, by striking lines 31 and 32, and
 4 inserting the following: "undertaken. The council
 5 shall submit the".

6 2. Page 6, by striking lines 1 through 14 and
 7 inserting the following: "annual assessment. Upon
 8 establishment of the council and each year thereafter
 9 the annual assessment shall be made at a rate of
 10 one-tenth of one cent on each gallon of odorized
 11 propane sold."

12 3. Page 7, lines 14 and 15, by striking the words
 13 "INCREASED ASSESSMENTS OR".

14 4. By striking page 7, line 16, through page 8,
 15 line 1.

16 5. Page 8, line 2, by striking the figure "2."

17 6. Page 8, by striking lines 8 through 10 and
 18 inserting the following: "whether the council should

19 be terminated or suspended. Voting rights in the
 20 referendum shall be based on the volume of odorized
 21 propane sold in this state by each retail propane
 22 marketer during the previous calendar year. Each
 23 retail propane marketer voting in the referendum shall
 24 certify to the independent auditing firm the volume of
 25 odorized propane sold by that person as represented by
 26 that person's vote. Upon the approval of those retail
 27 propane".

28 7. Page 9, by inserting after line 28 the
 29 following:

30 "Sec. ___. NEW SECTION. 101B.14 FUTURE REPEAL.

31 This chapter is repealed December 31, 2014."

32 8. Title page, line 5, by inserting after the
 33 word "for" the following: "a future repeal and for".

34 9. By renumbering as necessary.

MICHAEL CONNOLLY
 JOE BOLKCOM

S-3525

1 Amend the amendment, S-3522, to House File 932, as
 2 amended, passed, and reprinted by the House, as
 3 follows:

4 1. Page 1, line 13, by inserting after the word
 5 "trucks" the following: ", other than business trade
 6 trucks and farm trucks,".

7 2. Page 1, line 16, by inserting after the word
 8 "in" the following: "those".

9 3. Page 1, by inserting after line 23 the
 10 following:

11 "Sec. ___. Section 321.1, Code 2007, is amended
 12 by adding the following new subsections:

13 NEW SUBSECTION. 7A. "Business trade truck" means
 14 a motor truck with an unladen weight of seven thousand
 15 five hundred pounds or less that is any of the
 16 following:

17 a. Owned, leased, or used by a person who files a
 18 schedule C form with the federal internal revenue
 19 service.

20 b. Eligible for depreciation under 26 U.S.C. §
 21 167.

22 c. Owned, leased, or used by a person engaged in a
 23 business or trade and regularly used to haul supplies,
 24 trade tools, equipment, merchandise, or freight for
 25 that business or trade.

26 NEW SUBSECTION. 95. "Farm truck" means a motor
 27 truck with an unladen weight of seven thousand five
 28 hundred pounds or less that is any of the following:

29 a. Owned, leased, or used by a person who files a
 30 schedule F form with the federal internal revenue

31 service.

32 b. Eligible for depreciation under 26 U.S.C. §
33 167.

34 c. Owned, leased, or used by a person who is
35 engaged in the production of farm products, including
36 but not limited to crops, energy, livestock, or
37 poultry, equal in value to more than one thousand
38 dollars annually.”

39 4. Page 1, line 24, by striking the word ““Sec.”
40 and inserting the following: “Sec.”

41 5. Page 1, lines 32 and 33, by striking the
42 figure and words “321.122, special trucks” and
43 inserting the following: “321.120, 321.121, or
44 321.122”.

45 6. Page 2, by inserting after line 37 the
46 following:

47 “Sec. ____ NEW SECTION. 321.120 BUSINESS TRADE
48 TRUCKS AND FARM TRUCKS.

49 1. The annual registration fee for a business
50 trade truck or farm truck shall be determined pursuant

Page 2

1 to section 321.122, subsection 1, paragraph “a” or
2 “b”.

3 2. Upon application for a new registration or a
4 renewal, an owner who registers a 2009 or subsequent
5 model year vehicle as a business trade truck or farm
6 truck may be required to provide proof or certify by
7 signed affidavit that the vehicle meets the definition
8 of a business trade truck or farm truck. The
9 department may adopt rules as necessary to prescribe
10 the documentation required as proof or certification
11 under this subsection.

12 3. If the department determines by audit or other
13 means that a person has registered a vehicle as a
14 business trade truck or farm truck that is not
15 qualified for such registration, the person may be
16 required to pay regular registration fees applicable
17 to the vehicle under section 321.109 or 321.113, in
18 addition to any other penalty or sanction imposed by
19 law.”

20 7. Page 2, line 43, by inserting after the word
21 “trucks” the following: “, other than business trade
22 trucks and farm trucks.”.

23 8. Page 3, by inserting after line 17 the
24 following:

25 “____. The section of this Act that enacts section
26 321.1, subsections 7A and 95.”

27 9. Page 3, by inserting after line 19 the
28 following:

29 “____. The section of this Act that enacts section

30 321.120.”

31 10. By renumbering as necessary.

GENE FRAISE

S-3526

HOUSE AMENDMENT TO
SENATE AMENDMENT TO
HOUSE FILE 641

1 Amend the Senate amendment, H-1971, to House File
2 641, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, by striking lines 5 through 10 and
5 inserting the following:

6 ““Section 1. Section 321.210A, Code 2007, is
7 amended by adding the following new subsection:
8 NEW SUBSECTION. 4. If after suspension, the
9 person enters into an installment agreement with the
10 county attorney in accordance with section 321.210B to
11 pay the fine, penalty, court cost, or surcharge, the
12 person’s license shall be reinstated by the department
13 upon receipt of a report of an executed installment
14 agreement.

15 Sec. 2. NEW SECTION. 321.210B INSTALLMENT
16 AGREEMENT.

17 1. If a person’s fine, penalty, surcharge, or
18 court cost is deemed delinquent as provided in section
19 602.8107, subsection 3, and the person’s driver’s
20 license has been suspended pursuant to section
21 321.210A, the person may execute an installment
22 agreement with the county attorney or the county
23 attorney’s designee to pay the delinquent amount and
24 the fee assessed in subsection 7 in installments.
25 Prior to execution of the installment agreement, the
26 person shall provide the county attorney or the county
27 attorney’s designee with a financial statement in
28 order for the parties to the agreement to determine
29 the amount of the installment payments.

30 2. A person shall execute an installment agreement
31 in the county where the fine, penalty, surcharge, or
32 court cost was imposed. If the county where the fine,
33 penalty, surcharge, or court cost was imposed does not
34 have an installment agreement program, the person
35 shall execute an installment agreement in the person’s
36 county of residence. If the county of residence does
37 not have an installment agreement program, the person
38 may execute an installment agreement with any county
39 attorney or county attorney’s designee.

40 3. The county attorney or the county attorney’s
41 designee shall file the installment agreement with the

42 clerk of the district court in the county where the
43 fine, penalty, surcharge, or court cost was imposed,
44 within five days of execution of the agreement.
45 4. Upon receipt of an executed installment
46 agreement and after the first installment payment, the
47 clerk of the district court shall report the receipt
48 of the executed installment agreement to the
49 department of transportation.
50 5. Upon receipt of the report from the clerk of

Page 2

1 the district court and payment of the reinstatement
2 fee as provided in section 321.191, the department
3 shall immediately reinstate the driver's license of
4 the person unless the driver's license of the person
5 is otherwise suspended, revoked, denied, or barred
6 under another provision of law.
7 6. If a driver's license is reinstated upon
8 receipt of a report of an executed installment
9 agreement the driver shall provide proof of financial
10 responsibility pursuant to section 321A.17, if
11 otherwise required by law.
12 7. The civil penalty, if assessed pursuant to
13 section 321.218A, shall be added to the amount owing
14 under the installment agreement. The clerk of the
15 district court shall transmit to the department, from
16 the first moneys collected, an amount equal to the
17 amount of any civil penalty assessed and added to the
18 installment agreement. The department shall transmit
19 the money received from the clerk of the district
20 court pursuant to this subsection to the treasurer of
21 state for deposit in the juvenile detention home fund
22 created in section 232.142.
23 8. Upon determination by the county attorney or
24 the county attorney's designee that the person is in
25 default, the county attorney or the county attorney's
26 designee shall notify the clerk of the district court.
27 9. The clerk of the district court, upon receipt
28 of a notification of a default from the county
29 attorney or the county attorney's designee, shall
30 report the default to the department of
31 transportation.
32 10. Upon receipt of a report of a default from the
33 clerk of the district court, the department shall
34 suspend the driver's license of a person as provided
35 in section 321.210A. For purposes of suspension and
36 reinstatement of the driver's license of a person in
37 default, the suspension and any subsequent
38 reinstatement shall be considered a suspension
39 pursuant to section 321.210A.
40 11. If a new fine, penalty, surcharge, or court

41 cost is imposed on a person after the person has
42 executed an installment agreement with the county
43 attorney or the county attorney's designee, and the
44 new fine, penalty, surcharge, or court cost is deemed
45 delinquent as provided in section 602.8107, subsection
46 3, and the person's driver's license has been
47 suspended pursuant to section 321.210A, the person may
48 enter into a second installment agreement with the
49 county attorney or county attorney's designee to pay
50 the delinquent amount and the fee, if assessed, in

Page 3

1 subsection 7 in installments.

2 12. If an installment agreement is in default, the
3 fine, penalty, surcharge, or court cost covered under
4 the agreement shall not become part of any new
5 installment agreement.

6 13. A person is eligible to enter into five
7 installment agreements in the person's lifetime.

8 14. Except for the civil penalty if assessed and
9 collected pursuant to subsection 7, any amount
10 collected under the installment agreement shall be
11 distributed as provided in section 602.8107,
12 subsection 4.

13 Sec. 3. Section 321.215, subsection 1, Code 2007,
14 is amended by adding the following new paragraph:
15 NEW PARAGRAPH. f. The person's appointments with
16 the person's parole or probation officer.

17 Sec. 4. Section 321.210C, Code 2007, is amended to
18 read as follows:

19 321.210C PROBATION PERIOD.

20 1. A person whose driver's license or operating
21 privileges have been suspended, revoked, or barred
22 under this chapter for a conviction of a moving
23 traffic violation, or suspended, revoked, or barred
24 under section 321.205 or section 321.210, subsection
25 1, paragraph "e", ~~or chapter 321J~~, must satisfactorily
26 complete a twelve-month probation period beginning
27 immediately after the end of the period of suspension,
28 revocation, or bar. Upon a second conviction of a
29 moving traffic violation which occurred during the
30 probation period, the department may suspend the
31 driver's license or operating privileges for an
32 additional period equal in duration to the original
33 period of suspension, revocation, or bar, or for one
34 year, whichever is the shorter period.

35 2. A person whose driver's license or operating
36 privileges have been revoked under chapter 321J, must
37 satisfactorily complete a twelve-month probation
38 period beginning immediately after the end of the
39 period of revocation. Upon conviction of a moving

40 traffic violation which occurs during the probation
41 period, the department may revoke the driver's license
42 or operating privileges for an additional period equal
43 in duration to the original period of revocation, or
44 for one year, whichever is the shorter period.
45 3. For purposes of determining a conviction under
46 this section, the department shall not consider the
47 first two speeding violations within the probation
48 period that are ten miles per hour or less over the
49 legal speed limit in speed zones having a legal speed
50 limit between thirty-four miles per hour and fifty-six

Page 4

1 miles per hour.
2 Sec. 5. Section 321.218A, Code 2007, is amended to
3 read as follows:
4 321.218A CIVIL PENALTY — DISPOSITION —
5 REINSTATEMENT.
6 When the department suspends, revokes, or bars a
7 person's driver's license or nonresident operating
8 privilege for a conviction under this chapter, the
9 department shall assess the person a civil penalty of
10 two hundred dollars. However, for persons age
11 nineteen or under, the civil penalty assessed shall be
12 fifty dollars. The civil penalty does not apply to a
13 suspension issued for a violation of section 321.180B.
14 The money collected by the department under this
15 section shall be transmitted to the treasurer of state
16 who shall deposit the money in the juvenile detention
17 home fund created in section 232.142. A Except as
18 provided in section 321.210B, a temporary restricted
19 license shall not be issued or a driver's license or
20 nonresident operating privilege reinstated until the
21 civil penalty has been paid.
22 Sec. 6. Section 321J.20, subsection 1, unnumbered
23 paragraph 1, Code 2007, is amended to read as follows:
24 The department may, on application, issue a
25 temporary restricted license to a person whose
26 noncommercial driver's license is revoked under this
27 chapter allowing the person to drive to and from the
28 person's home and specified places at specified times
29 which can be verified by the department and which are
30 required by the person's full-time or part-time
31 employment, continuing health care or the continuing
32 health care of another who is dependent upon the
33 person, continuing education while enrolled in an
34 educational institution on a part-time or full-time
35 basis and while pursuing a course of study leading to
36 a diploma, degree, or other certification of
37 successful educational completion, substance abuse
38 treatment, ~~and~~ court-ordered community service

39 responsibilities, and appointments with the person's
40 parole or probation officer if the person's driver's
41 license has not been revoked previously under section
42 321J.4, 321J.9, or 321J.12 and if any of the following
43 apply:

44 Sec. 7. Section 331.756, subsection 5, Code 2007,
45 is amended to read as follows:

46 5. a. Enforce all forfeited bonds and
47 recognizances and prosecute all proceedings necessary
48 for the recovery of debts, revenues, moneys, fines,
49 penalties, restitution of court-appointed attorney
50 fees ordered pursuant to section 815.9, including the

Page 5

1 expense of a public defender, and forfeitures accruing
2 to the state, the county or a road district in the
3 county, and all suits in the county against public
4 service corporations which are brought in the name of
5 the state. To assist in this duty, the county
6 attorney may procure ~~professional collection services~~
7 ~~provided by persons or organizations, including~~
8 ~~private attorneys, which are generally considered to~~
9 ~~have knowledge and special abilities which are not~~
10 ~~generally available to state or local government or~~
11 ~~may designate another county official or agency a~~
12 designee to assist with collection efforts.

13 b. If ~~the designee is a~~ professional collection
14 services ~~are procured~~ agency, the county attorney
15 shall file with the clerk of the district court an
16 indication of the satisfaction of each obligation to
17 the full extent of all moneys collected in
18 satisfaction of that obligation, including all fees
19 and compensation retained by the ~~collection service~~
20 designee incident to the collection and not paid into
21 the office of the clerk.

22 c. Before a county attorney designates another
23 county official or agency to assist with collection of
24 debts, revenues, moneys, fines, penalties, restitution
25 of court-appointed attorney fees ordered pursuant to
26 section 815.9, including the expense of a public
27 defender, and forfeitures, the board of supervisors of
28 the county must approve the designation.

29 d. All fines, penalties, court costs, fees, and
30 restitution for court-appointed attorney fees ordered
31 pursuant to section 815.9, including the expenses of a
32 public defender which are delinquent as defined in
33 section 602.8107 may be collected by the county
34 attorney or the ~~person procured or designated by the~~
35 ~~county attorney~~ county attorney's designee. The
36 county attorney or the county attorney's designee may
37 collect delinquent obligations under an installment

38 agreement pursuant to section 321.210B.
 39 e. In order to receive a percentage of the amounts
 40 collected pursuant to section 602.8107, the county
 41 attorney must file annually with the clerk of the
 42 district court on or before July 1 a notice of full
 43 commitment to collect delinquent obligations and must
 44 file on the first day of each month a list of the
 45 cases in which the county attorney or the ~~person~~
 46 ~~procured or designated by the county attorney~~ county
 47 attorney's designee is pursuing the collection of
 48 delinquent obligations. The list shall include a list
 49 of cases where delinquent obligations are being
 50 collected under an installment agreement pursuant to

Page 6

1 section 321.210B, and a list of cases in default which
 2 are no longer being collected under an installment
 3 agreement but remain delinquent. The annual notice
 4 shall contain a list of procedures which will be
 5 initiated by the county attorney. Amounts collected
 6 by the county attorney or the ~~person procured or~~
 7 ~~designated by the county attorney~~ county attorney's
 8 designee shall be distributed in accordance with
 9 section 602.8107.

10 f. As used in this subsection, "designee" means a
 11 professional collection services agency operated by a
 12 person or organization, including a private attorney,
 13 that is generally considered to have knowledge and
 14 special abilities not generally possessed by the
 15 state, a local government, or another county official
 16 or agency, or a county attorney or a county attorney's
 17 designee in another county where the fine, penalty,
 18 surcharge, or court cost was not imposed."

19 2. Page 1, by inserting after line 23 the
 20 following:
 21 "____. Page 2, by inserting after line 6 the
 22 following:
 23 "Sec. ____ Section 602.8107, subsection 6,
 24 unnumbered paragraph 1, Code 2007, is amended to read
 25 as follows:

26 If a county attorney does not file the notice and
 27 list of cases required in section 331.756, subsection
 28 5, including the list of installment agreements under
 29 section 321.210B, the judicial branch may assign cases
 30 to the centralized collection unit of the department
 31 of revenue or its designee to collect debts owed to
 32 the clerk of the district court. In addition, an
 33 installment agreement in default that remains
 34 delinquent may also be assigned to the centralized
 35 collection unit of the department of revenue or its
 36 designee."

37 3. Page 1, by inserting before line 24 the
 38 following:
 39 “___ Page 3, by inserting before line 14 the
 40 following:
 41 “Sec. ___. PROCESSING OF INSTALLMENT AGREEMENTS.
 42 Notwithstanding section 602.8107, subsection 4, and
 43 section 602.8108, for the fiscal year beginning July
 44 1, 2007, and ending June 30, 2008, up to the first
 45 three hundred thousand dollars of the remainder to be
 46 paid to the clerk pursuant to section 602.8107,
 47 subsection 4, shall be allocated to the judicial
 48 branch to enhance the ability of the judicial branch
 49 to efficiently process installment agreements filed
 50 with the clerk pursuant to section 321.210B.

Page 7

1 Sec. ___. INSTALLMENT AGREEMENT — COOPERATION.
 2 It is the intent of the general assembly that the
 3 judicial branch, the department of transportation, the
 4 department of workforce development, county attorneys,
 5 and other state and local agencies cooperate in the
 6 collection of delinquent court fines, penalties,
 7 surcharges, and court costs by coordinating efforts in
 8 the collection of installment agreement payments under
 9 section 321.210B.
 10 Sec. ___. APPLICABILITY.
 11 An installment agreement shall not be executed in
 12 any county until January 1, 2008, except an
 13 installment agreement may be executed and, if
 14 executed, a driver’s license shall be reinstated as
 15 provided in section 321.210B for a fine, penalty,
 16 court cost, or surcharge imposed in Polk or Linn
 17 county.”
 18 4. Page 1, line 27, by inserting after the word
 19 “obligations” the following: “or after suspension or
 20 revocation”.
 21 5. Page 1, line 30, by inserting after the word
 22 “state” the following: “, and including applicability
 23 provisions”.

S-3527

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 923

1 Amend the Senate amendment, H-2110, to House File
 2 923, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 1, by striking lines 12 through 14 and
 5 inserting the following: “taxation, and the”.

6 2. Page 1, line 17, by inserting after the word
7 “management.” the following: “For each county that
8 has established an urban renewal area, the budget
9 shall include estimated and actual tax increment
10 financing revenues and all estimated and actual
11 expenditures of the revenues, proceeds from debt and
12 all estimated and actual expenditures of the debt
13 proceeds, and identification of any entity receiving a
14 direct payment of taxes funded by tax increment
15 financing revenues and shall include the total amount
16 of loans, advances, indebtedness, or bonds outstanding
17 at the close of the most recently ended fiscal year,
18 which qualify for payment from the special fund
19 created in section 403.19, including interest
20 negotiated on such loans, advances, indebtedness, or
21 bonds. For purposes of this subsection,
22 “indebtedness” includes written agreements whereby the
23 county agrees to suspend, abate, exempt, rebate,
24 refund, or reimburse property taxes, provide a grant
25 for property taxes paid, or make a direct payment of
26 taxes, with moneys in the special fund. The amount of
27 loans, advances, indebtedness, or bonds shall be
28 listed in the aggregate for each county reporting.
29 The county finance committee, in consultation with the
30 department of management and the legislative services
31 agency, shall determine reporting criteria and shall
32 prepare a form for reports filed with the department
33 pursuant to this section. The department shall make
34 the information available by electronic means.”

35 3. Page 1, by striking lines 18 through 22.

36 4. Page 1, line 32, by striking the word
37 “budget,” and inserting the following: “budget”.

38 5. Page 1, by striking line 33 and inserting the
39 following: “must”.

40 6. Page 1, by striking line 38 and inserting the
41 following: “For each city that has established an
42 urban renewal area, the”.

43 7. Page 1, line 45, by inserting after the word
44 “revenues” the following: “and shall include the
45 total amount of loans, advances, indebtedness, or
46 bonds outstanding at the close of the most recently
47 ended fiscal year, which qualify for payment from the
48 special fund created in section 403.19, including
49 interest negotiated on such loans, advances,
50 indebtedness, or bonds. For purposes of this

Page 2

1 subsection, “indebtedness” includes written agreements
2 whereby the city agrees to suspend, abate, exempt,
3 rebate, refund, or reimburse property taxes, provide a
4 grant for property taxes paid, or make a direct

5 payment of taxes, with moneys in the special fund.
 6 The amount of loans, advances, indebtedness, or bonds
 7 shall be listed in the aggregate for each city
 8 reporting. The city finance committee, in
 9 consultation with the department of management and the
 10 legislative services agency, shall determine reporting
 11 criteria and shall prepare a form for reports filed
 12 with the department pursuant to this section. The
 13 department shall make the information available by
 14 electronic means”.

15 8. Page 2, by inserting after line 11 the
 16 following:

17 “Sec. ____ Section 403.23, Code 2007, is
 18 repealed.”

19 9. By renumbering as necessary.

S-3528

HOUSE AMENDMENT TO SENATE FILE 579

1 Amend Senate File 579, as passed by the Senate, as
 2 follows:

3 1. Title page, line 2, by inserting after the
 4 word “project” the following: “and including an
 5 effective date provision”.

S-3529

1 Amend Senate File 607 as follows:

2 1. Page 1, by striking lines 29 and 30 and
 3 inserting the following: “services; habilitation
 4 services; remedial services; pharmacy dispensing fees;
 5 intermediate care facilities for persons with mental
 6 retardation; and residential care facilities.”

ROBERT E. DVORSKY

S-3530

HOUSE AMENDMENT TO SENATE FILE 510

1 Amend Senate File 510, as passed by the Senate, as
 2 follows:

3 1. Page 6, by striking lines 30 through 34 and
 4 inserting the following: “by rule. The department
 5 shall adopt rules”.

6 2. Page 7, line 16, by striking the words “a.
 7 The” and inserting the following: “The”.

8 3. By striking page 7, line 32, through page 8,
 9 line 6.

10 4. By renumbering, relettering, or redesignating
 11 and correcting internal references as necessary.

S-3531

HOUSE AMENDMENT TO
 SENATE AMENDMENT TO
 HOUSE FILE 911

1 Amend the Senate amendment, H-2114, to House File
 2 911, as amended, passed, and reprinted by the House,
 3 as follows:

4 1. Page 2, by inserting after line 35 the
 5 following:

6 “ _____. Page 8, line 11, by striking the figure
 7 “50,000” and inserting the following: “100,000”.

8 _____. Page 8, line 14, by striking the figure
 9 “50,000” and inserting the following: “100,000”.

10 2. Page 2, line 39, by striking the figure
 11 “200,000” and inserting the following: “100,000”.

12 3. Page 2, by striking lines 44 through 48 and
 13 inserting the following:

14 “Priority for funding shall be given to those
 15 regional emergency response training centers whose
 16 initial plans were submitted and approved by the fire
 17 service training bureau and who have demonstrated
 18 progress in implementing their plans including but not
 19 limited to bid letting, conducting training, and
 20 obligating a portion of their first year’s allocation.
 21 Grants awarded pursuant to this lettered paragraph
 22 shall not exceed \$300,000 each.”

23 4. Page 3, line 15, by striking the figure
 24 “215,000” and inserting the following: “185,000”.

25 5. Page 3, by striking line 18 and inserting the
 26 following: “right-of-way, \$200,000 shall be allocated
 27 to the”.

28 6. Page 3, by striking line 20 and inserting the
 29 following: “loop trail, and \$30,000 shall be
 30 allocated for general infrastructure improvements for
 31 the Crawford county trail.”

32 7. By striking page 5, line 7, through page 6,
 33 line 8.

34 8. By renumbering, relettering, or redesignating
 35 and correcting internal references as necessary.

S-3532

HOUSE AMENDMENT TO
 SENATE FILE 601

1 Amend Senate File 601, as amended, passed, and
 2 reprinted by the Senate, as follows:

3	1. Page 3, line 11, by striking the figure	
4	“157,868,964” and inserting the following:	
5	“131,868,964”.	
6	2. Page 3, line 24, by striking the figure	
7	“2,000,000” and inserting the following:	
8	“28,000,000”.	
9	3. Page 4, by striking line 1 the inserting the	
10	following:	
11	“.....	\$ 99,254,781”
12	4. Page 4, by striking line 10 and inserting the	
13	following:	
14	“.....	\$ 23,204,000”
15	5. Page 5, by inserting after line 5 the	
16	following:	
17	“Sec. ____ UNDERGROUND STORAGE TANK FUND.	
18	Notwithstanding section 455G.3, subsection 1, there is	
19	transferred from the Iowa comprehensive petroleum	
20	underground storage tank fund created in section	
21	455G.3, subsection 1, to the general fund of the state	
22	during the fiscal year beginning July 1, 2007, and	
23	ending June 30, 2008, the following amount:	
24	.....	\$ 3,000,000”
25	6. By striking page 6, line 23, through page 7,	
26	line 10, and inserting the following:	
27	“a. Chief justice of the supreme court:	
28	.....	\$ 153,109
29	b. Each justice of the supreme court:	
30	.....	\$ 146,890
31	c. Chief judge of the court of appeals:	
32	.....	\$ 141,731
33	d. Each associate judge of the court of appeals:	
34	.....	\$ 136,739
35	e. Each chief judge of a judicial district:	
36	.....	\$ 133,619
37	f. Each district judge except the chief judge of a	
38	judicial district:	
39	.....	\$ 128,544
40	g. Each district associate judge:	
41	.....	\$ 113,214
42	h. Each associate juvenile judge:	
43	.....	\$ 113,214
44	i. Each associate probate judge:	
45	.....	\$ 113,214
46	j. Each judicial magistrate:	
47	.....	\$ 34,882
48	k. Each senior judge:	
49	.....	\$ 7,238”
50	7. Page 10, line 31, by striking the figure	

Page 2

- 1 "108,598,094" and inserting the following:
- 2 "106,848,094".
- 3 8. Page 12, line 10, by striking the figure
- 4 "8,171,248" and inserting the following: "6,771,248".
- 5 9. Page 15, line 27, by striking the figure
- 6 "750,000" and inserting the following: "400,000".
- 7 10. Page 16, by striking lines 15 through 23.
- 8 11. Page 19, by striking lines 4 through 12.
- 9 12. Page 21, line 1, by striking the figure
- 10 "75,000" and inserting the following: "50,000".
- 11 13. Page 21, by striking lines 21 through 31.
- 12 14. Page 22, line 10, by striking the figure
- 13 "2,000,000" and inserting the following: "500,000".
- 14 15. Page 23, line 9, by striking the figure
- 15 "500,000" and inserting the following: "200,000".
- 16 16. By striking page 25, line 29, through page
- 17 26, line 2.
- 18 17. By striking page 26, line 35, through page
- 19 27, line 13.

20 18. Page 27, by inserting after line 25 the
 21 following:
 22 "Sec. ____ 2007 Iowa Acts, House File 874, section
 23 7, subsection 4, paragraph a, if enacted, is amended
 24 to read as follows:

25 a. For salaries, support, maintenance, and
 26 miscellaneous purposes, and for not more than the
 27 following full-time equivalent positions:

28	\$	4,655,809
29	FTEs	<u>100.50</u>
30		<u>101.00</u>

31 Sec. ____ OFFICE OF ENERGY INDEPENDENCE. If 2007
 32 Iowa Acts, House File 927, is enacted and provides for
 33 an appropriation from the general fund of the state to
 34 the office of energy independence for the fiscal year
 35 beginning July 1, 2006, and ending June 30, 2007,
 36 allocations from that appropriation for administrative
 37 costs shall be for not more than the following
 38 full-time equivalent positions:

39	FTEs	4.00"
----------	------	-------

40 19. Page 27, by inserting after line 31 the
 41 following:
 42 "Sec. ____ STATE BOARD OF REGENTS — ARTICULATION
 43 WEBSITE. The general assembly finds that as college
 44 costs increase, Iowa's community college students need
 45 access to resources that allow the students to make
 46 informed, cost-effective decisions regarding their
 47 postsecondary education plans. It is the intent of
 48 the general assembly to provide for a seamless
 49 transition for students transferring from Iowa's
 50 community colleges to Iowa's state universities.

Page 3

1 Therefore, the state board of regents shall, in
2 cooperation with the department of education and the
3 community colleges, develop, maintain, and promote a
4 user-friendly credit transfer and articulation
5 internet website that allows Iowans to know at the
6 time of enrollment in a community college course
7 whether the credit will be accepted by the state
8 university of the student's choice, the category in
9 which the university will apply the credit, and to
10 which degree program or programs the university will
11 apply the credit. The board and the community
12 colleges shall continuously strive to improve upon the
13 coordinating efforts between the state universities
14 and the community colleges to map and articulate
15 community college courses for college credit with the
16 degree programs offered at the state universities.
17 The website shall be operational not later than July
18 1, 2008."

19 20. By striking page 30, line 21, through page
20 31, line 17.

21 21. Page 33, by inserting after line 6 the
22 following:

23 "Sec. ____ Section 469.10, subsection 2, if
24 enacted by 2007 Iowa Acts, House File 927, is amended
25 to read as follows:

26 2. Of the moneys appropriated to the office and
27 deposited in the fund, the office shall utilize up to
28 one and five-tenths percent of the amount appropriated
29 from the fund for a fiscal year for administrative
30 costs. From the funds available for administrative
31 costs, the office shall not employ more than four
32 full-time equivalent positions."

33 22. Page 35, by inserting after line 11 the
34 following:

35 "DIVISION ____
36 APPROPRIATION ADJUSTMENTS
37 Sec. ____ VETERANS HOME OWNERSHIP ASSISTANCE
38 PROGRAM.

39 1. There is appropriated from the rebuild Iowa
40 infrastructure fund to the department of veterans
41 affairs for the fiscal year beginning July 1, 2007,
42 and ending June 30, 2008, the following amount, or so
43 much thereof as is necessary, to be used for the
44 purpose designated:

45 For transfer to the Iowa finance authority to be
46 used for continuation of the home ownership assistance
47 program for persons who are or were eligible members
48 of the armed forces of the United States, in
49 accordance with section 35A.15, as enacted by 2007
50 Iowa Acts, Senate File 407, notwithstanding section

1 8.57, subsection 6, paragraph “c”:
2 \$ 1,000,00
3 2. Of the funds transferred pursuant to this
4 section, the Iowa finance authority may retain not
5 more than \$20,000 for administrative purposes.
6 3. Of the amount transferred to the Iowa finance
7 authority pursuant to this section, not more than
8 \$50,000 shall be transferred to the department of
9 public defense to be used for the enduring families
10 program.
11 4. Notwithstanding section 8.33, moneys
12 appropriated or transferred in this section that
13 remain unencumbered or unobligated at the close of the
14 fiscal year shall not revert but shall remain
15 available for expenditure for the purposes designated
16 until the close of the succeeding fiscal year.
17 Sec. ____ 2007 Iowa Acts, Senate File 562, section
18 3, subsection 3, paragraphs a and d, if enacted, are
19 amended to read as follows:
20 a. Community development programs
21 For salaries, support, maintenance, miscellaneous
22 purposes, community economic development programs,
23 tourism operations, community assistance, the
24 mainstreet and rural mainstreet programs, the
25 school-to-career program, the community development
26 block grant, and housing and shelter-related programs
27 and for not more than the following full-time
28 equivalent positions:
29 \$ 6,422,654
30 6,322,654
31 FTEs 58.26
32 d. From the moneys appropriated in this
33 subsection, the department shall use at least
34 ~~\$1,046,000~~ \$946,000 for purposes of the mainstreet and
35 rural mainstreet programs.
36 Sec. ____ 2007 Iowa Acts, Senate File 562, section
37 3, subsection 4, unnumbered paragraph 1, if enacted,
38 is amended to read as follows:
39 For allocating moneys for the world food prize:
40 \$ 650,000
41 450,000
42 Sec. ____ 2007 Iowa Acts, Senate File 562, section
43 14, subsections 1 and 3, if enacted, are amended to
44 read as follows:
45 1. There is appropriated from the general fund of
46 the state to the university of northern Iowa for the
47 fiscal year beginning July 1, 2007, and ending June
48 30, 2008, the following amount, or so much thereof as
49 is necessary, to be used for the metal casting
50 institute, for the myentrenet internet application,

Page 5

1 and for the institute of decision making, including
2 salaries, support, maintenance, miscellaneous
3 purposes, and for not more than the following
4 full-time equivalent positions:

5	\$	<u>661,291</u>
6		<u>561,291</u>
7	FTEs	6.75

8 3. From the moneys appropriated in this section,
9 the university of northern Iowa shall use at least
10 ~~\$300,000~~ \$200,000 for purposes of expanding the
11 service area of the myentrenet internet application.

12 Sec. ____ 2007 Iowa Acts, Senate File 575, section
13 4, subsection 1, paragraph b, unnumbered paragraph 1,
14 if enacted, is amended to read as follows:

15 For educational programs for inmates at state penal
16 institutions:

17	\$	<u>2,070,358</u>
18		<u>1,570,350</u>

19 Sec. ____ 2007 Iowa Acts, Senate File 575, section
20 5, subsection 1, paragraph f, unnumbered paragraph 1,
21 if enacted, is amended to read as follows:

22 For the sixth judicial district department of
23 correctional services:

24	\$	<u>12,203,009</u>
25		<u>12,003,009</u>

26 Sec. ____ 2007 Iowa Acts, House File 874, section
27 19, subsection 1, if enacted, is amended to read as
28 follows:

29 1. ADMINISTRATION AND ELECTIONS

30 For salaries, support, maintenance, and
31 miscellaneous purposes, and for not more than the
32 following full-time equivalent positions:

33	\$	<u>1,431,015</u>
34		<u>1,331,015</u>
35	FTEs	17.00

36 The state department or state agency which provides
37 data processing services to support voter registration
38 file maintenance and storage shall provide those
39 services without charge.”

40 23. By striking page 35, line 26, through page
41 36, line 20, and inserting the following:

42 “NEW SUBSECTION. 21. a. The director may
43 authorize the procurement of goods and services in
44 which a contractual limitation of vendor liability is
45 provided for and set forth in the documents initiating
46 the procurement. The director, in consultation with
47 the department of management, shall adopt rules
48 setting forth the circumstances in which such
49 procurement will be permitted and what types of
50 contractual limitations of liability are permitted.

Page 6

1 Rules adopted by the director shall establish criteria
2 to be considered in making a determination of whether
3 to permit a contractual limitation of vendor liability
4 with regard to any procurement of goods and services.
5 The criteria, at a minimum, shall include all of the
6 following:

7 (1) Whether authorizing a contractual limitation
8 of vendor liability is necessary to prevent harm to
9 the state from a failure to obtain the goods or
10 services sought, or from obtaining the goods or
11 services at a higher price if the state refuses to
12 allow a contractual limitation of vendor liability.

13 (2) Whether the contractual limitation of vendor
14 liability is commercially reasonable when taking into
15 account any risk to the state created by the goods or
16 services to be procured and the purpose for which they
17 will be used.

18 b. Notwithstanding paragraph "a", a contractual
19 limitation of vendor liability shall not include any
20 limitation on the liability of any vendor for
21 intentional torts, criminal acts, or fraudulent
22 conduct.

23 c. The rules shall provide for the negotiation of
24 a contractual limitation of vendor liability
25 consistent with the requirements of this section and
26 any other requirements of the department as provided
27 in any related documents associated with a procurement
28 of goods and services."

29 24. Page 37, by inserting after line 19 the
30 following:

31 "Sec. ____ Section 15F.303, subsection 3,
32 paragraph b, Code 2007, is amended to read as follows:

33 b. The project supports or is strategically
34 aligned with other existing regional or statewide
35 cultural, recreational, entertainment, or educational
36 activities or with communities adjacent to cultural
37 and entertainment districts whose existing or planned
38 amenity base will augment or complement the cultural
39 and entertainment venues of such districts."

40 25. Page 39, by striking lines 18 through 23.

41 26. Page 40, by inserting after line 3 the
42 following:

43 "Sec. ____ Section 135.105D, subsection 1A, as
44 enacted by 2007 Iowa Acts, House File 158, section 2,
45 is amended by adding the following new paragraph:

46 NEW PARAGRAPH. d. Notwithstanding any other
47 provision to the contrary, nothing in this section
48 shall subject a parent, guardian, or legal custodian
49 of a child of compulsory attendance age to any
50 penalties under chapter 299."

Page 7

- 1 27. Page 40, by striking lines 4 through 16.
2 28. Page 44, by striking lines 25 and 26.
3 29. By striking page 47, line 19, through page
4 48, line 2.
5 30. Page 48, by striking lines 3 through 12.
6 31. Page 52, by striking lines 5 through 12.
7 32. Page 55, by inserting after line 22 the
8 following:
9 “Sec. ____ Section 505.8, Code 2007, is amended by
10 adding the following new subsection:
11 NEW SUBSECTION. 8. The commissioner may, after a
12 hearing conducted pursuant to chapter 17A, assess
13 fines or penalties, order restitution, or take other
14 corrective action as the commissioner deems necessary
15 and appropriate to accomplish compliance with the laws
16 of the state relating to all insurance business
17 transacted in the state.”
18 33. Page 57, by striking lines 7 and 8.
19 34. Page 57, by inserting after line 35 the
20 following:
21 “Sec. ____ LEGISLATIVE PROPERTY TAX STUDY
22 COMMITTEE.
23 1. A legislative property tax study committee is
24 established. The study committee shall conduct a
25 comprehensive review of property taxation in Iowa
26 including but not limited to the continued use of
27 property taxes as a major funding source for local
28 governments and for local school districts in Iowa,
29 the classification and assessment of property for
30 property tax purposes and the impact of the tie
31 between residential and agricultural property
32 assessments, the level of consistency employed in
33 classifying and assessing property for property tax
34 purposes, the various exemptions and credits currently
35 available to property taxpayers and the impact on
36 local government and state budgets and on other
37 taxpayers of providing those credits and exemptions,
38 and the use of property taxes as an economic
39 development tool and the impact on local and state
40 government budgets and on other taxpayers of such use.
41 In its study, the committee shall address the goals of
42 property tax simplification and equity.
43 2. a. The committee shall be comprised of the
44 following voting members:
45 (1) Five members who are members of the senate,
46 three of whom shall be appointed by the majority
47 leader of the senate and two of whom shall be
48 appointed by the minority leader of the senate.
49 (2) Five members who are members of the house of
50 representatives, three of whom shall be appointed by

Page 8

- 1 the speaker of the house of representatives and two of
2 whom shall be appointed by the minority leader of the
3 house of representatives.
- 4 b. The committee shall be comprised of the
5 following nonvoting members who shall be appointed by
6 the majority leader of the senate and the speaker of
7 the house of representatives in consultation with the
8 minority leaders of the senate and the house of
9 representatives:
- 10 (1) One member from an association representing
11 Iowa counties.
- 12 (2) One member from an association representing
13 Iowa cities.
- 14 (3) One member from an association representing
15 Iowa school boards.
- 16 (4) One member from an association representing
17 agricultural property taxpayers.
- 18 (5) One member from an association representing
19 Iowa commercial property taxpayers.
- 20 (6) One member from an association representing
21 Iowa industrial taxpayers.
- 22 (7) One member representing residential taxpayers.
- 23 (8) One member from an association representing
24 Iowa telecommunications property taxpayers.
- 25 (9) Representatives of other interests as
26 designated by the legislative council.
- 27 c. The committee shall be comprised of the
28 following nonvoting members who shall be appointed by
29 the governor:
- 30 (1) A representative employed by the department of
31 management.
- 32 (2) A representative employed by the department of
33 revenue.
- 34 (3) A representative employed by the department of
35 economic development.
- 36 3. The property tax study committee shall meet
37 during the 2007 and 2008 legislative interims at the
38 call of the chairperson. The committee is authorized
39 to hold as many meetings as the committee deems
40 necessary.
- 41 4. The property tax study committee may contract
42 with one or more tax consultants or experts familiar
43 with the Iowa property tax system. The legislative
44 council, pursuant to its authority in section 2.42,
45 may allocate to the study committee funding from
46 moneys available to it in section 2.12 for the purpose
47 of contracting with the consultant or expert.
- 48 5. The property tax study committee shall submit a
49 final report to the general assembly on or before
50 January 5, 2009. The final report shall include but

Page 9

1 not be limited to findings, analyses, and
2 recommendations by the committee.”

3 35. Page 59, by striking lines 9 and 10 and
4 inserting the following:

5 “Sec. ____ Section 811.2A, Code 2007, is
6 repealed.”

7 36. By renumbering, relettering, or redesignating
8 and correcting internal references as necessary.

S-3533

1 Amend Senate File 601, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 59, by inserting after line 10 the
4 following:

5 “DIVISION ____
6 HIGHER EDUCATION STUDENT LOANS
7 Sec. ____ Section 261.38, subsection 5, unnumbered
8 paragraph 1, Code 2007, is amended to read as follows:

9 The commission may enter into agreements with the
10 Iowa student loan liquidity corporation in order to
11 increase access for students to education loan
12 programs that the commission determines meet the
13 education needs of Iowa residents. The agreements
14 shall permit the establishment, funding, and operation
15 of alternative education loan programs, as described
16 in section 144(b)(1)(B) of the Internal Revenue Code
17 of 1986 as amended, as defined in section 422.3, in
18 addition to programs permitted under the federal
19 Higher Education Act of 1965. In accordance with
20 those agreements, the Iowa student loan liquidity
21 corporation may issue bonds, notes, or other
22 obligations to the public and others for the purpose
23 of funding the alternative education loan programs.
24 This authority to issue bonds, notes, or other
25 obligations shall be in addition to the authority
26 established in the articles of incorporation and
27 bylaws of the Iowa student loan liquidity corporation.
28 The Iowa student loan liquidity corporation and any
29 subsidiary of, affiliate of, or other entity that
30 manages or services the Iowa student loan liquidity
31 corporation contracts related to bonds issued under
32 this subsection are considered governmental bodies and
33 government bodies of the state for purposes of
34 chapters 21 and 22 respectively.

35 Sec. ____ NEW SECTION. 261E.1 DEFINITIONS.

36 As used in this chapter, unless otherwise
37 specified:

38 1. “Administrator” means either the attorney
39 general or the attorney general’s designee. The

40 attorney general may charge the college student aid
41 commission or the superintendent of banking, credit
42 unions, or savings and loans with enforcing this
43 chapter against the person under investigation.
44 2. "Borrower" means a student attending a covered
45 institution in this state, or a parent or person in
46 parental relation to such student, who also obtains an
47 educational loan from a lending institution to pay for
48 or finance higher education expenses.
49 3. "Covered institution" means any educational
50 institution that offers a postsecondary educational

Page 2

1 degree, certificate, or program of study and receives
2 state funding or assistance. "Covered institution"
3 includes an agent of the educational institution,
4 including an alumni association, booster club, or
5 other organization directly or indirectly associated
6 with the institution.
7 4. "Covered institution employee" means any
8 employee, agent, contractor, director, officer, or
9 trustee of a covered institution.
10 5. "Educational loan" means any loan that is made,
11 insured, or guaranteed under title IV of the federal
12 Higher Education Act of 1965, as amended, any high
13 risk loan, or any private loan issued by a lending
14 institution for the purposes of paying for or
15 financing higher education expenses.
16 6. "Gift" means any discount, favor, gratuity,
17 inducement, loan, stock, thing of value, or other item
18 having a monetary value of more than ten dollars.
19 a. The term "gift" includes but is not limited to:
20 (1) Any money, service, loan, entertainment,
21 honoraria, hospitality, lodging costs, meals,
22 registration fees, travel expenses, discount,
23 forbearance, or promise.
24 (2) Gifts provided in kind, by purchase of a
25 ticket, payment in advance, or reimbursement after
26 expenses have been incurred.
27 (3) Any computer hardware for which the recipient
28 pays below-market prices.
29 (4) Any printing costs or services.
30 b. The term "gift" does not include any of the
31 following:
32 (1) A lending institution's own brochure or
33 promotional literature.
34 (2) Food, refreshments, training, or informational
35 material furnished to a covered institution employee
36 as an integral part of a training session, if such
37 training contributes to the professional development
38 of the covered institution employee.

- 39 7. "High risk loans" means any agreement between a
40 lending institution and a covered institution that
41 provides for the lending institution to provide loans
42 to students with a poor or no credit history, who
43 would otherwise not be eligible for educational loans.
44 8. "Higher education expenses" includes all of the
45 following:
46 a. Tuition and fees.
47 b. Costs incurred for books, supplies,
48 transportation, and miscellaneous personal expenses.
49 c. Room and board costs.
50 9. "Lending institution" means any of the

Page 3

- 1 following:
2 a. Any entity that itself or through an affiliate
3 makes educational loans to pay for or finance higher
4 education expenses or that securitizes such loans.
5 b. Any entity, or association of entities, that
6 guarantees educational loans.
7 c. Any industry, trade, or professional
8 association or other entity that receives money from
9 any entity described in paragraph "a" or "b".
10 10. "Preferred lender list" means a list of one or
11 more recommended or suggested lending institutions
12 that a covered institution makes available for use, in
13 print or any other medium or form, by borrowers,
14 prospective borrowers, or others.
15 11. "Revenue sharing" means any arrangement
16 whereby a lending institution pays a covered
17 institution or an affiliated entity or organization of
18 such covered institution a percentage of the principal
19 of each loan directed towards the lending institution
20 from a borrower at the covered institution.
21 Sec. ____ NEW SECTION. 261E.2 PROHIBITION OF
22 GIFTS BY LENDING INSTITUTIONS TO COVERED INSTITUTIONS
23 AND EMPLOYEES.
24 1. A lending institution shall not, directly or
25 indirectly, offer or provide any gift to a covered
26 institution or a covered institution employee in
27 exchange for any advantage or consideration provided
28 to such lending institution related to its educational
29 loan activities.
30 2. A lending institution shall not engage in
31 revenue sharing with a covered institution.
32 Sec. ____ NEW SECTION. 261E.3 PROHIBITION OF
33 RECEIPT OF GIFTS BY COVERED INSTITUTIONS.
34 1. A covered institution shall not, directly or
35 indirectly, solicit, accept, or receive any gift from
36 or on behalf of a lending institution in exchange for
37 any advantage or consideration provided to such

38 lending institution related to its educational loan
39 activities.

40 2. A covered institution shall not engage in
41 revenue sharing with a lending institution.

42 Sec. ____ NEW SECTION. 261E.4 PROHIBITION OF
43 RECEIPT OF GIFTS BY COVERED INSTITUTION EMPLOYEES.

44 1. A covered institution shall prohibit a covered
45 institution employee, on the employee's behalf or on
46 behalf of another, directly or indirectly, from
47 soliciting, accepting, or receiving any gift from or
48 on behalf of a lending institution. Nothing in this
49 subsection shall be construed as prohibiting a covered
50 institution employee from conducting business with a

Page 4

1 lending institution, provided that such business is
2 unrelated in any manner whatsoever to a covered
3 institution.

4 2. A covered institution employee, on the
5 employee's behalf or on behalf of another, shall not
6 directly or indirectly solicit, accept, or receive any
7 gift from or on behalf of a lending institution.
8 Nothing in this subsection shall be construed as
9 prohibiting a covered institution employee from
10 conducting business with any lending institution,
11 provided that such business is unrelated in any manner
12 whatsoever with the covered institution.

13 3. A covered institution employee shall report to
14 the administrator any instance of a lending
15 institution attempting to give a gift to the covered
16 institution employee.

17 Sec. ____ NEW SECTION. 261E.5 COVERED
18 INSTITUTION EMPLOYEE PROHIBITIONS AND REPORTING
19 REQUIREMENTS.

20 1. A lending institution shall not provide any
21 remuneration or expense reimbursement to a covered
22 institution employee for serving as a member of or
23 participant on an advisory board of a lending
24 institution.

25 2. A covered institution shall prohibit a covered
26 institution employee from receiving any remuneration
27 for serving as a member of or participant on an
28 advisory board of a lending institution or receiving
29 any reimbursement of expenses for so serving,
30 notwithstanding section 261.4.

31 3. Nothing in this section shall be construed as
32 prohibiting any of the following:

33 a. A covered institution employee's participation
34 on an advisory board of a lending institution that is
35 unrelated in any manner whatsoever to educational
36 loans.

37 b. A covered institution employee, who does not
38 have a direct interest in or does not benefit from the
39 functions of the covered institution's financial aid
40 office, from serving on a board of directors of a
41 publicly traded or privately held company.

42 4. A covered institution employee who is directly
43 involved with or benefits from the functions of the
44 covered institution's financial aid office shall
45 report to the administrator, in a form and manner
46 prescribed by the administrator, all participation or
47 financial interests related to any lending
48 institution.

49 Sec. ____ NEW SECTION. 261E.6 MISLEADING
50 IDENTIFICATION OF LENDING INSTITUTIONS' EMPLOYEES.

Page 5

1 1. A lending institution shall prohibit an
2 employee or agent of the lending institution from
3 being identified to borrowers or prospective borrowers
4 of a covered institution as an employee,
5 representative, or agent of the covered institution.

6 2. A covered institution shall prohibit an
7 employee or agent of a lending institution from being
8 identified as an employee, representative, or agent of
9 the covered institution.

10 3. An employee, representative, or agent of a
11 lending institution shall not staff a covered
12 institution's financial aid offices.

13 Sec. ____ NEW SECTION. 261E.7 LOAN DISCLOSURE
14 AND PROHIBITION OF QUID PRO QUO HIGH RISK LOANS.

15 1. A covered institution shall inform the borrower
16 or prospective borrower of all available state
17 education financing options, and financing options
18 under title IV of the federal Higher Education Act of
19 1965, as amended, including information on any terms
20 and conditions of available loans under such title
21 that are more favorable to the borrower, before a
22 lending institution may provide a private educational
23 loan to a borrower attending a covered institution
24 with which a lending institution has an educational
25 loan arrangement.

26 2. Neither a lending institution nor a covered
27 institution shall enter into an agreement or otherwise
28 provide any high risk loans in exchange for the
29 covered institution providing concessions or promises
30 to the lending institution that may prejudice other
31 borrowers or prospective borrowers.

32 Sec. ____ NEW SECTION. 261E.8 STANDARDS FOR
33 PREFERRED LENDER LISTS.

34 A covered institution that provides or makes
35 available a preferred lender list shall comply with

36 all of the following standards:

37 1. A preferred lender list shall disclose the
38 process by which the covered institution selected
39 lending institutions for such preferred lender list,
40 including, but not limited to, the method and criteria
41 used to choose the lending institutions and the
42 relative importance of those criteria.

43 2. A preferred lender list shall state in the same
44 font size and same manner as the predominant text on
45 the document that borrowers have the right and ability
46 to select the education loan provider of their choice,
47 are not required to use any of the lenders on such
48 preferred lender list, and will suffer no penalty for
49 choosing a lender that is not on such preferred lender
50 list.

Page 6

1 3. The covered institution's decision to include a
2 lending institution on any preferred lender list and
3 the covered institution's decision as to where on the
4 preferred lender list the lending institution's name
5 appears shall be determined solely by consideration of
6 the best interests of the borrowers who may use such
7 preferred lender list without regard to the pecuniary
8 interests of the covered institution.

9 4. The contents of any preferred lender list shall
10 be reviewed and updated at least annually.

11 5. A lending institution shall not be placed on a
12 preferred lender list unless the lending institution
13 provides assurance to the covered institution and to
14 borrowers who take out loans from the lending
15 institution that the advertised benefits upon
16 repayment will continue to inure to the benefit of
17 borrowers regardless of whether the lending
18 institution's loans are sold.

19 6. A lending institution that, to the covered
20 institution's knowledge after reasonable inquiry, has
21 an agreement to sell its loans to another unaffiliated
22 lending institution shall not be included on a
23 preferred lender list unless such agreement is
24 disclosed therein in the same font size and same
25 manner as the predominant text on the document in
26 which the preferred lender list appears.

27 7. A lending institution shall not be placed on a
28 covered institution's preferred lender lists or in
29 favored placement on a covered institution's preferred
30 lender lists for a particular type of loan, in
31 exchange for benefits provided to the covered
32 institution or to the covered institution's students
33 in connection with a different type of loan.

34 Sec. __. NEW SECTION. 261E.9 PROPER EXECUTION

35 OF MASTER PROMISSORY NOTES.

36 A covered institution participating in the Stafford
37 federal student loan program authorized by Title IV,
38 Part B, of the federal Higher Education Act of 1965,
39 20 U.S.C. § 1071 et seq. as amended, shall not direct
40 potential borrowers to any electronic master
41 promissory notes or other loan agreements that do not
42 allow the borrower to enter the lender code or name
43 for any lending institution offering the relevant
44 loan.

45 Sec. ____ NEW SECTION. 261E.10 DISCLOSURES AT
46 REQUEST OF COVERED INSTITUTIONS.

47 Except for educational loans made, insured, or
48 guaranteed by the federal government, upon the request
49 of any covered institution, a lending institution
50 shall disclose to such covered institution, in

Page 7

1 reasonable detail and form, the historic default rates
2 of the borrowers from such covered institution, and
3 the rates of interest charged to borrowers from such
4 covered institution in the year preceding the
5 disclosures and the number of borrowers obtaining each
6 rate of interest.

7 Sec. ____ NEW SECTION. 261E.11 PENALTIES.

8 1. If after providing notice and an opportunity
9 for a hearing the administrator determines that a
10 covered institution or lending institution has
11 violated a provision of this chapter, the covered
12 institution or lending institution may be liable for a
13 civil penalty of up to fifty thousand dollars. In
14 taking action against a covered institution or lending
15 institution, consideration shall be given to the
16 nature and severity of a violation of this chapter.

17 2. If after providing notice and an opportunity
18 for a hearing the administrator determines that a
19 covered institution employee has violated a provision
20 of this chapter, the covered institution employee may
21 be liable for a civil penalty of up to seven thousand
22 five hundred dollars. In taking action against a
23 covered institution employee, consideration shall be
24 given to the nature and severity of a violation of
25 this chapter.

26 3. If after providing notice and an opportunity
27 for a hearing the administrator determines that a
28 lending institution has violated a provision of this
29 chapter, such lending institution shall not be placed
30 or remain on any covered institution's preferred
31 lender list unless notice of such violation is
32 provided to all potential borrowers of the covered
33 institution.

34 4. Nothing in this section shall prohibit the
 35 administrator from reaching a settlement agreement
 36 with a covered institution, covered institution
 37 employee, or lending institution in order to
 38 effectuate the purposes of this section. Provided,
 39 however, if such settlement agreement is reached with
 40 a covered institution or lending institution, the
 41 administrator shall provide notice of such action to
 42 the borrowers in a form and manner prescribed by the
 43 administrator.

44 5. The administrator shall deposit the funds
 45 generated pursuant to this section into the student
 46 lending education fund, created in section 261E.13.
 47 Such funds shall be given to covered institutions upon
 48 application to the attorney general for the purposes
 49 provided pursuant to section 261E.13.

50 Sec. ___. NEW SECTION. 261E.12 RULES AND

Page 8

1 REGULATIONS.

2 The attorney general and any official or agency
 3 charged by the attorney general with enforcing this
 4 chapter against a person under investigation shall
 5 promulgate rules and regulations necessary for the
 6 implementation of this chapter.

7 Sec. ___. NEW SECTION. 261E.13 STUDENT LENDING
 8 EDUCATION FUND.

9 1. There is established in the state treasury a
 10 student lending education fund.

11 2. The fund shall consist of all revenues
 12 generated pursuant to section 261E.11 and all other
 13 moneys credited or transferred to the fund from any
 14 other fund or source pursuant to law.

15 3. Moneys in the fund shall be made available to
 16 the attorney general for the purposes of:

17 a. Supporting programs that educate students,
 18 prospective students, and parents of such students on
 19 the loan process including but not limited to
 20 available loan options and understanding rates and
 21 terms of student loans.

22 b. Reimbursing students from inflated loan prices
 23 caused by revenue sharing agreements between such
 24 covered institution and a lending institution.”

25 2. By renumbering as necessary.

RON WIECK
 JEFF ANGELO
 LARRY McKIBBEN
 JOHN PUTNEY
 NANCY J. BOETTGER
 MARK ZIEMAN
 DAVID HARTSUCH

PAT WARD
DAVID JOHNSON
DAVE MULDER
PAUL MCKINLEY
LARRY NOBLE
JAMES A. SEYMOUR
JERRY BEHN
STEVE KETTERING
HUBERT HOUSER
JAMES F. HAHN

S-3534

- 1 Amend the House amendment, S-3532, to Senate File
- 2 601, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 7, by striking line 6.

JERRY BEHN

S-3535

- 1 Amend the House amendment, S-3532, to Senate File
- 2 601, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 7, by striking line 5.

LARRY NOBLE

S-3536

- 1 Amend the House amendment, S-3532, to Senate File
- 2 601, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 2, by inserting after line 15 the
- 5 following:
- 6 “___ Page 23, by striking line 35 and inserting
- 7 the following:
- 8 “..... \$ 14,200,00”
- 9 2. Page 2, by inserting after line 17 the
- 10 following:
- 11 “___ Page 26, by inserting after line 34 the
- 12 following:
- 13 “Sec. ___. The section of 2007 Iowa Acts, House
- 14 File 641, which is titled “processing of installment
- 15 agreements”, and which refers to section 602.8107,
- 16 subsection 4, and allocates moneys to the judicial
- 17 branch, if enacted, is repealed.”
- 18 3. Page 2, by striking lines 18 and 19.
- 19 4. Page 5, by inserting after line 39 the
- 20 following:
- 21 “___ Page 35, by inserting after line 13 the
- 22 following:
- 23 “Sec. ___. NEW SECTION. 7D.16 ALCOHOLIC

24 BEVERAGES IN STATE CAPITOL OR ON COMPLEX GROUNDS.

25 Notwithstanding any contrary provision of law
 26 prohibiting the use and consumption of alcoholic
 27 beverages in a public place, the executive council may
 28 authorize, by resolution, the temporary use and
 29 consumption of alcoholic beverages, as defined in
 30 section 123.3, in the state capitol or on the state
 31 capitol complex grounds, as if the state capitol or
 32 state capitol complex grounds were a private place.
 33 The authorization by resolution shall be limited to
 34 the use and consumption of alcoholic beverages as an
 35 accompaniment to food at a single award ceremony,
 36 social event, or other occasion deemed appropriate by
 37 the executive council. The authorization shall
 38 require that the person providing the food and
 39 alcoholic beverages possess an appropriate liquor
 40 control license in accordance with section 123.95.
 41 The secretary of the executive council shall inform
 42 the director of the department of administrative
 43 services of the approval of any such resolution.”

44 5. Page 7, by inserting after line 2 the
 45 following:

46 “___ By striking page 45, line 24, through page
 47 46, line 7, and inserting the following:

48 “272.27 STUDENT TEACHING AND OTHER EDUCATIONAL
 49 EXPERIENCES.

50 If the rules adopted by the board of educational

Page 2

1 examiners for issuance of any type or class of license
 2 require an applicant to complete work in student
 3 teaching, ~~an accredited college or university located~~
 4 ~~within the state of Iowa and states conterminous with~~
 5 ~~Iowa may offer a program or programs of teacher~~
 6 ~~education approved by the director of the department~~
 7 ~~of education or the appropriate authority in states~~
 8 ~~conterminous with Iowa by entering~~ prestudent teaching
 9 experiences, field experiences, practicums, clinicals,
 10 or internships, an institution with a practitioner
 11 preparation program approved by the state board of
 12 education under section 256.7, subsection 3, shall
 13 enter into a written contract with any accredited
 14 school district or private, accredited nonpublic
 15 school, preschool registered or licensed by the
 16 department of human services, or area education agency
 17 in Iowa under terms and conditions as agreed upon by
 18 the contracting parties. The terms and conditions of
 19 a written contract entered into with a preschool
 20 pursuant to this section shall provide that a student
 21 teacher be under the direct supervision of an
 22 appropriately licensed cooperating teacher who is

23 employed to teach at the preschool. Students actually
24 teaching or engaged in preservice licensure activities
25 in a school district under the terms of such a
26 contract are entitled to the same protection, under
27 section 670.8, as is afforded by that section to
28 officers and employees of the school district, during
29 the time they are so assigned.

30 Sec. ____ Section 279.13, subsection 1, paragraph
31 b, if enacted by 2007 Iowa Acts, Senate File 277,
32 section 11, is amended to read as follows:

33 b. (1) Prior to entering into an initial contract
34 with a teacher who holds a license other than an
35 initial license issued by the board of educational
36 examiners under chapter 272, the school district shall
37 either request the division of criminal investigation
38 of the department of public safety to conduct a
39 background investigation of the applicant or request a
40 qualified background screening company accredited by
41 the national association of professional background
42 check screeners to conduct a background check on the
43 applicant. ~~The~~

44 (2) If the school district submits a request to
45 the division of criminal investigation pursuant to
46 subparagraph (1), the school district shall require
47 the teacher to submit a completed fingerprint packet,
48 which shall be used to facilitate a national criminal
49 history check. The school district shall submit the
50 packet to the division of criminal investigation ~~of~~

Page 3

1 ~~the department of public safety~~ which shall conduct a
2 thorough background investigation of the teacher. The
3 superintendent of a school district or the
4 superintendent's designee shall have access to and
5 shall review the sex offender registry information
6 under section 692A.13, the central registry for child
7 abuse information established under section 235A.14,
8 and the central registry for dependent adult abuse
9 information established under section 235B.5 for
10 information regarding applicants for employment as a
11 teacher.

12 (3) If the school district submits a request to a
13 qualified background screening company pursuant to
14 subparagraph (1), the background check shall include a
15 national criminal history check, a review of the sex
16 offender registry information under section 692A.13,
17 the central registry for child abuse information
18 established under section 235A.14 as the
19 superintendent's designee under section 235A.15, and
20 the central registry for dependent adult abuse
21 information established under section 235B.5 as the

22 superintendent's designee under section 235B.6 for
 23 information regarding applicants for employment as a
 24 teacher.

25 (4) The school district may charge the teacher a
 26 fee for the background investigation, which shall not
 27 exceed the fee charged by the division of criminal
 28 investigation for conducting the background
 29 investigation.”

30 6. Page 9, by inserting after line 6 the
 31 following:

32 “___ Page 96, by inserting after line 31 the
 33 following:

34 “DIVISION ___
 35 ABSENTEE BALLOT AFFIDAVITS
 36 Sec. ___. Section 39A.4, subsection 1, paragraph
 37 c, subparagraphs (11) and (12), Code 2007, as amended
 38 by 2007 Iowa Acts, House File 848, section 20, are
 39 amended to read as follows:

40 (11) Returning a voted absentee ballot, by mail or
 41 in person, to the commissioner's office and the person
 42 returning the ballot is not the voter, ~~an immediate~~
 43 ~~family member authorized by the voter to return the~~
 44 ~~ballot, an absentee ballot courier~~ the voter's
 45 designee, or a special precinct election official
 46 designated pursuant to section 53.22, subsection 1, ~~or~~
 47 ~~the designee of a voter described in section 53.22,~~
 48 ~~subsection 5.~~

49 (12) Making a false or untrue statement reporting
 50 that a voted absentee ballot was returned to the

Page 4

1 commissioner's office, by mail or in person, by a
 2 person other than the voter, ~~an immediate family~~
 3 ~~member authorized by the voter to return the ballot,~~
 4 ~~an absentee ballot courier~~ the voter's designee, or a
 5 special precinct election official designated pursuant
 6 to section 53.22, subsection 1, or the designee of a
 7 voter described in section 53.22, subsection 5.

8 Sec. ___. Section 53.8, subsection 2, Code 2007,
 9 as amended by 2007 Iowa Acts, House File 848, section
 10 25, is amended to read as follows:

11 2. a. The commissioner shall enclose with the
 12 absentee ballot a statement informing the applicant
 13 that the sealed carrier envelope may be mailed to the
 14 commissioner by the registered voter or the voter's
 15 designee or may be personally delivered to the
 16 commissioner's office by the registered voter or the
 17 voter's designee. The statement shall also inform the
 18 voter that the voter may request that the voter's
 19 designee complete a receipt when retrieving the ballot
 20 from the voter. A blank receipt shall be enclosed

21 with the absentee ballot.

22 b. If an application is received so late that it
23 is unlikely that the absentee ballot can be returned
24 in time to be counted on election day, the
25 commissioner shall enclose with the absentee ballot a
26 statement to that effect. The statement shall also
27 point out that it is possible for the applicant, an
28 immediate family member of the applicant, or the
29 applicant's designee if the absentee ballot is voted
30 by a voter described in section 53.22, subsection 5,
31 to personally deliver the completed absentee ballot to
32 the office of the commissioner at any time before the
33 closing of the polls on election day. The statement
34 shall also point out that it is possible for an
35 absentee ballot courier to personally deliver the
36 completed absentee ballot to the office of the
37 commissioner within seventy-two hours of retrieving
38 the completed ballot or before the closing of the
39 polls on election day, whichever is earlier.

40 Sec. ____. Section 53.10, unnumbered paragraph 2,
41 Code 2007, is amended to read as follows:

42 Each person who wishes to vote by absentee ballot
43 at the commissioner's office shall first sign an
44 application for a ballot including the following
45 information: name, current address, and the election
46 for which the ballot is requested. The person may
47 report a change of address or other information on the
48 person's voter registration record at that time. The
49 registered voter shall immediately mark the ballot;
50 enclose the ballot in a secrecy envelope, if

Page 5

1 necessary, and seal it in ~~a ballot~~ an affidavit
2 envelope; subscribe to the affidavit on the reverse
3 side of the envelope; and return the absentee ballot
4 to the commissioner. The commissioner shall record
5 the numbers appearing on the application and ~~ballot~~
6 affidavit envelope along with the name of the
7 registered voter.

8 Sec. ____. Section 53.17, subsection 1, paragraph
9 a, Code 2007, as amended by 2007 Iowa Acts, House File
10 848, section 27, is amended by striking the paragraph
11 and inserting in lieu thereof the following:

12 a. The sealed carrier envelope may be delivered by
13 the registered voter, by the voter's designee, or by
14 the special precinct election officials designated
15 pursuant to section 53.22, subsection 1, to the
16 commissioner's office no later than the time the polls
17 are closed on election day. However, if delivered by
18 the voter's designee, the envelope shall be delivered
19 within seventy-two hours of retrieving it from the

20 voter or before the closing of the polls on election
21 day, whichever is earlier.

22 Sec. ____ Section 53.17, subsection 1, paragraphs
23 b and c, Code 2007, are amended to read as follows:

24 b. The sealed carrier envelope may be mailed to
25 the commissioner by the registered voter, ~~by an~~
26 ~~immediate family member of the voter,~~ or by the
27 voter's designee ~~if the ballot is voted by a voter~~
28 ~~described in section 53.22, subsection 5. If mailed~~
29 by the voter's designee, the envelope must be mailed
30 within seventy-two hours of retrieving it from the
31 voter or within time to be postmarked not later than
32 the day before the election, whichever is earlier.

33 ~~e. The sealed carrier envelope may be delivered to~~
34 ~~the commissioner by an absentee ballot courier, but~~
35 ~~only as provided in subsection 4.~~

36 Sec. ____ Section 53.17, subsection 4, Code 2007,
37 is amended by striking the subsection and inserting in
38 lieu thereof the following:

39 4. When a person designated by the voter retrieves
40 a completed absentee ballot from the voter, the
41 designee shall, upon request of the voter, fill out a
42 receipt to be retained by the voter. The state
43 commissioner shall prescribe a form for receipts
44 required by this subsection. The receipt shall
45 include all of the following:

- 46 a. The name of the voter's designee.
- 47 b. The date and time the completed absentee ballot
48 was received from the voter.
- 49 c. The name and date of the election for which the
50 absentee ballot is being voted.

Page 6

1 d. The name of the political party, candidate, or
2 committee for which the designee is acting as an
3 actual or implied agent, if applicable.

4 e. A telephone number at which the voter's
5 designee may be contacted.

6 f. A statement that the completed absentee ballot
7 will be delivered to the commissioner's office within
8 seventy-two hours of retrieving it from the voter or
9 before the closing of the polls on election day,
10 whichever is earlier, or that the completed absentee
11 ballot will be mailed to the commissioner within
12 seventy-two hours of retrieving it from the voter or
13 within time to be postmarked not later than the day
14 before the election, whichever is earlier.

15 Sec. ____ Section 53.17, subsection 5, Code 2007,
16 is amended by striking the subsection.

17 Sec. ____ Section 53.18, Code 2007, is amended to
18 read as follows:

19 53.18 MANNER OF PRESERVING BALLOT AND APPLICATION

20 — REVIEW OF AFFIDAVIT — REPLACEMENT BALLOTS.

21 1. Upon receipt of When the return carrier
22 envelope containing the completed absentee ballot is
23 received by the commissioner, the commissioner shall
24 at once record the number appearing on the application
25 and return carrier envelope and time of receipt of
26 such ballot and attach the elector's application to
27 the unopened envelope. Absentee ballots shall be
28 stored in a secure place until they are delivered to
29 the absentee and special voters precinct board.

30 2. If the commissioner receives the return carrier
31 envelope containing the completed absentee ballot by
32 five p.m. on the Saturday before the election for
33 general and primary elections and by five p.m. on the
34 Friday before the election for all other elections,
35 the commissioner shall open the envelope to review the
36 affidavit for any deficiencies. If the affidavit
37 contains a deficiency that would cause the ballot to
38 be rejected, the commissioner shall, within
39 twenty-four hours of the time the envelope was
40 received, notify the voter of that fact and that the
41 voter may correct the deficiency by five p.m. on the
42 day before the election.

43 3. If the affidavit envelope is open when received
44 by the commissioner, or has been opened and resealed,
45 or if the ballot is not enclosed in the affidavit
46 envelope, the commissioner shall immediately notify
47 the voter of that fact and that the voter's absentee
48 ballot shall not be counted unless the voter applies
49 for a replacement ballot and returns the replacement
50 ballot in the time permitted under section 53.17.

Page 7

1 subsection 2. The replacement ballot application
2 shall be the same as is required for an application
3 under section 53.2. If the information on the
4 replacement ballot application matches the information
5 on the original application, the voter shall be
6 allowed to complete a replacement absentee ballot. The
7 same serial number that was assigned to the records of
8 the original absentee ballot application shall be used
9 on the envelope and records of the replacement ballot.
10 The affidavit envelope containing the completed
11 replacement ballot shall be marked "Replacement
12 ballot". The affidavit envelope containing the
13 original ballot shall be marked "Defective ballot" and
14 the replacement ballot and replacement ballot
15 application shall be attached to the original
16 application and affidavit envelope containing the
17 original ballot and shall be stored in a secure place

18 until they are delivered to the absentee and special
 19 voters precinct board, notwithstanding sections 53.26
 20 and 53.27.

21 4. The state commissioner of elections shall adopt
 22 rules for implementation of this section.

23 Sec. ____ Section 53.19, unnumbered paragraph 3,
 24 Code 2007, is amended to read as follows:

25 However, any registered voter who has received an
 26 absentee ballot and not returned it may surrender the
 27 absentee ballot to the precinct officials and vote in
 28 person at the polls. The precinct officials shall
 29 mark the uncast absentee ballot "void" and return it
 30 to the commissioner. Any registered voter who has
 31 been sent an absentee ballot by mail but for any
 32 reason has not received it or who has not brought the
 33 ballot to the polls may appear at the voter's precinct
 34 polling place on election day and shall cast a ballot
 35 in accordance with section 49.81. Any registered
 36 voter who has been notified by the commissioner
 37 pursuant to section 53.18 of the need to correct a
 38 deficiency on the affidavit or to apply for and vote a
 39 replacement absentee ballot and who has not corrected
 40 the deficiency or voted a replacement absentee ballot
 41 may appear at the voter's precinct polling place on
 42 election day and shall cast a ballot in accordance
 43 with section 49.81.

44 Sec. ____ Section 53.21, unnumbered paragraph 4,
 45 Code 2007, is amended to read as follows:

46 The voter shall enclose one copy of the above
 47 statement in the return carrier envelope with the
 48 ~~ballot affidavit~~ envelope and retain a copy for the
 49 voter's records.

50 Sec. ____ Section 53.23, subsection 3, Code 2007,

Page 8

1 is amended to read as follows:
 2 3. a. The commissioner shall set the convening
 3 time for the board, allowing a reasonable amount of
 4 time to complete counting all absentee ballots by ten
 5 p.m. on election day. The commissioner may direct the
 6 board to meet on the day before the election solely
 7 for the purpose of reviewing the absentee voters'
 8 affidavits appearing on the sealed ~~ballot affidavit~~
 9 envelopes. If in the commissioner's judgment this
 10 procedure is necessary due to the number of absentee
 11 ballots received, the members of the board may open
 12 the sealed ~~ballot affidavit~~ envelopes and remove the
 13 secrecy envelope containing the ballot, but under no
 14 circumstances shall a secrecy envelope be opened
 15 before the board convenes on election day. If the
 16 ~~ballot affidavit~~ envelopes are opened before election

17 day, two observers, one appointed by each of the two
18 political parties referred to in section 49.13,
19 subsection 2, shall witness the proceedings.

20 b. If the board finds any ballot not enclosed in a
21 secrecy envelope and the ballot is folded in such a
22 way that any of the votes cast on the ballot are
23 visible, the two special precinct election officials,
24 one from each of the two political parties referred to
25 in section 49.13, subsection 2, shall place the ballot
26 in a secrecy envelope. No one shall examine the
27 ballot. Each of the special precinct election
28 officials shall sign the secrecy envelope.

29 Sec. ____ Section 53.24, Code 2007, is amended to
30 read as follows:

31 53.24 COUNTIES USING VOTING MACHINES.

32 In counties which provide the special precinct
33 election board with voting machines, the ~~absentee~~
34 ~~ballot affidavit~~ envelopes shall be opened by the
35 board and the ballots shall, without being unfolded,
36 be thoroughly intermingled, after which they shall be
37 unfolded and, under the personal supervision of
38 precinct election officials of each of the political
39 parties, be registered on voting machines the same as
40 if the absent voter had been present and voted in
41 person, except that a tally of the write-in votes may
42 be kept in the tally list rather than on the machine.
43 When two or more political subdivisions in the county
44 are holding separate elections simultaneously, the
45 commissioner may arrange the machine so that the
46 absentee and provisional ballots for more than one
47 election may be recorded on the same machine.

48 Sec. ____ Section 53.25, Code 2007, is amended to
49 read as follows:

50 53.25 REJECTING BALLOT.

Page 9

1 ~~In case~~ If the absentee voter's affidavit is found
2 to be insufficient, ~~or that if~~ the applicant is not a
3 duly registered voter in such precinct, ~~or that the~~
4 ~~ballot envelope is open, or has been opened and~~
5 ~~resealed, or that if~~ the ballot affidavit envelope
6 contains more than one ballot of any one kind, or ~~that~~
7 ~~said if the~~ voter has voted in person, such vote shall
8 not be accepted or counted. If the affidavit envelope
9 is open, or has been opened and resealed, or if the
10 ballot is not enclosed in the affidavit envelope, and
11 an affidavit envelope with the same serial number and
12 marked "Replacement ballot" is not attached as
13 provided in section 53.18, the vote shall not be
14 accepted or counted.

15 If the absentee ballot is rejected prior to the

16 opening of the ~~ballot affidavit~~ envelope, the voter
 17 casting the ballot shall be notified by a precinct
 18 election official by the time the canvass is completed
 19 of the reason for the rejection on a form prescribed
 20 by the state commissioner of elections.

21 Sec. ____ Section 53.27, Code 2007, is amended to
 22 read as follows:

23 53.27 REJECTION OF BALLOT — RETURN OF ENVELOPE.

24 If the ballot is rejected, ~~said ballot the~~
 25 affidavit envelope, with the affidavit of the voter
 26 endorsed thereon, shall be returned with ~~said the~~
 27 rejected ballot in the envelope endorsed “Defective
 28 ballots”.

29 Sec. ____ Section 53.32, Code 2007, is amended to
 30 read as follows:

31 53.32 BALLOT OF DECEASED VOTER.

32 When it shall be made to appear by due proof to the
 33 precinct election officials that any elector, who has
 34 so marked and forwarded a ballot, has died before the
 35 ~~ballot affidavit~~ envelope is opened, then the ballot
 36 of such deceased voter shall be endorsed, “Rejected
 37 because voter is dead”, and be returned to the
 38 commissioner; but the casting of the ballot of a
 39 deceased voter shall not invalidate the election.

40 Sec. ____ Section 53.38, Code 2007, is amended to
 41 read as follows:

42 53.38 WHAT CONSTITUTES REGISTRATION.

43 Whenever a ballot is requested pursuant to section
 44 53.39 or 53.45 on behalf of a voter in the armed
 45 forces of the United States, the affidavit upon the
 46 ~~ballot affidavit~~ envelope of such voter, if the voter
 47 is found to be an eligible elector of the county to
 48 which the ballot is submitted, shall constitute a
 49 sufficient registration under chapter 48A. A
 50 completed federal postcard registration and federal

Page 10

1 absentee ballot request form submitted by such
 2 eligible elector shall also constitute a sufficient
 3 registration under chapter 48A. The commissioner
 4 shall place the voter’s name on the registration
 5 record as a registered voter if it does not already
 6 appear there.

7 Sec. ____ Section 53.40, unnumbered paragraph 5,
 8 Code 2007, is amended to read as follows:

9 If the affidavit on the ~~ballot affidavit~~ envelope
 10 shows that the affiant is not a qualified voter on the
 11 day of the election at which the ballot is offered for
 12 voting, the envelope shall not be opened, but the
 13 envelope and ballot contained in the envelope shall be
 14 preserved and returned by the precinct election

15 officials to the commissioner, who shall preserve them
16 for the period of time and under the conditions
17 provided for in sections 50.12 through 50.15 and
18 section 50.19.

19 Sec. ____ Section 53.44, unnumbered paragraph 1,
20 Code 2007, is amended to read as follows:

21 The affidavit on the affidavit envelope used in
22 connection with voting by absentee ballot under this
23 division by members of the armed forces of the United
24 States need not be notarized or witnessed, but the
25 affidavit on ~~the ballot such~~ envelope shall be
26 completed and signed by the voter.

27 DIVISION ____
28 CHILD CARE REGISTRATION

29 Sec. ____ CHILD CARE REGISTRATION — LEGISLATIVE
30 INTENT. It is the intent of the general assembly to
31 improve the safety and quality of home-based child
32 care in the state by increasing the number of child
33 care providers who are required to register under
34 chapter 237A and increasing the staff and resources of
35 the department of human services committed to
36 addressing home-based child care.

37 Sec. ____ CHILD CARE REGISTRATION CHANGES. There
38 is appropriated from the general fund of the state to
39 the department of human services for the fiscal year
40 beginning July 1, 2007, and ending June 30, 2008, the
41 following amount, or so much thereof as is necessary,
42 to be used for the purposes designated:

43 For implementation of the child care changes made
44 in this division of this Act:

45 \$ 100,000

46 Sec. ____ Section 237A.1, subsections 6 and 7,
47 Code 2007, are amended to read as follows:

48 6. "Child care home" means a person or program
49 providing child care to ~~five~~ three or fewer children
50 at any one time that is not registered to provide

Page 11

1 child care under this chapter, as authorized under
2 section 237A.3.

3 7. "Child development home" means a person or
4 program registered under section 237A.3A that may
5 provide child care to ~~six~~ four or more children at an
6 one time.

7 Sec. ____ Section 237A.3, subsection 1, Code 2007,
8 is amended to read as follows:

9 1. a. A person or program providing child care to
10 ~~five~~ three children or fewer at any one time is a
11 child care home provider and is not required to
12 register under section 237A.3A as a child development
13 home.

14 b. The following are not required to register as a
 15 child development home under section 237A.3A:

16 (1) An individual providing child care in a
 17 private residence to not more than five children at
 18 any one time who reside in the private residence.

19 (2) A relative providing care to not more than
 20 five children at any one time who are all related to
 21 the relative.

22 c. However, Notwithstanding the provisions of
 23 paragraphs “a” and “b”, the person, ~~or~~ program, or
 24 relative may register as a child development home.

25 d. For the purposes of this section, “relative”
 26 means an adult person who is one of the following
 27 relatives of a child by means of blood relationship,
 28 marriage, or adoption, or is the spouse of one of the
 29 following relatives: a sibling, a grandparent, a
 30 first cousin, an aunt, or an uncle.

31 Sec. ____. Section 237A.3, Code 2007, is amended by
 32 adding the following new subsection:

33 NEW SUBSECTION. 3. a. A child care home provider
 34 shall provide information to the parents, guardians,
 35 and custodians of the children receiving child care
 36 that the provider is not registered as a child
 37 development home and that the number of children that
 38 can be cared for at any one time by the provider is
 39 limited to three or fewer.

40 b. In addition, the information shall expressly
 41 state that corporal punishment by a child care home
 42 provider is prohibited and list all the forms of
 43 corporal punishment identified in section 237A.18.
 44 The information shall also explain to the parent how
 45 to file a complaint with the department against the
 46 child care home.

47 c. The information shall be provided to parents,
 48 guardians, and custodians either in writing at the
 49 time of enrollment with the provider or be
 50 conspicuously posted at the main entrance to the child

Page 12

1 care home where it can be read by parents and any
 2 member of the public.

3 Sec. ____. Section 237A.5, subsection 2, paragraph
 4 a, subparagraph (3), Code 2007, is amended by adding
 5 the following new subparagraph subdivision:

6 NEW SUBPARAGRAPH SUBDIVISION. (f) The person has
 7 been determined through an investigation by the
 8 department of a complaint, a child abuse assessment,
 9 or the existence of a criminal record to have
 10 inflicted corporal punishment as described in section
 11 237A.18 on an individual receiving child care from the
 12 person.

13 Sec. ____ NEW SECTION. 237A.18 CORPORAL
14 PUNISHMENT.

15 A person who operates, is employed by, or resides
16 in a child care home, child development home, or child
17 care center shall not inflict corporal punishment on
18 an individual receiving care from the child care home,
19 child development home, or child care center. For the
20 purposes of this section, "corporal punishment"
21 includes but is not limited to spanking, slapping,
22 shaking, punishment which is humiliating or
23 frightening, using restraints, or enclosing a child in
24 a locked area. Such a person who has inflicted
25 corporal punishment on an individual receiving care
26 from the child care home, child development home, or
27 child care center, as determined through an
28 investigation by the department of a complaint, a
29 child abuse assessment, or existence of a criminal
30 record, may be subject to prohibition of involvement
31 with child care in accordance with section 237A.5.

32 Sec. ____ WORKGROUP — CHILD CARE REGISTRATION
33 CHANGE IMPLEMENTATION AND EARLY CHILDHOOD SYSTEM.

34 1. The legislative council is requested to
35 authorize a workgroup to address implementation of the
36 child care registration changes made in this division
37 of this Act and the issues identified in this section.
38 If established, the workgroup should engage
39 participation by representatives of the departments of
40 human services, education, human rights, and public
41 health and the state child care advisory council. The
42 workgroup should complete its deliberations in
43 December 2007 to report to the governor and general
44 assembly for consideration during the 2008 legislative
45 session.

46 2. The workgroup shall address the implementation
47 issues associated with the mandatory change in child
48 care registration made in this division of this Act.
49 The issues considered shall include but are not
50 limited to planning for the phase-in of and costs for

Page 13

1 additional inspection visits of child development
2 homes, increased expense for state child care
3 assistance slots, state child care assistance
4 reimbursement methodologies to reward quality, and
5 other implementation issues.

6 3. The workgroup shall cooperate with early
7 childhood stakeholders and the private sector in
8 addressing the many publicly supported programs and
9 services directed to early childhood and issues
10 involved with redirecting the programs and services to
11 be part of a cohesive child care system. The issues

12 addressed shall include professional development of
 13 workers, improving workforce, ensuring articulation
 14 between programs, meeting the needs of both children
 15 and parents, enhancing community engagement to support
 16 early childhood, and other efforts to address early
 17 childhood needs with a coordinated system.

18 Sec. ____ EFFECTIVE DATE — IMPLEMENTATION.

19 1. The following provisions of this division of
 20 this Act take effect October 1, 2009:

21 a. The provision amending section 237A.1,
 22 subsections 6 and 7.

23 b. The provision amending section 237A.3,
 24 subsection 1.

25 2. The department shall adopt administrative
 26 rules, assist child care providers, and expand
 27 staffing to support the implementation of the change
 28 in the numbers of children for which child care homes
 29 and child development homes may provide child care on
 30 October 1, 2009, as provided in this division of this
 31 Act, in accordance with the funding made available for
 32 that purpose.”

33 7. By renumbering as necessary.

ROBERT E. DVORSKY

S-3537

1 Amend the amendment, S-3533, to Senate File 601, as
 2 amended, passed and reprinted by the Senate as
 3 follows:

4 1. Page 1, by striking lines 1 and 2 and
 5 inserting the following:

6 “Amend the House amendment, S-3532, to Senate File
 7 601 as amended, passed and reprinted by the Senate as
 8 follows:

9 ____ Page 9, by inserting after line 6 the
 10 following:”

RON WIECK

S-3538

1 Amend the amendment, S-3536, to the House amendment
 2 S-3532, to Senate File 601 as amended, passed, and
 3 reprinted by the Senate as follows:

4 1. Page 1, by striking lines 19 through 43.

5 2. By striking page 10, line 27 through page 13
 6 line 32.

ROBERT E. DVORSKY

REPORTS OF CONFERENCE COMMITTEES (Senate Files)

SENATE FILE 277

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 277, a bill for an Act 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 an administrator quality program, making appropriations, and providing an effective date, respectfully make the following report:

1. That the Senate recedes from its amendment, H-1738.

2. That the House recedes from its amendment, S-3298.

3. That Senate File 277, as amended, passed, and reprinted by the Senate, is amended to read as follows:

1. Page 1, line 18, by striking the word "career" and inserting the following: "professional".

2. Page 3, by inserting after line 2 the following:

"Sec. ____ Section 256.44, subsection 1, paragraph a, Code 2007, is amended to read as follows:

a. If a teacher registers for national board for professional teaching standards certification ~~prior to June 30~~ by December 31, 2007, a one-time initial reimbursement award in the amount of up to one-half of the registration fee paid by the teacher for registration for certification by the national board for professional teaching standards. The teacher shall apply to the department of ~~education~~ within one year of registration, submitting to the department any documentation the department requires. A teacher who receives an initial reimbursement award shall receive a one-time final registration award in the amount of the remaining national board registration fee paid by the teacher if the teacher notifies the department of the teacher's certification achievement and submits any documentation requested by the department.

Sec. ____ Section 256.44, subsection 1, paragraph b, subparagraph (2), unnumbered paragraph 1, Code 2007, is amended to read as follows:

If the teacher registers for national board for professional teaching standards certification between January 1, 1999, and ~~January 1, 2006~~ December 31, 2007, and achieves certification within ~~three years from the date of initial score notification~~ the timelines and policies established by the national board for professional teaching standards, an annual award in the amount of two thousand five hundred dollars upon achieving certification by the national board of professional teaching standards."

3. Page 3, by inserting after line 9 the following:

"Sec. ____ Section 272.2, subsection 10, Code 2007, is amended to read as follows:

10. Issue statements of professional recognition to school service personnel who have attained a minimum of a baccalaureate degree and who are licensed by another professional licensing board."

4. Page 3, line 22, by striking the word "career" and inserting the following: "professional".

5. Page 3, by inserting after line 34 the following:

“Sec. __. Section 279.13, subsection 1, Code 2007, is amended to read as follows:

1. a. Contracts with teachers, which for the purpose of this section means all licensed employees of a school district and nurses employed by the board, excluding superintendents, assistant superintendents, principals, and assistant principals, shall be in writing and shall state the number of contract days, the annual compensation to be paid, and any other matters as may be mutually agreed upon. The contract may include employment for a term not exceeding the ensuing school year, except as otherwise authorized.

b. Prior to entering into an initial contract with a teacher who holds a license other than an initial license issued by the board of educational examiners under chapter 272, the school district shall request the division of criminal investigation of the department of public safety to conduct a background investigation of the applicant. The school district shall require the teacher to submit a completed fingerprint packet, which shall be used to facilitate a national criminal history check. The school district shall submit the packet to the division of criminal investigation of the department of public safety which shall conduct a thorough background investigation of the teacher. The superintendent of a school district or the superintendent’s designee shall have access to and shall review the sex offender registry information under section 692A.13, the central registry for child abuse information established under section 235A.14, and the central registry for dependent adult abuse information established under section 235B.5 for information regarding applicants for employment as a teacher. The school district may charge the teacher a fee for the background investigation, which shall not exceed the fee charged by the division of criminal investigation for conducting the background investigation.

c. The contract is invalid if the teacher is under contract with another board of directors to teach during the same time period until a release from the other contract is achieved. The contract shall be signed by the president of the board, or by the superintendent if the board has adopted a policy authorizing the superintendent to sign teaching contracts, when tendered, and after it is signed by the teacher, the contract shall be filed with the secretary of the board before the teacher enters into performance under the contract.”

6. Page 4, line 13, by striking the words “excluding school nurses.”

7. Page 4, by striking lines 17 and 18 and inserting the following: “directors under section 279.13. A teacher may be”.

8. Page 5, by inserting before line 25 the following: “However, if a school district can demonstrate that an existing professional development, curriculum, or student improvement committee has significant stakeholder involvement and a leadership role in the school district, the appointing authorities may mutually agree to assign to the existing committee the responsibilities set forth in this paragraph “c”, to appoint members of the existing committee to the teacher quality committee, or to authorize the existing committee to serve in an advisory capacity to the teacher quality committee.”

9. Page 6, by striking lines 4 and 5 and inserting the following:

“(3) Determine, following the adoption of the Iowa professional development model by the state board of education, the use and distribution of the professional”.

10. Page 9, line 11, by inserting after the word “The” the following: “goal for the use of the funds is to provide one additional contract day or the equivalent thereof for professional development and”.

11. Page 9, line 14, by striking the word “agreement,” and inserting the following: “agreement;”.

12. Page 9, by striking line 16 and inserting the following: “speakers, and professional development content; and costs”.

13. Page 13, by striking lines 22 through 25 and inserting the following:

“NEW SUBSECTION. 4. A teacher who is not meeting the applicable standards and criteria based on a determination made pursuant to subsection 3 shall participate in an intensive assistance program.”

14. Page 14, by striking lines 17 and 18 and inserting the following: “subject-area shortages, ~~or~~ improving the racial or ethnic diversity on local teaching staffs, funding to prepare a”.

15. Page 15, line 34, by striking the words “four hundred” and inserting the following: “hundred”.

16. Page 16, by striking line 2 and inserting the following: “with section 256.44.

(1) Of the amount allocated under this”.

17. Page 16, line 3, by inserting after the word “paragraph” the following: “a”.

18. Page 16, by inserting after line 7 the following: “(2) Of the amount allocated under this paragraph “a”, for the fiscal year beginning July 1, 2007, and ending June 30, 2008, not less than one million dollars shall be used to supplement the allocation of funds for market factor teacher incentives made pursuant to paragraph “f”, subparagraph (1).”

19. Page 16, line 21, by inserting after the word “purposes” the following: “and for not more than four full-time equivalent positions”.

20. Page 18, line 4, by inserting before the word “For” the following: “(a)”.

21. Page 18, by inserting after line 6 the following:

“(b) Of the amount allocated under subparagraph subdivision (a), for the fiscal year beginning July 1, 2007, and ending June 30, 2008, not less than one million dollars shall be used by the department to assist school districts to recruit, employ, and retain qualified teacher librarians, guidance counselors, and school nurses and to meet the goals established in section 256.11, subsections 9A and 9B. To be eligible for assistance, a school district shall submit an application to the department by September 1, 2007. The department shall distribute assistance under this subparagraph subdivision by November 1, 2007. Moneys received by a school district pursuant to this subparagraph subdivision shall be used only to comply with section 256.11, subsection 9, 9A, or 9B.”

22. Page 18, line 16, by striking the word “program” and inserting the following: “program and career ladder pilots”.

23. Page 18, line 17, by striking the word and figure “section 284.14” and inserting the following: “section 284.14 sections 284.14 and 284.14A”.

24. Page 18, by striking line 29 and inserting the following: “be used by the department for oversight”.

25. Page 18, line 30, by striking the word “projects” and inserting the following: “pilots”.

26. Page 18, line 31, by striking the word and figure “section 284.14” and inserting the following: “sections 284.14 and 284.14A”.

27. Page 18, by striking lines 34 and 35 and inserting the following:

“(3) For the fiscal year beginning July 1, 2008, and ending June 30, 2009, the sum”.

28. Page 19, line 2, by striking the word “each” and inserting the following: “the”.

29. Page 19, lines 5 and 6, by striking the words “distributed to the department of education” and inserting the following: “used by the department”.

30. Page 19, by striking line 7 and inserting the following: “administration of the implementation pilots as”.

31. Page 19, line 8, by striking the word and figure “section 284.14” and inserting the following: “sections 284.14 and 284.14A”.

32. By striking page 20, line 4, through page 21, line 35.

33. Page 22, by striking lines 7 through 11 and inserting the following: “career ladders and performance pay models.”

34. Page 22, line 34, by striking the words “planning projects” and inserting the following: “projects planning pilots”.

35. Page 23, line 2, by striking the words “planning projects” and inserting the following: “projects planning pilots”.

36. Page 23, by striking lines 4 through 6 and inserting the following: “pay-for-performance program design.”

37. Page 23, by striking lines 18 through 29 and inserting the following:

“b. ~~The Commencing with the school year beginning July 1, 2007, the~~ commission shall select ~~ten two~~ school districts as ~~demonstration projects~~ planning pilots. ~~To the extent practicable, participants shall represent geographically distinct rural, urban, and suburban areas of the state.~~ Participants shall provide reports or other information as required by the commission.

c. Commencing with the school year beginning July 1, 2008, the commission shall ~~select twenty additional~~ administer two implementation pilots in the school districts ~~as demonstration projects selected for planning pilots under paragraph “b.”~~

38. Page 23, lines 31 and 32, by striking the words “planning or implementation projects” and inserting the following: “projects planning and implementation pilots”.

39. Page 24, by striking line 3 and inserting the following: “demonstration projects planning and implementation pilots. The”.

40. Page 24, by inserting after line 9 the following:

“Sec. . NEW SECTION. 284.14A CAREER LADDER PILOTS.

1. INTENT. The intent of this section is to create a process by which select Iowa school districts research, develop, and implement pilots designed to identify promising practices related to enhanced teacher compensation career ladder models.

2. PILOT ESTABLISHED. A career ladder pilot is established to be designed, implemented, and administered by the department. The department shall gather sufficient information to identify a career ladder pilot.

a. For the school year beginning July 1, 2007, and ending June 30, 2008, the department shall select up to eight school districts as planning pilots. Participants shall provide reports or other information as required by the department.

b. For the school year beginning July 1, 2008, and ending June 30, 2009, the department shall administer up to eight implementation pilots in the school districts selected for planning pilots under paragraph “a”.

3. INTERIM AND FINAL REPORTS. Based on the information generated by the planning and implementation pilots, the department shall submit an interim report to the general assembly by January 14 annually, and shall submit a final report summarizing the effectiveness of the pilots in raising student achievement levels to the general assembly no later than six months after the completion of the planning and implementation pilots. Upon completion of the career ladder planning and implementation pilots, subject to the sufficiency of funds, the state board of education shall adopt rules requiring implementation of the successful components of the pilots by school districts statewide.”

41. Page 26, line 30, by striking the word “career” and inserting the following: “professional”.

42. Page 27, line 9, by striking the word “career” and inserting the following: “professional”.

43. Page 27, line 15, by striking the word “career” and inserting the following: “professional”.

44. Page 27, line 16, by striking the word “CAREER” and inserting the following: “PROFESSIONAL”.

- 45. Page 27, line 30, by striking the word “career” and inserting the following: “professional”.
- 46. Page 27, line 33, by striking the word “career” and inserting the following: “professional”.
- 47. Page 28, line 4, by striking the word “career” and inserting the following: “professional”.
- 48. Page 28, line 6, by striking the word “career” and inserting the following: “professional”.
- 49. Page 29, line 3, by striking the word “career” and inserting the following: “professional”.
- 50. Page 29, line 5, by striking the word “career” and inserting the following: “professional”.
- 51. Page 29, by striking line 14 and inserting the following: “173,943,894”.
- 52. Page 29, by striking line 16 and inserting the following: “248,943,894”.
- 53. By renumbering, relettering, or redesignating and correcting internal references as necessary.

On the part of the Senate:

On the part of the House:

FRANK B. WOOD, Chair
 MICHAEL CONNOLLY
 DAVE MULDER
 HERMAN C. QUIRMBACH

CINDY L. WINCKLER, Chair
 DENNIS M. COHOON
 ROGER F. WENDT

SENATE FILE 472

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 472, a bill for an Act requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty, respectfully make the following report:

- 1. That the House recedes from its amendment, S-3360.
- 2. That Senate File 472, as amended, passed, and reprinted by the Senate, is amended to read as follows:
 - 1. Page 1, by inserting after line 30 the following:
 - “7. This section only applies to a location where a close-clearance warning device is required to be placed pursuant to rules of the department when funds are available from the department to reimburse the owner of the railroad track for the cost of the close-clearance warning device, including cost of installation.”
 - 2. By renumbering as necessary.

On the part of the Senate:

On the part of the House:

DICK L. DEARDEN, Chair
 THOMAS G. COURTNEY
 PAT WARD
 STEVE WARNSTADT

JIM LYKAM, Chair
 DOLORES M. MERTZ
 TODD TAYLOR

SENATE FILE 551

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 551, a bill for an Act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection, respectfully make the following report:

1. That the Senate recedes from its amendment, H-2040.

2. That the House amendment, S-3436, to Senate File 551, as amended, passed, and reprinted by the Senate, is amended to read as follows:

1. Page 1, by inserting before line 3, the following:

“___ Page 3, by striking line 9, and inserting the following: “maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:”

___ Page 3, by inserting after line 10, the following:

“..... FTEs 1.00”

___ Page 11, line 26, by striking the figure “1,500,000” and inserting the following: “1,480,000”.

___ Page 12, line 35, by striking the figure “600,000” and inserting the following: “580,000”.

___ Page 13, line 2, by striking the figure “400,000” and inserting the following: “386,667”.

___ Page 13, line 8, by striking the figure “200,000” and inserting the following: “193,333”.

___ Page 13, by inserting after line 17, the following:

“___ For purposes of supporting a farm-to-school program, as provided in chapter 190A, if enacted by 2007 Iowa Acts, Senate File 601, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 80,000

___ For purposes of supporting the office of state apiarist, including the state apiarist who shall be appointed by the secretary of agriculture pursuant to section 160.1, and for carrying out the duties of the state apiarist as provided in chapter 160:

..... \$ 40,000”

___ Page 14, line 5, by striking the figure “2,490,000” and inserting the following: “2,470,000”.

___ Page 14, line 19, by striking the figure “400,000” and inserting the following: “360,000”.

___ Page 15, line 9, by striking the figure “500,000” and inserting the following: “480,000”.”

2. Page 2, by inserting after line 16 the following:

“___ Page 20, by inserting after line 27 the following:

“DIVISION

CODE LANGUAGE — E-85 GASOLINE STORING AND DISPENSING INFRASTRUCTURE

Sec. ___. Section 15G.203, subsection 7, Code 2007, is amended to read as follows:

7. An award of financial incentives to a participating person shall be in the form of a grant.

In order to participate in the program an eligible person must execute a cost-share agreement with the department as approved by the infrastructure board in which the person contributes a percentage of the total costs related to improving the retail motor fuel site.

a. The Except as provided in paragraph "b", a participating person may be awarded standard financial incentives. The standard financial incentives awarded to the participating person shall not exceed fifty percent of the actual cost of making the improvement or thirty thousand dollars, whichever is less. The infrastructure board may approve multiple awards to make improvements to a retail motor fuel site so long as the total amount of the awards does not exceed the limitations provided in this paragraph.

b. In addition to any standard financial incentives awarded to a participating person under paragraph "a", the participating person may be awarded supplemental financial incentives to upgrade or replace a dispenser which is part of gasoline storage and dispensing infrastructure used to store and dispense E-85 gasoline as provided in section 455G.31. The person is only eligible to receive the supplemental financial incentives if the person installed the dispenser not later than sixty days after the date of the publication in the Iowa administrative bulletin of the state fire marshal's order providing that a commercially available dispenser is listed as compatible for use with E-85 gasoline by an independent testing laboratory as provided in section 455G.31. The supplemental financial incentives awarded to the participating person shall not exceed seventy-five percent of the actual cost of making the improvement or thirty thousand dollars, whichever is less.

Sec. __. Section 455G.31, subsection 1, paragraph a, Code 2007, is amended to read as follows:

a. "E-85 gasoline", "ethanol blended gasoline", and "retail dealer" mean the same as defined in section 214A.1.

Sec. __. Section 455G.31, subsection 2, paragraph b, Code 2007, is amended to read as follows:

b. (1) For a dispenser, the manufacturer must state all of the following shall apply:

(1) (a) That the dispenser is, in the opinion of the manufacturer, not incompatible with E-85 gasoline. The dispenser must be listed by an independent testing laboratory as compatible with ethanol blended gasoline.

(2) (b) The manufacturer has initiated the process of applying to an independent testing laboratory for listing of the equipment for use in dispensing E-85 gasoline.

A manufacturer's statement must include a written statement, with reference to a particular type and model of equipment for use in dispensing E-85 gasoline, signed by a responsible official on behalf of the manufacturer, provided either to the retail dealer using the gasoline storage and dispensing infrastructure or to the department of natural resources or the state fire marshal. If the written statement is provided to a retail dealer, the statement shall be retained in the files on the premises of the retail dealer and shall be available to personnel of the department of natural resources or the state fire marshal upon request. The owner or operator or a person authorized by the owner or operator must visually inspect the dispenser and the dispenser sump daily for leaks and equipment failure and maintain a record of such inspection for at least one year after the inspection. The record shall be located on the premises of the retail dealer and shall be made available to the department of natural resources or the state fire marshal upon request. If a leak is detected, the department of natural resources shall be notified pursuant to section 455B.386.

(2) The state fire marshal shall issue an order as soon as practicable after determining that a commercially available dispenser is listed as compatible for use with E-85 gasoline by an independent testing laboratory. The state fire marshal shall publish the order in the Iowa administrative bulletin. A person shall not install a dispenser which would otherwise be permitted under subparagraph (1) after sixty days following the date that the order is published. A person who installed such dispenser

before the sixty-day period expired may use the dispenser as provided in subparagraph (1) until four years after the date that the order is published.

Sec. ____ Section 455G.31, subsection 3, Code 2007, is amended to read as follows:

3. This section is repealed ~~July 1, 2009~~ four years following the date that the order issued by the state fire marshal is published in the Iowa administrative bulletin as provided in this section.”

3. By renumbering, relettering, or redesignating and correcting internal references as necessary.

On the part of the Senate:

JOE M. SENG, Chair
DENNIS H. BLACK
E. THURMAN GASKILL
HUBERT HOUSER
THOMAS RIELLY

On the part of the House:

MARK KUHN, Chair
BETTY DE BOEF
DOLORES MERTZ
STEVE OLSON
MIKE REASONER

RESOLUTIONS ADOPTED

EIGHTY-SECOND GENERAL ASSEMBLY 2007 REGULAR SESSION

SENATE JOINT RESOLUTIONS

SENATE JOINT RESOLUTION 2: filed February 27, 2007; adopted by the Senate on March 14, 2007; printed on Senate Journal page 752.

SENATE JOINT RESOLUTION 4: filed March 19, 2007; adopted by the Senate on March 29, 2007; adopted by the House on April 28, 2007; printed on Senate Journal page 980.

SENATE JOINT RESOLUTION 5: filed April 24, 2007; adopted by the Senate on April 25, 2007; adopted by the House on April 28, 2007; printed on Senate Journal page 1432.

SENATE JOINT RESOLUTION 6: filed April 24, 2007; adopted by the Senate on April 25, 2007; adopted by the House on April 28, 2007; printed on Senate Journal page 1430.

SENATE CONCURRENT RESOLUTIONS

SENATE CONCURRENT RESOLUTION 1: filed January 9, 2007; adopted by the Senate on January 16, 2007.

1 SENATE CONCURRENT RESOLUTION 1
2 By: Ragan
3 A concurrent resolution calling upon Iowans to observe
4 Iowa Family Development and Self-Sufficiency Week.
5 WHEREAS, the Iowa Family Development and
6 Self-Sufficiency (FaDSS) program began in 1989,
7 following passage of legislation in 1988 to assist
8 low-income families participating in the Family
9 Investment Program (FIP) to achieve self-sufficiency;
10 and
11 WHEREAS, more than 40,000 Iowans have participated
12 in FaDSS and received developmental services to
13 improve their lives; and
14 WHEREAS, the families enrolled in FaDSS are
15 supported in overcoming multiple barriers that would
16 otherwise perpetuate poverty and the success of
17 parents in the program has improved their lives and

18 the lives of their children; and
 19 WHEREAS, for each dollar appropriated to FaDSS in
 20 fiscal year 2005-2006, \$1.39 was returned to the state
 21 in the form of wages and savings to FIP; and
 22 WHEREAS, the average monthly income for the
 23 families enrolled in FaDSS in fiscal year 2004-2005
 24 increased by more than 45 percent from the average
 25 prior to enrollment; and
 26 WHEREAS, more than 75 percent of the families who
 27 completed FaDSS in FY 2004-2005 were able to avoid
 28 reenrolling in FIP one year later; and
 29 WHEREAS, the causes and conditions of poverty are
 30 complex and all citizens of Iowa benefit if the state

Page 2

1 can successfully reduce the number of families living
 2 in poverty; NOW THEREFORE,
 3 BE IT RESOLVED BY THE SENATE, THE HOUSE OF
 4 REPRESENTATIVES CONCURRING, That the General Assembly
 5 calls upon Iowans to observe Iowa Family Development
 6 and Self-Sufficiency Week, January 15 through 21,
 7 2007, with appropriate programs, ceremonies, and
 8 activities.

SENATE CONCURRENT RESOLUTION 2: filed January 10,
 2007; adopted by the Senate on January 16, 2007; adopted by the
 House on January 31, 2007.

1 SENATE CONCURRENT RESOLUTION 2
 2 By: Committee on Rules and Administration
 3 A concurrent resolution relating to the compensation
 4 of chaplains, officers, and employees of the
 5 ~~eighty-first~~ eighty-second general assembly.
 6 WHEREAS, section 2.11 of the Code provides that
 7 “The compensation of the chaplains, officers, and
 8 employees of the general assembly shall be fixed by
 9 joint action of the house and senate by resolution at
 10 the opening of each session, or as soon thereafter as
 11 conveniently can be done.”, NOW THEREFORE,
 12 BE IT RESOLVED BY THE SENATE, THE HOUSE OF
 13 REPRESENTATIVES CONCURRING, That the compensation of
 14 the employees of the ~~eighty-first~~ eighty-second
 15 general assembly is set, effective from ~~January 10,~~
 16 ~~2005~~ January 8, 2007, until ~~January 8, 2007~~ January
 17 12, 2009, in accordance with the following salary
 18 schedule:
 19 #9
 20 \$16,473.60
 21 7.92
 22

RESOLUTIONS ADOPTED

2291

23	#10	#11	#12	#13	#14
24	\$17,368.00	\$18,283.20	\$19,198.40	\$20,134.40	\$21,216.00
25	8.35	8.79	9.23	9.68	10.20
26					
27	#15	#16	#17	#18	#19
28	\$22,330.20	\$23,462.40	\$24,481.60	\$25,708.80	\$26,852.80
29	10.74	11.28	11.77	12.36	12.91
30					

Page 2

1	#20	#21	#22	#23	#24
2	\$28,267.20	\$29,515.20	\$30,971.20	\$32,510.40	\$33,966.40
3	3.59	14.19	14.89	15.63	16.33
4					
5	#25	#26	#27	#28	#29
6	\$35,692.80	\$37,336.00	\$39,145.60	\$41,080.00	\$43,035.20
7	17.16	17.95	18.82	19.75	20.69
8					
9	#30	#31	#32	#33	#34
10	\$45,115.20	\$47,330.00	\$49,504.00	\$51,937.60	\$54,350.40
11	21.69	22.75	23.80	24.97	26.13
12					
13	#35	#36	#37	#38	#39
14	\$56,971.20	\$59,696.00	\$62,608.00	\$65,582.40	\$68,785.60
15	27.39	28.70	30.10	31.53	33.07
16					
17	#40	#41	#42	#43	#44
18	\$72,092.80	\$75,545.60	\$79,248.00	\$82,908.80	\$86,964.80
19	34.66	36.32	38.10	39.86	41.81
20					
21	#45	#46	#47	#48	#49
22	\$91,145.60	\$95,492.80	\$100,048.00	\$104,852.80	\$109,865.60
23	43.82	45.91	48.10	50.41	52.82
24					
25	#50				
26	\$115,211.20				
27	55.39				
28	#9				
29	\$16,806.40				
30	8.08				

Page 3

1					
2	#10	#11	#12	#13	#14
3	\$17,721.60	\$18,657.60	\$19,572.80	\$20,529.60	\$21,632.00
4	8.52	8.97	9.41	9.87	10.40
5					
6	#15	#16	#17	#18	#19
7	\$22,776.00	\$23,940.80	\$24,980.80	\$26,228.80	\$27,393.60
8	10.95	11.51	12.01	12.61	13.17

9					
10	<u>#20</u>	<u>#21</u>	<u>#22</u>	<u>#23</u>	<u>#24</u>
11	\$28,828.80	\$30,097.60	\$31,595.20	\$33,155.20	\$34,652.80
12	13.86	14.47	15.19	15.94	16.66
13					
14	<u>#25</u>	<u>#26</u>	<u>#27</u>	<u>#28</u>	<u>#29</u>
15	\$36,400.00	\$38,084.80	\$39,936.00	\$41,912.00	\$43,888.00
16	17.50	18.31	19.20	20.15	21.10
17					
18	<u>#30</u>	<u>#31</u>	<u>#32</u>	<u>#33</u>	<u>#34</u>
19	\$46,009.60	\$48,276.80	\$50,502.40	\$52,977.60	\$55,432.00
20	22.12	23.21	24.28	25.47	26.65
21					
22	<u>#35</u>	<u>#36</u>	<u>#37</u>	<u>#38</u>	<u>#39</u>
23	\$58,115.20	\$60,881.60	\$63,856.00	\$66,892.80	\$70,158.40
24	27.94	29.27	30.70	32.16	33.73
25					
26	<u>#40</u>	<u>#41</u>	<u>#42</u>	<u>#43</u>	<u>#44</u>
27	\$73,528.00	\$77,064.00	\$80,828.80	\$84,572.80	\$88,712.00
28	35.35	37.05	38.86	40.66	42.65
29					
30	<u>#45</u>	<u>#46</u>	<u>#47</u>	<u>#48</u>	<u>#49</u>

Page 4

1	\$92,976.00	\$97,406.40	\$102,044.80	\$106,953.60	\$112,070.40
2	44.70	46.83	49.06	51.42	53.88
3					
4	<u>#50</u>	<u>#51</u>			
5	\$117,520.00	\$120,452.80			
6	56.50	57.91			

7 In this schedule, each numbered block shall be the
 8 yearly and hourly compensation for the pay grade of
 9 the number heading the block. Within each grade there
 10 shall be seven steps numbered "1" through "7". In the
 11 above schedule the steps for all grades are determined
 12 in the following manner. Each numbered block is
 13 counted as the "1" step for that grade. The next
 14 higher block is counted as the "2" step; the next
 15 higher block is the "3" step; the next higher block is
 16 the "4" step; the next higher block is the "5" step;
 17 the next higher block is the "6" step; and the next
 18 higher block is the "7" step.

19 Alternatively, the senate rules and administration
 20 committee for senate employees, and the house
 21 administration and rules committee for house employees
 22 may allow their employees' compensation to be flexibly
 23 set anywhere between steps "1" through "7" for an
 24 employee's prescribed pay grade.

25 All employees shall be available to work daily
 26 until completion of the senate's and house of
 27 representatives' business. The employee's division

28 supervisor shall schedule all employees' working hours
 29 to, as far as possible, maintain regular working
 30 hours.

Page 5

1 All employees, other than those designated "part-
 2 time", shall be compensated for 40 hours of work in a
 3 one-week pay period. Secretaries to senators and
 4 representatives are presumed to have ~~36~~ 40 hours of
 5 work each week the legislature is in session and shall
 6 be paid only on that basis. Full-time employees who
 7 are required to work in excess of 80 hours in a
 8 two-week pay period shall be allowed compensatory time
 9 off at a rate of one hour for each hour of overtime up
 10 to a maximum of 120 hours of compensatory time. Joint
 11 security employees of the senate and house of
 12 representatives may be compensated for each hour of
 13 overtime at a rate of pay equal to one-and-one-half
 14 times the hourly pay provided.

15 BE IT FURTHER RESOLVED, That part-time employees
 16 shall be compensated at the scheduled hourly rate for
 17 their pay grade and step.

18 BE IT FURTHER RESOLVED, That in the event the
 19 salary schedule for employees of the State of Iowa as
 20 promulgated by the department of administrative
 21 services pursuant to section 8A.413, subsection 2, is
 22 revised upward at any time during the ~~eighty-first~~
 23 eighty-second general assembly, such revised schedule
 24 shall simultaneously be adopted for the compensation
 25 of the employees of the ~~eighty-first~~ eighty-second
 26 general assembly assigned a grade by this resolution,
 27 unless otherwise provided by the senate and house of
 28 representatives.

29 BE IT FURTHER RESOLVED, That adjustments in the
 30 positions and compensation listed in this resolution

Page 6

1 may be made through an interim review of all
 2 legislative employees for internal equity and to
 3 assure compliance with appropriate legal standards for
 4 granting of overtime and compensatory time off. Such
 5 review shall be conducted by a legislative committee
 6 made up of members of the service committee of
 7 legislative council and the appropriate salary
 8 subcommittees of the senate and house. Only one such
 9 review may be done in any fiscal year and adjustments
 10 suggested must be approved by the appropriate hiring
 11 body.

12 BE IT FURTHER RESOLVED, That the employees of the
 13 ~~eighty-first~~ eighty-second general assembly be placed

14 in the following pay grades:

15 EMPLOYEES OF THE HOUSE

16 Chief Clerk of the House Grade 44

17 Sr. Assistant Chief Clerk of the House.....Grade 41

18 Assistant Chief Clerk of the House III..... Grade 38

19 Assistant Chief Clerk of the House II..... Grade 35

20 Assistant Chief Clerk of the House I.....Grade 32

21 Legal Counsel II..... Grade 35

22 Legal Counsel I.....Grade 32

23 Legal Counsel..... Grade 30

24 Sr. Caucus Staff Director Grade 41

25 Caucus Staff Director Grade 38

26 Administrative Assistant to Leader

27 or Speaker Grade 27

28 Administrative Assistant I to Leader

29 or Speaker Grade 29

30 Administrative Assistant II to Leader

Page 7

1 or Speaker Grade 32

2 Administrative Assistant III to Leader

3 or Speaker Grade 35

4 Sr. Administrative Assistant to

5 Leader or Speaker..... Grade 38

6 Sr. Administrative Assistant to

7 Leader or Speaker II.....Grade 41

8 Research Assistant Grade 24

9 Legislative Research Analyst..... Grade 27

10 Legislative Research Analyst I Grade 29

11 Legislative Research Analyst II..... Grade 32

12 Legislative Research Analyst III Grade 35

13 Sr. Legislative Research Analyst..... Grade 38

14 Assistant Secretary to Leader

15 or Speaker Grade 18

16 Secretary to Leader or Speaker Grade 19

17 Caucus Secretary Grade 21

18 Senior Caucus Secretary Grade 24

19 Administrative Secretary to Leader,

20 Speaker, or Chief Clerk Grade 21

21 Executive Secretary to Leader,

22 Speaker or Chief Clerk Grade 24

23 Confidential Secretary to Leader,

24 Speaker, or Chief Clerk Grade 27

25 Confidential Secretary II to Leader,

26 Speaker or Chief Clerk Grade 32

27 Clerk to Chief Clerk.....Grade 16

28 Supervisor of Secretaries..... Grade 21

29 Supervisor of Secretaries I..... Grade 24

30 Supervisor of Secretaries II..... Grade 27

Page 8

1	Senior Editor.....	Grade 30
2	Editor II.....	Grade 25
3	Editor I.....	Grade 22
4	Assistant Editor.....	Grade 19
5	Compositor/Desk Top Specialist.....	Grade 17
6	Sr. Text Processor.....	Grade 25
7	Text Processor II.....	Grade 22
8	Text Processor I.....	Grade 19
9	Senior Finance Officer III.....	Grade 38
10	Senior Finance Officer II.....	Grade 35
11	Senior Finance Officer I.....	Grade 31
12	Finance Officer II.....	Grade 27
13	Finance Officer I.....	Grade 24
14	Assistant Finance Officer.....	Grade 21
15	Recording Clerk II.....	Grade 24
16	Recording Clerk I.....	Grade 21
17	<u>Assistant Legal Counsel I.....</u>	<u>Grade 30</u>
18	Assistant Legal Counsel.....	Grade 27
19	Engrossing & Enrolling Processor.....	Grade 27
20	Assistant to the Legal Counsel.....	Grade 19
21	Senior Indexer.....	Grade 28
22	Indexer II.....	Grade 25
23	Indexer I.....	Grade 22
24	Indexing Assistant.....	Grade 19
25	Supply Clerk.....	Grade 16
26	Switchboard Operator.....	Grade 14
27	Legislative Secretary.....	Grade 15
28	Legislative Committee Secretary.....	Grade 17
29	Bill Clerk.....	Grade 14
30	Assistant Bill Clerk.....	Grade 12

Page 9

1	Postmaster.....	Grade 12
2	Sergeant-at-Arms II.....	Grade 20
3	Sergeant-at-Arms I.....	Grade 17
4	Assistant Sergeant-at-Arms.....	Grade 14
5	Chief Doorkeeper.....	Grade 12
6	Doorkeepers.....	Grade 11
7	Pages.....	Grade 9
8	EMPLOYEES OF THE SENATE	
9	Secretary of the Senate.....	Grade 44
10	Sr. Assistant Secretary of the Senate.....	Grade 41
11	Assistant Secretary of the Senate III.....	Grade 38
12	Assistant Secretary of the Senate II.....	Grade 35
13	Assistant Secretary of the Senate I.....	Grade 32
14	Legal Counsel II.....	Grade 35
15	Legal Counsel I.....	Grade 32
16	Legal Counsel.....	Grade 30
17	Sr. Caucus Staff Director.....	Grade 41

18	Caucus Staff Director	Grade 38
19	Administrative Assistant to Leader	
20	or President	Grade 27
21	Administrative Assistant I to Leader	
22	or President	Grade 29
23	Administrative Assistant II to Leader	
24	or President	Grade 32
25	Administrative Assistant III to Leader	
26	or President	Grade 35
27	Sr. Administrative Assistant to	
28	Leader or President	Grade 38
29	<u>Sr. Administrative Assistant to</u>	
30	<u> Leader or President II</u>	<u>Grade 41</u>

Page 10

1	Research Assistant	Grade 24
2	Legislative Research Analyst	Grade 27
3	Legislative Research Analyst I	Grade 29
4	Legislative Research Analyst II	Grade 32
5	Legislative Research Analyst III	Grade 35
6	Sr. Legislative Research Analyst	Grade 38
7	Caucus Secretary II	Grade 21
8	Senior Caucus Secretary	Grade 24
9	Secretary to Leader, President, or Caucus	Grade 18
10	Administrative Secretary to Leader, President,	
11	or Secretary of the Senate	Grade 21
12	Executive Secretary to Leader, President,	
13	or Secretary of the Senate	Grade 24
14	Confidential Secretary to Leader, President,	
15	or Secretary of the Senate	Grade 27
16	Confidential Secretary II to Leader, President,	
17	or Secretary of the Senate	Grade 32
18	Supervisor of Secretaries	Grade 21
19	Supervisor of Secretaries I	Grade 24
20	Supervisor of Secretaries II	Grade 27
21	Senior Editor	Grade 30
22	Editor II	Grade 25
23	Editor I	Grade 22
24	Assistant Editor	Grade 19
25	Compositor/Desk Top Specialist	Grade 17
26	<u>Assistant Legal Counsel I</u>	<u>Grade 30</u>
27	Assistant Legal Counsel	Grade 27
28	Assistant to the Legal Counsel	Grade 19
29	Proofreader	Grade 16
30	Senior Finance Officer III	Grade 38

Page 11

1	Senior Finance Officer II	Grade 35
2	Senior Finance Officer I	Grade 31
3	Finance Officer II	Grade 27

4 Finance Officer I Grade 24
 5 Assistant Finance Officer Grade 21
 6 Recording Clerk II Grade 24
 7 Recording Clerk I Grade 21
 8 Senior Indexer Grade 28
 9 Indexer II Grade 25
 10 Indexer I Grade 22
 11 Indexing Assistant Grade 19
 12 Records and Supply Clerk Grade 18
 13 Switchboard Operator Grade 14
 14 Legislative Secretary Grade 15
 15 Legislative Committee Secretary Grade 17
 16 Bill Clerk Grade 14
 17 Assistant Bill Clerk Grade 12
 18 Postmaster Grade 12
 19 Sergeant-at-Arms II Grade 20
 20 Sergeant-at-Arms I Grade 17
 21 Assistant Sergeant-at-Arms Grade 14
 22 Chief Doorkeeper Grade 12
 23 Doorkeepers Grade 11
 24 Pages Grade 9
 25 JOINT SENATE/HOUSE EMPLOYEES
 26 Facilities Manager I Grade 35
 27 Facilities Manager II Grade 38
 28 Sr. Facilities Manager Grade 41
 29 Legislative Security Secretary Grade 19
 30 Legislative Security Coordinator I Grade 23

Page 12

- 1 Legislative Security Coordinator II Grade 26
 2 Legislative Security Officer I Grade 20
 3 Legislative Security Officer II Grade 23
 4 Conservation/Restoration Specialist II Grade 31
 5 Sr. Copy Center Operator Grade 21
 6 BE IT FURTHER RESOLVED, That there shall be four
 7 classes of appointments as employees of the general
 8 assembly:
 9 A “permanent full-time” or “permanent part-time”
 10 employee is one who is employed the year around and
 11 eligible to receive state benefits.
 12 An “exempt full-time” employee is one who is
 13 employed for only a portion of the year, usually the
 14 period of the legislative sessions with extensions
 15 post-session and pre-session as scheduled. This class
 16 is eligible to receive state benefits with the cost of
 17 benefits to the state to be paid, using accrued leave
 18 if authorized, by the employee when not on the
 19 payroll.
 20 A “session-only” employee is one who is employed
 21 for only a portion of the year, usually the
 22 legislative session. This class is not eligible for

23 state benefits, except IPERS, and insurance as
24 provided in section 2.40.

25 A "part-time" employee is one who is employed to
26 work less than 40 hours per week. This class is not
27 eligible for state benefits, except IPERS if eligible.

28 BE IT FURTHER RESOLVED, That the exact
29 classification for individuals in a job series created
30 by this resolution shall be set or changed for senate

Page 13

1 employees by the senate rules and administration
2 committee and for the house employees by the house
3 administration and rules committee. The committees
4 shall base the classification upon the following
5 factors:

6 1. The extent of formal education required of the
7 position; and,

8 2. The extent of the responsibilities to be
9 assigned to the position; and,

10 3. The amount of supervision placed over the
11 position; and,

12 4. The number of persons the position is assigned
13 to supervise and skills and responsibilities of those
14 positions supervised.

15 The committees shall report the exact
16 classifications assigned to each individual on the
17 next legislative day, or, if such action is during the
18 interim, on the first day the senate or house shall
19 convene. Any action by the senate or house to
20 disapprove a report or a portion of a report shall be
21 effective the day after the action.

22 Recommendations for a pay grade for a new position
23 shall be developed in accordance with the factor
24 scores in the comparable worth report. ~~Beginning in~~
25 ~~1999, every~~ Every four years the senate rules and
26 administration committee, the house administration and
27 rules committee, and the legislative council may
28 review all positions in the legislative branch to
29 assure conformity to comparable worth.

30 BE IT FURTHER RESOLVED, That a senator or

Page 14

1 representative may employ a secretary who in the
2 judgment of the senator or representative employing
3 such person, possesses the necessary skills to perform
4 the duties such senator or representative shall
5 designate, under the administrative direction, as
6 appropriate, of the secretary of the senate or the
7 chief clerk of the house.

8 Each standing committee chairperson, ethics

9 committee chairperson, and each appropriations
10 subcommittee chairperson shall designate a secretary
11 who is competent to perform the following duties:
12 prepare committee minutes, committee reports, type
13 committee correspondence, maintain committee records,
14 and otherwise assist the committee. Such duties shall
15 be performed in accordance with standards which shall
16 be provided by the secretary of the senate and chief
17 clerk of the house. In making the designation,
18 chairpersons shall consider persons for possible
19 designation as the secretary to the committee in the
20 following order:

21 First: The secretary to the chairperson.

22 Second: The secretary to the committee's vice-
23 chairperson.

24 Third: The secretary to any other member of the
25 committee.

26 Fourth: The secretary to any other member in the
27 same house as the committee.

28 BE IT FURTHER RESOLVED, That a Legal Counsel II
29 shall be a person who has graduated from an accredited
30 school of law and is admitted to practice in Iowa as

Page 15

1 an Attorney and Counselor at Law and possesses either
2 a Masters of Law degree or has at least two years of
3 legal experience after admission to practice.

4 A Legal Counsel I shall be a person who has
5 graduated from an accredited school of law and is
6 admitted to practice in Iowa as an Attorney and
7 Counselor at Law.

8 BE IT FURTHER RESOLVED, That employees of the
9 general assembly may be eligible for either:

10 a) increases in salary grade or step based on
11 evaluation of their job performance and
12 recommendations of their administrative officers,
13 subject to approval of the senate committee on rules
14 and administration or the house committee on
15 administration and rules, as appropriate or

16 b) mobility within a pay grade at the discretion
17 of the chief clerk of the house upon recommendation by
18 the employee's division supervisor on the part of the
19 house, and the discretion of the employee's division
20 supervisor on the part of the senate, subject to the
21 approval of the house committee on administration and
22 rules or the senate committee on rules and
23 administration, as appropriate—either in accord
24 with a flexible pay plan approved by the senate rules
25 and administration committee or the house
26 administration and rules committee, or in accord with
27 the following schedule:

- 28 (1) Progression from step "1" to "2" for a newly
 29 hired employee—six months of actual employment.
 30 (2) Progression from step "1" to "2" following

Page 16

- 1 promotion within a job series—twelve months of
 2 actual employment in that position.
 3 (3) Progression from step "2" to "3", and step "3"
 4 to "4", and step "4" to "5", and step "5" to "6", and
 5 step "6" to "7"—twelve months of actual employment
 6 at the lower step.
 7 BE IT FURTHER RESOLVED, That in addition to the
 8 steps provided in the preceding paragraph, that
 9 secretaries to senators and representatives who were
 10 employees of the senate or house of representatives
 11 during any general assembly prior to January 9, 1989,
 12 and who have received certification for passing a
 13 typing and shorthand performance examination shall be
 14 eligible for two additional steps.
 15 BE IT FURTHER RESOLVED, That in addition to the
 16 steps provided in the preceding paragraph, that
 17 secretaries to senators and representatives shall be
 18 eligible for a maximum of three additional grades
 19 beyond grade 15, in any combination, as provided in
 20 this paragraph:
 21 1. One additional grade for a secretary to a
 22 standing committee chair, ethics committee chair or
 23 appropriations subcommittee chair who is not the
 24 designated committee secretary.
 25 2. One additional grade for a secretary to a vice-
 26 chairperson or ranking member of a standing committee,
 27 ethics committee or appropriations subcommittee.
 28 3. One additional grade for a secretary to the
 29 chairperson of the chaplain's committee.
 30 4. Two additional grades for a secretary to an

Page 17

- 1 assistant floor leader or speaker pro tempore or
 2 president pro tempore.
 3 5. One additional grade for a designated committee
 4 secretary who is also the designated committee
 5 secretary for an additional standing committee, ethics
 6 committee, or appropriations subcommittee.
 7 BE IT FURTHER RESOLVED, That in the event the
 8 secretary to the chairperson of the chaplain's
 9 committee is the secretary to the president, president
 10 pro tempore, speaker, speaker pro tempore, or the
 11 majority or minority leader, such secretary shall
 12 receive one additional step.

13 BE IT FURTHER RESOLVED, That the entrance salary
14 for employees of the general assembly shall be at step
15 1 in the grade of the position held. Such employee
16 may be hired above the entrance step if possessing
17 outstanding and unusual experience for the position.
18 Such employee who is hired above the entrance step
19 shall be mobile above that step in the same period of
20 time as other employees in that same step. An officer
21 or employee who is moved to another position may be
22 considered for partial or full credit for their
23 experience in the former position in determining the
24 step in the new grade.

25 The entry level for the position of research
26 analyst shall be Legislative Research Analyst, unless
27 extraordinary conditions justify increasing that entry
28 level.

29 BE IT FURTHER RESOLVED, That a pay increase for
30 employees of one step within the pay grade for the

Page 18

1 position may be made for exceptionally meritorious
2 service in addition to step increases provided for in
3 this resolution, at the discretion of the chief clerk
4 upon recommendation by the employee's division
5 supervisor on the part of the house, and upon
6 recommendation by the employee's division supervisor
7 on the part of the senate, and the approval of the
8 senate committee on rules and administration or the
9 house committee on administration and rules.

10 Exceptionally meritorious service pay increases shall
11 be governed by the following:

12 a. The employee must have served in the position
13 for at least twelve months;

14 b. Written justification, setting forth in detail
15 the nature of the exceptionally meritorious service
16 rendered, must be submitted to the senate rules and
17 administration committee or house administration and
18 rules committee and approved in advance of granting
19 the pay increase;

20 c. No more than one exceptionally meritorious
21 service pay increase may be granted in any twelve-
22 month period.

23 d. Such meritorious service pay increase shall not
24 be granted beyond the seven-step maximum for that
25 position.

26 BE IT FURTHER RESOLVED, That the senate rules and
27 administration committee and the house administration
28 and rules committee shall both hire officers and
29 employees for their respective bodies and fill any
30 vacancies which may occur, to be effective at such

Page 19

1 time as they shall set. The committee shall report
 2 the names of those it has hired for the positions
 3 specified in this resolution or the filling of any
 4 vacancies on the next legislative day or, if such
 5 action is during the interim, on the first day the
 6 senate or house shall convene. Any action by the
 7 senate or house to amend or disapprove a report or a
 8 portion of a report shall be effective the day after
 9 the action.

10 The chief clerk of the house shall submit to the
 11 house committee on administration and rules and the
 12 secretary of the senate shall submit to the senate
 13 committee on rules and administration the list of
 14 names, or amendments thereto, of employee
 15 classifications and recommended pay step for each
 16 officer and employee. Such list shall include
 17 recommendations for the pay step for all employees.
 18 Each respective committee shall approve or amend the
 19 list of recommended classifications and pay steps and
 20 publish said list in the journal.

21 BE IT FURTHER RESOLVED, That permanent employees of
 22 the general assembly shall receive vacation
 23 allowances, sick leave, health and accident insurance,
 24 life insurance, and disability income insurance as are
 25 comparably provided for full-time permanent state
 26 employees. The computations shall be maintained by
 27 the finance officers in each house and coordinated
 28 with the department of administrative services.

29 BE IT FURTHER RESOLVED, That should any employee
 30 have a grievance, the grievance shall be resolved as

Page 20

1 provided by procedures determined by the senate rules
 2 and administration committee for senate employees or
 3 the house administration and rules committee for house
 4 employees.

5 BE IT FURTHER RESOLVED, That the legislative
 6 council take action to provide the same compensation
 7 and benefits to all legislative central staff agency
 8 employees for the ~~eighty-first~~ eighty-second general
 9 assembly as is provided by this resolution. The
 10 director of each legislative central staff agency
 11 shall report to the chief clerk of the house and the
 12 secretary of the senate the list of approved positions
 13 for their agencies and the names, grades and steps of
 14 each employee. Such lists shall be published in the
 15 journals of the house and the senate within two weeks
 16 after the adoption of this resolution by both houses.

17 BE IT FURTHER RESOLVED, That the compensation of
 18 chaplains officiating at the opening of the daily
 19 sessions of the house of representatives and the
 20 senate of the ~~eighty-first~~ eighty-second general
 21 assembly be fixed at ten dollars for each house of the
 22 general assembly, and that mileage to and from the
 23 State Capitol for chaplains be fixed at the rate
 24 established for members of the general assembly.

SENATE CONCURRENT RESOLUTION 3: filed January 10,
 2007; adopted by the Senate on January 16, 2007; adopted by the
 House on January 25, 2007.

1 SENATE CONCURRENT RESOLUTION 3

2 By: Committee on Rules and Administration

3 A concurrent resolution relating to joint rules of
 4 the Senate and House of Representatives for the
 5 ~~Eighty-first~~ Eighty-second General Assembly.

6 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
 7 SENATE CONCURRING, That the joint rules of the Senate
 8 and House of Representatives for the ~~Eighty-first~~
 9 Eighty-second General Assembly shall be:

10 JOINT RULES OF THE
 11 SENATE AND HOUSE

12 Rule 1

13 Suspension of Joint Rules

14 The joint rules of the general assembly may be
 15 suspended by concurrent resolution, duly adopted by a
 16 constitutional majority of the senate and the house.

17 Rule 2

18 Designation of Sessions

19 Each regular session of a general assembly shall be
 20 designated by the year in which such regular session
 21 commences.

22 Rule 2A

23 ~~Equal Number of Elected Party Members in Senate~~

24 ~~As long as Senate Resolution 1, as adopted during~~
 25 ~~the 2005 regular legislative session, is in effect,~~
 26 ~~the following shall apply:~~

27 ~~—1. All references in these rules to powers and~~
 28 ~~duties of the senate president or majority or minority~~
 29 ~~leaders shall be interpreted in accordance with Senate~~
 30 ~~Resolution 1.~~

Page 2

1 ~~—2. Notwithstanding joint rule 13, subsection 1,~~
 2 ~~the senate co-floor leaders shall jointly appoint six~~
 3 ~~members to conference committees created pursuant to~~
 4 ~~joint rule 13 in accordance with Senate Resolution 1.~~

5

Rule 3

6

Sessions of a General Assembly

7 The election of officers, organization, hiring and
 8 compensation of employees, and standing committees in
 9 each house of the general assembly and action taken by
 10 each house shall carry over from the first to the
 11 second regular session and to any extraordinary
 12 session of the same general assembly. The status of
 13 each bill and resolution shall be the same at the
 14 beginning of each second session as it was immediately
 15 before adjournment of the previous regular or
 16 extraordinary session; however the rules of either
 17 house may provide for re-referral of some or all bills
 18 and resolutions to standing committees upon
 19 adjournment of each session or at the beginning of a
 20 subsequent regular or extraordinary session, except
 21 those which have been adopted by both houses in
 22 different forms.
 23 Upon final adoption of a concurrent resolution at
 24 any extraordinary session affecting that session, or
 25 at a regular session affecting any extraordinary
 26 session which may be held before the next regular
 27 session, the creation of any calendar by either house
 28 shall be suspended and the business of the session
 29 shall consist solely of those bills or subject matters
 30 stated in the resolution adopted. Bills named in the

Page 3

1 resolution, or bills containing the subject matter
 2 provided for in the resolution, may, at any time, be
 3 called up for debate in either house by the majority
 4 leader of that house.

5

Rule 3A

6

International Relations Protocol

7 The senate and the house of representatives shall
 8 comply with the international relations protocol
 9 policy adopted by the international relations
 10 committee of the legislative council.

11

Rule 4

12

Presentation of Messages

13 All messages between the two houses shall be sent
 14 by the secretary of the senate or the chief clerk of
 15 the house of representatives, and shall be
 16 communicated to the presiding officer.

17

Rule 5

18

Printing and Form of Bills

19

and Other Documents

20 Bills and joint resolutions shall be introduced,
 21 numbered, prepared, and printed as provided by law, or
 22 in the absence of such law, in a manner determined by
 23 the secretary of the senate and the chief clerk of the

24 house of representatives. Proposed bills and
25 resolutions which are not introduced but are referred
26 to committee shall be tracked in the legislative
27 computer system as are introduced bills and
28 resolutions. The referral of proposed bills and
29 resolutions to committee shall be entered in the
30 journal.

Page 4

1 All bills and joint resolutions introduced shall be
2 in a form and number approved by the secretary of the
3 senate and chief clerk of the house.
4 The legal counsel's office of each house shall
5 approve all bills before introduction.

6 Rule 6

7 Companion Bills

8 Identical bills introduced in ~~each house~~ one or
9 both houses shall be called companion bills. Each
10 house shall designate the sponsor in the usual way
11 followed in parentheses by the sponsor of ~~the~~ any
12 companion bill or bills in the other house. The house
13 where ~~the~~ a companion bill is first introduced shall
14 print the complete text.

15 Rule 7

16 Reprinting of Bills

17 Whenever any bill has been substantially amended by
18 either house, the secretary of the senate or the chief
19 clerk of the house shall order the bill reprinted on
20 paper of a different color. All adopted amendments
21 shall be distinguishable.

22 The secretary of the senate or the chief clerk of
23 the house may order the printing of a reasonable
24 number of additional copies of any bill, resolution,
25 amendment, or journal.

26 Rule 8

27 Daily Clip Sheet

28 The secretary of the senate and the chief clerk of
29 the house shall prepare a daily clip sheet covering
30 all amendments filed.

Page 5

1 Rule 9

2 Reintroduction of Bills and Other Measures

3 A bill or resolution which has passed one house and
4 is rejected in the other shall not be introduced again
5 during that general assembly.

6 Rule 10

7 Certification of Bills and Other Enrollments

8 When any bill or resolution which has passed one
9 house is rejected or adopted in the other, notice of

10 such action and the date thereof shall be given to the
 11 house of origin in writing signed by the secretary of
 12 the senate or the chief clerk of the house.

13 Rule 11

14 Code Editor's Correction Bills

15 A bill recommended by the Code editor which is
 16 passed out of committee to the floor for debate by a
 17 committee of the house or senate and which contains
 18 Code corrections of a nonsubstantive nature shall not
 19 be amended on the floor of either house except
 20 pursuant to corrective or nonsubstantive amendments
 21 filed by the judiciary committee of the senate or the
 22 house. Such committee amendments, whether filed at
 23 the time of initial committee passage of the bill to
 24 the floor for debate or after rereferral to the
 25 committee, shall not be incorporated into the bill in
 26 the originating house but shall be filed separately.
 27 Amendments filed from the floor to strike sections of
 28 the bill or the committee amendments shall be in
 29 order. Following amendment and passage by the second
 30 house, only amendments filed from the floor which

Page 6

1 strike sections of the amendment of the second house
 2 shall be in order.

3 A bill recommended by the Code editor which is
 4 passed out of committee to the floor for debate by a
 5 committee of the house or senate and which contains
 6 Code corrections beyond those of a nonsubstantive
 7 nature shall not be amended on the floor of either
 8 house except pursuant to amendments filed by the
 9 judiciary committee of the senate or the house. Such
 10 committee amendments, whether filed at the time of
 11 initial committee passage of the bill to the floor for
 12 debate or after rereferral to the committee, shall not
 13 be incorporated into the bill in the originating house
 14 but shall be filed separately. Such a bill shall be
 15 limited to corrections which: Adjust language to
 16 reflect current practices, insert earlier omissions,
 17 delete redundancies and inaccuracies, delete temporary
 18 language, resolve inconsistencies and conflicts,
 19 update ongoing provisions, and remove ambiguities.
 20 Amendments filed from the floor to strike sections of
 21 the bill or the committee amendments shall be in
 22 order. Following amendment and passage by the second
 23 house, only amendments filed from the floor which
 24 strike sections of the amendment of the second house
 25 shall be in order.

26 It is the intent of the house and the senate that
 27 such bills be passed out of committee to the floor for

28 debate within the first four weeks of convening of a
29 legislative session.

30

Rule 12

Page 7

1 Amendments by Other House

2 1. When a bill which originated in one house is
3 amended in the other house, the house originating the
4 bill may amend the amendment, concur in full in the
5 amendment, or refuse to concur in full in the
6 amendment. Precedence of motions shall be in that
7 order. The amendment of the other house shall not be
8 ruled out of order based on a question of germaneness.

9 a. If the house originating the bill concurs in
10 the amendment, the bill shall then be immediately
11 placed upon its final passage.

12 b. If the house originating the bill refuses to
13 concur in the amendment, the bill shall be returned to
14 the amending house which shall either:

15 (1) Recede, after which the bill shall be read for
16 the last time and immediately placed upon its final
17 passage; or

18 (2) Insist, which will send the bill to a
19 conference committee.

20 c. If the house originating the bill amends the
21 amendment, that house shall concur in the amendment as
22 amended and the bill shall be immediately placed on
23 final passage, and shall be returned to the other
24 house. The other house cannot further amend the bill.

25 (1) If the amending house which gave second
26 consideration to the bill concurs in the amendment to
27 the amendment, the bill shall then be immediately
28 placed upon its final passage.

29 (2) If the amending house refuses to concur in the
30 amendment to the amendment, the bill shall be returned

Page 8

1 to the house originating the bill which shall either:

2 (a) Recede, after which the bill shall be read for
3 the last time as amended and immediately placed upon
4 its final passage; or

5 (b) Insist, which will send the bill to a
6 conference committee.

7 2. A motion to recede has precedence over a motion
8 to insist. Failure to recede means to insist; and
9 failure to insist means to recede.

10 3. A motion to lay on the table or to indefinitely
11 postpone shall be out of order with respect to motions
12 to recede from or insist upon and to amendments to
13 bills which have passed both houses.

14 4. A motion to concur, refuse to concur, recede,
15 insist, or adopt a conference committee report is in
16 order even though the subject matter has previously
17 been acted upon.

18 Rule 13

19 Conference Committee

20 1. Within one legislative day after either house
21 insists upon an amendment to a bill, the presiding
22 officer of the house, after consultation with the
23 majority leader, shall appoint three majority party
24 members and, after consultation with the minority
25 leader, shall appoint two minority party members to a
26 conference committee. The majority leader of the
27 senate, after consultation with the president, shall
28 appoint three majority party members and, after
29 consultation with and approval by the minority leader,
30 shall appoint two minority party members to a

Page 9

1 conference committee. The papers shall remain with
2 the house that originated the bill.

3 2. The conference committee shall meet before the
4 end of the next legislative day after their
5 appointment, shall select a chair and shall discuss
6 the controversy.

7 3. The authority of the first conference committee
8 shall cover only issues related to provisions of the
9 bill and amendments to the bill which were adopted by
10 either the senate or the house of representatives and
11 on which the senate and house of representatives
12 differed. If a conference committee report is not
13 acted upon because such action would violate this
14 subsection of this rule, the inaction on the report
15 shall constitute refusal to adopt the conference
16 committee report and shall have the same effect as if
17 the conference committee had disagreed.

18 4. An agreement on recommendations must be
19 approved by a majority of the committee members from
20 each house. The committee shall submit two originals
21 of the report signed by a majority of the committee
22 members of each house with one signed original and
23 three copies to be submitted to each house. The
24 report shall first be acted upon in the house
25 originating the bill. Such action, including all
26 papers, shall be immediately referred by the secretary
27 of the senate or the chief clerk of the house of
28 representatives to the other house.

29 5. The report of agreement is debatable, but
30 cannot be amended. If the report contains recommended

Page 10

1 amendments to the bill, adoption of the report shall
2 automatically adopt all amendments contained therein.
3 After the report is adopted, there shall be no more
4 debate, and the bill shall immediately be placed upon
5 its final passage.
6 6. Refusal of either house to adopt the conference
7 committee report has the same effect as if the
8 committee had disagreed.
9 7. If the conference committee fails to reach
10 agreement, a report of such failure signed by a
11 majority of the committee members of each house shall
12 be given promptly to each house. The bill shall be
13 returned to the house that originated the bill, the
14 members of the committee shall be immediately
15 discharged, and a new conference committee appointed
16 in the same manner as the first conference committee.
17 8. The authority of a second or subsequent
18 conference committee shall cover free conference
19 during which the committee has authority to propose
20 amendments to any portion of a bill provided the
21 amendment is within the subject matter content of the
22 bill as passed by the house of origin or as amended by
23 the second house.

24 Rule 14

25 Enrollment and Authentication of Bills

26 A bill or resolution which has passed both houses
27 shall be enrolled in the house of origin under the
28 direction of either the secretary of the senate or the
29 chief clerk of the house and its house of origin shall
30 be certified by the endorsement of the secretary of

Page 11

1 the senate or the chief clerk of the house.
2 After enrollment, each bill shall be signed by the
3 president of the senate and by the speaker of the
4 house.

5 Rule 15

6 Concerning Other Enrollments

7 All resolutions and other matters which are to be
8 presented to the governor for approval shall be
9 enrolled, signed, and presented in the same manner as
10 bills.

11 All resolutions and other matters which are not to
12 be presented to the governor or the secretary of state
13 shall be enrolled, signed, and retained permanently by
14 the secretary of the senate or chief clerk of the
15 house.

16 Rule 16
17 Transmission of Bills to the Governor

18 After a bill has been signed in each house, it
19 shall be presented by the house of origin to the
20 governor by either the secretary of the senate or the
21 chief clerk of the house. The secretary or the chief
22 clerk shall report the date of the presentation, which
23 shall be entered upon the journal of the house of
24 origin.

25 Rule 17
26 Fiscal Notes

27 A fiscal note shall be attached to any bill or
28 joint resolution which reasonably could have an annual
29 effect of at least one hundred thousand dollars or a
30 combined total effect within five years after

Page 12

1 enactment of five hundred thousand dollars or more on
2 the aggregate revenues, expenditures, or fiscal
3 liability of the state or its subdivisions. This rule
4 does not apply to appropriation and ways and means
5 measures where the total effect is stated in dollar
6 amounts.

7 Each fiscal note shall state in dollars the
8 estimated effect of the bill on the revenues,
9 expenditures, and fiscal liability of the state or its
10 subdivisions during the first five years after
11 enactment. The information shall specifically note
12 the fiscal impact for the first two years following
13 enactment and the anticipated impact for the
14 succeeding three years. The fiscal note shall specify
15 the source of the information. Sources of funds for
16 expenditures under the bill shall be stated, including
17 federal funds. If an accurate estimate cannot be
18 made, the fiscal note shall state the best available
19 estimate or shall state that no dollar estimate can be
20 made and state concisely the reason.

21 The preliminary determination of whether the bill
22 appears to require a fiscal note shall be made by the
23 legal services staff of the legislative services
24 agency. Unless the requestor specifies the request is
25 to be confidential, upon completion of the bill draft,
26 the legal services staff shall immediately send a copy
27 to the fiscal services director for review.

28 When a committee reports a bill to the floor, the
29 committee shall state in the report whether a fiscal
30 note is or is not required.

Page 13

1 The fiscal services director or the director's
2 designee shall review all bills placed on the senate
3 or house calendars to determine whether the bills are
4 subject to this rule.
5 Additionally, a legislator may request the
6 preparation of a fiscal note by the fiscal services
7 staff for any bill or joint resolution introduced
8 which reasonably could be subject to this rule.
9 The fiscal services director or the director's
10 designee shall cause to be prepared and shall approve
11 a fiscal note within a reasonable time after receiving
12 a request or determining that a bill is subject to
13 this rule. All fiscal notes approved by the fiscal
14 services director shall be transmitted immediately to
15 the secretary of the senate or the chief clerk of the
16 house, after notifying the sponsor of the bill that a
17 fiscal note has been prepared, for publication in the
18 daily clip sheet. The secretary of the senate or
19 chief clerk of the house shall attach the fiscal note
20 to the bill as soon as it is available.
21 The fiscal services director may request the
22 cooperation of any state department or agency in
23 preparing a fiscal note.
24 A revised fiscal note may be requested by a
25 legislator if the fiscal effect of the bill has been
26 changed by adoption of an amendment. However, a
27 request for a revised fiscal note shall not delay
28 action on a bill unless so ordered by the presiding
29 officer of the house in which the bill is under
30 consideration.

Page 14

1 If a date for adjournment has been set, then a
2 constitutional majority of the house in which the bill
3 is under consideration may waive the fiscal note
4 requirement during the three days prior to the date
5 set for adjournment.
6 Rule 18
7 Legislative Interns
8 Legislators may arrange student internships during
9 the legislative session with Iowa college, university,
10 or law school students, for which the students may
11 receive college credit at the discretion of their
12 schools. Each legislator is allowed only one intern
13 at a time per legislative session, and all interns
14 must be registered with the offices of the secretary
15 of the senate and the chief clerk of the house.
16 The purpose of the legislative intern program shall
17 be: to provide useful staff services to legislators

18 not otherwise provided by the general assembly; to
 19 give interested college, graduate, and law school
 20 students practical experience in the legislative
 21 process as well as providing a meaningful educational
 22 experience; and to enrich the curriculum of
 23 participating colleges and universities.

24 The secretary of the senate and the chief clerk of
 25 the house or their designees shall have the following
 26 responsibilities as regards the legislative intern
 27 program:

28 1. Identify a supervising faculty member at each
 29 participating institution who shall be responsible for
 30 authorizing students to participate in the intern

Page 15

1 program.

2 2. Provide legislators with a list of
 3 participating institutions and the names of
 4 supervising professors to contact if interested in
 5 arranging for an intern.

6 3. Provide interns with name badges which will
 7 allow them access to the floor of either house when
 8 required to be present by the legislators for whom
 9 they work.

10 4. Provide orientation materials to interns prior
 11 to the convening of each session.

12 Rule 19

13 Administrative Rules Review Committee Bills 14 and Rule Referrals

15 A bill which relates to departmental rules and
 16 which is approved by the administrative rules review
 17 committee by a majority of the committee's members of
 18 each house is eligible for introduction in either
 19 house at any time and must be referred to a standing
 20 committee, which must take action on the bill within
 21 three weeks of referral, except bills referred to
 22 appropriations and ways and means committees.

23 If, on or after July 1, 1999, the administrative
 24 rules review committee delays the effective date of a
 25 rule until the adjournment of the next regular session
 26 of the general assembly and the speaker of the house
 27 or the president of the senate refers the rule to a
 28 standing committee, the standing committee shall
 29 review the rule within twenty-one days of the referral
 30 and shall take formal committee action by sponsoring a

Page 16

1 joint resolution to disapprove the rule, by proposing
 2 legislation relating to the rule, or by refusing to
 3 propose a joint resolution or legislation concerning

4 the rule. The standing committee shall inform the
5 administrative rules review committee of the committee
6 action taken concerning the rule.

7 Rule 20

8 Time of Committee Passage and Consideration of Bills

9 1. This rule does not apply to concurrent or
10 simple resolutions, joint resolutions nullifying
11 administrative rules, senate confirmations, or bills
12 passed by both houses in different forms. Subsection
13 2 of this rule does not apply to appropriations bills,
14 ways and means bills, government oversight bills,
15 legalizing acts, administrative rules review committee
16 bills, bills sponsored by standing committees in
17 response to a referral from the president of the
18 senate or the speaker of the house of representatives
19 relating to an administrative rule whose effective
20 date has been delayed until the adjournment of the
21 next regular session of the general assembly by the
22 administrative rules review committee, bills
23 cosponsored by majority and minority floor leaders of
24 one house, bills in conference committee, and
25 companion bills sponsored by the majority floor
26 leaders of both houses after consultation with the
27 respective minority floor leaders. For the purposes
28 of this rule, a joint resolution is considered as a
29 bill. To be considered an appropriations, ways and
30 means, or government oversight bill for the purposes

Page 17

1 of this rule, the appropriations committee, the ways
2 and means committee, or the government oversight
3 committee must either be the sponsor of the bill or
4 the committee of first referral in the originating
5 house.

6 2. To be placed on the calendar in the house of
7 origin, a bill must be first reported out of a
8 standing committee by Friday of the 9th week of the
9 first session and the 8th week of the second session.
10 To be placed on the calendar in the other house, a
11 bill must be first reported out of a standing
12 committee by Friday of the 13th week of the first
13 session and the 11th week of the second session.

14 3. During the 11th week of the first session and
15 the 9th week of the second session, each house shall
16 consider only bills originating in that house and
17 unfinished business. During the 14th week of the
18 first session and the 12th week of the second session,
19 each house shall consider only bills originating in
20 the other house and unfinished business. Beginning
21 with the 15th week of the first session and the 13th
22 week of the second session, each house shall consider

23 only bills passed by both houses, bills exempt from
 24 subsection 2, and unfinished business.
 25 4. A motion to reconsider filed and not disposed
 26 of on an action taken on a bill or resolution which is
 27 subject to a deadline under this rule may be called up
 28 at any time before or after the day of the deadline by
 29 the person filing the motion or after the deadline by
 30 the majority floor leader, notwithstanding any other

Page 18

1 rule to the contrary.
 2
 3 Rule 21
 4 Resolutions
 5 1. A “concurrent resolution” is a resolution to be
 6 adopted by both houses of the general assembly which
 7 expresses the sentiment of the general assembly or
 8 deals with temporary legislative matters. It may
 9 authorize the expenditure, for any legislative
 10 purpose, of funds appropriated to the general
 11 assembly. A concurrent resolution is not limited to,
 12 but may provide for a joint convention of the general
 13 assembly, adjournment or recess of the general
 14 general assembly or a committee. A concurrent
 15 resolution requires the affirmative vote of a majority
 16 of the senators or representatives present and voting
 17 unless otherwise specified by statute. A concurrent
 18 resolution does not require the governor’s approval
 19 unless otherwise specified by statute. A concurrent
 20 resolution shall be filed with the secretary of the
 21 senate or the chief clerk of the house. A concurrent
 22 resolution shall be printed in the bound journal after
 23 its adoption.
 24 2. A “joint resolution” is a resolution which
 25 requires for approval the affirmative vote of a
 26 constitutional majority of each house of the general
 27 assembly. A joint resolution which appropriates funds
 28 or enacts temporary laws must contain the clause “Be
 29 It Enacted by the General Assembly of the State of
 30 Iowa.”, is equivalent to a bill, and must be

Page 19

1 transmitted to the governor for his approval. A joint
 2 resolution which proposes amendments to the
 3 Constitution of the State of Iowa, ratifies amendments
 4 to the Constitution of the United States, proposes a
 5 request to Congress or an agency of the government of
 6 the United States of America, proposes to Congress an
 7 amendment to the Constitution of the United States of
 8 America, nullifies an administrative rule, or creates

9 a special commission or committee must contain the
 10 clause “Be It Resolved by the General Assembly of the
 11 State of Iowa.” and shall not be transmitted to the
 12 governor. A joint resolution shall not amend a
 13 statute in the Code of Iowa.

14 Rule 22

15 Nullification Resolutions

16 A “nullification resolution” is a joint resolution
 17 which nullifies all of an administrative rule, or a
 18 severable item of an administrative rule adopted
 19 pursuant to chapter 17A of the Code. A nullification
 20 resolution shall not amend an administrative rule by
 21 adding language or by inserting new language in lieu
 22 of existing language.

23 A nullification resolution is debatable, but cannot
 24 be amended on the floor of the house or senate. The
 25 effective date of a nullification resolution shall be
 26 stated in the resolution. Any motions filed to
 27 reconsider adoption of a nullification resolution must
 28 be disposed of within one legislative day of the
 29 filing.

30 Rule 23

Page 20

1 Consideration of Vetoes

2 1. The senate and house calendar shall include a
 3 list known as the “Veto Calendar.” The veto calendar
 4 shall consist of:

5 a. Bills returned to that house by the governor in
 6 accordance with Article III, section 16 of the
 7 Constitution of the State of Iowa.

8 b. Appropriations items returned to that house by
 9 the governor in accordance with Article III, section
 10 16 of the Constitution of the State of Iowa.

11 c. Bills and appropriations items received from
 12 the other house after that house has voted to override
 13 a veto of them by the governor.

14 2. Vetoes bills and appropriations items shall
 15 automatically be placed on the veto calendar upon
 16 receipt. Vetoes bills and appropriations items shall
 17 not be referred to committee.

18 3. Upon first publication in the veto calendar,
 19 the senate majority leader or the house majority
 20 leader may call up a vetoed bill or appropriations
 21 item at any time.

22 4. The affirmative vote of two-thirds of the
 23 members of the body by record roll call is required on
 24 a motion to override an executive veto or item veto.

25 5. A motion to override an executive veto or item
 26 veto is debatable. A vetoed bill or appropriation
 27 item cannot be amended in this case.

28 6. The vote by which a motion to override an
 29 executive veto or item veto passes or fails to pass
 30 either house is not subject to reconsideration under

Page 21

1 senate rule 24 or house rule 73.
 2 7. The secretary of the senate or the chief clerk
 3 of the house shall immediately notify the other house
 4 of the adoption or rejection of a motion to override
 5 an executive veto or item veto.
 6 8. All bills and appropriations items on the veto
 7 calendar shall be disposed of before adjournment sine
 8 die, unless the house having a bill or appropriation
 9 item before it declines to do so by unanimous consent.
 10 9. Bills and appropriations items on the veto
 11 calendar are exempt from deadlines imposed by joint
 12 rule 20.

SENATE CONCURRENT RESOLUTION 4: filed March 19, 2007;
 adopted by the Senate on March 21, 2007; adopted by the House on
 March 21, 2007.

1 SENATE CONCURRENT RESOLUTION 4
 2 By: Johnson and Fraise
 3 (COMPANION TO LSB 2831HH BY MERTZ)
 4 A concurrent resolution relating to recommendations
 5 proposed by the United States Department of
 6 Agriculture for the federal farm bill of 2007.
 7 WHEREAS, agricultural production serves as the
 8 foundation of this nation's economy, provides abundant
 9 supplies of nourishment to the people of the United
 10 States and the world, and results in billions of
 11 dollars of annual United States exports to world
 12 markets; and
 13 WHEREAS, the State of Iowa is one of the most
 14 productive agricultural states in the nation, bringing
 15 this abundance forth from the most fertile soils in
 16 the world, and is one of the leading grain, fiber, and
 17 livestock producers in the world; and
 18 WHEREAS, the United States Congress has
 19 traditionally supported agricultural production by
 20 setting target prices and providing support payments
 21 to ensure market security and stability, by providing
 22 an adequate safety net to protect producers of
 23 commodity crops from market recessions, and by
 24 providing insurance against losses related to price
 25 fluctuations; and
 26 WHEREAS, the rich and fertile soils, woodlands, and
 27 waters of the United States, including Iowa, have been
 28 traditionally protected by Acts of Congress, and must

29 continue to be preserved for future generations of
30 Americans; and

Page 2

1 WHEREAS, conservation policies are critical to the
2 ability of farmers and ranchers to meet public
3 expectations for water quality and environmental
4 enhancement within a framework that supports this
5 nation's farms and ranches; and

6 WHEREAS, American agricultural producers must
7 compete in both domestic and international markets,
8 and accordingly require proper government policies in
9 order to remain competitive vis-a-vis heavily
10 subsidized foreign producers; and

11 WHEREAS, the development of this nation's rural
12 communities is critical to the infrastructure of the
13 United States economy; and

14 WHEREAS, off-farm employment and income are
15 increasingly crucial to the livelihood of this
16 nation's farmers and ranchers, and;

17 WHEREAS, it is vital to improve this nation's rural
18 areas through funding for infrastructure and job
19 growth; and

20 WHEREAS, renewable fuel sources have emerged as the
21 primary and most promising solution to reducing this
22 nation's dependency on the petroleum resources of
23 other nations, as well as creating growth in the
24 agricultural economy of Iowa and the United States;
25 and

26 WHEREAS, young farmers are the next generation of
27 American agriculture and must therefore be supported
28 as the seeds of our future; and

29 WHEREAS, the United States Congress will begin
30 drafting the federal farm bill of 2007, which will

Page 3

1 have substantial impact on farmers and ranchers
2 throughout the nation, including farmers in Iowa; NOW
3 THEREFORE,

4 BE IT RESOLVED BY THE SENATE, THE HOUSE OF
5 REPRESENTATIVES CONCURRING, That the General Assembly
6 urges the United States Congress to fortify the
7 federal farm bill of 2007 by ensuring the continued
8 support of an adequate, market-driven safety net for
9 American agricultural producers which is structured in
10 a manner that ensures the equitable distribution and
11 consistency of support between the different
12 agricultural commodities and production methods; and

13 BE IT FURTHER RESOLVED, That the federal farm bill
14 of 2007 include limitations on farm program payments;

15 and

16 BE IT FURTHER RESOLVED, That the federal farm bill
17 of 2007 support crops primarily produced in Iowa and
18 the other midwestern states, which are among those
19 with the greatest potential growth in production and
20 demand, with support provided in proportion to their
21 production and their value to the United States
22 economy; and

23 BE IT FURTHER RESOLVED, That the federal farm bill
24 of 2007 support the stewardship of agricultural land
25 by the expansion of land-retirement programs and other
26 programs which encourage practices that minimize the
27 environmental impacts of crop production; and

28 BE IT FURTHER RESOLVED, That Congress increase
29 conservation payments to farmers and ranchers who
30 practice conservation-oriented production; and

Page 4

1 BE IT FURTHER RESOLVED, That the federal farm bill
2 of 2007 provide for increased market access to and
3 market development of American products; and

4 BE IT FURTHER RESOLVED, That the federal farm bill
5 of 2007 include provisions that spur accelerated rural
6 development through funding for infrastructure and job
7 growth in the rural areas of the United States,
8 including Iowa; and

9 BE IT FURTHER RESOLVED, That the federal farm bill
10 of 2007 provide rural development strategies to ensure
11 that rural communities contribute to the United States
12 economy; and

13 BE IT FURTHER RESOLVED, That the rural development
14 title of the federal farm bill of 2007 include funding
15 and technical assistance for rural utilities and the
16 expansion of utility services to rural communities;
17 and

18 BE IT FURTHER RESOLVED, That the federal farm bill
19 of 2007 stimulate the expansion of renewable fuel
20 production and development through broadening economic
21 support for both current technologies and resources,
22 and the development of new technologies and resources;
23 and

24 BE IT FURTHER RESOLVED, That the federal farm bill
25 of 2007 stimulate the use, manufacture, and transport
26 of renewable fuels including biodiesel and
27 ethanol-blended fuels by providing for payments
28 allocated directly to the producers of the respective
29 grains or biomass products, as well as to those
30 persons who convert grains or biomass products to

Page 5

1 usable energy; and
2 BE IT FURTHER RESOLVED, That the federal farm bill
3 of 2007 continue or expand and fully fund the United
4 States Department of Agriculture's programs to assist
5 beginning farmers; and
6 BE IT FURTHER RESOLVED, That a suitable copy of
7 this Resolution be sent to the President of the United
8 States; the President of the United States Senate; the
9 Speaker of the United States House of Representatives;
10 the chairperson of the United States Senate Committee
11 on Agriculture, Nutrition and Forestry; the
12 chairperson of the United States House of
13 Representatives Committee on Agriculture; the
14 Secretary of the United States Department of
15 Agriculture; and the members of Iowa's congressional
16 delegation.

SENATE CONCURRENT RESOLUTION 6: filed April 24, 2007;
adopted by the Senate on April 25, 2007.

1 SENATE CONCURRENT RESOLUTION 6
2 By: Black and Zaun
3 A concurrent resolution requesting the establishment
4 of an interim study committee by the legislative
5 council to conduct a study of issues related to
6 amyotrophic lateral sclerosis.
7 WHEREAS, the State recognizes that amyotrophic
8 lateral sclerosis (ALS), also known as "Lou Gehrig's
9 disease", is a fatal neurodegenerative disease
10 characterized by degeneration of cell bodies of the
11 lower motor neurons in the gray matter of the anterior
12 horns of the spinal cord; and
13 WHEREAS, research indicates that military veterans
14 are at a 50 percent greater risk of developing ALS
15 than those who have not served in the military; and
16 WHEREAS, concern has also been expressed by
17 citizens of this state regarding long-term care and
18 oversight of patients suffering from ALS; and
19 WHEREAS, the general assembly believes that a
20 comprehensive study of issues related to ALS is
21 necessary and in the best interest of the citizens of
22 the State of Iowa; NOW THEREFORE,
23 BE IT RESOLVED BY THE SENATE, THE HOUSE OF
24 REPRESENTATIVES CONCURRING, That the legislative
25 council is requested to establish an interim study
26 committee to conduct a comprehensive study of issues
27 concerning the long-term care and oversight of
28 patients suffering from ALS; and

29 BE IT FURTHER RESOLVED, That the interim study
30 committee should be composed of nine legislative

Page 2

1 members consisting of members from both political
2 parties and both houses of the general assembly, in
3 addition to four other members consisting of a
4 neurologist, a person affected by ALS, a social
5 worker, and a representative from a national voluntary
6 health association that focuses solely on ALS and that
7 has demonstrated experience in ALS research, care, and
8 patient services; and
9 BE IT FURTHER RESOLVED, That the committee shall be
10 staffed by the legislative services agency and shall
11 issue its report of recommendations by January 1,
12 2008.

SENATE CONCURRENT RESOLUTION 7: filed April 25, 2007;
adopted by the Senate on April 27, 2007.

1 SENATE CONCURRENT RESOLUTION 7
2 By: Kreiman
3 A concurrent resolution relating to the establishment
4 of a criminal code revisions legislative study
5 committee.
6 WHEREAS, a need exists to review, reorganize,
7 update, and revise the criminal code; and
8 WHEREAS, the last major criminal code revision
9 occurred approximately 30 years ago; and
10 WHEREAS, many criminal code provisions have been
11 enacted over the previous 30 years that have added a
12 layer of complexity to the existing Iowa criminal
13 code; and
14 WHEREAS, the general assembly believes that a
15 comprehensive review of the entire criminal justice
16 system, including current criminal penalties and
17 sentencing practices, is necessary to determine the
18 maximum opportunity for the protection of the
19 community, the rehabilitation of offenders, and a more
20 workable and effective criminal justice system; NOW
21 THEREFORE,
22 BE IT RESOLVED BY THE SENATE, THE HOUSE OF
23 REPRESENTATIVES CONCURRING, That the legislative
24 council is requested to establish an interim study
25 committee to review, reorganize, update, and revise
26 the criminal code; and
27 BE IT FURTHER RESOLVED, That the committee shall
28 consist of no fewer than two members of the senate and
29 two members of the house of representatives, and
30 nonlegislative members having special knowledge in the

Page 2

1 fields of criminal law and procedure, law enforcement,
 2 and justice; and
 3 BE IT FURTHER RESOLVED, That staff assistance shall
 4 be provided by the legislative services agency, and
 5 additional staff may be employed as deemed necessary
 6 by the legislative council and the legislative
 7 services agency; and
 8 BE IT FURTHER RESOLVED, That the committee shall
 9 submit to the general assembly an interim report
 10 during the 2008 legislative session and a final report
 11 by January 15, 2009.

SENATE CONCURRENT RESOLUTION 8: filed April 28, 2007;
 adopted by the Senate on April 28, 2007; adopted by the House on
 April 28, 2007.

1 SENATE CONCURRENT RESOLUTION 8
 2 By: Committee on Rules and Administration
 3 A concurrent resolution to provide for
 4 adjournment sine die.
 5 BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING,
 6 That when adjournment is had on Sunday, April 29,
 7 2007, it be the final adjournment of the 2007 Regular
 8 Session of the Eighty-second General Assembly.

SENATE RESOLUTIONS

SENATE RESOLUTION 1: filed January 9, 2007; adopted by
 the Senate on January 10, 2007.

1 SENATE RESOLUTION 1
 2 By: Committee on Rules and Administration
 3 A resolution relating to permanent rules of the
 4 senate for the ~~eighty-first~~ eighty-second general assembly.
 5 BE IT RESOLVED BY THE SENATE, That the permanent
 6 rules of the senate for the ~~eighty-first~~ eighty-second
 7 general assembly be as follows:
 8 RULES OF THE SENATE
 9 Rule 1
 10 Quorum
 11 A constitutional majority shall constitute a quorum
 12 of the senate. Any senator may insist a quorum be
 13 present.
 14 Rule 2
 15 Adoption and Amendment of Rules
 16 Whenever the senate is operating under temporary
 17 rules, the rules may be amended or repealed, or

18 permanent rules may be adopted, by a constitutional
19 majority of the senators. After adoption of permanent
20 rules of the senate during any general assembly, the
21 rules may be amended or repealed by a constitutional
22 majority of the senators voting on a simple
23 resolution.

24 **Rule 2A**

25 **Procedure in the Event of A Tie**

26 ~~In the event that neither of the two major
27 political parties has 26 elected and sworn members,
28 each party shall elect a floor leader, and all
29 references in these rules to powers and duties of the
30 majority or minority leader shall, in this case, apply~~

Page 2

~~1 to powers and duties to be shared equally by the two
2 floor leaders. Each party shall also elect a
3 president of the senate, and these two individuals
4 shall share the office by rotating the duties related
5 to presiding over the daily operations of the senate
6 in a time frame to be agreed upon by the two parties.
7 The rotation of the two individuals elected president
8 as it relates to the constitutional questions of
9 gubernatorial succession and the signing of enrolled
10 bills shall be scheduled such that it is clear that
11 only one individual acts as the president of the
12 senate at any one time. Each party may also elect a
13 president pro tempore, as well as assistant floor
14 leaders.~~

~~15 All standing committees shall be co-chaired by two
16 members, one from each of the two major political
17 parties, and shall have an equal number of members
18 from both parties. Senate co chairs and members of
19 joint appropriations subcommittees shall also be
20 equally divided between the two parties.~~

~~21 Details of a power sharing agreement to govern the
22 operation of the senate during the period in which
23 there is a tie shall be presented to the members of
24 the senate for a vote in the form of a senate
25 resolution upon the convening of the general assembly,
26 or as soon thereafter as possible.~~

27 **Rule 3**

28 **Rules of Parliamentary Procedure**

29 In cases not covered by senate rules or joint
30 rules, Mason’s Manual of Legislative Procedure shall

Page 3

1 govern.

2 **Rule 4**

3 **Sessions of the General Assembly**

4 The election of officers, organization, hiring and
 5 compensation of employees, and committees of the
 6 senate shall carry over from the first to the second
 7 regular sessions and to any extraordinary sessions of
 8 the same general assembly.

9 All bills and resolutions introduced in the first
 10 regular session of a general assembly which are not
 11 withdrawn, lost, or indefinitely postponed shall carry
 12 over into the second regular session and to any
 13 extraordinary session of the same general assembly.
 14 Appointments received from the governor for senate
 15 confirmation during any session of a general assembly
 16 shall be acted upon prior to adjournment of that
 17 session as provided by section 2.32 of the Code.
 18 Except as provided by this rule, upon the adjournment
 19 of the first regular session and any extraordinary
 20 session, each bill or resolution shall be
 21 automatically referred back to the committee to which
 22 it was originally assigned. The secretary of the
 23 senate shall publish in the Journal a list of the
 24 bills returned to committee under this rule. Within
 25 seven days after the first committee meeting after the
 26 convening of the second regular session, committees
 27 shall either authorize the chair to refer such bills
 28 and resolutions to a subcommittee for consideration,
 29 indefinitely postpone further consideration of such
 30 bills, or report them out to the floor and place them

Page 4

1 on the calendar. If the subcommittee is different
 2 than that appointed during the first session, the
 3 committee chair shall report to the senate the bill or
 4 resolution number and the names of the subcommittee
 5 members.

6 Bills and resolutions which have been voted upon on
 7 final passage by either house in any session shall
 8 remain on the calendar in the same status as at the
 9 end of the session at any subsequent regular or
 10 extraordinary session.

11 Rule 5

12 Regular Order of Daily Business

13 The following order shall govern, subject to any
 14 special order:

- 15 1. Correction of the journal.
- 16 2. Senators to be excused.
- 17 3. Communications to the Senate.
- 18 4. Introduction of bills and resolutions.
- 19 5. Consideration of senate calendar.

20 Rule 6

21 Senate Calendar

- 22 1. Each legislative day the secretary of the

23 senate shall prepare a listing of bills to be known as
 24 the "Senate Calendar".
 25 2. The senate calendar may contain a listing under
 26 the category "Special Order" which shall be placed at
 27 the head of the calendar. Bills in such category
 28 shall be those which are specifically set for debate
 29 by the majority leader with the consent of the senate
 30 on a certain date and time. Bills shall be listed by

Page 5

1 the secretary in numerical order.
 2 3. The senate calendar shall include separate
 3 listings for any bills and resolutions in the
 4 following categories:
 5 a. Conference Committee Report
 6 b. Bills in Conference Committee
 7 c. House Amendment to Senate Amendment to House
 8 File
 9 d. House Refuses to Concur in Senate Amendment to
 10 House File
 11 e. Senate Files Amended by the House
 12 f. Unfinished Business
 13 g. Motions to Reconsider
 14 h. Administrative Rules Nullification Resolutions
 15 i. Veto Messages from the Governor
 16 4. The secretary shall list bills and resolutions
 17 in the above categories in numerical order. Upon
 18 their first publication in the calendar, bills and
 19 resolutions in the above categories may be called up
 20 for debate at any time by the majority leader.
 21 Motions to reconsider shall be called up as provided
 22 by Rule 24.
 23 5. The senate calendar shall include a listing of
 24 senate appropriations committee bills and bills
 25 reported out by the senate appropriations committee.
 26 The list shall be known as the "Appropriations
 27 Calendar". The secretary shall list the bills in
 28 numerical order. Upon their first publication in the
 29 calendar, bills on the appropriations calendar may be
 30 called up for debate at any time by the majority

Page 6

1 leader provided they are eligible under Rule 8.
 2 6. The senate calendar shall include a listing of
 3 bills which pertain to the levy, assessment or
 4 collection of taxes sponsored by or initially assigned
 5 to and reported out by the senate ways and means
 6 committee. The list shall be known as the "Ways and
 7 Means Calendar". The secretary shall list the bills
 8 in numerical order. Upon their first publication in

9 the calendar, bills on the ways and means calendar may
10 be called up for debate at any time by the majority
11 leader provided they are eligible under Rule 8.
12 7. The senate calendar shall include a list of
13 bills and resolutions, known as the "Regular
14 Calendar", which shall consist of bills and
15 resolutions reported out by a senate committee. The
16 bills and resolutions reported out each day shall be
17 listed in numerical order. Priority shall be given to
18 senate over house bills and resolutions. Upon their
19 first publication in the calendar, bills on the
20 regular calendar may be called up for debate at any
21 time by the majority leader, provided they are
22 eligible under Rule 8.

23 A bill reported out of committee which is
24 subsequently referred to the ways and means or
25 appropriations committee and then reported out of that
26 committee, shall be returned to the regular calendar
27 in numerical order.

28 8. The senate calendar shall include a listing of
29 the governor's appointees to state boards,
30 commissions, and other offices requiring senate

Page 7

1 confirmation. This listing shall be known as the
2 "Confirmation Calendar". Names on the confirmation
3 calendar may be called up for confirmation at any time
4 by the majority leader provided they are eligible
5 under rule 59.

6 9. The majority leader, or in the absence of the
7 majority leader the assistant majority leaders, may
8 select from among the bills on the previous
9 legislative day's Senate calendar and from the bills
10 selected create a new listing which shall be known as
11 the "Debate Calendar". The debate calendar shall list
12 bills as the majority leader expects to take them up
13 ~~during the following week.~~ A bill or resolution on
14 the debate calendar may be debated only when eligible
15 under Rule 8.

16 10. The majority leader, or in the absence of the
17 majority leader the assistant majority leaders, may
18 create a list of bills or resolutions about which no
19 controversy is believed to exist which shall be known
20 as the "Proposed Noncontroversial Calendar". Bills or
21 resolutions included on this listing may be debated at
22 any time upon being called up for debate by the
23 majority leader. Any bill or resolution which
24 appeared on the previous day's Senate calendar may be
25 placed by any senator on the proposed noncontroversial
26 calendar, which shall be published. Any bill or
27 resolution on the proposed noncontroversial calendar

28 shall be stricken from the list if any senator files a
29 written objection with the secretary of the senate on
30 the first or second legislative day after it appears

Page 8

1 on the proposed noncontroversial calendar. Any bill
2 stricken from the proposed noncontroversial calendar
3 shall be returned to its former place on the Senate
4 calendar. The secretary shall prepare the
5 noncontroversial calendar which shall consist of all
6 bills or resolutions on the proposed noncontroversial
7 calendar to which no objection was received.
8 11. If the senate shall not be in session on a day
9 assigned in paragraphs nine and ten for action upon a
10 calendar, such assigned action shall occur on the next
11 succeeding legislative day.
12 12. On any bill called up for debate from any
13 calendar, debate may continue from day to day until it
14 is adopted, fails, or is postponed or deferred. If
15 further debate is postponed or deferred without a time
16 to continue being set, except for bills on the debate
17 calendar, the bill shall be listed as unfinished
18 business. Bills which are returned to the committee
19 of first referral or to a different committee after
20 being considered by the senate and classified as
21 unfinished business shall be returned to the
22 unfinished business calendar by that committee when
23 the bill is reported out of committee. The unfinished
24 business date on the calendar shall be the date on
25 which the bill was returned to committee. Bills on
26 the debate calendar upon which further debate is
27 postponed or deferred without a time to continue being
28 set shall return to the regular calendar.

29 Rule 7
30 Steering Committee

Page 9

1 The senate may authorize the appointment of a
2 steering committee. The majority leader shall appoint
3 the majority party members to the steering committee.
4 The minority leader shall appoint the minority party
5 members to the steering committee. The function of
6 the steering committee shall be to create its own
7 calendar from the bills and resolutions on the regular
8 calendar. Bills and resolutions on the steering
9 committee calendar shall have priority over bills and
10 resolutions on all other calendars, except the
11 appropriations calendar.

12 Rule 8
13 When Eligible for Consideration
14 Bills, resolutions, and appointments shall be
15 eligible for consideration by the senate as follows:
16 1. An appointment by the governor which requires
17 senate confirmation shall be eligible on the
18 legislative day after it is first printed in the
19 senate calendar as provided by Rule 59.
20 2. A house or individually sponsored bill or
21 resolution reported out by a committee shall be
22 eligible on the legislative day after it is first
23 printed in the senate calendar.
24 3. A committee bill or resolution sponsored by the
25 appropriations committee shall be eligible on the
26 legislative day after it is first printed in the
27 senate calendar.
28 4. Any committee bill or resolution, other than a
29 bill or resolution sponsored by the appropriations
30 committee, shall be eligible on the third legislative

Page 10

1 day it is printed in the senate calendar.
2 5. A bill that has been reported out to the senate
3 calendar, referred to a different committee and
4 reported out by that committee is eligible for
5 consideration by the senate on the day it would have
6 been eligible under subsection 2, 3, or 4, whichever
7 is applicable, as if the bill had been printed in the
8 calendar after having been reported out by the first
9 committee.
10 6. Any bill or resolution placed on the steering
11 committee calendar is eligible for consideration on
12 the day of its placement on that calendar.
13 When a bill or resolution on the calendar is not
14 yet eligible, the date when it will become eligible
15 shall be printed in the calendar.

16 Rule 9
17 Debate and Decorum
18 Before addressing the senate, the senator shall
19 request recognition by depressing the "speak" device
20 and, when recognized, rise and respectfully address
21 the chair.
22 The senator shall confine all remarks to the
23 question under debate and shall avoid discussing
24 personalities or implication of improper motives. No
25 questions except by the senator recognized shall be
26 entertained after a senator is recognized to give
27 final remarks.

28 Rule 10
29 Point of Personal Privilege
30 A point of personal privilege shall only be

Page 11

1 recognized when there is no motion pending or other
2 business being considered by the senate. Points of
3 personal privilege shall not be in order during the
4 time when appropriation subcommittees are scheduled to
5 meet. Senators speaking on a point of personal
6 privilege shall be limited to ten minutes.

7 Rule 11

8 Introduction and Presentation of Guests
9 Only former members of the senate and former and
10 present members of Congress shall be presented to the
11 senate, except that the president of the senate may
12 present a visitor whose presence is of special
13 significance to the senate. The presence of school
14 groups accompanied by school officials shall be
15 announced by the president of the senate and shall be
16 recorded in the journal upon written request of a
17 member of the senate.

18 Rule 12

19 Form and Withdrawal of Motions, Amendments and Signatures

20 Motions need not be in writing unless required by
21 the president or by the senate. No motion requires a
22 second. Any amendment, motion (including a motion to
23 reconsider), or resolution may be withdrawn by the
24 mover if it has not been amended by the senate and if
25 no amendment is pending. All amendments to bills,
26 resolutions, and reports shall be in writing and filed
27 before being acted upon by the senate.

28 No amendment, resolution, bill, or conference
29 committee report shall be considered by the senate
30 without a copy of the amendment, resolution, bill, or

Page 12

1 conference committee report being on the desks of the
2 entire membership of the senate prior to
3 consideration. However, after the fourteenth week of
4 the first session and the twelfth week of the second
5 session, amendments and senate resolutions may be
6 considered by the senate without a copy of the
7 amendment or senate resolution being on the desks of
8 the entire membership of the senate if a copy of the
9 amendment or senate resolution is made available to
10 the entire membership of the senate electronically.
11 Such consideration shall be deferred until a copy of
12 the amendment or senate resolution is on the desks of
13 the entire membership of the senate upon the request
14 of any senator.

15 All amendments, reports, petitions or other
16 documents requiring a signature shall have the name
17 typed under the place for the signature. Once a

18 signature is affixed and the document containing the
19 signature filed with the recording clerk in the well,
20 that signature shall not be removed.
21 When an amendment to a main amendment is filed that
22 would negate the effect of the main amendment and
23 thereby leave the bill unchanged, the presiding
24 officer shall have the authority to declare the
25 amendment to the main amendment out of order, subject
26 to an appeal to the full senate.
27 When a house amendment to a senate file is before
28 the senate, an amendment to the house amendment shall
29 be considered an amendment in the first degree.
30 Regardless of its origin, an amendment in the third

Page 13

1 degree shall be ruled out of order.
2 When a ruling on germaneness is issued by the
3 presiding officer, it shall be accompanied by an
4 explanation of the ruling.
5 Rule 13
6 Order and Precedence of Motions and Amendments
7 When a question is under debate, no motion shall be
8 received but to adjourn, to recess, questions of
9 privilege, to lay on the table, for the previous
10 question, to postpone to a day certain, to refer, to
11 amend, to postpone indefinitely, to defer, or
12 incidental motions. A substitute is not in order
13 unless it is in the form of a motion to substitute.
14 Such motions shall have precedence in the order in
15 which they are named. No motion to postpone to a day
16 certain, to refer, or postpone indefinitely, being
17 decided, shall be again allowed on the same day with
18 regard to the same question. A motion to strike out
19 the enacting clause of a bill shall have precedence
20 over all amendments and, if carried, shall be
21 considered equivalent to the rejection of the bill.
22 A motion to strike everything after the enacting
23 clause has precedence over a committee amendment and
24 all other amendments except one to strike the enacting
25 clause. A committee amendment has precedence over all
26 other amendments except as provided in this rule.
27 A motion to rerefer a bill to committee may specify
28 when the committee shall report the bill to the
29 senate. If the motion is adopted in such form, the
30 committee must report the bill by the date and time

Page 14

1 specified with or without recommendation or the bill
2 shall automatically be returned to the calendar. When
3 the bill is returned to the calendar, it shall occupy

4 the same position it occupied at the time the bill was
 5 rereferred to the committee. If the committee to
 6 which the bill is rereferred submits an amendment in
 7 its report, that committee amendment shall take
 8 precedence over other amendments except if that
 9 committee amendment is in conflict with amendments
 10 previously adopted, the committee amendment shall not
 11 be considered until consideration of motions to
 12 reconsider the previously adopted amendments result in
 13 removing the conflict. A committee may not file an
 14 amendment to a bill unless the bill is in the
 15 committee's possession.

16 Rule 14

17 MOTIONS BEFORE THE SENATE

18 Motions before the senate shall be displayed on the
 19 electronic voting system display boards.

20 Rule 15

21 Nondebatable Motions

22 The following motions are not debatable:

23 Adjourn

24 Recess

25 Call of the Senate

26 Lay on Table or Take from Table

27 Previous Question

28 Reconsider vote by which bill was placed on last reading.

29 A Motion to Reconsider and Lay the Motion to Reconsider
 30 on the Table (Double-barreled Motion).

Page 15

1 Rule 16

2 Division of the Question

3 Any senator may call for a division of a question,
 4 which shall be divided if it includes propositions so
 5 distinct that if one is taken away, a substantive
 6 proposition shall remain in a technically proper form
 7 for the decision of the senate. A motion to strike
 8 out and insert is indivisible; but a motion to strike
 9 out, if lost, shall not preclude amendments to the
 10 matter attempted to be stricken or a motion to strike
 11 out and insert.

12 Rule 17

13 The Previous Question

14 The previous question shall be in this form:
 15 "Shall debate be closed on the pending question?" A
 16 motion for the previous question may be adopted by a
 17 majority of the senators present and voting. Its
 18 effect shall be to put an end to debate and bring the
 19 senate to a direct vote upon the pending question.
 20 However, any senator who has not previously spoken on
 21 the pending question and who, after the main question
 22 is taken up and before the motion for the previous

23 question has been made, requested recognition by
24 depressing the “speak” device may speak no longer than
25 five minutes on the pending question. If action on
26 the pending question continues into another
27 legislative day or is deferred, the previous question
28 shall apply and the requests to be recognized shall be
29 honored.
30 When the motion applies to an amendment, the

Page 16

1 senator proposing the amendment shall have five
2 minutes to close debate on the amendment.
3 The senator handling the measure under
4 consideration shall have ten minutes to close debate
5 on the main question.

6 Rule 18

7 Call of the Senate

8 Ten senators may file in writing a call of the
9 senate on any single item of legislative business. A
10 call of the senate requires the presence of every
11 senator and is in order at any time prior to the vote
12 being announced by the president. The sergeant-at-
13 arms shall return promptly all absent senators.
14 Debate on the item may continue while absent senators
15 are returning, but no vote on the item is in order on
16 it until all have returned. Adoption of a motion to
17 recess or adjourn to a specific time will not lift the
18 call. The call may be lifted, or a senator may be
19 excused from the call without lifting the call, by a
20 vote of a constitutional majority of the senators.
21 Those senators excused prior to the filing of the call
22 are excused from the call.

23 Rule 19

24 Committee of the Whole

25 The senate may resolve itself into a committee of
26 the whole senate when it wishes to permit more free
27 and informal discussion. Persons other than senators
28 may appear and present information.
29 Any senator may move “that the senate now resolve
30 itself into a committee of the whole to consider” a

Page 17

1 stated subject.
2 The president of the senate shall be chair of the
3 committee of the whole unless otherwise ordered by the
4 senate.
5 The procedure in committee of the whole is subject
6 to the rules of the senate. The previous question and
7 the motion to reconsider shall be in order.
8 The committee of the whole cannot take any final

9 action and its power is limited to recommendation to
 10 the senate. The proceedings of the committee of the
 11 whole, including any roll call vote, shall be printed
 12 in the journal.

13 Any senator may at any time, except while voting or
 14 while a senator has the floor, move that “the
 15 committee rise” which is equivalent to a motion to
 16 adjourn.

17 After adoption of the motion to rise, the chair may
 18 report to the senate in the same manner as other
 19 committee reports are given.

20 Rule 20

21 Last Reading and Passage of Bills

22 When a motion to place a bill on its last reading
 23 is lost, the same motion shall be in order at any
 24 later time. After the last reading of a bill, no
 25 amendment shall be received. The vote on final
 26 passage shall be taken immediately without debate.

27 Rule 21

28 Engrossment of Bills

29 An engrossment is a proofreading and verification
 30 in order to be certain that a bill before the senate

Page 18

1 is identical with the original bill as introduced with
 2 all amendments which have been adopted correctly
 3 inserted.

4 In an engrossed bill, all obvious typographical,
 5 spelling or other clerical errors are corrected and
 6 section or paragraph numbers and internal references
 7 are changed as required to conform the original bill
 8 to any amendments which have been adopted. All such
 9 corrections or changes shall be reported in the
 10 journal by the secretary of the senate. The engrossed
 11 bill shall be placed in the bill file with the
 12 original bill and amendments.

13 Rule 22

14 Manner of Voting

15 On voice vote, the question shall be distinctly put
 16 in this form: “Those in favor of (the question) say
 17 “aye.” “Those opposed to (the question) say “no.””

18 A non-record or record roll call vote may be
 19 requested by any senator or ordered by the president
 20 any time before the results are announced. A non-
 21 record roll call shall be requested by asking for a
 22 “division”. A record roll call shall be requested by
 23 asking for a “record”. Upon request for a non-record
 24 or record roll call vote, the president shall announce
 25 that such a non-record or record roll call vote has
 26 been requested and shall state the question to be put
 27 to the senate. The president then shall direct the

28 secretary of the senate to receive the votes.
29 Senators present may cast their votes, either by
30 operating the voting mechanism located at their

Page 19

1 assigned desk or by signaling the president if they
2 are unable to vote at their assigned desk. The
3 president shall enter the votes of senators signaling
4 their votes.

5 After sufficient time has elapsed for all senators
6 present to record their votes, the president shall
7 direct the secretary of the senate to close the voting
8 system. The president shall still enter the senators'
9 votes at any time prior to directing the secretary of
10 the senate to lock the voting system. The president
11 shall then immediately announce the vote.

12 During a non-record or record roll call vote, both
13 individual votes and vote totals shall be indicated
14 openly on the display boards. On non-record roll
15 calls, only vote totals shall be printed in the
16 journal.

17 In the event the electronic voting system is not in
18 operating order, the president shall direct the
19 secretary of the senate to take the non-record or
20 record roll call by calling the names of the senators
21 in alphabetical order.

Rule 23

Duty of Voting

22 Every senator present when a question is put shall
23 vote "aye", "no" or "present" unless previously
24 excused by the senate. Upon demand being made by any
25 senator, the secretary of the senate shall call in
26 alphabetical order the names of the senators not
27 voting or voting "present". Those senators called
28 shall vote "aye" or "no" unless the senator states a
29
30

Page 20

1 personal interest in the question or concludes that he
2 or she should not vote under the senate code of
3 ethics.

Rule 24

Reconsideration

4 When a main motion has been decided by the senate,
5 any senator having voted on the prevailing side may
6 move to reconsider the vote on the same or next
7 legislative day. Motions to reconsider the vote on a
8 bill or resolution shall be in writing and filed with
9 the secretary of the senate.

10 Notwithstanding any time limitations applicable to
11 motions to reconsider main motions, a motion to
12
13

14 reconsider the vote on an amendment may be made at any
15 time before final disposition of the motion to be
16 amended. Such motion shall be in writing and filed
17 with the secretary of the senate. A motion to
18 reconsider an amendment to a main motion shall be
19 taken up for consideration only prior to the
20 disposition of the main motion or upon reconsideration
21 of the main motion.
22 A constitutional majority by a record roll call is
23 necessary to reconsider a bill or joint resolution.
24 During three legislative days from the date the motion
25 to reconsider a bill or resolution is filed, only the
26 mover may call it up. Thereafter, any senator may
27 call up the motion. If a date for adjournment has
28 been set by resolution of the senate, any senator may
29 call up a motion to reconsider at any time within
30 three days prior to the date set for adjournment.

Page 21

1 If the motion to reconsider a bill or resolution
2 prevails, motions to reconsider amendments thereto
3 shall be in order and shall be disposed of without
4 delay.
5 A motion that any action taken by the senate be
6 reconsidered and the motion to reconsider be laid upon
7 the table shall be a single and indivisible motion,
8 known as the double-barreled motion, which, if
9 carried, shall have the effect of preventing
10 reconsideration unless a motion to take from the table
11 prevails. A constitutional majority is necessary for
12 the double-barreled motion to prevail on a bill or
13 joint resolution. The double-barreled motion can only
14 be made from the floor after the vote is announced and
15 the member who moved the final reading shall have
16 priority in making it.
17 A motion to reconsider and lay on the table shall
18 have priority over a motion to reconsider if they are
19 both filed on the same legislative day.
20 In the event that a motion to reconsider is pending
21 at the end of the first session or any extraordinary
22 session of any general assembly, or the general
23 assembly adjourns sine die, and the motion has not
24 been voted upon by the senate, it shall be determined
25 to have failed.

26

Rule 25

27

Suspension of Rules and Taking from Table

28 No standing rule or rules incorporated by reference
29 under Rule 3 or order of the senate shall be rescinded
30 or suspended, nor shall any matter, tabled upon

Page 22

1 motion, be taken up, except by an affirmative vote of
2 a constitutional majority of the senate.

3 INTRODUCTION AND FORM OF BILLS

4 Rule 26

5 Time and Method of Introducing Bills and Amendments

6 All bills to be introduced in the senate shall be

7 typed in proper form by the legislative services
8 agency and shall be filed with the recording clerk.

9 All amendments shall be typed in proper form and
10 filed with the recording clerk not later than 4:30
11 p.m., or adjournment, whichever is later, in order to
12 be listed in the following day's clip sheet.

13 An "impact amendment" is an amendment which
14 reasonably could have an annual effect of at least one
15 hundred thousand dollars or a combined total effect
16 within five years after enactment of five hundred
17 thousand dollars or more on the aggregate revenues,
18 expenditures or fiscal liability of the state or its
19 subdivisions.

20 An impact amendment to a bill which has been on the
21 special order calendar for at least three full
22 legislative days prior to its consideration shall not
23 be taken up by the senate unless:

24 1) a fiscal note is attached, and the amendment is
25 filed at least one legislative day prior to the date
26 set for consideration of the bill; or

27 2) the amendment is an appropriation or other
28 measure where the total effect is stated in dollar
29 amounts.

30 Rule 27

Page 23

1 Limit on Introduction of Bills

2 No bill or joint resolution, except bills and joint
3 resolutions cosponsored by the majority and minority
4 floor leaders, or companion bills and joint
5 resolutions sponsored by the majority floor leaders of
6 both houses, shall be introduced in the senate after
7 4:30 p.m. on Friday of the sixth week of the first
8 regular session of a general assembly unless a ~~written~~
9 formal request for drafting the bill has been filed
10 with the legislative services agency before that time.
11 After adjournment of the first regular session, bills
12 may be prefiled at any time before the convening of
13 the second regular session. No bill shall be
14 introduced after 4:30 p.m. on Friday of the ~~first~~
15 second week of the second regular session of a general
16 assembly unless a ~~written~~ formal request for drafting
17 the bill has been filed with the legislative services

18 agency before that time. However, standing committees
 19 may introduce bills and joint resolutions at any time.
 20 A bill which relates to departmental rules sponsored
 21 by the administrative rules review committee and
 22 approved by a majority of the members of the committee
 23 in each house may be introduced at any time and must
 24 be referred to a standing committee which must take
 25 action on the bill within three weeks. Senate and
 26 concurrent resolutions may be introduced at any time.
 27 No bill, joint resolution, concurrent resolution or
 28 senate resolution shall be introduced at any
 29 extraordinary session unless sponsored by a standing
 30 committee, the majority and minority floor leaders, or

Page 24

1 the committee of the whole.
 2 Rule 28
 3 Introduction, Reading and Form of Bills and Resolutions
 4 Every senate bill and resolution shall be
 5 introduced by one or more senators or by any standing
 6 committee of the senate and shall at once be given its
 7 first reading.
 8 If the senate is in session when a bill or
 9 resolution is introduced, the first reading shall
 10 consist of reading its file number, the title and
 11 sponsor of the bill. If the senate is not in session
 12 but a journal is published for the day, the first
 13 reading shall consist of a journal entry of the bill's
 14 file number, title, sponsor and the notation "Read
 15 first time under Rule 28."
 16 Any bill or resolution approved for introduction by
 17 a standing committee during an interim period between
 18 sessions of one General Assembly shall be introduced
 19 without further action by the committee at the next
 20 succeeding regular session of the same General
 21 Assembly and placed immediately upon the regular
 22 calendar.
 23 Every bill and resolution referred to committee
 24 shall have received two readings before its passage.
 25 The subject of every bill shall be expressed in its
 26 title.
 27 Rule 29
 28 Explanations
 29 No bill, except appropriation committee bills and
 30 simple or concurrent resolutions, shall be introduced

Page 25

1 unless a concise and accurate explanation is attached.
 2 The chief sponsor or a committee to which the bill has
 3 been referred may add a revised explanation at any

4 time before the last reading, and it shall be included
5 in the daily clip sheet.

6 Rule 30

7 Resolutions

8 A "senate resolution" is A resolution acted upon
9 only by the senate which expresses sentiment or is
10 used for the appointment of special committees within
11 the senate. A senate resolution requires the
12 affirmative vote of a majority of the senators present
13 and voting. A senate resolution shall be filed with
14 the secretary of the senate. A senate resolution
15 shall be printed in the bound journal after its
16 adoption and in the daily journal upon written request
17 to the secretary of the senate by the sponsor of the
18 resolution.

19 Rule 31

20 Nullification Resolutions

21 A nullification resolution may be introduced by a
22 standing committee, the administrative rules review
23 committee, or any member of the senate. A
24 nullification resolution introduced by the
25 administrative rules review committee or a member of
26 the senate shall be referred to the same standing
27 committee it would be referred to if it was a bill.
28 Any nullification resolution may be referred to the
29 administrative rules review committee by a majority
30 vote of the standing committee which introduced it or

Page 26

1 to which it was referred. The administrative rules
2 review committee may seek an agreement with the
3 affected administrative agency wherein the agency
4 agrees to voluntarily rescind or modify a rule or
5 rules relating to the subject matter of the
6 nullification resolution. An agreement to voluntarily
7 rescind or modify an administrative agency rule shall
8 be in writing and signed by the chief administrative
9 officer of the administrative agency and a majority of
10 the administrative rules review committee members of
11 each house and shall be placed on file in the offices
12 of the chief clerk of the house, the secretary of the
13 senate and the secretary of state. If an agreement is
14 not reached, or the nullification resolution is not
15 approved by a majority of the administrative rules
16 review committee members of each house, within two
17 weeks of the date the resolution is referred to the
18 administrative rules review committee, the resolution
19 shall be placed on the calendar. If the nullification
20 resolution is approved by the administrative rules
21 review committee it shall be placed on the calendar.
22 A nullification resolution is subject to a motion to

23 withdraw the nullification resolution as provided in
24 rule 42.

25 A nullification resolution is debatable, but cannot
26 be amended on the floor of the senate.

27 Rule 32

28 Resolutions, Applicable Rules

29 All rules applicable to bills shall apply to
30 resolutions, except as otherwise provided in the

Page 27

1 rules.

2 Rule 33

3 Study Bills

4 1. A study bill is any matter which a senator
5 wishes to have considered by a standing committee or
6 appropriations subcommittee for introduction as a
7 committee bill or resolution. The term "study bill"
8 includes "proposed bills" provided for in Rule 37 and
9 departmental requests prefiled in the manner specified
10 in section 2.16 of the Code.

11 2. A study bill shall bear the name of the member
12 who wishes to have the bill considered. A study bill
13 proposed by a state agency shall bear the name of the
14 agency. A committee chair may submit a study bill in
15 the name of that committee.

16 3. Upon first receiving a study bill from a
17 senator, a committee chairperson shall submit three
18 copies to the secretary of the senate. Study bills
19 received in the secretary of the senate's office
20 before 3:00 p.m. shall be filed, numbered, and
21 reported in the journal for that day. Study bills
22 received in the secretary of the senate's office after
23 3:00 p.m. shall be filed, numbered, and reported in
24 the journal for the subsequent day. The secretary
25 shall number such bills in consecutive order. The
26 secretary shall maintain a record of all study bills
27 and their assigned number. Committee records shall
28 refer to study bills by the number assigned by the
29 secretary.

30 4. The secretary shall file a report in the

Page 28

1 journal of each study bill received. The report shall
2 show the study bill number, its title or subject
3 matter and the committee which is considering it. If
4 a study bill is referred to a subcommittee, then the
5 committee chairperson shall report in the journal the
6 names of the subcommittee members to which it is
7 assigned.

8 5. If a committee bill or resolution is introduced

9 which was not previously the subject of a study bill
10 in the sponsoring committee, the majority leader may
11 re-refer the bill back to the committee.

12 6. A study bill not prepared by the legislative
13 services agency may be submitted to a standing
14 committee, but shall not be considered by the full
15 committee unless reviewed and typed in proper form by
16 the legislative services agency.

17 COMMITTEES AND COMMITMENT

18 Rule 34

19 Committee Appointments

20 Committee appointments shall be made by the
21 majority leader for majority party members, after
22 consultation with the president, and by the minority
23 leader for minority party members, after consultation
24 with the president. No senator shall serve on more
25 than ~~five~~ six standing committees. The majority
26 leader, after consultation with the president, shall
27 designate the chairperson and vice-chairperson of each
28 standing committee. The minority leader, after
29 consultation with the president, shall designate the
30 ranking member of each standing committee from the

Page 29

1 minority membership of that committee.

2 Rule 35

3 Standing Committees

4 The names of the standing committees of the senate
5 shall be:

6 Agriculture
7 Appropriations
8 ~~Business and labor relations~~
9 Commerce
10 Economic growth
11 Education
12 Government oversight
13 Human resources
14 Judiciary
15 Labor & Business Relations
16 Local government
17 Natural resources & Environment
18 Rules and administration
19 State government
20 Transportation
21 Veterans Affairs
22 Ways and means

23 Rule 36

24 Committee on Rules and Administration

25 The committee on rules and administration shall
26 recommend rules and rule changes to the senate, shall
27 hire senate employees, shall recommend salary scales

28 for all senate employees, and shall oversee senate
 29 budget and administration matters.
 30 The committee on rules and administration will

Page 30

1 select, for senate approval, an individual to serve as
 2 secretary of the senate.
 3 Upon authorization being given by the committee on
 4 rules and administration, the minority party members
 5 of the committee will select, for senate approval, an
 6 individual to serve as assistant parliamentarian.
 7 The committee shall have the following standing
 8 subcommittees:
 9 1. Joint Rules
 10 2. Senate Rules
 11 3. Administrative Services
 12 4. Caucus Services.
 13 The majority leader shall serve as chair of the
 14 rules and administration committee and as chair of the
 15 standing subcommittee on caucus services. The
 16 president of the senate shall serve as vice-chair of
 17 the rules and administration committee, and as chair
 18 of the subcommittee on administrative services.
 19 Rule 37
 20 Appropriations Committee
 21 The appropriations committee shall receive bills
 22 committed to it and shall assign each to one of the
 23 appropriations subcommittees.
 24 The appropriations subcommittees shall be named:
 25 Administration & Regulation
 26 Agriculture and Natural Resources
 27 Economic Development
 28 Education
 29 Health and Human Services
 30 Justice System

Page 31

1 Transportation, Infrastructure & Capitals
 2 The appropriations subcommittees shall receive
 3 bills assigned to them or may originate proposed bills
 4 within the subcommittee's jurisdiction as defined by
 5 the appropriations committee for consideration by the
 6 appropriations committee. Each subcommittee may
 7 submit amendments to bills together with the
 8 subcommittee's recommended action to the
 9 appropriations committee.
 10 If a bill or proposed bill is submitted to the
 11 appropriations committee by an appropriations
 12 subcommittee the appropriations committee may:
 13 1. report the bill or approve the proposed bill

14 for introduction by the appropriations committee;
15 2. report the bill with any appropriations
16 committee-approved amendments incorporated;
17 3. draft a new bill for sponsorship by the
18 appropriations committee and report it; or
19 4. re-refer it together with the appropriations
20 committee's objections to the appropriations
21 subcommittee from which it was originally referred or
22 which originated the draft bill.
23 The appropriations committee and subcommittees may
24 meet jointly with the appropriations committee of the
25 house of representatives.

26 Rule 38

27 First Reading and Commitment

28 Upon the first reading of an individual bill or
29 resolution, or a house committee bill or resolution,
30 the president shall refer the bill or resolution to an

Page 32

1 appropriate standing committee unless otherwise
2 ordered by the senate. If the bill or resolution is a
3 senate committee bill or resolution, the president
4 shall place it on the calendar after its first
5 reading. If the subject of the bill or resolution is
6 not germane to the title of the committee presenting
7 it, the president of the senate may refer it to a
8 committee deemed appropriate.

9 All bills carrying an appropriation for any purpose
10 or involving the expenditure of state funds shall be
11 referred to the committee on appropriations.

12 All bills pertaining to the levy, assessment or
13 collection of taxes or fees shall be referred to the
14 committee on ways and means.

15 Any bill which provides for a new state board,
16 commission, agency or department or makes separate or
17 autonomous an existing state board, commission, agency
18 or department, shall be referred to the committee on
19 state government. ~~This rule shall also apply when~~
20 ~~such a provision is added to a bill or resolution by~~
21 ~~amendment adopted by the senate.~~ If the bill or
22 resolution is so referred after being sponsored or
23 reported out by another committee, and if the
24 committee on state government does not report out the
25 bill or resolution within ten legislative days after
26 referral, the bill or resolution shall automatically
27 be restored to the calendar with the same priority it
28 had immediately before referral.

29 This rule shall also apply when such provisions are
30 added to a bill or resolution by amendment adopted by

Page 33

1 the senate.

2 Rule 39

3 Rules for Standing Committees

4 The following rules shall govern all standing
5 committees of the senate. Any committee may adopt
6 additional rules which are consistent with these
7 rules:

8 1. A majority of the members shall constitute a
9 quorum.

10 2. The chair of a committee shall refer each bill
11 and resolution to a subcommittee within seven days
12 after the bill or resolution has been referred to the
13 committee. The chair may appoint subcommittees for
14 study of bills and resolutions without calling a
15 meeting of the committee, but the subcommittee must be
16 announced at the next meeting of the committee. No
17 bill or resolution shall be reported out of a
18 committee until the next meeting after the
19 subcommittee is announced, except that the chair of
20 the appropriations committee may make the announcement
21 of the assignment to a subcommittee by placing a
22 notice in the journal. Any bill so assigned by the
23 appropriations committee chair shall be eligible for
24 consideration by the committee upon report of the
25 subcommittee but not sooner than three legislative
26 days following the publication of the announcement in
27 the journal.

28 When a bill or resolution has been assigned to a
29 subcommittee, the chair shall report to the senate the
30 bill or resolution number and the names of the

Page 34

1 subcommittee members and such reports shall be
2 reported in the journal. Subcommittee assignments
3 shall be reported to the journal daily. Reports filed
4 before 3:00 p.m. shall be printed in the journal for
5 that day; reports filed after 3:00 p.m. shall be
6 printed in the journal for the subsequent day.

7 Where standing subcommittees of any committee have
8 been named, the names of the members and the title of
9 the subcommittee shall be published once and
10 thereafter publication of assignments may be made by
11 indicating the title of the subcommittee.

12 3. No bill or resolution shall be considered by a
13 committee until it has been referred to a subcommittee
14 and the subcommittee has made its report unless
15 otherwise ordered by a majority of the members.

16 4. The rules adopted by a committee, including
17 subsections 2, 3, 9, 10, 11, and 12 of this rule, may

18 be suspended by an affirmative vote of a majority of
19 the members of the committee.

20 5. The affirmative vote of a majority of the
21 members of a committee is needed to sponsor a
22 committee bill or resolution or to report a bill or
23 resolution out for passage.

24 6. The vote on all bills and resolutions shall be
25 by roll call unless a short-form vote is unanimously
26 agreed to by the committee. A record shall be kept by
27 the secretary.

28 7. No committee, except a conference committee or
29 the steering committee, is authorized to meet when the
30 senate is in session.

Page 35

1 8. A subcommittee shall not report a bill to the
2 committee unless the bill has been typed into proper
3 form by the legislative services agency.

4 9. A bill or resolution shall not be voted upon
5 the same day a public hearing called under subsection
6 10 is held on that bill or resolution.

7 10. Public hearings may be called at the
8 discretion of the chair. The chair shall call a
9 public hearing upon the written request of one-half
10 the membership of the committee. The chair shall set
11 the time and place of the public hearing.

12 11. A subcommittee chair must notify the committee
13 chair not later than one legislative day prior to
14 bringing the bill or resolution before the committee.
15 The committee cannot vote on a bill or resolution for
16 at least one full day following the receipt of the
17 subcommittee report by the chairperson.

18 12. A motion proposing action on a bill or
19 resolution that has been defeated by a committee shall
20 not be voted upon again at the same meeting of the
21 committee.

22 13. Committee meetings shall be open.

Rule 40

Voting in Committee

25 All committee meetings shall be open at all times.
26 Voting by secret ballot is prohibited. Roll call
27 votes shall be taken in each committee when final
28 action on any bill or resolution is voted, unless a
29 short-form vote is unanimously agreed to by the
30 committee. A roll call vote also shall be taken in

Page 36

1 each committee at the request of a member upon any
2 amendment or motion. All results shall be entered in
3 the minutes which shall be public records. Records of

4 these votes shall be made available by the chair or
 5 the committee secretary at any time. This rule also
 6 applies to the steering committee and appropriations
 7 subcommittees.

8 The committee shall not authorize the introduction
 9 of a committee bill or resolution until the members
 10 have received final copies of the bill or resolution
 11 with amendments or changes incorporated, and typed
 12 into proper form by the legislative services agency.
 13 The committee may, by unanimous consent, dispense with
 14 this requirement and instruct the legislative ~~service~~
 15 ~~bureau~~ services agency to file a report with the
 16 committee members detailing the amendments or changes
 17 and this report shall become a part of the committee
 18 report.

19 Rule 41

20 Announcement of Committee Meetings

21 It shall be in order for the chair of any committee
 22 to announce to the senate the time and place of
 23 committee meetings. The announcement shall include a
 24 proposed agenda for the meeting. The sergeant-at-arms
 25 shall post at the rear of the chamber the daily
 26 schedule of committee meetings.

27 Rule 42

28 Withdrawal of Bills and Resolutions from Committee

29 The secretary of the senate shall note on each bill
 30 and resolution the date of its reference to committee.

Page 37

1 No bill or resolution shall be withdrawn from any
 2 committee within fifteen legislative days after the
 3 bill or resolution has been referred to the committee
 4 and thereafter only upon written petition for the
 5 withdrawal of such bill or resolution signed by a
 6 constitutional majority of the senators, except as
 7 provided in Rule 38. Only senators may circulate such
 8 a petition.

9 Rule 43

10 Committee Reports

11 All committees shall file a report of committee
 12 meetings. Such reports shall contain the following
 13 information:
 14 a. The time the meeting convened;
 15 b. Those senators who were present and absent at
 16 the time the meeting convened, as well as the time any
 17 senator, who was not present at the time the meeting
 18 convened, arrives for the meeting;
 19 c. The vote on any bill or resolution reported out
 20 of the committee for floor action;
 21 d. The title of the bill;
 22 e. The file number of the bill or resolution (if

23 known);
 24 f. Whether the committee recommends that the bill
 25 or resolution be passed, amended and passed,
 26 indefinitely postponed, or considered without
 27 committee recommendation;
 28 g. An indication of other bills or matters
 29 discussed;
 30 h. Such other matters as the committee chair shall

Page 38

1 direct; and
 2 i. The time the meeting adjourned.
 3 No committee report shall be read, but all
 4 committee reports shall be printed in the journal.
 5 Upon printing, all committee reports shall then stand
 6 approved unless the senate directs otherwise.
 7
 8 Rule 44
 9 Bills or Resolutions Recommended for Indefinite Postponement
 10 No senate bill or resolution recommended for
 11 indefinite postponement shall be considered in the
 12 absence of the chief sponsor or, if a house bill or
 13 resolution, in the absence of the senator representing
 14 the district in which the sponsor resides. When a
 15 question is postponed indefinitely, it shall not be
 16 again acted upon during that session of the general
 17 assembly.

GENERAL RULES

Rule 45

18 Access to Senate Chamber and Decorum
 19 The persons who shall have access to the senate
 20 chamber, and the times access shall be available, and
 21 the rules governing activities in the chamber and
 22 other areas controlled by the senate shall be as
 23 prescribed by the rules and administration committee
 24 pursuant to a written policy adopted by the committee
 25 and filed with the secretary of the senate.
 26

Rule 46

27 Legislative Interns and Aides
 28 Legislative interns for senators shall be allowed
 29 on the floor of the senate in accordance with Rule 45;
 30

Page 39

1 provided that each intern first has obtained a name
 2 badge from the secretary of the senate. The secretary
 3 of the senate shall issue an appropriate badge to all
 4 interns for senators.
 5 In addition, those persons designated as "aides to
 6 senators" shall be allowed on the floor of the senate.
 7 The secretary of the senate shall issue an appropriate
 8 badge for such individuals.

9 Rule 47

10 Clearing of Lobby and Gallery
 11 In case of disturbance or disorderly conduct in the
 12 lobby or gallery, the presiding officer may order it
 13 cleared.

14 Rule 48

15 Presentation of Petitions
 16 Each petition shall contain a brief statement of
 17 its subject matter and the name of the senator
 18 presenting it. Petitions shall be filed with the
 19 secretary of the senate and noted in the journal.

20 Rule 49

21 Distribution of Printed Material
 22 No general distribution of printed material in the
 23 senate shall be allowed unless authorized by the
 24 secretary of the senate or by a senator.

25 Rule 50

26 Concerning the Printing of Papers
 27 Any paper, other than that contemplated by Section
 28 10, Article III of the Constitution of the State of
 29 Iowa, presented to the senate may, with the consent of
 30 a constitutional majority, be printed in the journal.

Page 40

1 Rule 51

2 Reprinting of Documents
 3 When any bill has been substantially amended by the
 4 senate, the secretary of the senate shall order the
 5 bill reprinted on paper of a different color. All
 6 adopted amendments inserting new material shall be
 7 distinguishable.

8 The secretary of the senate may order the printing
 9 of a reasonable number of additional copies of bills,
 10 resolutions, amendments or journals.

11 OFFICERS AND EMPLOYEES

12 Rule 52

13 Duties of the President
 14 The senate shall elect, from its membership, a
 15 president. The president shall call the senate to
 16 order at the hour to which the senate is adjourned.
 17 Unless otherwise ordered by the senate, the president
 18 shall proceed with the regular order of daily
 19 business. The president shall preserve order and
 20 decorum and decide all questions of order and
 21 corrections to the journal, subject to an appeal to
 22 the senate. The president shall direct voting as
 23 provided in rule 22. When a ruling on germaneness is
 24 issued by the presiding officer, it shall be
 25 accompanied by an explanation of the ruling. The
 26 president of the senate shall be the chair of the
 27 committee of the whole unless otherwise ordered by the

28 senate, under rule 19.

29 Upon the first reading of an individual bill or
30 resolution, or a house committee bill or resolution,

Page 41

1 the president shall refer the bill or resolution to
2 the appropriate standing committee unless otherwise
3 ordered by the senate. If the bill or resolution is a
4 senate committee bill or resolution, the president
5 shall place it on the calendar after its first
6 reading. If the subject of the bill or resolution is
7 not germane to the title of the committee presenting
8 it, the president of the senate may refer it to the
9 appropriate committee.

10 The president shall sign legislative enactments
11 upon their enrolling.

12 The president of the senate shall serve as a member
13 of the legislative council and the senate rules and
14 administration committee. The president shall serve
15 on the rules and administration committee as chair of
16 the standing subcommittee designated to supervise the
17 secretary of the senate and other employees of the
18 administrative services division of the senate.

19 Rule 53

20 The President Pro Tempore

21 The senate shall elect, from its membership, a
22 president pro tempore. When the president is absent,
23 the president pro tempore shall preside, except when
24 the chair is filled by temporary appointment by the
25 president or the majority leader.

26 The president pro tempore, when presiding, shall
27 perform duties as prescribed in rule 52, paragraphs 1
28 and 2.

29 The president pro tempore shall serve as a member
30 of the legislative council and as a member of the

Page 42

1 senate committee on rules and administration.

2 Rule 54

3 Secretary of the Senate

4 The secretary of the senate shall be an officer of
5 the senate and shall:

6 1. Serve as chief administrative officer of the
7 senate.

8 2. Have charge of the secretary's desk.

9 3. Be responsible for the custody and safekeeping
10 of all bills, resolutions, and amendments filed,
11 except while they are in the custody of a committee.

12 4. Have charge of the daily journal.

13 5. Have control of all rooms assigned for the use

14 of the senate.

15 6. Keep a detailed record of senate action on all
16 bills and resolutions.

17 7. Insert adopted amendments into bills before
18 transmittal to the house of representatives and prior
19 to final enrollment.

20 8. Prescribe the duties of and supervise all
21 senate employees.

22 9. Authorize all expenditures of funds within the
23 senate budget.

24 The secretary of the senate shall also act as
25 senate parliamentarian and shall:

26 1. Advise the presiding officer of the senate
27 about parliamentary procedures during deliberations of
28 the senate.

29 2. Perform other duties as prescribed by the
30 committee on rules and administration.

Page 43

1 3. Process the handling of amendments when filed
2 and during the floor consideration of bills.

3 Rule 55

4 Legal Counsel

5 The legal counsel shall be a contractual employee
6 of the senate and shall:

7 1. Serve as attorney and counselor for the senate.

8 2. At the request of the majority and minority
9 leaders, research any legal issue in which the senate
10 has an interest. However, the legal counsel shall not
11 issue nor venture any opinions on unresolved questions
12 of law unless permitted by both the majority and
13 minority leaders.

14

Rule 56

15

Sergeant-at-Arms

16 The sergeant-at-arms shall be an employee of the
17 senate and shall:

18 1. Wear the appropriate badge of his or her
19 office.

20 2. Attend the senate during its sessions.

21 3. Aid in the enforcement of order under the
22 direction of the president of the senate and the
23 secretary of the senate.

24 4. Execute the commands of the senate.

25 5. See that no unauthorized person disturbs the
26 contents of the senators' desks.

27 6. Supervise the doorkeepers, the assistant
28 sergeant-at-arms, and pages.

29 7. Announce all delegations from the governor or
30 house.

Page 44

1 8. Supervise the seating of visitors and press
2 representatives.

3 Rule 57

4 Senate Secretaries

5 Every senator shall be permitted to employ for each
6 session of a general assembly a personally selected
7 secretary.

8 Rule 58

9 Use of Electronic Voting System

10 Any officer or employee of the senate, other than a
11 duly elected member of the senate, who operates the
12 electronic voting machine mechanism located at the
13 desk of said member of the senate shall be subject to
14 immediate termination from employment. The provisions
15 of this paragraph only shall apply during the taking
16 of a record or non-record roll call vote utilizing the
17 electronic voting system.

18 CONFIRMATION OF APPOINTMENTS

19 Rule 59

20 Appointments

21 The secretary of the senate shall:

22 a. send, to each appointee submitted by the
23 governor for senate confirmation, a copy of a senate
24 questionnaire as approved by the rules and
25 administration committee;

26 b. receive completed questionnaires from
27 appointees and forward copies of the completed
28 questionnaires to appropriate committee members;

29 c. maintain "Confirmation Calendar" categories on
30 the senate calendar as directed under this rule,

Page 45

1 senate rule 6, and by the committee on rules and
2 administration. No appointee shall be listed as
3 eligible on the confirmation calendar until the
4 secretary has received the appointee's completed
5 senate questionnaire.

6 As soon as possible after the convening of a
7 session, and again within one week following March 15,
8 the secretary of the senate shall publish in the
9 senate journal the names of all nominees submitted for
10 confirmation. The secretary of the senate shall
11 maintain a file of all appointments received from the
12 governor for confirmation. The file shall contain a
13 description of the duties and the compensation for
14 each nominee. The file shall show the date an
15 appointment was received from the governor, the date
16 the appointment was published in the journal, whether
17 the nominee has been introduced, whether a committee

18 report has been filed, when the senate questionnaire
 19 was sent to the appointee, and shall include a copy of
 20 the appointee's completed senate questionnaire, upon
 21 receipt.

22 INVESTIGATING COMMITTEES. All appointments
 23 received from the governor shall be referred to the
 24 rules and administration committee by the secretary of
 25 the senate on the same day they are published in the
 26 senate journal. The rules and administration
 27 committee shall establish an en bloc confirmation
 28 calendar which must be filed with the secretary of the
 29 senate. Within three (3) legislative days after
 30 receiving an appointment, the committee shall either

Page 46

1 place a nominee on the en bloc confirmation calendar
 2 or assign the nominee to an appropriate standing
 3 committee for further investigation, publishing notice
 4 of such assignment in the senate journal for the next
 5 legislative day. If the rules and administration
 6 committee fails to take action on a nominee within the
 7 three days, the nominee shall automatically be placed
 8 on the en bloc confirmation calendar.

9 Within the three (3) legislative days after an
 10 appointment has been referred to the rules and
 11 administration committee, any ten senators may require
 12 that the nominee be assigned to an appropriate
 13 standing committee by filing a written, signed request
 14 therefor with the chairperson of the rules and
 15 administration committee. The committee chair shall
 16 refer the appointment to a subcommittee within one (1)
 17 legislative day after a standing committee receives an
 18 appointment for further investigation, publishing
 19 notice of such assignment in the senate journal for
 20 the next legislative day. Within ten (10) legislative
 21 days after a standing committee receives an
 22 appointment for further investigation the subcommittee
 23 shall file its report with the standing committee.

24 Within fourteen (14) legislative days after a
 25 standing committee receives an appointment for further
 26 investigation, the committee shall conduct an
 27 investigation of the nominee and file its report
 28 thereon with the secretary of the senate, who shall
 29 then place the nominee on the en bloc calendar or
 30 individual confirmation calendar as directed by the

Page 47

1 committee. The failure of a committee to file its
 2 report within the prescribed time means that the
 3 nominee is to be automatically placed, without

4 recommendation, upon the individual confirmation
5 calendar.
6 Any individual nominated to head a department or
7 agency of state government, whose appointment is
8 subject to senate confirmation, must be introduced to
9 the full senate prior to a vote on confirmation of the
10 nominee. Additionally, any five (5) senators may
11 request that any nominee be introduced to the senate
12 by filing a written request with the secretary of the
13 senate within ten (10) legislative days of the
14 nominee's name appearing in the journal. Any
15 individual nominated to a position requiring senate
16 confirmation may request to be introduced to the full
17 senate by notifying the secretary of the senate at
18 least one (1) legislative day in advance of ~~their~~ the
19 nominee's appearance. If an individual is nominated
20 both to fill a vacancy for an unexpired term and is
21 also nominated for reappointment to that position
22 during the same session, a single introduction is
23 sufficient for eligibility for confirmation to both
24 terms.

25 HEARINGS. Any member of a committee investigating
26 an appointment may, within five (5) legislative days
27 after the committee receives the appointment, obtain
28 a hearing with the nominee by filing a written request
29 with the secretary of the senate who shall forward it
30 to the chair of the standing committee and the chair

Page 48

1 of the subcommittee. Notice of the hearing shall be
2 published in the journal at least two (2) legislative
3 days prior to the hearing. At the hearing, which
4 shall be before the subcommittee, the nominee may be
5 questioned as to his or her qualifications to fulfill
6 the office to which nominated and further questioned
7 as to his or her viewpoints on issues facing the
8 office to which nominated. Any senator may at the
9 discretion of the chair of the subcommittee be
10 permitted to submit oral questions. The public may, at
11 the discretion of the investigating committee, be
12 permitted to submit oral or written statements as to
13 the qualifications of the nominee.

14 Also, within five (5) legislative days after the
15 subcommittee receives an appointment for
16 investigation, any senator may submit written
17 questions to be answered by the nominee prior to
18 consideration of the nominee's confirmation by the
19 senate.

20 INFORMATIONAL MEETINGS. After a nominee has been
21 placed on the calendar and prior to the vote on
22 confirmation, any senator may request an informational

23 meeting on the nomination which shall be held before
 24 the subcommittee.
 25 VOTING ON CONFIRMATIONS. Upon the motion of the
 26 majority leader or his or her designee, the nominees
 27 on the en bloc confirmation calendar shall be
 28 confirmed en bloc by the affirmative vote of two-
 29 thirds of the members elected to the senate. The
 30 journal shall reflect a single roll call accompanied

Page 49

1 by a statement of the names of those individuals
 2 subject to the en bloc confirmation vote.
 3 Prior to an en bloc vote, any senator may request,
 4 either in writing or from the floor, an individual
 5 vote on any nominee on the en bloc confirmation
 6 calendar. The senate shall vote separately on the
 7 nominee.
 8 Nominees on the individual confirmation calendar
 9 shall be confirmed by a two-thirds vote; however, the
 10 senate shall take a separate roll call on each
 11 nominee, unless by unanimous consent, it determines to
 12 take one vote on all nominees under consideration. In
 13 any case, the journal shall reflect a single roll call
 14 vote for each nominee.
 15 If an individual is nominated both to fill a
 16 vacancy for an unexpired term and is also nominated
 17 for reappointment to that position, and such
 18 appointment and reappointment appear on the senate
 19 calendar as eligible at the same time, a single vote
 20 is sufficient for confirmation to both terms.

21 Rule 60

22 Time of Committee Passage and Consideration of Bills

23 1. This rule does not apply to concurrent or
 24 simple resolutions, joint resolutions nullifying
 25 administrative rules, senate confirmations, bills
 26 embodying redistricting plans prepared by the
 27 legislative services agency pursuant to chapter 42, or
 28 bills passed by both houses in different forms.
 29 Subsection 2 of this rule does not apply to
 30 appropriations bills, ways and means bills, legalizing

Page 50

1 acts, administrative rules review committee bills,
 2 bills sponsored by standing committees in response to
 3 a referral from the president of the senate or the
 4 speaker of the house of representatives relating to an
 5 administrative rule whose effective date has been
 6 delayed until the adjournment of the next regular
 7 session of the general assembly by the administrative
 8 rules review committee, bills cosponsored by the

9 majority and minority floor leaders of the senate,
10 bills in conference committee, and companion bills
11 sponsored by the majority floor leaders of both houses
12 after consultation with the respective minority floor
13 leaders. For the purposes of this rule, a joint
14 resolution is considered as a bill. To be considered
15 an appropriations or ways and means bill for the
16 purposes of this rule, the appropriations committee or
17 the ways and means committee must either be the
18 sponsor of the bill or the committee of first referral
19 in the senate.

20 2. To be placed on the calendar in the senate a
21 senate bill must be first reported out of a standing
22 committee by Friday of the 10th week of the first
23 session and the 6th week of the second session. A
24 house bill must be first reported out of a standing
25 committee by Friday of the 13th week of the first
26 session and the 9th week of the second session to be
27 placed on the senate calendar.

28 3. During the 11th week of the first session and
29 the 7th week of the second session, the senate shall
30 consider only bills originating in the senate and

Page 51

1 unfinished business. During the 14th week of the
2 first session and the 10th week of the second session,
3 the senate shall consider only bills originating in
4 the house and unfinished business. Beginning with the
5 15th week of the first session and the 11th week of
6 the second session, the senate shall consider only
7 bills passed by both houses, bills exempt from
8 subsection 2 and unfinished business.

9 4. A motion to reconsider filed and not disposed
10 of on an action taken on a bill or resolution which is
11 subject to a deadline under this rule may be called up
12 at any time before or after the day of the deadline by
13 the person filing the motion or after the deadline by
14 the majority floor leader, notwithstanding any other
15 rule to the contrary.

16 BE IT FURTHER RESOLVED, That should a system of
17 deadlines for the time of committee passage and
18 consideration of bills be adopted by joint action of
19 the senate and house at any time during the
20 ~~eighty-first~~ ~~eighty-second~~ general assembly, those
21 provisions shall supersede the provisions of rule 60.

SENATE RESOLUTION 2: filed January 17, 2007; adopted by the Senate on January 18, 2007.

1 SENATE RESOLUTION 2
 2 By: Warnstadt and Wieck
 3 A resolution commemorating the sesquicentennial
 4 anniversary of the founding of the city of Sioux City.
 5 WHEREAS, in 1804 the Lewis and Clark Expedition
 6 reached the banks of the mighty Missouri River at the
 7 place where the city of Sioux City, Iowa, would later
 8 be founded, and there Sergeant Charles Floyd of the
 9 Corps of Discovery died and was laid to rest; and
 10 WHEREAS, at that time Captain Lewis recorded
 11 perhaps the first written description of the area
 12 where the Big Sioux and Floyd Rivers join the Missouri
 13 River; and
 14 WHEREAS, an independent fur-trader, Theophile
 15 Bruguier was the first settler on land that would
 16 become Sioux City, founding a farm that later grew to
 17 a collection of cabins, Indian tepees, and a trading
 18 post; and
 19 WHEREAS, early settlers begin platting the outline
 20 of the city in the winter of 1854 and 1855, and in
 21 1856 a steamboat arrived at the growing community from
 22 St. Louis, loaded with ready-framed houses and
 23 provisions, sparking additional growth; and
 24 WHEREAS, on January 16, 1857, the city of Sioux
 25 City, Iowa, was incorporated; and
 26 WHEREAS, in the following decades Sioux City has
 27 grown from a frontier town to a true metropolitan
 28 community, supporting four institutions of higher
 29 education: Morningside College, Briar Cliff
 30 University, St. Luke's College of Nursing, and Western

Page 2

1 Iowa Tech Community College; a vibrant economy; and a
 2 variety of cultural and entertainment opportunities;
 3 and
 4 WHEREAS, twice named an All-American City by the
 5 National Civic League, Sioux City, Iowa, serves as the
 6 regional hub for business, employment, industry,
 7 retail trade, medical care, educational opportunities,
 8 and tourism in northwest Iowa, southeast South Dakota,
 9 and northeast Nebraska; and
 10 WHEREAS, Sioux City has now developed a plan for
 11 the Iowa Great Places initiative which focuses on
 12 creating recreational trails and signs highlighting
 13 attractions in the downtown area and preserving the
 14 historic significance of the existing Sioux City
 15 stockyards while also transforming the area for

16 recreational use; the plan also calls for creation of
17 a Sioux City School of Architecture to capitalize on
18 the community's unique terra cotta "brand"; and
19 WHEREAS, more than 140,000 people now live in that
20 tri-state metropolitan area; NOW THEREFORE,
21 BE IT RESOLVED BY THE SENATE, That the Senate
22 recognizes and extends its congratulations to the city
23 of Sioux City on its sesquicentennial anniversary year
24 and for its 150 years of service to its citizens and
25 its role in making the state of Iowa a great place to
26 live and work; and
27 BE IT FURTHER RESOLVED, That an official copy of
28 this resolution be prepared and presented to the
29 citizens of Sioux City.

SENATE RESOLUTION 3: filed January 22, 2007; adopted by
the Senate on January 25, 2007.

1 SENATE RESOLUTION 3
2 By: Gronstal
3 A resolution honoring the women's volleyball team from
4 Iowa Western Community College on winning the
5 Division I National Junior College Athletic
6 Association volleyball tournament.
7 WHEREAS, the Iowa Western Community College women's
8 volleyball team took the name and embodies the spirit
9 of the Reivers, those bold Scot raiders long
10 celebrated in ballad and myth; and
11 WHEREAS, at the National Junior College Athletic
12 Association volleyball tournament in West Plains,
13 Missouri, the Reivers captured the 2006 national
14 championship title, besting number one ranked Western
15 Nebraska; and
16 WHEREAS, that victory gave the Reivers a phenomenal
17 season of 60 wins and four losses, with all 60 wins
18 coming in sweeps; and
19 WHEREAS, the championship brought special
20 recognition to a number of team members, with
21 sophomore Luciana Rapach being named the tournament's
22 most valuable player, freshmen Juliana Paz and Rachel
23 Green named to the all-tournament team, and Coach
24 Terry Gamble named coach of the year by the American
25 Volleyball Coaches Association; and
26 WHEREAS, Juliana Paz also shattered all of the Iowa
27 Western kill records in 2006, finishing with 1,017 for
28 the season, and was recognized by the National Junior
29 College Athletic Association as an All-American and by
30 the American Volleyball Coaches Association as "The

Page 2

1 Player of the Year”; NOW THEREFORE,
 2 BE IT RESOLVED BY THE SENATE, That the Senate
 3 honors the members of the Iowa Western Community
 4 College women’s volleyball team: Jaclyn Carnago,
 5 Rachel Green, Julia Kenealy, Alicia Runge, Kelli
 6 Fiedler, Michaela McElroy, Luciana Rapach, Stephanie
 7 Svoboda, Brianne Tapley, Alyssa Reich, Kerley Becker,
 8 Gabby Pfannenstiel, Cindy Blatt, Juliana Paz, Coach
 9 Terry Gamble, and Assistant Coach Becky Verespej for
 10 capturing the championship in the 2006 National Junior
 11 College Athletic Association volleyball tournament.

SENATE RESOLUTION 4: filed January 23, 2007; adopted by the Senate on January 24, 2007.

1 SENATE RESOLUTION 4
 2 By: Mulder
 3 A resolution to recognize Professor Jeff Barker of
 4 Northwestern College for being selected Iowa Professor
 5 of the Year for 2006 by the Carnegie Foundation for
 6 the Advancement of Teaching.
 7 WHEREAS, Professor Jeff Barker came to Northwestern
 8 College in Orange City, Iowa, in 1988, bringing with
 9 him a passion for excellent theater art; and
 10 WHEREAS, that passion led Professor Barker and his
 11 wife, Karen Bohm Barker, to both teach and perform
 12 excellent theater, modeling artistic integrity that is
 13 born out of the integrity of one’s life and values;
 14 and
 15 WHEREAS, Professor Barker’s interest in truth and
 16 story has led him to write plays that explore what it
 17 means to live as humans in a broken world; and
 18 WHEREAS, he also has encouraged and nurtured
 19 student playwrights as they bring their own stories to
 20 the stage; and
 21 WHEREAS, Professor Barker brings excellent and
 22 honest theater into his rural community, the broader
 23 community, and the church through the performing of
 24 biblical and congregants’ stories; and
 25 WHEREAS, his dedication to theater art and learning
 26 has now been recognized by the Carnegie Foundation for
 27 the Advancement of Teaching, which has selected
 28 Professor Barker as Iowa Professor of the Year for
 29 2006; NOW THEREFORE,
 30 BE IT RESOLVED BY THE SENATE, That the Senate, on

Page 2

1 behalf of all Iowans, extends its gratitude to
 2 Professor Barker for his outstanding effort in

9 or before the day their lobbying activity begins,
 10 register in the manner provided under section 68B.36
 11 by filing a completed lobbyist's registration form
 12 with the person or persons designated by the chief
 13 clerk of the house and the secretary of the senate to
 14 receive lobbyist registration statements. Lobbyist
 15 registration forms shall be available in the office of
 16 the chief clerk of the house and the secretary of the
 17 senate. In addition, the lobbyist shall file with the
 18 secretary of the senate a statement of the general
 19 subjects of legislation in which the lobbyist is or
 20 may be interested, the numbers of the bills and
 21 resolutions and the bill number of study bills (if
 22 known) which will be lobbied, whether the lobbyist
 23 intends to lobby for or against each bill, resolution,
 24 or study bill (if known), and on whose behalf the
 25 lobbyist is lobbying the bill, resolution, or study
 26 bill.
 27 Any change in or addition to the foregoing
 28 information shall be registered with the person or
 29 persons designated by the chief clerk of the house and
 30 the secretary of the senate to receive lobbyist

Page 3

1 registration statements within ten days after the
 2 change or addition is known to the lobbyist.
 3 Registration expires upon the commencement of the
 4 next regular session of the general assembly, except
 5 that the secretary of the senate may adopt and
 6 implement a reasonable ~~pre-registration~~
 7 preregistration procedure in advance of each regular
 8 session during which persons may register for that
 9 session and the following legislative interim.
 10 4. CANCELLATION OF REGISTRATION. If a lobbyist's
 11 service on behalf of a particular employer, client, or
 12 cause is concluded prior to the end of the calendar
 13 year, the lobbyist may cancel the registration on
 14 appropriate forms supplied by the secretary of the
 15 senate. Upon cancellation of registration, a lobbyist
 16 is prohibited from engaging in any lobbying activity
 17 on behalf of that particular employer, client, or
 18 cause until reregistering and complying with these
 19 rules. A lobbyist's registration is valid for only
 20 one session of a general assembly.
 21 5. AMENDMENT OF REGISTRATION. If a registered
 22 lobbyist represents more than one employer, client, or
 23 cause and the lobbyist's services are concluded on
 24 behalf of a particular employer, client, or cause
 25 after the lobbyist registers but before the first day
 26 of the next legislative session, the lobbyist shall
 27 file an amendment to the lobbyist's registration

28 indicating which employer, client, or cause is no
29 longer represented by the lobbyist and the date upon
30 which the representation concluded.

Page 4

1 If a lobbyist is retained by one or more additional
2 employers, clients, or causes after the lobbyist
3 registers but before the first day of the next
4 legislative session, the lobbyist shall file an
5 amendment to the lobbyist's registration indicating
6 the employer, client, or cause to be added and the
7 date upon which the representation begins.

8 Amendments to a lobbyist's registration regarding
9 changes which occur during the time that the general
10 assembly is in session shall be filed within one
11 working day after the date upon which the change in
12 the lobbyist's representation becomes effective.

13 6. PUBLIC ACCESS. All information filed by a
14 lobbyist or a client of a lobbyist under chapter 68B
15 of the Code is a public record and open to public
16 inspection at any reasonable time.

17 7. LOBBYIST AND CLIENT REPORTING. Each lobbyist
18 registered with the senate and each lobbyist's client
19 shall file the reports required under sections 68B.37
20 and 68B.38 with the secretary of the senate.

21 For purposes of this rule, and the reports required
22 under sections 68B.37 and 68B.38, "services enumerated
23 under section 68B.2, subsection 13, paragraph "a" and
24 "lobbying purposes" include, but are not limited to,
25 the following:

26 a. Time spent by the lobbyist at the state capitol
27 building commencing with the first day of a
28 legislative session and ending with the day of final
29 adjournment of each legislative session as indicated
30 by the journals of the house and senate.

Page 5

1 b. Time spent by the lobbyist attending meetings
2 or hearings which results in the lobbyist
3 communicating with members of the general assembly or
4 legislative employees about current or proposed
5 legislation.

6 c. Time spent by the lobbyist researching and
7 drafting proposed legislation with the intent to
8 submit the legislation to a member of the general
9 assembly or a legislative employee.

10 d. Time spent by the lobbyist actually
11 communicating with members of the general assembly and
12 legislative employees about current or proposed
13 legislation.

14 8. GOVERNMENT OFFICIALS. All federal, state, and
15 local officials or employees representing their
16 departments, commissions, boards, or agencies shall
17 present to the secretary of the senate a letter of
18 authorization from their department or agency heads
19 prior to the commencement of their lobbying. The
20 lobbyist registration statement of these officials and
21 employees shall not be deemed complete until the
22 letter of authorization is attached. Federal, state,
23 and local officials who wish to lobby in opposition to
24 their departments, commissions, boards, or agencies
25 must indicate such on their lobbyist registration
26 statements.

27 9. CHARGE ACCOUNTS AND LOANS. Lobbyists and the
28 organizations they represent shall not allow any
29 senators to charge any amounts or items to any charge
30 account to be paid for by those lobbyists or by the

Page 6

1 organizations they represent. A lobbyist shall not
2 make a loan to a senator unless the loan is made in
3 the ordinary course of business, the lobbyist is in
4 the business of making loans, and the terms and
5 conditions of the loan are the same or substantially
6 similar to the finance charges and loan terms that are
7 available to members of the general public.

8 10. OFFERS OF ECONOMIC OPPORTUNITY. A lobbyist,
9 an employer of a lobbyist, or a political action
10 committee shall not offer economic or investment
11 opportunity or promise of employment to any senator
12 with intent to influence the senator's conduct in the
13 performance of official duties.

14 A lobbyist shall not take action intended to
15 negatively affect the economic interests of a senator.

16 For purposes of this rule, supporting or opposing a
17 candidate for office or supporting or opposing a bill,
18 amendment, or resolution shall not be considered to be
19 action intended to negatively affect the economic
20 interests of a senator.

21 11. MEMBERSHIP CONTRIBUTIONS. A lobbyist, or
22 employer of a lobbyist, shall not pay for membership
23 in or contributions to clubs or organizations on
24 behalf of a senator.

25 12. ACCESS TO SENATE FLOOR. Lobbyists shall not
26 be permitted on the floor of the senate while the
27 senate is in session. Elected state officials, except
28 the governor, lieutenant governor, and the members of
29 the house of representatives, shall not be permitted
30 on the floor of the senate while the senate is in

Page 7

1 session to encourage the passage, defeat, or
 2 modification of legislation.
 3 13. EFFECTIVE PERIOD. These rules governing
 4 lobbyists shall be in effect throughout the calendar
 5 year, whether or not the general assembly is in
 6 session.
 7 14. GIFTS. A lobbyist or the client of a lobbyist
 8 shall not, directly or indirectly, offer or make a
 9 gift or a series of gifts to a senator, except as
 10 otherwise provided in section 68B.22.
 11 15. HONORARIA. A lobbyist or client of a lobbyist
 12 shall not give an honorarium to a member or employee
 13 of the senate, except as otherwise provided in section
 14 68B.23.
 15 16. COMPLAINTS. Rules 15 through 23 of the senate
 16 code of ethics apply to complaints and procedures
 17 regarding violations of these rules.

SENATE RESOLUTION 6: filed January 24, 2007; adopted by
 the Senate on January 30, 2007.

1 SENATE RESOLUTION 6
 2 By: Committee on Ethics
 3 (SUCCESSOR TO SSB 1053)
 4 A resolution relating to the Senate Code of Ethics
 5 governing the conduct of members of the Senate in
 6 relation to their senatorial duties during the
 7 Eighty-second General Assembly.
 8 BE IT RESOLVED BY THE SENATE, That the Senate Code
 9 of Ethics for the ~~Eighty-first~~ Eighty-second General
 10 Assembly shall be amended to read as follows:
 11 SENATE CODE OF ETHICS
 12 PREAMBLE. Every legislator owes a duty to uphold
 13 the integrity and honor of the general assembly, to
 14 encourage respect for the law and for the general
 15 assembly and the members thereof, and to observe the
 16 legislative code of ethics.
 17 In doing so, members of the senate have a duty to
 18 conduct themselves so as to reflect credit on the
 19 general assembly, and to inspire the confidence,
 20 respect, and trust of the public, and to strive to
 21 avoid both unethical and illegal conduct and the
 22 appearance of unethical and illegal conduct.
 23 Recognizing that service in the Iowa general
 24 assembly is a part-time endeavor and that members of
 25 the general assembly are honorable individuals who are
 26 active in the affairs of their localities and
 27 elsewhere and that it is necessary that they maintain
 28 a livelihood and source of income apart from their

29 legislative compensation, the following rules are
30 adopted pursuant to section 68B.31, to assist the

Page 2

- 1 members in the conduct of their legislative affairs.
- 2 1. ECONOMIC INTEREST OF SENATOR. Taking into
3 account that legislative service is part-time, a
4 senator shall not accept economic or investment
5 opportunity, under circumstances where the senator
6 knows, or should know, that there is a reasonable
7 possibility that the opportunity is being afforded the
8 senator with intent to influence the senator's conduct
9 in the performance of official duties.
- 10 2. DIVESTITURE. Where a senator learns that an
11 economic or investment opportunity previously accepted
12 was offered with the intent of influencing the
13 senator's conduct in the performance of official
14 duties, the senator shall take steps to divest that
15 senator of that investment or economic opportunity,
16 and shall report the facts of the situation to the
17 senate ethics committee.
- 18 3. CHARGES FOR SERVICES. A senator shall not
19 charge to or accept from a person, corporation,
20 partnership, or association known to have a
21 legislative interest a price, fee, compensation, or
22 other consideration for the sale or lease of any
23 property or the furnishing of services which is in
24 excess of that which the senator would charge another.
- 25 4. USE OF CONFIDENTIAL INFORMATION. A senator in
26 order to further the senator's own economic or other
27 interests, or those of any other person, shall not
28 disclose or use confidential information acquired in
29 the course of official duties.
- 30 5. HONORARIA. A senator shall not accept an

Page 3

- 1 honorarium from a restricted donor for a speech,
2 writing for publication, or other similar activity,
3 except as otherwise provided in section 68B.23.
- 4 6. EMPLOYMENT. A senator shall not accept
5 employment, either directly or indirectly, from a
6 political action committee. A senator may accept
7 employment from a political party, but shall disclose
8 the employment relationship in writing to the
9 secretary of the senate within ten days after the
10 beginning of each legislative session. If a senator
11 accepts employment from a political party during a
12 legislative session, the senator shall disclose the
13 employment relationship within ten days after
14 acceptance of the employment.

15 For the purpose of this rule, a political action
16 committee means a committee, but not a candidate's
17 committee, which accepts contributions, makes
18 expenditures, or incurs indebtedness in the aggregate
19 of more than seven hundred fifty dollars in any one
20 calendar year to expressly advocate the nomination,
21 election, or defeat of a candidate for public office
22 or to expressly advocate the passage or defeat of a
23 ballot issue or influencing legislative action, or an
24 association, lodge, society, cooperative, union,
25 fraternity, sorority, educational institution, civic
26 organization, labor organization, religious
27 organization, or professional organization which makes
28 contributions in the aggregate of more than seven
29 hundred fifty dollars in any one calendar year to
30 expressly advocate the nomination, election, or defeat

Page 4

1 of a candidate for public office or ballot issue or
2 influencing legislative action.
3 7. ECONOMIC INTERESTS OF LOBBYIST. With the
4 exception of exercising unfettered discretion in
5 supporting or refusing to support proposed
6 legislation, a senator shall not take action intended
7 to affect the economic interests of a lobbyist or
8 citizen supporting or opposing proposed legislation.
9 8. APPEARANCE BEFORE GOVERNMENTAL AGENCY. A
10 senator may appear before a governmental agency or
11 board in any representation case, except that the
12 senator shall not act as a lobbyist. Whenever a
13 senator appears before a governmental agency or board,
14 the senator shall carefully avoid all conduct which
15 might in any way lead members of the general public to
16 conclude that the senator is using the senator's
17 official position to further the senator's
18 professional success or personal financial interest.
19 9. CONFLICTS OF INTERESTS. In order to permit the
20 general assembly to function effectively, a senator
21 will sometimes be required to vote on bills and
22 participate in committee work which will affect the
23 senator's employment and other monetary interests. In
24 making a decision relative to the senator's activity
25 on given bills or committee work which are subject to
26 the code, the following factors shall be considered:
27 a. Whether a substantial threat to the senator's
28 independence of judgment has been created by the
29 conflict situation.
30 b. The effect of the senator's participation on

Page 5

1 public confidence in the integrity of the legislature.
2 c. The need for the senator's particular
3 contribution, such as special knowledge of the subject
4 matter, to the effective functioning of the
5 legislature.

6 A senator with a conflict of interest may
7 participate in floor debate if prior to debate the
8 senator indicates the conflict of interest.

9 10. GIFTS. Except as otherwise provided in
10 section 68B.22, a senator, or that person's immediate
11 family member, shall not, directly or indirectly,
12 accept or receive any gift or series of gifts from a
13 restricted donor.

14 11. DISCLOSURE REQUIRED. Each senator shall file
15 with the secretary of the senate within ten days after
16 the adoption of the code of ethics by the senate, and
17 within ten days after the convening of the second
18 session of the general assembly, a statement under
19 section 68B.35 on forms provided by the secretary of
20 the senate setting forth the following information:

21 The nature of each business in which the senator is
22 engaged and the nature of the business of each company
23 in which the senator has a financial interest. A
24 senator shall not be required to file a report or be
25 assumed to have a financial interest if the annual
26 income derived from the investment in stocks, bonds,
27 bills, notes, mortgages, or other securities offered
28 for sale through recognized financial brokers is less
29 than one thousand dollars.

30 Disclosures required under this rule shall be as of

Page 6

1 the date filed unless provided to the contrary, and
2 shall be amended to include interests and changes
3 encompassed by this rule that occur while the general
4 assembly is in session. All filings under this rule
5 shall be open to public inspection in the office of
6 the secretary of the senate at all reasonable times.

7 The secretary of the senate shall inform the ethics
8 committee of the statements which are filed and shall
9 report to the ethics committee the names of any
10 senators who appear not to have filed complete
11 statements. The chairperson of the ethics committee
12 shall request in writing that a senator who has failed
13 to complete the report or appears to have filed an
14 incomplete report do so within five days, and, upon
15 the failure of the senator to comply, the ethics
16 committee shall require the senator to appear before
17 the committee.

18 12. STATUTORY VIOLATIONS. Members of the general
19 assembly are urged to familiarize themselves with
20 chapters 68B, 721, and 722.

21 13. CHARGE ACCOUNTS. Senators shall not charge
22 any amount or item to any charge account to be paid
23 for by any lobbyist or any client the lobbyist
24 represents.

25 14. TRAVEL EXPENSES. A senator shall not charge
26 to the state of Iowa amounts for travel and expenses
27 unless the senator actually has incurred those mileage
28 and expense costs. Senators shall not file the
29 vouchers for weekly mileage reimbursement required by
30 section 2.10, subsection 1, unless the travel was

Page 7

1 actually incurred at commensurate expense to the
2 senator.

3 15. COMPLAINTS. Complaints or charges against any
4 senator or any lobbyist shall be in writing, made
5 under oath, and filed with the secretary of the senate
6 or the chairperson of the ethics committee. If filed
7 with the secretary of the senate, the secretary shall
8 immediately advise the chairperson of the ethics
9 committee of the receipt of the complaint.

10 Complaint forms shall be available from the
11 secretary of the senate, or the chairperson of the
12 ethics committee, but a complaint shall not be
13 rejected for failure to use an approved form if the
14 complaint substantially complies with senate
15 requirements.

16 A complainant may submit exhibits and affidavits
17 attached to the complaint.

18 16. FILING OF COMPLAINTS.

19 a. Persons entitled. Complaints may be filed by
20 any person believing that a senator or lobbyist has
21 violated the senate ethics code, the senate rules
22 governing lobbyists, or chapter 68B of the Iowa Code.
23 A violation of the criminal law may be considered to
24 be a violation of this code of ethics if the violation
25 constitutes a serious misdemeanor or greater, or a
26 repetitive and flagrant violation of the law.

27 b. Committee complaint. The ethics committee may,
28 upon its own motion, initiate a complaint,
29 investigation, or disciplinary action.

30 c. Timeliness of filing. A complaint will be

Page 8

1 considered to be timely filed if it is filed within
2 three years of the occurrence of the alleged violation
3 of the ethics code.

4 17. PERMANENT RECORD. The secretary of the senate
5 shall maintain a permanent record of all complaints
6 filed, evidence received by the committee, and any
7 transcripts or other recordings made of committee
8 proceedings, including a separate card file containing
9 the date filed, name and address of the complainant,
10 name and address of the respondent, a brief statement
11 of the charges made, and ultimate disposition of the
12 complaint. The secretary shall keep each such
13 complaint confidential until public disclosure is made
14 by the ethics committee.

15 18. PREHEARING PROCEDURE.

16 a. Defective complaint. Upon receipt of a
17 complaint, the chairperson and ranking member of the
18 ethics committee shall determine whether the complaint
19 substantially complies with the requirements of this
20 code of ethics and section 68B.31, subsection 6. If
21 the complaint does not substantially comply with the
22 requirements for formal sufficiency under the code of
23 ethics, the complaint may be returned to the
24 complainant with a statement that the complaint is not
25 in compliance with the code and a copy of the code.
26 If the complainant fails to amend the complaint to
27 comply with the code within a reasonable time, the
28 chair and ranking member may dismiss the complaint
29 with prejudice for failure to prosecute.

30 b. Service of complaint on respondent. Upon

Page 9

1 receipt of any complaint substantially complying with
2 the requirements of this code of ethics, the
3 chairperson of the ethics committee shall cause a copy
4 of the complaint and any supporting information to be
5 delivered promptly to the respondent, requesting a
6 written response to be filed within ten days. The
7 response may do any of the following:

8 (1) Admit or deny the allegation or allegations.

9 (2) Object that the allegation fails to allege a
10 violation of chapter 68B or the code of ethics.

11 (3) Object to the jurisdiction of the committee.

12 (4) Request a more specific statement of the
13 allegation or allegations.

14 c. Objection to member. In addition to the items
15 which may be included in a response pursuant to
16 paragraph "b", the response may also include an
17 objection to the participation of any member of the
18 committee in the consideration of the allegation or
19 allegations on the grounds that the member cannot
20 render an impartial and unbiased decision.

21 d. Extension of time. At the request of the
22 respondent and upon a showing of good cause, the

23 committee, or the chairperson and ranking member, may
24 extend the time for response, not to exceed ten
25 additional days.

26 e. Confidentiality. If a complaint is not
27 otherwise made public, the members of the committee
28 shall treat the complaint and all supporting
29 information as confidential until the written response
30 is received from the respondent.

Page 10

1 f. Communications with ethics committee. After a
2 complaint has been filed or an investigation has been
3 initiated, a party to the complaint or investigation
4 shall not communicate, or cause another to
5 communicate, as to the merits of the complaint or
6 investigation with a member of the committee, except
7 under the following circumstances:

8 (1) During the course of any meetings or other
9 official proceedings of the committee regarding the
10 complaint or investigation.

11 (2) In writing, if a copy of the writing is
12 delivered to the adverse party or the designated
13 representative for the adverse party.

14 (3) Orally, if adequate prior notice of the
15 communication is given to the adverse party or the
16 designated representative for the adverse party.

17 (4) As otherwise authorized by statute, the senate
18 code of ethics, the senate rules governing lobbyists,
19 or vote of the committee.

20 g. Scheduling hearing. Upon receipt of the
21 response, the committee shall schedule a public
22 meeting to review the complaint and available
23 information, and shall:

24 (1) Notify the complainant that no further action
25 will be taken, unless further substantiating
26 information is produced, or

27 (2) Dismiss the complaint for failure to meet the
28 statutory and code of ethics requirements for valid
29 complaints, or

30 (3) Request that the chief justice of the supreme

Page 11

1 court appoint an independent special counsel to
2 conduct an investigation of the complaint and
3 supporting information, to make a determination of
4 probable cause, and to report the findings to the
5 committee, which shall be received within a reasonable
6 time.

7 h. Public hearing. If independent special counsel
8 is appointed, upon receipt of the report of

9 independent special counsel's findings, the committee
10 shall schedule a public meeting to review the report
11 and shall do either of the following:

12 (1) Cause the complaint to be scheduled for a
13 public hearing.

14 (2) Dismiss the complaint based upon a
15 determination by independent special counsel and the
16 committee that insufficient evidence exists to support
17 a finding of probable cause.

18 19. HEARING PROCEDURE.

19 a. Notice of hearing. If the committee causes a
20 complaint to be scheduled for a public hearing, notice
21 of the hearing date and time shall be given to the
22 complainant and respondent in writing, and of the
23 respondent's right to appear in person, be represented
24 by legal counsel, present statements and evidence, and
25 examine and cross-examine witnesses. The committee
26 shall not be bound by formal rules of evidence, but
27 shall receive relevant evidence, subject to
28 limitations on repetitiveness. Any evidence taken
29 shall be under oath.

30 b. Subpoena power. The committee may require, by

Page 12

1 subpoena or otherwise, the attendance and testimony of
2 witnesses and the production of such books, records,
3 correspondence, memoranda, papers, documents, and any
4 other things it deems necessary to the conduct of the
5 inquiry.

6 c. Ex post facto. An investigation shall not be
7 undertaken by the committee of a violation of a law,
8 rule, or standard of conduct that is not in effect at
9 the time of violation.

10 d. Disqualification of member. Members of the
11 committee may disqualify themselves from participating
12 in any investigation of the conduct of another person
13 upon submission of a written statement that the member
14 cannot render an impartial and unbiased decision in a
15 case. A member may also be disqualified by a
16 unanimous vote of the remaining eligible members of
17 the committee.

18 A member of the committee is ineligible to
19 participate in committee meetings, as a member of the
20 committee, in any proceeding relating to the member's
21 own official conduct.

22 If a member of the committee is disqualified or
23 ineligible to act, the majority or minority leader who
24 appointed the member shall appoint a replacement
25 member to serve as a member of the committee during
26 the period of disqualification or ineligibility.

27 e. Hearing. At the hearing, the chairperson shall

28 open the hearing by stating the charges, the purpose
29 of the hearing, and its scope. The burden of proof
30 rests upon the complainant to establish the facts as

Page 13

1 alleged, by clear and convincing evidence. However,
2 questioning of witnesses shall be conducted by the
3 members of the committee, by independent special
4 counsel, or by a senator. The chairperson shall also
5 permit questioning by legal counsel representing the
6 complainant or respondent.

7 The chairperson or other member of the committee
8 presiding at a hearing shall rule upon procedural
9 questions or any question of admissibility of evidence
10 presented to the committee. Rulings may be reversed
11 by a majority vote of the committee members present.

12 The committee may continue the hearing to a future
13 date if necessary for appropriate reasons or purposes.

14 f. Committee action. Upon receipt of all relevant
15 evidence and arguments, the committee shall consider
16 the same and recommend to the senate:

17 (1) That the complaint be dismissed, or
18 (2) That the senator or lobbyist be censured or
19 reprimanded, and recommend the appropriate form of
20 censure or reprimand, or

21 (3) Any other appropriate sanction, including
22 suspension or expulsion from membership in the senate,
23 or suspension of lobbying privileges.

24 g. Disposition resolution. By appropriate
25 resolution, the senate may amend, adopt, or reject the
26 report of the ethics committee, including the
27 committee's recommendations regarding disciplinary
28 action.

29 20. COMMITTEE AUTHORIZED TO MEET. The senate
30 ethics committee is authorized to meet at the

Page 14

1 discretion of the chairperson to conduct hearings and
2 other business that properly may come before it. If
3 the committee submits a report seeking senate action
4 against a senator or lobbyist after the second regular
5 session of a general assembly has adjourned sine die,
6 the report shall be submitted to and considered by the
7 subsequent general assembly. However, the report may
8 be submitted to and considered during any special
9 session which may take place after the second regular
10 session of a general assembly has adjourned sine die,
11 but before the convening of the next general assembly.

12 20A. ADVISORY OPINIONS.

13 a. Requests for formal opinions. A request for a

14 formal advisory opinion may be filed by any person who
15 is subject to the authority of the ethics committee.
16 The ethics committee may also issue a formal advisory
17 opinion on its own motion, without having previously
18 received a formal request for an opinion, on any issue
19 that is within the jurisdiction of the committee.
20 Requests shall be filed with either the secretary of
21 the senate or the chairperson of the ethics committee.
22 b. Form and contents of requests. A request for a
23 formal advisory opinion shall be in writing and may
24 pertain to any subject matter that is related to the
25 application of the senate code of ethics, the senate
26 rules governing lobbyists, or chapter 68B of the Code
27 to any person who is subject to the authority of the
28 ethics committee. Requests shall contain one or more
29 specific questions and shall relate either to future
30 conduct or be stated in the hypothetical. A request

Page 15

1 for an advisory opinion shall not specifically name
2 any individual or contain any other specific
3 identifying information, unless the request relates to
4 the requester's own conduct. However, any request may
5 contain information which identifies the kind of
6 individual who may be affected by the subject matter
7 of the request. Examples of this latter kind of
8 identifying information may include references to
9 conduct of a category of individuals, such as but not
10 limited to conduct of legislators, legislative staff,
11 or lobbyists.

12 c. Confidentiality of formal requests and
13 opinions. Requests for formal opinions are not
14 confidential and any deliberations of the committee
15 regarding a request for a formal opinion shall be
16 public. Opinions issued in response to requests for
17 formal opinions are not confidential, shall be in
18 writing, and shall be placed on file in the office of
19 the secretary of the senate. Persons requesting
20 formal opinions shall personally receive a copy of the
21 written formal opinion that is issued in response to
22 the request.

23 **20B. CALCULATION OF TIME — DAYS.** For purposes of
24 these rules, unless the context otherwise requires,
25 the word “day” or “days” shall mean a calendar day
26 except that if the day is the last day of a specific
27 time period and falls upon a Saturday, Sunday, or
28 legal holiday, the time prescribed shall be extended
29 so as to include the whole of the next day in which
30 the offices of the senate and the general assembly are

Page 16

1 open for official business.

2 21. COMPLAINT FILING FORM. The following form
3 shall be used to file a complaint under these rules:

4 THE SENATE

5 Ethics Complaint Form

6 Re: _____ (Senator/Lobbyist),
7 of _____, Iowa.

8 I, _____ (Complainant), residing
9 at _____, in the City of _____,

10 State of _____, hereby complain that
11 _____ (Senator/Lobbyist), whose

12 address is _____,
13 has violated the Senate Code of Ethics or Senate

14 Rules Governing Lobbyists in that:

15 (Explain the basis for the complaint here. Use addi-
16 tional pages, if necessary.)

17 Under penalty of perjury, I certify that the above
18 complaint is true and correct as I verily believe.

19 _____
20 Signature of Complainant

21 SUBSCRIBED AND AFFIRMED to before me this _____
22 day of _____, _____.

23 _____
24 Notary Public in and for the
25 State of _____

26 22. COMPLAINT NOTICE FORM. The following form
27 shall be used for notice of a complaint under these

28 rules:

29 STATE OF IOWA
30 THE SENATE

Page 17

1 COMMITTEE ON ETHICS.....)

2 IOWA STATE SENATE

3

4 On The Complaint Of) NOTICE OF COMPLAINT

5

6)

7

8 And Involving.....)

9

10)

11

12 TO _____,

13 Senator or Lobbyist named above:

14 You are hereby notified that there is now on file
15 with the Secretary of the Senate, State Capitol, Des
16 Moines, Iowa, a complaint which alleges that you have
17 committed a violation of the Senate's Code of Ethics

18 or Senate Rules Governing Lobbyists.
 19 A copy of the complaint and the Senate rules for
 20 processing the same are attached hereto and made a
 21 part of this notice.
 22 You are further notified and requested to file your
 23 written answer to the complaint within ten days of the
 24 date upon which the notice was caused to be delivered
 25 to you, (date) _____, _____. Your
 26 answer is to be filed with the Secretary of the Senate,
 27 State Capitol, Des Moines, Iowa.
 28 Dated this _____ day of _____, _____.
 29 _____
 30 Chair, Senate Ethics Committee,

Page 18

1 _____ or Secretary of the Senate
 2 23. HEARING NOTICE FORM. The following form shall
 3 be used for notice of a hearing under these rules:
 4 STATE OF IOWA
 5 THE SENATE
 6 COMMITTEE ON ETHICS.....)
 7 IOWA STATE SENATE)
 8)
 9 On The Complaint Of) NOTICE OF HEARING
 10)
 11 _____)
 12)
 13 And Involving)
 14)
 15 _____)
 16)
 17 TO _____,
 18 Senator or Lobbyist named above:
 19 You are hereby notified that there is now on file
 20 with the Secretary of the Senate, State Capitol, Des
 21 Moines, Iowa, a complaint which alleges that you have
 22 committed a violation of the Senate’s Code of Ethics
 23 or Senate Rules Governing Lobbyists.
 24 A copy of the complaint and the Senate rules for
 25 processing the same are attached hereto and made a
 26 part of this notice.
 27 You are further notified that, after preliminary
 28 review, the committee has caused a public hearing to
 29 be scheduled on (date) _____,
 30 _____, at (hour) _____ (a.m.) (p.m.),

Page 19

1 in Room ____, State Capitol, Des Moines, Iowa.
 2 At the hearing, you will have the right to appear
 3 in person, be represented by legal counsel at your own

4 expense, present statements and evidence, and examine
5 and cross-examine witnesses. The committee shall not
6 be bound by formal rules of evidence, but shall
7 receive relevant evidence, subject to limitations on
8 repetitiveness. Any evidence taken shall be under
9 oath.

10 The committee may continue the hearing to a future
11 date if necessary for appropriate reasons or purposes.
12 You are further notified that the committee will
13 receive such evidence and take such action as
14 warranted by the evidence.

15 Dated this ____ day of _____, _____.
16 _____
17 Chair, Senate Ethics Committee,
18 or Secretary of the Senate

19 24. PERSONAL FINANCIAL DISCLOSURE FORM. The
20 following form shall be used for disclosure of
21 economic interests under these rules and section
22 68B.35:

23 STATEMENT OF ECONOMIC INTERESTS

24 Name: _____
25 (Last) (First) (Middle Initial)
26 Address: _____
27 (Street Address, Apt.# - P.O. Box)
28 _____
29 (City) (State) (Zip)
30 Phone:(Home) ___-___-____ (Business) ___-___-____

Page 20

1 *****

2 a. Please list each business, occupation, or
3 profession in which you are engaged. In listing the
4 business, occupation, or profession, it is not
5 necessary that your employer or the name of the
6 business be listed, although all businesses,
7 occupations, or professions must be listed, regardless
8 of the amount of income derived or time spent
9 participating in the activity. (Examples of types of
10 businesses, occupations, or professions that may be
11 listed: teacher, lawyer, legislator, real estate
12 agent, insurance adjuster, salesperson...)

- 13 (1) _____
- 14 (2) _____
- 15 (3) _____
- 16 (4) _____
- 17 (5) _____

18 b. Please list the nature of each of the
19 businesses, occupations, or professions which you
20 listed in paragraph "a", above, unless the nature of
21 the business, occupation, or profession is already

22 apparent from the information indicated above. The
 23 descriptions in this paragraph should correspond by
 24 number to the numbers for each of the businesses,
 25 occupations, or professions listed in paragraph "a".
 26 (Examples: If you indicated, for example, that you
 27 were a salesperson in subparagraph (1) of paragraph
 28 "a", you should list in subparagraph (1) of this
 29 paragraph the types of goods or services sold in this
 30 item. If you indicated that you were a teacher in

Page 21

1 subparagraph (2) of paragraph "a", you should indicate
 2 in subparagraph (2) of this paragraph the type of
 3 school or institution in which you provide instruction
 4 or whether the instruction is provided on a private
 5 basis. If you indicated that you were a lawyer in
 6 subparagraph (3) of paragraph "a", you should indicate
 7 your areas of practice and whether you are in private,
 8 corporate, or government practice in subparagraph (3)
 9 of this paragraph. If you indicated in subparagraph
 10 (4) of paragraph "a" that you were a consultant, in
 11 subparagraph (4) of this paragraph you should indicate
 12 the kind of services provided and types of clients
 13 served.)

- 14 (1) _____
- 15 (2) _____
- 16 (3) _____
- 17 (4) _____
- 18 (5) _____

19 c. Please list each source, by general
 20 description, from which you receive, or which
 21 generates, more than one thousand dollars in gross
 22 annual income in the categories listed below. For
 23 purposes of this item, a source produces gross annual
 24 income if the revenue produced by the source is
 25 subject to federal or state income taxes. In
 26 completing this item, it is not necessary to list the
 27 name of the company, business, financial institution,
 28 corporation, partnership, or other entity which
 29 constitutes the source of the income and the amount or
 30 value of the holding should not be listed.

Page 22

1 (1) Securities (Here for example, you need not
 2 state that you own X number of shares of any specific
 3 company by brand or corporate name, or that the stock
 4 is of a certain value, but may instead state that you
 5 possess stock in a company and indicate the nature of
 6 the company's business.):

7 _____
8 _____
9 _____
10 _____
11 _____

12 (2) Instruments of Financial Institutions (You
13 need not indicate, for example, in which institutions
14 you hold certificates of deposit that produce annual
15 income over the one thousand dollar threshold, but
16 simply listing the nature of the institution will
17 suffice, e.g., bank, credit union, or savings and loan
18 association.):

19 _____
20 _____
21 _____
22 _____
23 _____

24 (3) Trusts (The name of the particular trust need
25 not be listed. However, if the income is received
26 from a charitable trust/foundation, such as the Pugh
27 Charitable Trust, in the form of a grant, the fact
28 that the trust is a charitable trust should be noted
29 here.):

30 _____

Page 23

1 _____
2 _____
3 _____
4 _____

5 (4) Real Estate (When listing real estate, it is
6 not necessary to list the location of the property,
7 but the general nature of the real estate interest
8 should be indicated, e.g., residential leasehold
9 interest or farm leasehold interest.):

10 _____
11 _____
12 _____
13 _____
14 _____

15 (5) Retirement Systems (When listing retirement
16 benefits, it is not necessary to list the name of the
17 particular pension system or company, but rather the
18 type of benefit should be listed, e.g., health
19 benefits, life insurance benefits, private pension, or
20 government pension.):

21 _____
22 _____
23 _____
24 _____
25 _____

26 (6) Other Income Categories Specified in State or
27 Federal Income Tax Regulations (List description of
28 other sources of income producing over one thousand
29 dollars in annual income not previously reported
30 above, but which must be reported for income tax

Page 24

1 purposes.):

2 _____
3 _____
4 _____
5 _____
6 _____
7 _____
8 _____

9 (Signature of filer) (Date)

10 ~~25. CO CHAIRPERSONS DUTIES. For purposes of~~
11 ~~the Eighty first General Assembly, all of the~~
12 ~~following shall apply:~~

13 ~~a. A reference in these rules to the chairperson~~
14 ~~of the ethics committee shall be considered to be a~~
15 ~~reference to the co chairpersons of the ethics~~
16 ~~committee and a reference in these rules to the~~
17 ~~chairperson and ranking member of the ethics committee~~
18 ~~shall be considered to be a reference to the co-~~
19 ~~chairpersons of the ethics committee.~~

20 ~~b. The co chairpersons shall jointly perform the~~
21 ~~duties and responsibilities of the committee~~
22 ~~chairperson, including committee administration, staff~~
23 ~~assignments, and scheduling. The co chairpersons~~
24 ~~shall agree upon a procedure for dividing the duties~~
25 ~~of presiding at committee meetings. The powers of the~~
26 ~~committee chairperson shall not be exercised~~
27 ~~individually by a co chairperson without the prior~~
28 ~~agreement of both co chairpersons, except that any co-~~
29 ~~chairperson may individually request a study bill on~~
30 ~~behalf of the committee.~~

SENATE RESOLUTION 7: filed January 25, 2007; adopted by
the Senate on January 29, 2007.

1 SENATE RESOLUTION 7

2 By: Kibbie, Gronstal, and Lundby

3 A resolution to commemorate the twentieth anniversary
4 of the World Food Prize.

5 WHEREAS, Dr. Norman E. Borlaug, winner of the Nobel
6 Peace Prize in 1970 for his work in world agriculture,
7 envisioned a prize that would honor those who have
8 made significant and measurable contributions to
9 improving the world's food supply; and

10 WHEREAS, that dream became a reality in 1986 with
11 the creation of the World Food Prize, now celebrating
12 its twentieth anniversary; and
13 WHEREAS, the prize is the foremost international
14 award for achievements that significantly increase the
15 quality, quantity, or availability of food in the
16 world; and
17 WHEREAS, in two decades the World Food Prize has
18 honored outstanding individuals throughout the world,
19 from Bangladesh, Brazil, China, Cuba, Denmark, India,
20 Mexico, Sierra Leone, Switzerland, the United Kingdom,
21 the United States, and the United Nations; and
22 WHEREAS, in 1990, Des Moines businessman,
23 philanthropist, and visionary John Ruan assumed
24 sponsorship of the prize and established the World
25 Food Prize Foundation to ensure its future, and now
26 his son, John Ruan III, has succeeded his father as
27 chairman of the World Food Prize; and
28 WHEREAS, the World Food Prize Laureate Award
29 Ceremony has in recent years been held in the
30 magnificent nineteenth century Iowa State Capitol in a

Page 2

1 ceremony that rivals that of the Nobel Prize; NOW
2 THEREFORE,
3 BE IT RESOLVED BY THE SENATE, That the Senate
4 celebrates the twentieth anniversary of the World Food
5 Prize and applauds Dr. Norman E. Borlaug for his
6 vision and dedication in making the World Food Prize a
7 reality, as well as John Ruan and John Ruan III for
8 their philanthropy and ongoing efforts in making the
9 prize a truly major world event.

SENATE RESOLUTION 8: filed January 31, 2007; adopted by
the Senate on February 6, 2007.

1 SENATE RESOLUTION 8
2 By: Angelo
3 A resolution to recognize February 6, 2007, as
4 Ronald Reagan Day.
5 WHEREAS, President Ronald Wilson Reagan, a man of
6 humble background, worked throughout his life serving
7 freedom and advancing the public good, having been
8 employed as an entertainer, union leader, corporate
9 spokesman, Governor of California, and President of
10 the United States; and
11 WHEREAS, in the 1930s, Ronald Reagan began his
12 professional life as a sports broadcaster in
13 Davenport, Iowa, and later at Des Moines station WHO,
14 where he provided “play-by-play” commentary for

15 Chicago Cubs baseball games; and
 16 WHEREAS, Ronald Reagan served with honor and
 17 distinction for two terms as the 40th President of the
 18 United States, winning his second term by earning the
 19 confidence of three-fifths of the electorate and
 20 carrying 49 of the 50 states in the general election
 21 —a record unsurpassed in the history of American
 22 presidential elections; and
 23 WHEREAS, in 1981, when Ronald Reagan was
 24 inaugurated President, he inherited a disillusioned
 25 nation shackled by rampant inflation and high
 26 unemployment; and
 27 WHEREAS, during Mr. Reagan’s presidency he worked
 28 in a bipartisan manner to enact his bold agenda of
 29 restoring accountability and common sense to
 30 government which led to an unprecedented economic

Page 2

1 expansion and opportunity for millions of Americans;
 2 and
 3 WHEREAS, Mr. Reagan’s commitment to an active
 4 social policy agenda for the nation’s children helped
 5 lower crime and drug use; and
 6 WHEREAS, President Reagan’s commitment to the armed
 7 forces contributed to the restoration of pride in
 8 America, her values and those cherished by the free
 9 world, and prepared America’s Armed Forces to win the
 10 Gulf War; and
 11 WHEREAS, President Reagan’s vision of “peace
 12 through strength” led to the end of the Cold War and
 13 the ultimate demise of the Soviet Union, guaranteeing
 14 basic human rights for millions of people; and
 15 WHEREAS, February 6, 2007, was the 96th anniversary
 16 of Ronald Reagan’s birth, and the third since his
 17 death; NOW THEREFORE,
 18 BE IT RESOLVED BY THE SENATE, That the Senate
 19 recognizes and observes the anniversary of President
 20 Reagan’s birth and urges all Iowans to take cognizance
 21 of the anniversary and to participate fittingly in its
 22 observance.

SENATE RESOLUTION 9: filed February 1, 2007; adopted by
 the Senate on February 14, 2007.

1 SENATE RESOLUTION 9
 2 By: Ragan and Seymour
 3 A resolution in support of continuation of the state
 4 children’s health insurance program.
 5 WHEREAS, the health of our children is of paramount
 6 importance to families in Iowa; and

7 WHEREAS, poor child health is a threat to the
 8 educational achievement and the social and
 9 psychological well-being of the children of Iowa; and
 10 WHEREAS, protecting the health of our children is
 11 essential to the well-being of our youngest citizens
 12 and the quality of life in Iowa; and
 13 WHEREAS, the hawk-i program is an integral part of
 14 the arrangements for health benefits for the children
 15 of Iowa; and
 16 WHEREAS, the hawk-i program is valuable in
 17 preserving child wellness, preventing and treating
 18 childhood disease, improving health outcomes, and
 19 reducing overall health costs; and
 20 WHEREAS, the federal funding available for the
 21 hawk-i program is indispensable to providing health
 22 benefits for children of low income; NOW THEREFORE,
 23 BE IT RESOLVED BY THE SENATE, That the Senate urges
 24 the members of Iowa's congressional delegation to
 25 ensure that Congress timely reauthorizes the state
 26 children's health insurance program to assure federal
 27 funding for the hawk-i program; and
 28 BE IT FURTHER RESOLVED, That the Senate urges the
 29 governor to use the governor's best efforts to work
 30 with the Iowa congressional delegation to ensure that

Page 2

1 the state children's health insurance program is
 2 reauthorized in a timely manner; and
 3 BE IT FURTHER RESOLVED, That the Senate directs all
 4 state agencies to work together with educators, health
 5 care providers, social workers, and parents to ensure
 6 that all available public and private assistance for
 7 providing health benefits to uninsured children in
 8 Iowa be used to the maximum extent possible; and
 9 BE IT FURTHER RESOLVED, That the Senate urges the
 10 governor to use the governor's best efforts to provide
 11 meaningful assistance to help identify and enroll
 12 children who qualify for the Medicaid or hawk-i
 13 program.

SENATE RESOLUTION 10: filed February 5, 2007; adopted by
 the Senate on February 5, 2007.

1 SENATE RESOLUTION 10
 2 By: Dvorsky and Lundby
 3 A resolution honoring Senator Wally Horn as he begins
 4 his thirty-fifth year of service as a member of
 5 the Iowa General Assembly representing the
 6 Cedar Rapids area.

7 WHEREAS, Senator Wally Horn began legislative
 8 service with his election to the House of
 9 Representatives for the Sixty-fifth General Assembly
 10 which convened in 1973 and begins his thirty-fifth
 11 year as a member of the Iowa General Assembly with the
 12 convening of the Eighty-second General Assembly in
 13 2007; and
 14 WHEREAS, Senator Horn served as a member of the
 15 House of Representatives from 1973 to 1982 and has
 16 served as a member of the Senate since 1983; and
 17 WHEREAS, Senator Horn served as Senate Majority
 18 Leader from 1993 to 1996 and Assistant Senate Majority
 19 Leader from 1990 to 1992 and for many years has been
 20 part of the national leadership of both the Council of
 21 State Governments and the National Conference of State
 22 Legislatures; and
 23 WHEREAS, Senator Horn's interest and leadership in
 24 education is exemplified by his service as a member,
 25 ranking member, vice chairperson, and chairperson of
 26 the various education standing committees and budget
 27 subcommittees during all of his years of legislative
 28 service since his initial election, except while
 29 serving as Majority Leader; and
 30 WHEREAS, Senator Horn is known to his colleagues in

Page 2

1 Iowa and throughout the nation as an influential and
 2 devoted legislator and friend; NOW THEREFORE,
 3 BE IT RESOLVED BY THE SENATE, That the Senate
 4 salutes Senator Wally Horn for his long legislative
 5 service and wishes him and his wife, Phyllis Peterson,
 6 the very best in the years ahead; and
 7 BE IT FURTHER RESOLVED, That an official copy of
 8 this resolution be prepared and presented to Senator
 9 Horn.

SENATE RESOLUTION 11: filed February 5, 2007; adopted by
 the Senate on February 6, 2007.

1 SENATE RESOLUTION 11
 2 By: Gronstal, Warnstadt, and Lundby
 3 A resolution designating February 6, 2007, as Iowa Insurance
 4 Day.
 5 WHEREAS, the Iowa insurance industry, through its
 6 employees and agents, has contributed significantly to
 7 the economic growth and strength of this state and our
 8 nation; and
 9 WHEREAS, Iowans benefit greatly from the financial
 10 protections provided by the Iowa insurance industry
 11 through the provision of mechanisms to insure the

12 health, life, property, and retirement income of
 13 Iowans; and
 14 WHEREAS, 208 insurance companies are headquartered
 15 in Iowa, including 63 property and casualty companies,
 16 25 life insurance companies, eight health insurance
 17 companies, and over 100 state and county mutual
 18 insurance companies; and
 19 WHEREAS, more than 42,000 Iowans work in Iowa's
 20 insurance industry, with the Iowa insurance industry's
 21 employment growth rate increasing 3.5 percent faster
 22 than the employment growth rate in the rest of the
 23 state for the past 18 years; and
 24 WHEREAS, over 30,000 agents and brokers represent
 25 the Iowa insurance industry in every county of the
 26 state; and
 27 WHEREAS, the yearly Iowa insurance industry payroll
 28 for its Iowa employees exceeds \$2 billion, which
 29 accounts for 5.5 percent of the total private sector
 30 payroll in Iowa; and

Page 2

1 WHEREAS, Iowa's insurance industry currently
 2 accounts for 5 percent of the gross state product,
 3 with more than \$5.5 billion in annual economic
 4 activity in Iowa; NOW THEREFORE,
 5 BE IT RESOLVED BY THE SENATE, That the Iowa Senate
 6 designates the day of February 6, 2007, as Iowa
 7 Insurance Day and invites the citizens of Iowa to
 8 discover and honor the important economic
 9 contributions made by the Iowa insurance industry.

SENATE RESOLUTION 14: filed February 13, 2007; adopted by
 the Senate on February 14, 2007.

1 SENATE RESOLUTION 14
 2 By: Quirmbach
 3 A resolution honoring the League of Women Voters on
 4 the 87th anniversary of its founding.
 5 WHEREAS, the League of Women Voters was formed
 6 eighty-seven years ago, on February 14, 1920, to
 7 provide voter education to newly enfranchised women;
 8 and
 9 WHEREAS, the League of Women Voters of Iowa has
 10 continued to educate citizens of this state on their
 11 voting rights; and
 12 WHEREAS, the League of Women Voters of Iowa has
 13 tirelessly promoted the enfranchisement of all
 14 citizens; and
 15 WHEREAS, the League of Women Voters of Iowa has
 16 encouraged active participation of citizens at all

17 levels of government; and
 18 WHEREAS, the League of Women Voters of Iowa with
 19 the aid of Cornell College developed and contributed
 20 to the state the first website for the Iowa General
 21 Assembly; NOW THEREFORE,
 22 BE IT RESOLVED BY THE SENATE, That the Senate
 23 congratulates the League of Women Voters on its
 24 anniversary and thanks the League for its work on
 25 behalf of the citizens of this state.

SENATE RESOLUTION 15: filed February 14, 2007; adopted by
 the Senate on February 15, 2007.

1 SENATE RESOLUTION 15
 2 By: Kibbie, Appel, Beall, Black, Bolcom, Connolly,
 3 Courtney, Danielson, Dearden, Dotzler, Dvorsky,
 4 Fraise, Gronstal, Hancock, Hatch, Heckroth, Horn,
 5 Kreiman, McCoy, Olive, Quirnbach, Ragan, Rielly,
 6 Schmitz, Schoenjahn, Seng, Stewart, and Wood
 7 A resolution opposing the commitment of additional American
 8 troops to the war in Iraq.
 9 WHEREAS, the United States strategy and presence on
 10 the ground in Iraq can only be sustained with the
 11 support of the American people and bipartisan support
 12 from Congress; and
 13 WHEREAS, over 137,000 American military personnel
 14 are currently serving in Iraq, like thousands of
 15 others since March 2003, with the bravery and
 16 professionalism consistent with the finest traditions
 17 of the United States armed forces, and are deserving
 18 of the support of all Americans, which strong support
 19 they have; and
 20 WHEREAS, more than 2,000 United States military
 21 personnel have already lost their lives in Iraq, and
 22 more than 22,500 have been wounded in Iraq; and
 23 WHEREAS, the deployments of American forces, and
 24 those that will follow, will have lasting impacts on
 25 the future recruiting, retention, and readiness of our
 26 nation's all volunteer force; and
 27 WHEREAS, in the National Defense Authorization Act
 28 for Fiscal Year 2006, the Congress stated that
 29 "calendar year 2006 should be a period of significant
 30 transition to full sovereignty, with Iraqi security

Page 2

1 forces taking the lead for the security of a free and
 2 sovereign Iraq"; and
 3 WHEREAS, a failed state in Iraq would present a
 4 threat to regional and world peace, and the long-term
 5 security interests of the United States are best

6 served by an Iraq that can sustain, govern, and defend
7 itself, and serve as an ally in the war against
8 extremists; and
9 WHEREAS, Iraq is experiencing a deteriorating and
10 ever-widening problem of sectarian and intra-sectarian
11 violence based upon political distrust and cultural
12 differences between some Sunni and Shia Muslims; and
13 WHEREAS, Iraqis must reach political settlements in
14 order to achieve reconciliation, and the failure of
15 the Iraqis to reach such settlements to support a
16 truly unified government greatly contributes to the
17 increasing violence in Iraq; and
18 WHEREAS, the responsibility for Iraq's internal
19 security and halting sectarian violence must rest
20 primarily with the Government of Iraq and Iraqi
21 Security Forces; and
22 WHEREAS, on January 10, 2007, President George W.
23 Bush announced his plan to deepen the United States
24 military involvement in Iraq by deploying
25 approximately 21,000 additional United States combat
26 forces to Iraq; and
27 WHEREAS, an open-ended commitment of United States
28 forces in Iraq is unsustainable and a deterrent to the
29 Iraqis making the political compromises and providing
30 the personnel and resources that are needed for

Page 3

1 violence to end and for stability and security to be
2 achieved in Iraq; and
3 WHEREAS, there have been repeated promises by the
4 Government of Iraq to assume a greater share of
5 security responsibilities, disband militias, consider
6 amendments to the Iraq Constitution, enact laws to
7 reconcile sectarian differences, and improve the
8 quality of life for the Iraqi people, but those
9 promises have not been kept; and
10 WHEREAS, a successful strategy in Iraq is dependent
11 upon the Iraqi leaders fulfilling their promises; and
12 WHEREAS, current and former military and foreign
13 policy leaders and members of Congress in a bipartisan
14 manner have expressed opposition to increasing
15 American military presence in Iraq; NOW THEREFORE,
16 BE IT RESOLVED BY THE SENATE, That the Iowa Senate
17 urges that members of the United States Congress and
18 the administration not escalate the United States
19 military force presence in Iraq and instead encourage
20 Iraqi leaders to foster reconciliation and strengthen
21 the unity government to improve that nation's
22 security; and
23 BE IT FURTHER RESOLVED, That a suitable copy of
24 this Resolution shall be sent to George W. Bush,

25 President of the United States, to Iowa's
 26 congressional delegation, and to the members of the
 27 United States Congress.

SENATE RESOLUTION 17: filed February 26, 2007; adopted by
 the Senate on April 23, 2007.

1 SENATE RESOLUTION 17
 2 By: Appel
 3 (COMPANION TO HR 18 BY TYMESON)
 4 A resolution honoring the memory of John Wayne on the
 5 100th anniversary of his birth.
 6 WHEREAS, Marion Robert Morrison was born May 26,
 7 1907, in Winterset, Iowa; and
 8 WHEREAS, while a student at the University of
 9 Southern California, cowboy actor Tom Mix got young
 10 Marion a summer job as a prop man at a film studio,
 11 where he began acting in a few bit parts under the
 12 name "John Wayne"; and
 13 WHEREAS, over the next 50 years John Wayne became a
 14 cinematic legend, starring in 152 movies; and
 15 WHEREAS, more than a movie star, John Wayne
 16 typified the best in American character, a quiet man
 17 of strength, without guile, greed, or bluster; and
 18 WHEREAS, John Wayne can best be summed up in the
 19 words of former President Jimmy Carter, who said: "In
 20 an age of few heroes, he was the genuine article."
 21 and
 22 WHEREAS, in 1979, in recognition of his
 23 "distinguished career as an actor and his service to
 24 the nation", John Wayne was awarded the Congressional
 25 Gold Medal, joining such luminaries as George
 26 Washington, Charles Lindbergh, and Jonas Salk; and
 27 WHEREAS, the legacy of John Wayne remains, through
 28 the good works of the John Wayne Cancer Foundation and
 29 Cancer Institute; and
 30 WHEREAS, the city of Winterset, Iowa, will hold a

Page 2

1 gala centennial May 25 through May 27, 2007; NOW
 2 THEREFORE,
 3 BE IT RESOLVED BY THE SENATE, That the Senate
 4 honors the memory of this great American and
 5 encourages all Iowans to participate in the Winterset
 6 celebrations.

SENATE RESOLUTION 18: filed February 26, 2007; adopted by the Senate on March 2, 2007.

1 SENATE RESOLUTION 18
2 By: Appel and Ward
3 A resolution designating March 2007 as Iowa Women's
4 History Month.
5 WHEREAS, Iowa women of every race, class, and
6 ethnic background have made historic contributions to
7 the growth and strength of our state and nation in
8 countless recorded and unrecorded ways, including
9 through the struggle for women's rights; and
10 WHEREAS, Iowa women have played and continue to
11 play a critical economic, cultural, and social role by
12 constituting a significant portion of the labor force
13 working inside and outside the home despite being
14 underpaid; and
15 WHEREAS, Iowa women were particularly important in
16 the establishment of early charitable, philanthropic,
17 and cultural institutions in our state and nation; and
18 WHEREAS, Iowa women and men amended the
19 Constitution of the State of Iowa to provide that "All
20 men and women are, by nature, free and equal, and have
21 certain inalienable rights . . ."; and
22 WHEREAS, Iowa women have been leaders in the
23 abolitionist movement, the emancipation movement, the
24 industrial labor movement, the civil rights movement,
25 the peace movement, and the women's suffrage movement,
26 which have created a more fair and just society for
27 all people; and
28 WHEREAS, despite these contributions, and those of
29 women throughout the world, the role of women has been
30 consistently overlooked and undervalued in the

Page 2

1 literature, teaching, and study of history; NOW
2 THEREFORE,
3 BE IT RESOLVED BY THE SENATE, That the Senate
4 designates the month of March 2007 as Iowa Women's
5 History Month and invites the citizens of Iowa to
6 continue to uncover the roles women have played
7 throughout history.

SENATE RESOLUTION 21: filed March 19, 2007; adopted by the Senate on April 26, 2007.

1 SENATE RESOLUTION 21
2 By: Bolkcom
3 A resolution urging the United States Congress and the

4 President of the United States to take action on
5 global warming.
6 WHEREAS, the scientific consensus is that
7 increasing emissions of greenhouse gases are causing
8 global temperatures to rise at rates that could cause
9 worldwide economic disruption, environmental damage,
10 and public health crises; and
11 WHEREAS, global warming is largely due to the
12 combustion of fossil fuels that release carbon dioxide
13 and other greenhouse gases that trap heat in the
14 atmosphere; and
15 WHEREAS, the Intergovernmental Panel on Climate
16 Change and the National Academy of Sciences have
17 reported that atmospheric carbon dioxide is at the
18 highest level in more than 500,000 years; and
19 WHEREAS, average global temperatures were the
20 hottest on record 10 of the past 16 years; and
21 WHEREAS, scientists have predicted that
22 temperatures in Iowa could rise significantly by the
23 end of this century, leading to hotter summers,
24 shorter winters, and increased drought and flood
25 events; and
26 WHEREAS, Iowa is one of the top 25 greenhouse gas
27 emitting states; these effects could strain drinking
28 water supplies, destroy wetlands, erode soil, and harm
29 croplands, ecosystems, and habitats, and have many
30 other damaging effects; and

Page 2

1 WHEREAS, leading climatologists have estimated that
2 less than a decade remains before global warming could
3 be irreversible and that governments, businesses, and
4 households must act now to reduce greenhouse gas
5 emissions; and
6 WHEREAS, 165 countries and other entities around
7 the world have signed the Kyoto Protocol in
8 recognition of the urgency in acting to reduce
9 greenhouse gas emissions; and
10 WHEREAS, many business leaders, including large
11 manufacturing and insurance companies worldwide, have
12 recognized the need to reduce greenhouse gas
13 emissions; and
14 WHEREAS, the United States government has failed to
15 sign the Kyoto Protocol or to enact policies to reduce
16 national greenhouse gas emissions; and
17 WHEREAS, this lack of federal leadership leaves the
18 United States, the world's largest emitter of
19 greenhouse gases, without an effective national
20 strategy to address the threat of global climate
21 change, that includes rising sea levels, droughts,
22 flooding, severe weather events, the expansion of

23 diseases and invasive species, and economic
24 dislocation; and
25 WHEREAS, the State of Iowa recognizes that states
26 can play an integral role in adopting policies to
27 address climate change and promote strategies to
28 reduce greenhouse gases while advancing technologies
29 to develop clean, renewable, and homegrown energy
30 resources; and

Page 3

1 WHEREAS, the State of Iowa is a national leader in
2 addressing climate change by reducing greenhouse gas
3 emissions through the production and use of biofuels,
4 purchasing renewable power, encouraging agricultural
5 conservation projects that sequester carbon, and
6 proposing an aggressive energy independence plan that
7 includes strategies to reduce carbon emissions,
8 generate renewable energy, and invest in energy
9 efficiency resources; and

10 WHEREAS, many clean energy and energy efficiency
11 policies that reduce emissions of greenhouse gases can
12 also boost economic development, create jobs,
13 stabilize energy prices, improve air quality, and
14 reduce traffic congestion, among other benefits; NOW
15 THEREFORE,

16 BE IT RESOLVED BY THE SENATE, That the Senate urges
17 that members of Congress and President George W. Bush
18 take immediate action to combat global warming by
19 developing a full range of policies and strategies
20 regarding climate change, and developing proposals to
21 reduce nationwide greenhouse gas emissions; and
22 BE IT FURTHER RESOLVED, That a suitable copy of
23 this Resolution shall be sent to President George W.
24 Bush, to the Congressional delegation of Iowa, and to
25 the United States Congress.

SENATE RESOLUTION 22: filed March 19, 2007; adopted by
the Senate on April 24, 2007.

1 SENATE RESOLUTION 22
2 By: Hahn
3 A resolution commemorating the sesquicentennial of the
4 Constitution of the State of Iowa.
5 WHEREAS, in 1857 a convention was held to draft
6 Iowa's third constitution, which is the cornerstone of
7 Iowa law to this day; and
8 WHEREAS, the new constitution was drafted over 39
9 days in February and March 1857, was narrowly approved
10 at a referendum in August, and went into effect by
11 proclamation of the Governor on September 3, 1857; and

12 WHEREAS, the Constitution sets out a “Bill of
13 Rights” clearly modeled after the first 10 amendments
14 to the United States Constitution and contains an
15 explicit separation of powers into legislative,
16 executive, and judicial branches; and
17 WHEREAS, since that time, Iowa’s Constitution has
18 been amended 46 times but the basic document still
19 remains; it is now one of the older state
20 constitutions in the United States still in force; NOW
21 THEREFORE,
22 BE IT RESOLVED BY THE SENATE, That the Senate notes
23 with pride the sesquicentennial of the Constitution of
24 the State of Iowa, the bedrock upon which Iowa
25 government and law rests.

SENATE RESOLUTION 23: filed March 20, 2007; adopted by
the Senate on April 19, 2007.

1 SENATE RESOLUTION 23
2 By: Warnstadt
3 A resolution declaring May 2007 Amyotrophic Lateral
4 Sclerosis (ALS) Awareness Month.
5 WHEREAS, amyotrophic lateral sclerosis, or ALS, is
6 better known as Lou Gehrig’s disease; and
7 WHEREAS, ALS is a fatal neurodegenerative disease
8 characterized by degeneration of cell bodies of the
9 lower motor neurons in the gray matter of the anterior
10 horns of the spinal cord; and
11 WHEREAS, the initial symptom of ALS is weakness of
12 the skeletal muscles, especially those of the
13 extremities; and
14 WHEREAS, as ALS progresses, the patient experiences
15 difficulty in swallowing, talking, and breathing; and
16 WHEREAS, ALS eventually causes muscles to atrophy
17 and the patient becomes a functional quadriplegic; and
18 WHEREAS, ALS does not affect a patient’s mental
19 capacity, so that the patient remains alert and aware
20 of his or her loss of motor functions and the
21 inevitable outcome of continued deterioration and
22 death; and
23 WHEREAS, on average, patients diagnosed with ALS
24 only survive two to five years from the time of
25 diagnosis; and
26 WHEREAS, research indicates that military veterans
27 are at a 50 percent greater risk of developing ALS
28 than those who have not served in the military; and
29 WHEREAS, ALS has no known cause, means of
30 prevention, or cure; and

Page 2

1 WHEREAS, Amyotrophic Lateral Sclerosis Awareness
2 Month increases the public's awareness of ALS
3 patients' circumstances and acknowledges the terrible
4 impact this disease has not only on the patient but on
5 the patient's family and the community and recognizes
6 the research being done to eradicate this horrible
7 disease; NOW THEREFORE,
8 BE IT RESOLVED BY THE SENATE, That the Senate
9 proclaims May 2007 as Amyotrophic Lateral Sclerosis
10 Awareness Month in Iowa.

SENATE RESOLUTION 24: filed March 20, 2007; adopted by
the Senate on March 27, 2007.

1 SENATE RESOLUTION 24
2 By: Rielly, Angelo, Appel, Beall, Behn, Black,
3 Boettger, Bolkcom, Connolly, Courtney, Danielson,
4 Dearden, Dotzler, Dvorsky, Fraise, Gaskill,
5 Gronstal, Hahn, Hancock, Hartsuch, Hatch,
6 Heckroth, Hogg, Horn, Houser, Johnson, Kettering,
7 Kibbie, Kreiman, Lundby, McCoy, McKibben,
8 McKinley, Mulder, Noble, Olive, Putney, Quirmbach,
9 Ragan, Schmitz, Schoenjahn, Seng, Seymour,
10 Stewart, Ward, Warnstadt, Wieck, Wood, Zaun,
11 and Zieman
12 A resolution honoring Iowan Eugene Ely, a pioneer in
13 Naval aviation.
14 WHEREAS, Eugene Ely was a pioneer of Naval aviation
15 in the early twentieth century; and
16 WHEREAS, Mr. Ely was born in Iowa County, Iowa, on
17 October 21, 1886, and moved to Davenport, Iowa, at
18 nine years of age; and
19 WHEREAS, on November 14, 1910, he was the first
20 aviator to successfully launch from a Navy ship, the
21 U.S.S. Birmingham, at Hampton Roads, Virginia; and
22 WHEREAS, on January 18, 1911, Mr. Ely was the first
23 aviator to successfully land on a Navy ship, the
24 U.S.S. Pennsylvania, near San Francisco Bay, off the
25 coast of California; and
26 WHEREAS, Eugene Ely was killed during an expedition
27 flight in Macon, Georgia, at the age of 25 on October
28 19, 1911, and is buried one-half mile from his
29 birthplace in Iowa County; and
30 WHEREAS, on February 16, 1933, President Herbert

Page 2

1 Hoover posthumously presented him with the
2 Distinguished Flying Cross in honor of his feats; and

3 WHEREAS, the United States Post Office issued a
 4 commemorative plaque to the city of Williamsburg,
 5 Iowa, which was prepared by the Naval Air Station of
 6 Norfolk, VA; and
 7 WHEREAS, the 100th Anniversary of his first launch
 8 and his first landing will be November 14, 2010, and
 9 January 18, 2011, respectively; and
 10 WHEREAS, Eugene Ely is worthy of having the next
 11 aircraft carrier named after him by naming the
 12 aircraft carrier "Eugene Ely" and a commemorative
 13 stamp should be issued by the United States Postal
 14 Service; NOW THEREFORE,
 15 BE IT RESOLVED BY THE SENATE, That the Senate urges
 16 the United States Department of Defense to name the
 17 next aircraft carrier the "Eugene Ely" and requests
 18 the United States Postal Service to issue a
 19 commemorative stamp in honor of Mr. Ely; and
 20 BE IT FURTHER RESOLVED, That the Secretary of the
 21 Senate is directed to deliver a suitable copy of this
 22 Resolution to the United States Secretary of Defense
 23 and the Postmaster General of the United States.

SENATE RESOLUTION 25: filed March 20, 2007; adopted by
 the Senate on April 26, 2007.

1 SENATE RESOLUTION 25
 2 By: Ragan and Seymour
 3 A resolution to declare November 2007 Iowa Diabetes
 4 Awareness Month.
 5 WHEREAS, the cause of diabetes continues to be a
 6 mystery, although both genetics and environmental
 7 factors such as obesity and lack of exercise appear to
 8 play roles; and
 9 WHEREAS, more than 20.8 million children and adults
 10 in the United States, or 7 percent of the population,
 11 have diabetes; and
 12 WHEREAS, there are 54 million people in the United
 13 States who have prediabetes; and
 14 WHEREAS, prediabetes is a serious medial condition
 15 that can be treated by making changes in diet and
 16 exercise; and
 17 WHEREAS, medical research is enhancing treatment
 18 options for persons with diabetes which positively
 19 impact quality of life and potentially prevent more
 20 serious health complications; and
 21 WHEREAS, diabetes is increasing among Iowans —
 22 from 4.7 percent in 1990 to 6.7 percent in 2004; NOW
 23 THEREFORE,
 24 BE IT RESOLVED BY THE SENATE, That the Senate
 25 declares November 2007 Iowa Diabetes Awareness Month
 26 and encourages all Iowans to take this opportunity to

27 increase their understanding of diabetes and their
28 knowledge of ways to prevent and treat this disease.

SENATE RESOLUTION 26: filed March 21, 2007; adopted by
the Senate on April 24, 2007.

1 SENATE RESOLUTION 26

2 By: Ragan

3 A resolution commemorating the life and service of
4 Command Sergeant Major Galen Kittleson of Toeterville,
5 Iowa.

6 WHEREAS, Iowa and the nation lost a remarkable man
7 on May 4, 2006, with the passing of Command Sergeant
8 Major Galen Kittleson; and

9 WHEREAS, Command Sergeant Major Kittleson is
10 remembered as a warrior, a liberator, and a patriot;
11 and

12 WHEREAS, Command Sergeant Major Kittleson's
13 military service spanned four decades and active
14 participation in World War II, Korea, and Vietnam; and

15 WHEREAS, Command Sergeant Major Kittleson was the
16 only person to serve as an Alamo Scout in World War II
17 and later as a Green Beret; and

18 WHEREAS, Command Sergeant Major Kittleson received
19 three Silver Stars, three Bronze Stars, and the Purple
20 Heart; and

21 WHEREAS, Command Sergeant Major Kittleson helped
22 free 511 prisoners who were on the Bataan Death March
23 in the Philippines during World War II; and

24 WHEREAS, Command Sergeant Major Kittleson formed
25 the Boy Scout troop the Alamo Scouts of St. Ansgar,
26 Iowa, in 1982, naming the unit after the group that
27 was the forerunner to the U.S. Army Special Forces;
28 and

29 WHEREAS, unlike the old barracks ballad where "old
30 soldiers never die, they just fade away", the life,

Page 2

1 exploits, and service of Command Sergeant Major
2 Kittleson will be remembered for generations to come;
3 and

4 WHEREAS, the life of Command Sergeant Major
5 Kittleson can be summed up in the words of his son who
6 said: "A poor farmer's son from Iowa, Kittleson
7 traveled far from his roots, finding courage and
8 faith. And in doing so he earned the love of his
9 family and the respect and gratitude of a nation.";

10 and

11 WHEREAS, Command Sergeant Major Kittleson was the
12 subject of Charles W. Sasser's book, "Raider"; NOW

13 THEREFORE,

14 BE IT RESOLVED BY THE SENATE, That the Senate notes
 15 with sorrow the passing of Command Sergeant Major
 16 Galen Kittleson and honors his decades of dedicated
 17 service to his community, his country, and his family.

SENATE RESOLUTION 27: filed March 27, 2007; adopted by
 the Senate on April 24, 2007.

1 SENATE RESOLUTION 27

2 By: Hahn
 3 A resolution honoring the city of Lowden on its
 4 sesquicentennial.
 5 WHEREAS, the city of Lowden is a community of
 6 approximately 800 friendly people, located in Cedar
 7 County on the famous Lincoln Highway; and
 8 WHEREAS, in 1839 pioneers began to settle the
 9 valley of rolling hills and fertile soil that would
 10 become Lowden; and
 11 WHEREAS, in 1857 the Iowa Land Company surveyed and
 12 platted the town on 12 acres, the railroad track to
 13 Lowden was completed in 1858, and the town was
 14 formally incorporated in 1869; and
 15 WHEREAS, Lowden became the terminal point and main
 16 station for the railroad between Clinton and Cedar
 17 Rapids; and
 18 WHEREAS, today Lowden remains a vibrant and
 19 progressive community with its own elementary school,
 20 more than 50 businesses, and several active civic
 21 organizations, offering an atmosphere of rural living
 22 in a clean and safe community; and
 23 WHEREAS, the city of Lowden is celebrating its
 24 150th anniversary with a sesquicentennial celebration
 25 on August 3 through 5, 2007; NOW THEREFORE,
 26 BE IT RESOLVED BY THE SENATE, That the Senate
 27 recognizes and extends its congratulations to the city
 28 of Lowden on the city's sesquicentennial and invites
 29 all Iowans to make a visit to Lowden part of their
 30 summer vacation plans.

SENATE RESOLUTION 28: filed March 27, 2007; adopted by
 the Senate on March 28, 2007.

1 SENATE RESOLUTION 28

2 By: Gronstal and Lundby
 3 A resolution to thank the men and women who worked so
 4 long and so hard to restore electricity to Iowans
 5 throughout the state.
 6 WHEREAS, between February 24 and March 2, 2007, one
 7 of the worst winter storms in recent memory came to

8 Iowa with a vengeance; a sudden ice storm left over
9 260,000 Iowans without power, followed by a blizzard
10 bringing 18 inches of snow in some areas and howling
11 winds that piled drifts four to six feet deep; and
12 WHEREAS, the wind and ice combined to seriously
13 damage Iowa's electrical grid; and
14 WHEREAS, the toll was staggering: 250 miles of
15 transmission lines down or damaged, 1,000 distribution
16 lines damaged, and thousands of utility poles and
17 structures destroyed; and
18 WHEREAS, against this looming disaster the men and
19 women of Iowa's investor-owned utility companies,
20 rural electric cooperatives, and municipal utility
21 providers and those of other states came forward by
22 the thousands, along with members of the Iowa National
23 Guard, the Homeland Security and Emergency Management
24 Division of the Department of Public Defense, and the
25 American Red Cross; and
26 WHEREAS, working around-the-clock in daunting
27 weather conditions, where white-outs, ice, high winds,
28 and closed roads hampered every effort, these
29 dedicated crews had largely restored service by early
30 March and averted a crisis; NOW THEREFORE,

Page 2

1 BE IT RESOLVED BY THE SENATE, That the Senate, with
2 great respect, conveys its thanks to those men and
3 women from Iowa, the Midwest, and other states who
4 came forward and took charge in a time of crisis, and
5 through their tireless efforts brought light, heat,
6 and comfort back to hundreds of thousands of Iowans.

SENATE RESOLUTION 29: filed April 3, 2007; adopted by the
Senate on April 19, 2007.

1 SENATE RESOLUTION 29
2 By: Ragan, Gaskill, Connolly, and Beall
3 A resolution declaring the trombone Iowa's premier
4 musical instrument.
5 WHEREAS, the trombone is certainly the most
6 recognizable of the brass instruments, being the only
7 one with a true slide section, having been in
8 existence for over five centuries, and remaining
9 relatively unchanged; and
10 WHEREAS, the trombone holds a unique place in
11 Iowa's musical heritage; and
12 WHEREAS, four of Iowa's favorite sons, Meredith
13 Willson, Glenn Miller, Karl L. King, and Jack Jenney,
14 have made the trombone a centerpiece of their careers;
15 and

16 WHEREAS, the trombone was made famous by Mason City
 17 native Meredith Willson in that rousing song “76
 18 Trombones,” which was part of his Broadway hit and
 19 Hollywood movie “The Music Man”; and
 20 WHEREAS, Clarinda native Glenn Miller made dynamic
 21 use of the trombone in his big band hits “In the
 22 Mood,” “Moonlight Serenade,” “Chattanooga Choo Choo,”
 23 “Pennsylvania 6-5000,” and “A String of Pearls”; and
 24 WHEREAS, the “March King,” Karl L. King from Fort
 25 Dodge, was a band director and composer of brass band
 26 marches and songs, and one of his popular compositions
 27 is “Mournful Maggie” featuring the trombone smear; and
 28 WHEREAS, Dubuque’s own Jack Jenney, a contemporary
 29 of Tommy Dorsey, was one of the most highly rated jazz
 30 musicians in the country, and is considered by jazz

Page 2

1 scholars as the “father” of the modern jazz trombone;
 2 and
 3 WHEREAS, the trombone is a mainstay of every
 4 marching band and jazz band in Iowa and in the nation;
 5 NOW THEREFORE,
 6 BE IT RESOLVED BY THE SENATE, That the Senate,
 7 honoring the lives and music of those great Iowans,
 8 Meredith Willson, Glenn Miller, Karl L. King, and Jack
 9 Jenney, declares the trombone Iowa’s premier musical
 10 instrument.

SENATE RESOLUTION 30: filed April 4, 2007; adopted by the
 Senate on April 23, 2007.

1 SENATE RESOLUTION 30
 2 By: Dvorsky and Bolkcom
 3 A resolution honoring Willard L. Boyd, President
 4 Emeritus of the University of Iowa, on the occasion
 5 of his 80th birthday.
 6 WHEREAS, Willard L. “Sandy” Boyd began his higher
 7 education with a Bachelor of Science in Law degree
 8 from the University of Minnesota in 1949, followed by
 9 a Bachelor of Laws degree in 1951, a Master of Laws
 10 degree in 1952, and culminating in a Doctor of
 11 Juridical Science degree in 1962; and
 12 WHEREAS, since 1954 Mr. Boyd has served the
 13 University of Iowa and the people of Iowa in
 14 innumerable ways; and
 15 WHEREAS, Willard Boyd has been a member of the
 16 faculty at the University of Iowa since 1954 and is
 17 currently the Rawlings-Miller Professor of Law; and
 18 WHEREAS, in over a half century of service, Willard
 19 Boyd has been a Chester A. Phillips Research Fellow at

20 the University of Iowa Tippie College of Business;
 21 President and President Emeritus of the Field Museum
 22 of Natural History; and President, President Emeritus,
 23 Vice President of Academic Affairs, Dean of the
 24 Faculties, Associate Dean, and Professor of Law at the
 25 University of Iowa College of Law; and
 26 WHEREAS, at the same time, Mr. Boyd found time to
 27 take part in literally hundreds of social, charitable,
 28 and cultural activities which have helped and enriched
 29 the lives of millions of Americans; and
 30 WHEREAS, Willard Boyd's presence on the University

Page 2

1 of Iowa campus is enshrined in the Boyd Law Building
 2 where he has taught since his return to Iowa from the
 3 Field Museum, and in the Boyd Tower of the University
 4 of Iowa Hospitals and Clinics; and
 5 WHEREAS, Willard Boyd was one of the first winners
 6 of the Charles Frankel Prize awarded in 1989 by the
 7 National Endowment for the Humanities, honoring five
 8 Americans for their efforts to bring history,
 9 literature, philosophy, and other humanities
 10 disciplines to general audiences; and
 11 WHEREAS, in eight decades Mr. Boyd has provided an
 12 example of public service and dedication that cannot
 13 be equaled, and he continues that service and
 14 dedication to this day; NOW THEREFORE,
 15 BE IT RESOLVED BY THE SENATE, That the Senate, on
 16 the occasion of his 80th birthday, honors Willard L.
 17 Boyd for a lifetime of service and achievement, and
 18 looks forward to his continued service in the years to
 19 come; and
 20 BE IT FURTHER RESOLVED, That, upon adoption, an
 21 official copy of this Resolution be prepared for
 22 presentation to President Emeritus Boyd.

SENATE RESOLUTION 31: filed April 4, 2007; adopted by the
 Senate on April 26, 2007.

1 SENATE RESOLUTION 31
 2 By: Bolkcom
 3 A resolution requesting the establishment of an
 4 interim study committee by the legislative
 5 council to conduct an examination of energy
 6 efficiency programs under the purview of the
 7 Iowa utilities board.
 8 WHEREAS, achieving and continually improving upon
 9 energy efficiency in terms of the development and
 10 refinement of renewable sources of energy and the
 11 adoption and utilization of energy conservation

12 practices is an increasingly important priority for
13 the citizens of this state; and
14 WHEREAS, decreasing reliance on foreign sources of
15 energy will enhance the well-being of the citizens of
16 this state and stimulate the state's economy; and
17 WHEREAS, programs devoted to energy efficiency and
18 alternative sources of energy production can reduce
19 the state's dependence on foreign sources of energy,
20 provide valuable public education regarding
21 energy-efficient practices, and enhance the ability of
22 lower income citizens to cope with rising energy
23 costs; and
24 WHEREAS, the Iowa utilities board requires gas and
25 electric public utilities to offer energy efficiency
26 programs to their customers through energy efficiency
27 plans, and administers statutory provisions relating
28 to energy production and regulation; NOW THEREFORE,
29 BE IT RESOLVED BY THE SENATE, That the legislative
30 council is requested to establish an interim study

Page 2

1 committee to examine energy efficiency programs under
2 the purview of the Iowa utilities board and develop
3 recommendations on how to improve and increase the
4 effectiveness of such programs. The recommendations
5 developed shall be based upon testimony from the
6 board, rate and nonrate-regulated gas and electric
7 utilities, the consumer advocate, state agencies
8 involved with energy efficiency program
9 administration, and environmental groups and
10 associations, and consumer input. The committee shall
11 be composed of 10 members, representing both political
12 parties and both houses of the general assembly. Five
13 members shall be members of the senate, three of whom
14 shall be appointed by the majority leader of the
15 senate and two of whom shall be appointed by the
16 minority leader of the senate. The other five members
17 shall be members of the house of representatives,
18 appointed by the speaker of the house, three of whom
19 shall be of the majority party and two of whom shall
20 be of the minority party; and
21 BE IT FURTHER RESOLVED, That the committee shall be
22 staffed by the legislative services agency, with
23 assistance from the Iowa utilities board, the
24 department of natural resources, and the department of
25 economic development; and
26 BE IT FURTHER RESOLVED, That the interim study
27 committee shall issue a report of recommendations to
28 the general assembly by December 15, 2007.

SENATE RESOLUTION 32: filed April 9, 2007; adopted by the Senate on April 11, 2007.

1 SENATE RESOLUTION 32
2 By: Quirmbach
3 A resolution recognizing the federal Morrill
4 Act and celebrating the renovation of Morrill
5 Hall at Iowa State University.
6 WHEREAS, the federal Morrill Act, sponsored by
7 United States Senator Justin Morrill of Vermont and
8 signed by President Abraham Lincoln in 1862, was the
9 most important federal legislative act for higher
10 education of the 19th century, giving states like Iowa
11 the means to provide affordable higher education
12 opportunities to every citizen; and
13 WHEREAS, Senator Morrill stated that “[t]he
14 land-grant colleges were founded on the idea that a
15 higher and broader education should be placed in every
16 State within the reach of those whose destiny assigns
17 them to, or who may have the courage to choose ...
18 locations where the wealth of nations is produced,
19 where advanced civilization unfolds its comforts, and
20 where a much larger number of the people need wider
21 educational advantages, and impatiently await their
22 possession”; and
23 WHEREAS, in 1862, the great State of Iowa became
24 the first state to accept the terms of the Morrill
25 Act; and
26 WHEREAS, the Iowa State College of Agriculture and
27 Mechanic Arts founded in 1858 and now the Iowa State
28 University of Science and Technology became, in 1864,
29 the first institution in the United States designated
30 as a land-grant institution; and

Page 2

1 WHEREAS, 215 institutions are now members of the
2 National Association of State Universities and
3 Land-Grant Colleges, educating nearly 3 million
4 students located in all 50 states; and
5 WHEREAS, Morrill Hall at Iowa State University,
6 since its construction in 1891, has stood as a proud
7 symbol honoring Senator Morrill and honoring Iowa’s
8 commitment to public higher education; and
9 WHEREAS, more than 2,700 private donors contributed
10 more than \$7.4 million and Iowa’s taxpayers
11 contributed almost \$2.8 million of the \$10.2 million
12 cost to renovate Morrill Hall; and
13 WHEREAS, Morrill Hall, after a two-year renovation,
14 will now continue its service in fulfilling Iowa State
15 University’s land-grant mission of teaching, research,

16 and outreach by housing the Center for Excellence in
 17 Learning and Teaching, the Center for Textiles and
 18 Clothing, three modern classrooms, and the
 19 world-renowned Christian Petersen Art Collection; and
 20 WHEREAS, the rededication of Morrill Hall begins a
 21 yearlong celebration of Iowa State University's
 22 sesquicentennial; NOW THEREFORE,
 23 BE IT RESOLVED BY THE SENATE, That the Senate
 24 recognizes and honors the achievements of the federal
 25 Morrill Act in making higher education available to
 26 millions of Americans over the past century and a
 27 half; and
 28 BE IT FURTHER RESOLVED, That the Senate applauds
 29 the completion of the renovation of Morrill Hall as an
 30 important symbol of the commitment of the State of

Page 3

1 Iowa to the ideals of the land-grant colleges and
 2 universities; and
 3 BE IT FURTHER RESOLVED, That the Senate thanks the
 4 taxpayers of Iowa and the more than 2,700 private
 5 donors who have given of their own resources to
 6 renovate Morrill Hall and return it to the people of
 7 Iowa as an important education facility.

SENATE RESOLUTION 33: filed April 9, 2007; adopted by the
 Senate on April 12, 2007.

1 SENATE RESOLUTION 33
 2 By: Mulder
 3 A resolution honoring the Pioneer United Methodist
 4 Church of Rock Valley, Iowa, on the occasion of
 5 its quasiquicentennial year.
 6 WHEREAS, Pioneer United Methodist Church, the first
 7 Protestant church in Rock Valley, Iowa, began
 8 celebrating its quasiquicentennial in 2006 and
 9 continues those activities in 2007; and
 10 WHEREAS, the first religious services held in Rock
 11 Township were led by a Methodist minister in 1879; and
 12 WHEREAS, the first Methodist services in Rock
 13 Valley were held in a local schoolhouse, where the
 14 congregation presented Rock Valley with its first
 15 Christmas tree; and
 16 WHEREAS, in 1880 a Methodist Class was organized in
 17 Rock Valley, part of a four-point circuit consisting
 18 of Pattersonville (now Hull), Boyden, Rock Valley, and
 19 a rural charge; and
 20 WHEREAS, the church was officially organized in
 21 1882 and was initially named the Pioneer Methodist
 22 Episcopal Church of Rock Valley; and

23 WHEREAS, the first church building was ready for
 24 use in 1882, with \$50 of the cost coming from a
 25 donation from the Vice President of the United States
 26 William A. Wheeler; and
 27 WHEREAS, construction on the current church edifice
 28 began in 1964, with the first service held on January
 29 31, 1965, and a fellowship hall was added in 1988; and
 30 WHEREAS, in 1968 the church was officially renamed

Page 2

1 the Pioneer United Methodist Church; and
 2 WHEREAS, over these many years the Pioneer United
 3 Methodist Church has kept the spiritual life of its
 4 members alive through regular Sunday worship services,
 5 church school classes, choirs, organizations, and
 6 activities; and
 7 WHEREAS, the church has long been known for its
 8 strong support of home and foreign mission projects —
 9 providing the impetus for the Heartland Center for
 10 Restorative Justice, providing relief for the victims
 11 of Hurricane Katrina, participating in the Heifer
 12 Project International, and participating in the Red
 13 Bird Missionary Conference; NOW THEREFORE,
 14 BE IT RESOLVED BY THE SENATE, That the Senate
 15 congratulates the Pioneer United Methodist Church of
 16 Rock Valley, Iowa, for its 125 years of devotion to
 17 God and service to mankind.

SENATE RESOLUTION 34: filed April 9, 2007; adopted by the
 Senate on April 28, 2007.

1 SENATE RESOLUTION 34
 2 By: McCoy
 3 A resolution honoring the centennial of United
 4 Parcel Service of America, Inc., and
 5 recognizing the contributions of the company
 6 to the citizens of Iowa.
 7 WHEREAS, on August 28, 2007, United Parcel Service
 8 of America, Inc., known to generations of Iowans
 9 simply as “UPS,” will celebrate its 100th anniversary;
 10 and
 11 WHEREAS, UPS has served Iowa since 1965 and today
 12 employs over 3,200 persons and operates 22 facilities
 13 across the state; and
 14 WHEREAS, each day, over 13,000 citizens of Iowa
 15 utilize the express delivery and specialized
 16 transportation and logistics services that UPS
 17 provides; and
 18 WHEREAS, UPS delivers more than 140,000 packages
 19 every day to customers across this great state,

20 connecting people, communities, and businesses; and
21 WHEREAS, the services UPS provides connect the
22 people of Iowa to more than 200 countries through its
23 expansive transportation network that truly
24 synchronizes global commerce; and
25 WHEREAS, UPS has contributed more than \$925,000 to
26 philanthropic endeavors in the State of Iowa since
27 1995, reflecting the company's emphasis on community
28 service and citizenship; and
29 WHEREAS, UPS operations will continue to both
30 provide a substantial economic impact on the people of

Page 2

1 Iowa and focus on cultivating strong partnerships with
2 the communities it serves; NOW THEREFORE,
3 BE IT RESOLVED BY THE SENATE, That the Senate
4 honors the centennial of United Parcel Service of
5 America, Inc., and recognizes the contributions of the
6 company to the citizens of Iowa; and
7 BE IT FURTHER RESOLVED, That the Secretary of the
8 Senate is directed to transmit an appropriate copy of
9 this resolution to United Parcel Service of America,
10 Inc.

SENATE RESOLUTION 35: filed April 10, 2007; adopted by the
Senate on April 16, 2007.

1 SENATE RESOLUTION 35
2 By: Johnson, Dvorsky, and Hahn
3 A resolution recognizing the Uncommon Public Service
4 Award.
5 WHEREAS, Herbert Hoover once said: "...[T]he
6 future of America rests not in mediocrity, but in the
7 constant renewal of leadership in every phase of our
8 national life."; and
9 WHEREAS, in that spirit the Herbert Hoover
10 Presidential Library Association has created the
11 Uncommon Public Service Award; and
12 WHEREAS, the association will annually present the
13 Uncommon Public Service Award to Iowa legislators who
14 exemplify Hoover's humanitarian efforts and have gone
15 above and beyond the call of duty to demonstrate
16 uncommon service and commitment to the people of Iowa;
17 and
18 WHEREAS, recipients of the award will become
19 honorary members of the Herbert Hoover Presidential
20 Library Association for one year and one thousand
21 dollars will be donated in their name to the
22 charitable organization of their choice; and
23 WHEREAS, a plaque for each recipient will be hung

24 on the “Wall of Uncommon Iowans” which will be on
25 permanent display in the Herbert Hoover Presidential
26 Library Museum; NOW THEREFORE,
27 BE IT RESOLVED BY THE SENATE, That the Senate
28 recognizes the Herbert Hoover Presidential Library
29 Association and thanks its members for the creation of
30 the Uncommon Public Service Award.

SENATE RESOLUTION 36: filed April 11, 2007; adopted by the
Senate on April 16, 2007.

1 SENATE RESOLUTION 36
2 By: Ragan and Seymour
3 A resolution honoring the activities and commitment of
4 the Patriot Guard Riders.
5 WHEREAS, the Patriot Guard Riders are a diverse
6 organization of motorcycle riders and enthusiasts from
7 across the nation united by an unwavering respect for
8 members of the armed forces who risk their lives for
9 the freedom and security of this nation; and
10 WHEREAS, the primary mission of the Patriot Guard
11 Riders is to attend funeral services of members of the
12 armed forces as invited guests of the members’
13 families both as a show of respect and to shield the
14 mourning family and their friends from interruptions
15 created by any protestor or group of protestors; and
16 WHEREAS, the shielding of family and friends from
17 protestors is accomplished through strictly legal and
18 nonviolent means; and
19 WHEREAS, the Patriot Guard Riders also attend
20 funeral services for law enforcement personnel and
21 fire fighters to pay tribute to their contribution and
22 sacrifice; and
23 WHEREAS, the additional activities of the Patriot
24 Guard Riders include attending or conducting welcome
25 home and send-off ceremonies for both individual
26 soldiers and reserve or national guard units, and
27 distribution of Patriot Guard Rider flags to armed
28 forces units as a show of support and to increase
29 morale; and
30 WHEREAS, Patriot Guard Riders are also active in

Page 2

1 visiting and supporting wounded soldiers and
2 remembering and honoring elderly veterans; NOW
3 THEREFORE,
4 BE IT RESOLVED BY THE SENATE, That the respect and
5 patriotism exhibited by the Patriot Guard Riders in
6 honoring killed or wounded armed forces, law
7 enforcement, and fire protection personnel, and in

10 WHEREAS, the ideal of civic responsibility remains
 11 strong in Hudson, with more than 10 service
 12 organizations working to maintain and improve the
 13 quality of life, to ensure a bright future for the
 14 entire community, and to provide citizens with
 15 opportunities offered by a diverse ecumenical
 16 community; and

17 WHEREAS, the city of Hudson is commemorating its
 18 150th anniversary with celebrations scheduled from
 19 July 19 through July 22, 2007; NOW THEREFORE,

20 BE IT RESOLVED BY THE SENATE, That the Senate
 21 recognizes and extends its congratulations to the city
 22 of Hudson on its sesquicentennial and invites all
 23 Iowans to make a visit to the Hudson celebrations as
 24 part of their summer plans.

SENATE RESOLUTION 38: filed April 12, 2007; adopted by the
 Senate on April 12, 2007.

1 SENATE RESOLUTION 38

2 By: Committee on Rules and Administration

3 A resolution deferring action on the

4 confirmation of appointments submitted by the
 5 Governor.

6 BE IT RESOLVED BY THE SENATE, That the Senate
 7 defers consideration of the following appointments
 8 submitted by the Governor under the provisions of
 9 section 2.32, subsection 3:

10 Commissioner of Public Safety	Eugene Meyer
11 Iowa State Civil Rights Commission	Rich Eychaner
12 Environmental Protection Commission	Dale Cochran

SENATE RESOLUTION 39: filed April 16, 2007; adopted by the
 Senate on April 23, 2007.

1 SENATE RESOLUTION 39

2 By: Hartsuch

3 A resolution to declare the third week of October,
 4 2007, Disability History Week in Iowa.

5 WHEREAS, on July 26, 2006, Americans celebrated the
 6 16th anniversary of the Americans with Disabilities
 7 Act (ADA); and

8 WHEREAS, since the ADA was enacted into law in
 9 1990, many changes have been made, creating a more
 10 accessible environment for America's approximately
 11 51.2 million people with disabilities; and

12 WHEREAS, there are almost 400,000 persons with
 13 disabilities living in Iowa, according to the 2000
 14 United States Census; and

15 WHEREAS, this number qualifies persons with

16 disabilities as Iowa's largest minority group; and
 17 WHEREAS, Americans with disabilities face a 44
 18 percent unemployment rate; and
 19 WHEREAS, public attitudes continue to stigmatize
 20 people with disabilities as being less capable than
 21 those without disabilities; and
 22 WHEREAS, many people with disabilities feel that
 23 stigma and therefore are not comfortable talking about
 24 their disability; and
 25 WHEREAS, attitudes are formed at a young age; and
 26 WHEREAS, the curriculum in many Iowa schools
 27 includes information about the civil rights movement
 28 and women's rights movement, exposing students to the
 29 accomplishments of other minority groups; and
 30 WHEREAS, individuals with disabilities have

Page 2

1 achieved similar victories as a result of the
 2 disability rights movement; and
 3 WHEREAS, many famous people, including Ludwig Von
 4 Beethoven, Alexander Graham Bell, and Franklin Delano
 5 Roosevelt have been people with disabilities; and
 6 WHEREAS, students are not typically exposed to the
 7 disability rights movement; and
 8 WHEREAS, many Iowa teachers believe that their
 9 students should learn about the history and
 10 accomplishments of individuals with disabilities; and
 11 WHEREAS, Iowans with disabilities are eager to
 12 share their history and accomplishments with young
 13 people; and
 14 WHEREAS, such education will improve public
 15 attitudes toward individuals with disabilities for
 16 generations to come; NOW THEREFORE,
 17 BE IT RESOLVED BY THE SENATE, That the third week
 18 of October, 2007, be declared Disability History Week
 19 in Iowa; and
 20 BE IT FURTHER RESOLVED, That the Iowa Department of
 21 Education is requested to encourage schools to conduct
 22 disability awareness activities during this week and
 23 to work with Iowa disability organizations to develop
 24 and disseminate a list of curriculum resources and
 25 presenters to assist schools in carrying out these
 26 activities.

SENATE RESOLUTION 40: filed April 17, 2007; adopted by the
 Senate on April 25, 2007.

1 SENATE RESOLUTION 40
 2 By: Rielly
 3 A resolution to recognize the sesquicentennial of the
 4 city of Williamsburg.

5 WHEREAS, the city of Williamsburg in Iowa County,
6 was founded 150 years ago and is located in east
7 central Iowa near Interstate 80, with a population of
8 2,800; and

9 WHEREAS, excellent recreational opportunities and
10 facilities are plentiful with a recreation center and
11 sports complex, an aquatic center, the Heritage
12 Museum, and an award-winning nine-hole golf course;
13 and

14 WHEREAS, Williamsburg thrives economically with the
15 Tanger Outlet Mall, the Highland Ridge Adult Living
16 Community, and a beautiful Town Square, as well as
17 numerous other employers; and

18 WHEREAS, the city of Williamsburg has a proud
19 120-year tradition of educating its youth: its
20 district is composed of 205 square miles; the
21 Williamsburg Community Preschool is licensed by the
22 Iowa Department of Human Services; and Kirkwood
23 Community College Center offers two-year college
24 degrees; and

25 WHEREAS, the city government is served by dedicated
26 and exceptional civic leaders and employees who have
27 been instrumental in maintaining and growing the
28 community, including a modern library, a volunteer
29 fire and rescue department, and a professional police
30 department; and

Page 2

1 WHEREAS, the community is active and diverse with
2 more than 40 groups and organizations regularly
3 meeting; and

4 WHEREAS, the city of Williamsburg is commemorating
5 its 150th anniversary with celebrations scheduled from
6 June 30 to July 4, 2007; NOW THEREFORE,

7 BE IT RESOLVED BY THE SENATE, That the Senate
8 recognizes and extends its congratulations to the city
9 of Williamsburg on its sesquicentennial and invites
10 all Iowans to make a visit to the Williamsburg
11 celebrations as part of their summer plans.

SENATE RESOLUTION 41: filed April 18, 2007; adopted by the
Senate on April 19, 2007.

1 SENATE RESOLUTION 41

2 By: Gronstal

3 A resolution to recognize Southwest Iowa as the purple
4 martin region of Iowa.

5 WHEREAS, the purple martin is the largest and most
6 beautiful bird of the swallow family; and

7 WHEREAS, the purple martin feeds entirely on flying

8 insects, and is an excellent means of natural insect
 9 control as this insect-destroying bird consumes about
 10 2,000 mosquitoes each day; and
 11 WHEREAS, it is known that the purple martin is
 12 clean, graceful in flight, sings beautifully, and
 13 frees picnic areas and patios of insect pests; and
 14 WHEREAS, Mr. Dennis Paul Devine, Sr., a local
 15 citizen of Council Bluffs, Iowa, has worked for 37
 16 years promoting and has sponsored "Purple Martin Time"
 17 four times in Council Bluffs, and with the help of
 18 Griggsville, Illinois, "The Purple Martin" Capital of
 19 the nation, has given six martin houses to the Iowa
 20 School for the Deaf, Council Bluffs Care Center,
 21 Bethany Lutheran Home, and Bayliss Park in the last 37
 22 years; and
 23 WHEREAS, it would seem altogether fitting and
 24 proper to encourage widespread interest in this most
 25 popular bird, the purple martin; and
 26 WHEREAS, the City of Council Bluffs, Iowa, has had
 27 four "Purple Martin Times" designations in 1978, 1981,
 28 1982, and 1983, signed by four mayors; and
 29 WHEREAS, purple martins return every year to the
 30 area where they hatched and their presence is

Page 2

1 beneficial to the community; NOW THEREFORE,
 2 BE IT RESOLVED BY THE SENATE, That the Senate
 3 recognizes Southwest Iowa as the purple martin region
 4 of Iowa and invites ornithologists and bird-watchers
 5 everywhere to visit Southwest Iowa and view these
 6 remarkable birds.

SENATE RESOLUTION 42: filed April 19, 2007; adopted by the
 Senate on April 27, 2007.

1 SENATE RESOLUTION 42
 2 By: Dearden
 3 A resolution to recognize April 28, 2007, as Workers
 4 Memorial Day.
 5 WHEREAS, the first Workers Memorial Day was
 6 observed in 1989, on April 28th, the anniversary of
 7 the establishment of the federal Occupational Safety
 8 and Health Administration; and
 9 WHEREAS, Workers Memorial Day is now an
 10 international day of remembrance of workers killed in
 11 incidents at work, or by diseases caused by work, held
 12 annually on the 28th day of April in over 100
 13 countries; and
 14 WHEREAS, the toll of workplace injuries, illnesses,
 15 and deaths remains enormous, with more than 56,000

16 workers dying annually from workplace injuries and
17 illnesses, and another 6 million being seriously
18 injured; and
19 WHEREAS, concerned Americans are determined to
20 prevent these tragedies by observing Workers Memorial
21 Day on April 28, as a day to remember these victims of
22 workplace injuries and disease; renewing our efforts
23 to seek stronger safety and health protections, better
24 standards and enforcement, and fair and just
25 compensation; and rededicating ourselves to improving
26 safety and health in every American workplace; NOW
27 THEREFORE,
28 BE IT RESOLVED BY THE SENATE, That the Senate
29 recognizes April 28, 2007, as Workers Memorial Day in
30 remembrance of workers killed, injured, and disabled

Page 2

1 on the job.

SENATE RESOLUTION 43: filed April 19, 2007; adopted by the Senate on April 26, 2007.

1 SENATE RESOLUTION 43
2 By: Hogg and Hartsuch
3 A resolution to recognize May 2007 as American Stroke
4 Awareness Month and National High Blood Pressure
5 Education Month.
6 WHEREAS, the themes for American Stroke Awareness
7 Month 2007 are “Young People and Stroke,” in order to
8 educate the public and policymakers about the
9 devastating effects of stroke in young people under
10 age 30, and “Igniting the Power to End Stroke,” in
11 order to empower African-Americans, who are at
12 particularly high risk of the disease, to reduce their
13 risk, recognize the warning signs, and respond
14 quickly; and
15 WHEREAS, stroke, the third leading cause of death
16 in Iowa, leads to the death of nearly 2,000 citizens
17 of Iowa each year even though it is highly treatable
18 in the first three hours; and
19 WHEREAS, stroke is a leading cause of serious
20 long-term disability with more than two-thirds of
21 stroke survivors experiencing functional limitations
22 or difficulty with activities of daily living; and
23 WHEREAS, Iowans are more aware of the risk factors
24 and warning signs for stroke than in the past, but
25 only one in five adults know all six stroke symptoms;
26 and
27 WHEREAS, warning signs of stroke include sudden
28 numbness or weakness of the face, arm, or leg,

29 especially on one side of the body; sudden confusion,
 30 trouble speaking or understanding; sudden trouble

Page 2

1 seeing in one or both eyes; sudden trouble walking,
 2 dizziness, or loss of balance or coordination; and
 3 sudden severe headache with no known cause; and
 4 WHEREAS, high blood pressure is a primary cause of
 5 stroke, one in four Iowans have high blood pressure,
 6 more than half of the Iowans with high blood pressure
 7 are younger than 65 years old, and blood pressures
 8 greater than 120/80 require a plan to prevent
 9 full-blown high blood pressure; and
 10 WHEREAS, new and effective treatments have been
 11 developed to treat high blood pressure and minimize
 12 the severity and damaging effects of strokes, but much
 13 more research is needed; NOW THEREFORE,
 14 BE IT RESOLVED BY THE SENATE, That the Senate
 15 recognizes May 2007 as American Stroke Awareness Month
 16 and National High Blood Pressure Education Month in
 17 Iowa and urges all citizens to react to stroke
 18 symptoms immediately and treat high blood pressure
 19 aggressively so that we might begin to reduce the
 20 devastating effects of stroke on our population; and
 21 BE IT FURTHER RESOLVED, That the Senate recognizes
 22 the American Stroke Association, a division of the
 23 American Heart Association, for its ongoing efforts to
 24 educate Americans concerning the threat posed by
 25 strokes and high blood pressure.

SENATE RESOLUTION 44: filed April 23, 2007; adopted by the
 Senate on April 23, 2007.

1 SENATE RESOLUTION 44
 2 By: Gronstal, Lundby, Kibbie, Horn, Hogg,
 3 Angelo, Appel, Beall, Behn, Black, Boettger,
 4 Bolkcom, Connolly, Courtney, Danielson, Dearden,
 5 Dotzler, Dvorsky, Fraise, Gaskill, Hahn,
 6 Hancock, Hartsuch, Hatch, Heckroth, Houser,
 7 Johnson, Kettering, Kreiman, McCoy, McKibben,
 8 McKinley, Mulder, Noble, Olive, Putney,
 9 Quirnbach, Ragan, Rielly, Schmitz, Schoenjahn,
 10 Seng, Seymour, Stewart, Ward, Warnstadt, Wieck,
 11 Wood, Zaun, and Zieman
 12 A resolution to honor professional golfer and Iowa's
 13 own Zach Johnson on winning the 2007 Masters golf
 14 tournament.
 15 WHEREAS, since 1934 the Masters Tournament, held
 16 annually at Augusta National Golf Club in Augusta,
 17 Georgia, has been one of golf's four premier

18 tournaments; and

19 WHEREAS, in 2007, the green jacket, the coveted
20 symbol of a Masters Tournament victory, has gone to
21 Iowa-born and raised Zach Johnson, who is the first
22 Iowan to win the Masters golf tournament; and

23 WHEREAS, Mr. Johnson won the Masters, his second
24 victory on the Professional Golfers Association (PGA)
25 tour, by taking control with three birdies on Augusta
26 National's back nine, winning with a 1-over-par 289
27 score; and

28 WHEREAS, Mr. Johnson grew up in Cedar Rapids,
29 taking up the game of golf at the age of 10, learning
30 and perfecting his game at Regis High School in Cedar

Page 2

1 Rapids and then Drake University in Des Moines; and
2 WHEREAS, in 1998, Mr. Johnson graduated from Drake
3 University and took a bold step by turning
4 professional; and

5 WHEREAS, in 2003, according to PGA biographical
6 information, Mr. Johnson earned Nationwide Tour Player
7 of the Year honors after making the cut in 19 of 20
8 tournament events, including the last 17 and finishing
9 first on the final list of money earners; and

10 WHEREAS, in 2004, Mr. Johnson had an incredible
11 rookie season, becoming just the second player in PGA
12 tour history to surpass \$2 million in earnings in his
13 first season, making 24 of 30 cuts and picking up his
14 first tour win in just his 13th career tournament; and

15 WHEREAS, in the next two years, Mr. Johnson built
16 on his growing record; in 2005 he placed third at the
17 Ford Championship at Doral and in 2006 he posted
18 runner-up finishes at the BellSouth Classic and the
19 Memorial, posted third at the World Golf
20 Championships-Accenture Match Play Championship, and
21 made the 2006 United States Ryder Cup team; NOW
22 THEREFORE,

23 BE IT RESOLVED BY THE SENATE, That the Senate, on
24 behalf of all Iowans, honors our own Zach Johnson, the
25 2007 Masters golf tournament champion, a man who by
26 his own words is "a Midwest guy from Iowa" and whose
27 open and friendly manner, dedication to his craft, and
28 understated competence embody the qualities that are
29 so dear to Iowans; and

30 BE IT FURTHER RESOLVED, That upon adoption the

Page 3

1 Secretary of the Senate is directed to prepare an
2 official copy of this Resolution for presentation to
3 Zach Johnson.

16 to ensure that the people of Taiwan are represented in
 17 an organization which establishes and oversees an
 18 international framework for the control of disease and
 19 the promotion of universal health; and
 20 WHEREAS, Taiwan has made substantial progress in
 21 the health field, has one of the highest life
 22 expectancy rates in Asia, has maternal and infant
 23 mortality rates comparable to those in western
 24 countries, has eradicated infectious diseases such as
 25 cholera, smallpox, and the plague, and has been the
 26 first country in the region to eradicate polio and
 27 provide children with hepatitis B vaccinations; and
 28 WHEREAS, Taiwan has expressed a willingness in
 29 recent years to provide financial and technological
 30 assistance in international aid and health activities

Page 3

1 supported by the World Health Organization; NOW
 2 THEREFORE,
 3 BE IT RESOLVED BY THE SENATE, That the Senate
 4 supports the granting of observer status to Taiwan
 5 during the World Health Assembly to be held in May
 6 2007; and
 7 BE IT FURTHER RESOLVED, That an official copy of
 8 this Resolution be prepared and forwarded by the
 9 Secretary of the Senate to the governing authority and
 10 member states of the World Health Organization, the
 11 World Health Assembly, and the governments of Taiwan
 12 and of the People's Republic of China.

SENATE RESOLUTION 46: filed April 24, 2007; adopted by the
 Senate on April 24, 2007.

1 SENATE RESOLUTION 46
 2 By: Courtney
 3 A resolution designating May 2007 as Huntington's
 4 Disease Awareness Month.
 5 WHEREAS, our nation has had a long-standing
 6 commitment to the development of techniques and
 7 methods of conquering disease; and
 8 WHEREAS, Huntington's Disease is a devastating,
 9 degenerative brain disorder which afflicts many
 10 citizens of this country in a relentless and, at
 11 present, incurable way; and
 12 WHEREAS, the existence of this dreaded disease
 13 presents a challenge to the love and humanitarianism
 14 of the American people; and
 15 WHEREAS, since the discovery of the genetic basis
 16 for the disease in 1993, the pace of research into the
 17 cause and nature of the disease has increased

18 dramatically; and

19 WHEREAS, the Huntington's Disease Society of
20 America, Inc., has supported this research, bringing
21 new hope to those who bear the burden of this tragic
22 affliction; NOW THEREFORE,

23 BE IT RESOLVED BY THE SENATE, That the Senate
24 designates the month of May 2007, as Huntington's
25 Disease Awareness Month in Iowa, and urges the
26 citizens of this state to lend their support to
27 efforts to control this disease so that the suffering
28 it induces may be eliminated.

SENATE RESOLUTION 47: filed April 24, 2007; adopted by the
Senate on April 26, 2007.

1 SENATE RESOLUTION 47

2 By: Ragan

3 A resolution encouraging the Iowa congressional
4 delegation to support legislation to improve
5 Medicare payments to Iowa physicians under the
6 Medicare Part B program.

7 WHEREAS, Iowa's physicians are reimbursed by the
8 federal Medicare program significantly less than
9 physicians in most of the rest of the United States;
10 and

11 WHEREAS, Iowa's quality of health care, as measured
12 by the federal government, is among the best, rated
13 sixth in the United States; and

14 WHEREAS, Iowa ranks among the lowest, ranked 44th
15 in the nation, in the number of physicians per capita;
16 and

17 WHEREAS, Iowa's population ranks seventh in the
18 nation in the percent of our state's population
19 covered by the federal Medicare program; and

20 WHEREAS, there are clear federal remedies that
21 would significantly narrow or even eliminate the
22 reimbursement disparity, which impedes Iowa's ability
23 to recruit physicians to practice in the state; and

24 WHEREAS, Iowa physicians are facing a projected 10
25 percent reduction in reimbursement in 2008 if Congress
26 does not take action to prevent the cut; NOW
27 THEREFORE,

28 BE IT RESOLVED BY THE SENATE, That Iowa's five
29 United States Congressmen and two United States
30 Senators are requested to place a high priority on

Page 2

1 enacting a remedy to the disparity in physician
2 reimbursement in the federal Medicare Part B program,
3 and

10 of Ashton on its 125 years, and invites all Iowans to
 11 make a visit to the July celebrations in Ashton a part
 12 of their summer plans.

SENATE RESOLUTION 49: filed April 24, 2007; adopted by the
 Senate on April 26, 2007.

1 SENATE RESOLUTION 49
 2 By: Black, Beall, Boettger, Bolkcom,
 3 Behn, and Danielson
 4 A resolution supporting a free trade agreement between
 5 the Republic of China on Taiwan and the United States.
 6 WHEREAS, the Republic of China on Taiwan and the
 7 United States enjoy one of the most important economic
 8 and strategic international relationships that exists
 9 today; and
 10 WHEREAS, together, Taiwan and the United States
 11 promote a shared belief in freedom, democracy, and
 12 market principles; and
 13 WHEREAS, the level of mutual investment between
 14 Taiwan and the United States is substantial; and
 15 WHEREAS, streamlined foreign investment procedures
 16 developed under a free trade agreement between Taiwan
 17 and the United States would create new business
 18 opportunities and new jobs; and
 19 WHEREAS, a free trade agreement between Taiwan and
 20 the United States would encourage greater innovations
 21 and manufacturing efficiencies by stimulating joint
 22 technological development, practical applications, and
 23 new cooperative ventures; and
 24 WHEREAS, a recent study by the United States
 25 International Trade Commission supports the
 26 negotiation of a free trade agreement between Taiwan
 27 and the United States; and
 28 WHEREAS, a free trade agreement between Taiwan and
 29 the United States would build on the existing strong
 30 relations between Taiwan and the United States to

Page 2

1 simultaneously boost Taiwan's security and democracy
 2 and serve the broader interests of the United States
 3 in the Asia-Pacific region; NOW THEREFORE,
 4 BE IT RESOLVED BY THE SENATE, That the Senate
 5 supports the negotiation of a free trade agreement
 6 between the Republic of China on Taiwan and the United
 7 States of America; and
 8 BE IT FURTHER RESOLVED, That upon adoption, an
 9 official copy of this Resolution be prepared and
 10 presented to the Taipei Economic and Cultural Office
 11 located in Chicago, Illinois.

14 BE IT FURTHER RESOLVED, That the interim study
15 committee issue a report of recommendations to the
16 general assembly by December 15, 2007.

SENATE RESOLUTION 52: filed April 26, 2007; adopted by the
Senate on April 28, 2007.

1 SENATE RESOLUTION 52
2 By: Kreiman
3 A resolution honoring the Davis County Little League
4 All-Star Team for winning the 2006 Iowa Little League
5 State Championship.
6 WHEREAS, on July 27, 2006, the Davis County Little
7 League All-Star Team made history when, for the first
8 time, it won the Iowa Little League State
9 Championship; and
10 WHEREAS, that victory was clinched with a
11 well-played 5-2 win over Davenport, avenging a loss
12 early in the tournament; and
13 WHEREAS, that win propelled the All-Stars to the
14 Midwest Regional Little League Tournament in
15 Indianapolis, Indiana; and
16 WHEREAS, to finance this trip the team turned from
17 athletes to fund-raisers, with a whirlwind of
18 activities raising over \$5,000; and
19 WHEREAS, at the Midwest Regional Little League
20 Tournament, competing against eight other state
21 champions, the All-Stars continued their winning ways,
22 advancing through the semifinals to the championship
23 game; and
24 WHEREAS, with a hard-fought loss to Missouri's
25 Daniel Boone National Little League team, the
26 All-Stars finished the tournament in second place; NOW
27 THEREFORE,
28 BE IT RESOLVED BY THE SENATE, That the Senate
29 congratulates Clint Foster, Hunter McClure, Brandt
30 Robinson, Damen Dixon, Jacob Davidson, Calvin Utt,

Page 2

1 Logan Cutler, Josey Garmon, Josh Martsching, Calvin
2 Mathews, Kody McSparen, Austin Roberts, Manager Ron
3 Martsching, and Coach Doug Mathews, for their
4 remarkable 2006 season.

SENATE RESOLUTION 53: filed April 27, 2007; adopted by the Senate on April 27, 2007.

1 SENATE RESOLUTION 53
2 By: Dotzler, Gronstal, Kibbie, Lundby,
3 Kettering, and Kreiman
4 A resolution to recognize and honor Alyce Elmitt,
5 Audrey Gibson, and Jo Ann West for over three decades
6 of dedicated service to the Iowa Senate, the General
7 Assembly, and the people of Iowa.
8 WHEREAS, the lifeblood of any institution is that
9 small cadre of individuals who make service to that
10 institution their life's work; and
11 WHEREAS, to a great degree the members of the
12 Senate and the House of Representatives owe their
13 success to the secretaries, clerks, and staff who
14 bring order to the legislative process and provide
15 service to lawmakers and constituents alike; and
16 WHEREAS, for over three decades Alyce Elmitt,
17 Audrey Gibson, and Jo Ann West have worked quietly,
18 efficiently, and loyally to ensure that the business
19 of the General Assembly, and most particularly the
20 Iowa Senate, was accomplished; NOW THEREFORE,
21 BE IT RESOLVED BY THE SENATE, That the members of
22 the Senate, with deep respect and gratitude, honor
23 Alyce Elmitt, Audrey Gibson, and Jo Ann West for over
24 three decades of dedication and commitment to the Iowa
25 General Assembly and the Iowa Senate; and
26 BE IT FURTHER RESOLVED, That the Secretary of the
27 Senate shall prepare suitable copies of this
28 resolution for presentation to these valued members of
29 the Senate family.

SENATE RESOLUTION 54: filed April 27, 2007; adopted by the Senate on April 27, 2007.

1 SENATE RESOLUTION 54
2 By: Gronstal, Kibbie, and Lundby
3 A resolution to recognize and honor the Senate's own
4 Cynthia Clingan for over three decades of dedicated
5 public service.
6 WHEREAS, by its very nature the Iowa Senate is an
7 institution that is in a continuous state of change,
8 as both issues and individuals come and go; and
9 WHEREAS, in such a place it is critical that
10 someone serve as an anchor, providing continuity and
11 serving as the institution's memory of process and
12 protocol; and
13 WHEREAS, Cynthia Clingan has served that role in
14 the Iowa Senate for over three decades; and

15 WHEREAS, Ms. Clingan, a graduate of Carleton
16 College, came to the Senate in 1975, first serving as
17 an engrossing and enrolling clerk and a terminal
18 operator; and

19 WHEREAS, in the decades that followed Ms. Clingan
20 has served as the Assistant to the Legal Counsel and
21 Assistant Secretary of the Senate; and

22 WHEREAS, during that time Ms. Clingan has served
23 seven Secretaries of the Senate, reviewed and
24 corrected endless numbers of bills and amendments, and
25 resolved problems large and small; NOW THEREFORE,

26 BE IT RESOLVED BY THE SENATE, That the members of
27 the Senate give honor this day to one of their own,
28 Cynthia Clingan, who has made the work of the Senate
29 her own life's work and in doing so serves a vital
30 role in the legislative process; and

Page 2

1 BE IT FURTHER RESOLVED, That the Secretary of the
2 Senate shall prepare an original copy of this
3 Resolution for presentation to Ms. Clingan.

SENATE RESOLUTION 55: filed April 27, 2007; adopted by the
Senate on April 28, 2007.

1 SENATE RESOLUTION 55

2 By: Olive

3 A resolution to honor Webster City and Hamilton
4 County, Iowa, on their sesquicentennial anniversary.

5 WHEREAS, in 1854, Wilson Brewer moved his family to
6 a cabin on a creek, west of the Boone River, later
7 known as Brewers Creek; and

8 WHEREAS, that site was soon platted as the town of
9 Newcastle; and

10 WHEREAS, by Act of the General Assembly, the town
11 of Newcastle was renamed Webster City and Hamilton
12 County was formed, effective January 1, 1857, with
13 Webster City designated the county seat; and

14 WHEREAS, through the tireless efforts of Walter C.
15 Willson, Webster City experienced phenomenal growth,
16 with Mr. Willson constructing 133 buildings, four
17 hotels, three railroads, and contributing more to the
18 success of Webster City than any other person; and

19 WHEREAS, two of Webster City's favorite sons are
20 Pulitzer Prize winning authors, as MacKinlay Kantor
21 was born in Webster City in 1904, wrote over 40
22 novels, and his master work, Andersonville, won the
23 Pulitzer Prize for Literature in 1956, and as Clark
24 Mollenhoff graduated from Webster City High School and
25 Webster City Junior College, and as a Des Moines

26 Register reporter won the Pulitzer Prize in 1958 for
27 national reporting; and
28 WHEREAS, in the 21st century both the community and
29 the county continue to prosper, with Webster City
30 being a bustling community home to over 8,000 Iowans,

Page 2

1 and with Hamilton County having a population of over
2 16,000; and
3 WHEREAS, On June 28, 29, and 30, 2007, Webster City
4 and Hamilton County will celebrate their
5 sesquicentennial anniversary, starting with a
6 sesquicentennial celebration stage play on June 28, a
7 teen dance and a rodeo at the Hamilton County
8 Fairgrounds on June 29, followed by day-long
9 festivities on June 30, featuring an omelet breakfast
10 at Twin Parks, a parade, a noon food fair at West Twin
11 Parks, afternoon activities at East and West Twin
12 Parks and Swimming Pool, an evening street dance on
13 Seneca Street, fireworks from 7B Ranch, and evening
14 races at Hamilton County Raceway; NOW THEREFORE,
15 BE IT RESOLVED BY THE SENATE, That the Senate
16 congratulates the residents of Webster City and
17 Hamilton County on their sesquicentennial anniversary
18 and invites all Iowans to make a trip to Webster City
19 and Hamilton County a part of their summer vacation
20 plans and to take part in the celebrations on June 28,
21 29, and 30, 2007.

MEMORIALS

IN MEMORIAM

SENATORS

Reinhold O. Carlson.....	September 20, 1905 – July 7, 2006
James V. Gallagher.....	February 18, 1933 – December 8, 2006
Raymond W. Hagie	February 1, 1910 – October 25, 2006
Seeley J. Lodwick.....	October 19, 1920 – July 16, 2006
Donald W. Murray	June 1, 1923 – December 26, 2006

REINHOLD O. CARLSON

Reinhold O. Carlson was born on September 20, 1905, in Des Moines, Iowa, to Oscar and Hannah Carlson. He passed away on July 7, 2006, at the age of 100. He is survived by his son Ronald and wife Sharon of Johnston.

Carlson was the child of Swedish immigrants. His father came to the United States in 1901 and his mother in 1903. Carlson was a life-long resident of Des Moines. He attended Des Moines public schools and graduated from East High School. He attended Drake University and Augustana College in Rock Island, Illinois, graduating in 1931. He received his master's degree from the University of Nebraska in 1933. Carlson married Louise Bergren in 1937.

In his early career, Carlson was the general manager of the Hardgrove Company, a farm equipment company. Later he was an executive vice president of the Scandia Savings and Loan Association, where he retired.

Carlson was elected to the Des Moines City Council in 1958. He served as mayor of Des Moines from 1960–1962. As mayor, Carlson urged residents to unify and work together. He brought attention to the issues of urban renewal and housing. He helped create Des Moines' low-rent housing agency. Carlson set up a special committee to look at how to provide low-rent housing, and his efforts helped to give that issue visibility. An agency was created and began its work in 1965.

Carlson was active in many other civic committees and organizations. He was a Des Moines Water Works board member in the late 1960s. He served on the Des Moines school board and the Des Moines library board. He had extensive involvement with Lutheran charitable organizations. He was chairman of the Iowa Lutheran Hospital Board and was co-founder of Luther Park, a housing facility for the elderly. He was a life-long member of Capitol Hill Lutheran Church.

Carlson was a Polk County Republican. He was elected to the Iowa Senate during the November 3, 1970, general election. He served during 1971 and 1972 during the 64th General Assembly.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SECOND GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Reinhold O. Carlson, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

JACK HATCH
LARRY NOBLE
BRAD ZAUN
Committee

JAMES V. GALLAGHER

James V. Gallagher was born on February 18, 1933, in Carroll, Iowa, to Vincent and Benita Fitzgibbons Gallagher. He passed away on December 8, 2006, at the age of 73. He is survived by his wife Sally of Bondurant, Iowa; and sons, Mike and his wife, Donna, of Warren, Minnesota, Dan and his wife, Sue, of Dyersville, Iowa, John and his wife, Beth, of Dyersville, Steve and his wife, Rachel, of Carmel, Indiana, and Tom of Boone, North Carolina. He is also survived by a brother Joe and his wife, Madeline; a sister Mary Carter and her husband, Bud; thirteen grandchildren, three great-grandchildren; four step-children; and six step-grandchildren.

Gallagher graduated from St. Ann's High School in Vail, Iowa, in 1951. He attended the State College at Cedar Falls (now the University of Northern Iowa), the University of Iowa, Iowa State University, and Grandview College.

Gallagher served in the United States Army from 1952–1955 and attained the rank of Staff Sergeant. He worked on guided missiles at White Sands in New Mexico. He helped build the "Dew Line" (Distance Early Warning System) radar line across the Arctic in 1956, during the Cold War with Russia.

Gallagher had a 43-year career with Bell Telephone Company. He had many interests and belonged to many organizations including the Communications Workers of America, American Legion, AMVETS, Izaak Walton League, National Wildlife Federation, Sierra Club, World Wildlife Fund, Telephone Pioneers, Black Hawk County Historical Museum, and D-Day Museum. He was a member of the President Carter and the President Clinton Centers. He was an ardent conservationist, having planted more than 30,000 pine and walnut trees during his lifetime.

During his retirement years, he wrote letters to the Vail Observer, his hometown newspaper. His remembrances became a weekly column, known as "The Tales of Vail." He also was published in the *Reminisce* magazine.

Gallagher was a Black Hawk County Democrat. He served in the Iowa House of Representatives from 1965–1968 during the 61st and 62nd General Assemblies. He was elected to the Iowa Senate in 1972 and served from 1973–1984 during the 65th, 66th, 67th, 68th, 69th, and 70th General Assemblies.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SECOND GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable James V. Gallagher, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

WILLIAM A. DOTZLER, JR.
JOHN PUTNEY
BRIAN SCHOENJAHN
Committee

RAYMOND W. HAGIE

Raymond W. Hagie was born in Wright County, Iowa, on February 1, 1910, on the Dayton Township farm of his parents, William J. and Minnie Hagie. He passed away on October 25, 2006, at the age of 96. He is survived by his wife, June, of Clarion, Iowa; son John and his wife, Barbara, of Clarion; daughter Margaret Severino and her husband, Frank, of Des Moines; son-in-law Ted West of Barrington, Illinois; eight grandchildren; and fourteen great-grandchildren.

Hagie attended a rural Wright County school and Clarion High School, where he was active in football, wrestling, and track. Following his graduation from high school, he attended Iowa State College in Ames. He studied animal husbandry and earned his bachelor's degree in 1933. He then returned to the family farm where he helped expand and improve both the Shorthorn cattle herd and the cropping operation. He became interested in a new agricultural development called hybrid seed corn.

Hagie married June Remington on November 3, 1935, in Ames, Iowa. The couple owned and operated an 850-acre farm near Clarion. Hagie continued his agricultural pursuits, particularly his interest in the hybrid seed corn. This interest in hybrid seed corn developed from a hobby to neighborhood sales to the establishment of a company called Hagie's Adapted Hybrids.

In the early 1940s, Hagie built a self-propelled machine to help in the detasseling of corn. This led to his development of the first commercially produced high-clearance self-propelled sprayer and resulted in the founding of Hagie Manufacturing.

Hagie was active in his community. He was a director of the Wright County State Bank and a member of the Clarion Development Commission, the Rotary Club, the Farm Bureau, the Iowa Crop Improvement Association, and the American Seed Trade Association. He was a soil district commissioner from 1945–1948 and helped organize the Iowa Association of Soil District Commissioners. He was a founding member of the committee for the Living History Farms. He was a supporter of Iowa State University, serving on the Board of Governors, the Athletic Council, and the CIRAS Advisory Council. He was honored by ISU's athletic department as one of Cy's Favorite Alums.

Hagie was a Wright County Republican. He served in the House of Representatives in 1961–1964 during the 59th and 60th General Assemblies. He was elected to the Senate and served for two years during the 61st General Assembly. He served as the director for Ronald Reagan's Iowa presidential campaigns in 1976 and 1980.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SECOND GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Raymond W. Hagie, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

E. THURMAN GASKILL
LARRY MCKIBBEN
RICH OLIVE
Committee

SEELEY J. LODWICK

Seeley J. Lodwick was born on October 19, 1920, in Evanston, Illinois, to William G. and Florence Seeley Lodwick. He passed away on July 16, 2006, at the age of 85. He is survived by his wife, Helen B. "Pat" of Wever, Iowa; three daughters, Barbara Rossow and her husband, Edwin, of Wilmette, Illinois, Margery Tuttle and her husband, Jerry, of Crete, Illinois, and Helen Gerber and her husband, Gary, of Watseka, Illinois; one sister, Martha L. Chambers, of Waukesha, Wisconsin; and four grandchildren.

Lodwick graduated from New Trier Township High School in Winnetka, Illinois, in 1938. He graduated from Iowa State University in Ames in 1942 with a bachelor's degree in agricultural economics. Lodwick served in the United States Marine Corps during World War II. Lodwick married Helen "Pat" Barbre on July 28, 1945, at Webster Groves, Missouri.

Lodwick farmed and managed Sedan Farms near Centerville, Iowa, from 1946–1950 and Green Bay Farms at Wever, Iowa, from 1950–1969. During the years of 1963–1969, Lodwick served as a state senator. In 1969, Lodwick accepted a job at the United States Department of Agriculture. He held numerous positions while working in Washington, D.C. During his career, Lodwick also served as an agricultural consultant and farm manager for Green Bay Farms Limited Partnership at Wever, Iowa.

Some of Lodwick's many activities include serving as a member of the Iowa State University Foundation Board of Governors; past president and member of the board of directors of the Rotary Club of Fort Madison, Iowa, and member of the board of directors of Rotary Club of Washington, D.C.; and member of the executive committee board of directors of Herbert Hoover Presidential Library Association. Lodwick served on many councils and committees in the Fort Madison area. He was active in Stella Masonic Lodge #440, Lee County Farm Bureau, and the Lee County Republican party.

Lodwick lived a life of service. He was a leader and a visionary. He was tireless in his pursuit of getting the best for his town, county, state, country, and world. He was a mentor for many individuals, and he helped those persons pursue their dreams and make their dreams a reality.

Lodwick was a Lee County Republican. He followed the footsteps of his grandfather William B. Seeley, who had served as a state senator during the 32nd and 33rd General Assemblies. Lodwick was sworn in as a senator in 1963 and served during the 60th, 61st, 62nd, and the first half of the 63rd General Assemblies. He was elected President Pro Tempore of the Senate in 1969.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SECOND GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Seeley J. Lodwick, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

THOMAS G. COURTNEY
GENE FRAISE
JAMES F. HAHN
Committee

DONALD W. MURRAY

Donald W. Murray was born on June 1, 1923, in Bancroft, Iowa, to W. Arthur and Elizabeth McDonald Murray. He passed away on December 26, 2006, at the age of 83. He is survived by his wife, Ardelle, of Ankeny, Iowa; three sons, Michael and his wife, Natalie, of Shakopee, Minnesota, Bryan and his wife, Patti, of Meredith, New Hampshire, and Stephen of Burnsville, Minnesota; two daughters, Michele Beavers and her husband, Kirk, of Ankeny, Iowa, and Diana Gleim and her husband, Max, also of Ankeny, Iowa; and five grandchildren. He is also survived by his brothers John of Minneapolis, Minnesota, and James of Bethesda, Maryland.

Murray graduated from St. John's High School in Bancroft. He attended the College of St. Thomas in St. Paul, Minnesota, and Iowa State University in Ames, Iowa. He served in the United States Army for two and a half years during World War II. He married Ardelle Fischer of Lone Rock, Iowa, on February 22, 1950.

Murray was a co-owner of the Murray Elevator in Bancroft, along with his brother Joe. After the death of his brother, the business was sold. In 1969 he moved to Ankeny and worked for the United States Postal Service until his retirement in 1990.

Murray was an active member of his community when he was living in Bancroft. He was on the Bancroft city council for 12 years, serving as mayor for two years. He was a member of the Iowa Grain and Feed Dealers Association and was president of the Farmers Independent Credit Corporation. He served for 14 years as a member of the board of trustees for the municipal electric plant. Murray served as commander of the American Legion Post 377 and was a member of the Knights of Columbus.

While living in Ankeny, Murray was a member of Our Lady's Immaculate Heart Catholic Church, the Knights of Columbus, American Legion Post 44 in Bayard, and American Legion Post 42 in Ankeny. He also served as a postal union steward.

In 1961 he ran for the United States Congress from the Sixth Congressional District, but lost. Murray was elected to the Iowa Senate in 1964, representing Humboldt and Kossuth counties. He had a passion for service to veterans and made the upgrade and maintenance of the Iowa Veterans Cemetery the goal of his adult life. He loved his family, politics, baseball, and fishing with his grandson.

Murray was a Kossuth County Democrat. He served one term in the Senate from 1965–1968 during the 61st and 62nd General Assemblies.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SECOND GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Donald W. Murray, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

E. THURMAN GASKILL
JOHN P. KIBBIE
AMANDA RAGAN
Committee

JOURNAL INDEX

ADDRESSES TO SENATE — (*See also* GUESTS; JOINT CONVENTIONS)

- Democratic floor leader, Michael Gronstal — 4
- President of the Senate, John Kibbie — 1
- Republican floor leader, Mary Lundby — 3

ADJOURNMENT SINE DIE

- Regular session — 1569

AGRICULTURE, COMMITTEE ON

- Appointees, investigation of — 819, 853, 1107, 1108
- Appointments to — 23
- Bills and resolutions introduced — 519, 647, 673, 674, 694, 726
- Bills referred to — 60, 78, 325, 394, 462, 526, 616, 710, 748, 881, 888, 929, 1206
- Committee meeting reports — 75, 111, 161, 298, 356, 379, 477, 574, 626, 778, 1098
- Committee reports — 520, 650, 678, 699, 727, 780, 1105
- Study bills — 60, 151, 192, 229, 289, 291, 302, 452, 580, 581
- Subcommittee assignments — 61, 86, 108, 152, 194, 231, 292, 294, 303, 351, 422, 454, 483, 582, 583, 726, 769, 780, 884, 940, 941

AMENDMENTS — (*See also individual committees and senators; bill histories in Index volume*)

Filed by House — (*See* HOUSE AMENDMENTS IN SENATE)

Printout of all amendments filed — 1587–2280

Ruled out of order — (*See also* POINTS OF ORDER):

- Senate File 128 — 612
- Senate File 138 — 841
- Senate File 412 — 953
- Senate File 473 — 984
- Senate File 512 — 1505
- Senate File 513 — 1373
- Senate File 519 — 1045
- Senate File 564 — 1028
- Senate File 573 — 1037
- Senate File 604 — 1455, 1456
- Senate File 606 — 1532
- House File 556 — 1535
- House File 641 — 1377
- House File 783 — 1319
- House File 829 — 1412
- House File 912 — 1434
- House File 932 — 1532

ANGELO, JEFF — Senator, 48th District; Assistant Minority Leader, Republican

Amendments filed — 172–176, 204, 218, 220, 221, 265, 284, 333, 360, 441, 545, 547, 555, 556, 559, 586, 656, 817, 901, 902, 904, 930–933, 986, 989, 1013, 1045, 1048, 1059, 1061, 1063, 1064, 1076, 1108, 1120, 1131, 1147, 1150, 1218, 1222, 1223, 1225, 1244, 1278, 1282, 1283, 1285, 1298–1300, 1312, 1343, 1349, 1378, 1381, 1383, 1385, 1422, 1428, 1443, 1445–1450, 1455, 1456, 1458, 1566

Amendments offered — 173, 217, 284, 333, 556, 559, 989, 1093, 1117, 1119, 1120, 1218, 1244, 1282, 1299, 1300, 1343, 1378, 1381, 1385, 1422, 1435, 1445, 1450, 1456, 1458

Amendments withdrawn — 441, 1244, 1383, 1458

Bills introduced — 114, 214, 248–250, 280, 288, 346, 368, 382–386, 479, 510, 575, 579, 599, 779, 814, 908

Certificates of recognition — 1390

Resolutions introduced — 248, 382, 518, 846, 1362

Senate committee appointments — 26

APPEL, STACI — Senator, 37th District; Democrat

Amendments filed — 910, 916, 1064, 1213, 1385, 1386

Amendments offered — 916, 921, 1297

Bills introduced — 18, 114, 149, 181, 190, 191, 301, 324, 368, 383–386, 394, 395, 416, 460, 471, 525, 563, 814

Certificates of recognition — 235, 297, 428, 844, 882, 1103, 1143, 1462

Presentations — 1162

Presiding at session — 1350, 1554

Resolutions introduced — 322, 358, 415, 470, 846, 1362

Senate committee appointments — 26

APPOINTEES

Accountancy Examining Board:

Schmitt, Linda — 789, 822, 858, 1001, 1049

Schuster, Carol — 789, 822, 858, 1001, 1089

Timmins, Donald — 789, 822, 858, 1001, 1049

Administrative Services, Director of Department of:

Anderson, Mollie — 789, 822, 858, 1004, 1114, 1115

African-Americans, Commission on the Status of:

Lee-Chavis, Treyla — 132, 142, 156, 232, 786

Alcoholic Beverages Commission:

Hunter, Mary — 789, 823, 859, 1001, 1049

Architectural Examining Board:

McKinney, Dale — 789, 823, 859, 1001, 1049

McKinney, Susan — 789, 823, 859, 1001, 1049

Asian and Pacific Islander Heritage, Administrator of Division on Status of Iowans of:

Chen, Cyndi — 133, 141, 155, 319, 332

- Asian and Pacific Islander Heritage, Commission on Status of Iowans of:
 Nguyen, Vinh — 133, 141, 155, 319, 332
 Young-Dunn, Ilima — 133, 141, 155, 319, 332
- Athletic Training, Board of Examiners for:
 Higgins, Melody — 132, 141, 154, 318, 331
 Kleese, Troy — 789, 820, 855, 999, 1049
 McCarthy, Shaun — 789, 820, 855, 999, 1049
- Barber Examiners, Board of:
 Wubbena, Charles — 789, 823, 859, 1087, 1089
- Behavioral Science Examiners, Board of:
 Anastasi, James — 789, 820, 855, 999, 1049
 Fann, Kenneth — 789, 820, 855, 999, 1049
 Langstraat-Janisch, Brenda — 789, 820, 855, 1059, 1089
- Blind, Commission for:
 Hoening, Michael — 789, 820, 855, 999, 1049
- Boiler and Pressure Vessel Board:
 Oltrogge, Susan — 790, 823, 859, 1001, 1050
 Taeger, Keith — 790, 823, 859, 1001, 1050
- Capital Investment Board, Iowa:
 De Baca, Suzanna — 790, 819, 854, 999, 1050
- Child Advocacy Board:
 Foster, Lionel — 790, 820, 855, 999, 1050
 Payne, Roberta — 790, 820, 855, 999, 1050
 Steele, Michael — 132, 141, 155, 318, 331
- Chiropractic Examiners, Board of:
 Rebarcak, Rod — 790, 823, 859, 1001, 1050
- Civil Rights Commission, State:
 Claypool, Alicia — 790, 821, 857, 1000, 1050
 Eychaner, Rich — 790, 821, 857, 1003, 1570
 Gitchell, Debbie — 790, 821, 857, 1000, 1050
- Community Action Agencies, Administrator of Division of:
 Brand, William — 790, 820, 855, 1059, 1114, 1115
- Community Action Agencies, Commission on:
 Middleswart, Kevin — 790, 820, 855, 1000, 1050
 Newman, Rhonda — 790, 820, 855, 1023
 Tyson, Robert — 790, 820, 855, 1000, 1169
 deferral — 1024
- Consumer Advocate:
 Perkins, John — 797, 819, 853, 965, 1114, 1115
- Corrections, Board of:
 Coleman, Michael — 790, 821, 857, 1000, 1089
 Mills, Robyn — 790, 821, 857, 1000, 1113
 Neu, Arthur — 790, 821, 857, 1000, 1050
 Sadler, Michael — 790, 821, 857, 1001, 1050

APPOINTEES — continued

- Cosmetology Arts and Sciences Examiners, Board of:
 - Morlan, Jack — 790, 823, 859, 1001, 1050
 - Setzer, Kimberly — 132, 142, 156, 232, 786
- County Finance Committee:
 - Gill, Patrick — 790, 822, 858, 1001, 1050
 - Lacey, Ben — 790, 822, 858, 1001, 1050
 - Ruble, Suzanne — 790, 822, 858, 1001, 1050
 - Sunderman, Dale — 790, 822, 858, 1001, 1050
- Credit Union Review Board:
 - Becker, Paul — 790, 819, 853, 965, 969
 - Dolan, Denise — 132, 141, 154, 197, 241
 - Hansen, Becky — 790, 819, 853, 965, 969
 - Martin, Carl — 790, 819, 853, 965, 969
- Criminal & Juvenile Justice Planning, Administrator of Division of:
 - Stageberg, Paul — 132, 142, 155, 330, 1114, 1115
- Cultural Affairs, Director of Department of:
 - Pederson, Cyndi — 790, 820, 854, 1023, 1114, 1115
- Deaf, Commission on:
 - Chowdhry, Muhammad — 791, 820, 855, 1000, 1050
 - Legg, Theresa — 132, 141, 155, 318, 332
 - Nemmers, Rachel — 791, 820, 855, 1000, 1050
- Dental Examiners, Board of:
 - Curry, Lynn — 791, 823, 859, 1002, 1050
 - Kuempel, Deena — 791, 823, 859, 1002, 1050
 - Rovner, Michael — 791, 823, 859, 1002, 1050
- Dietetic Examiners, Board of:
 - Sand, Mary — 791, 823, 859, 1002, 1050
- Drug Policy Advisory Council:
 - Garringer, John — 791, 822, 857, 1001, 1050
 - Larkin, Jane — 791, 822, 857, 1001, 1050
- Drug Policy Coordinator:
 - Kendell, Gary — 791, 822, 857, 1003, 1114, 1115
- Economic Development Board, Iowa:
 - Nelson, Mary — 132, 141, 154, 263, 332
- Economic Development, Director of Department of:
 - Tramontina, Michael — 1237
- Educational Examiners, Board of:
 - Dirks, Bradley — 791, 820, 854, 1023, 1050
 - Jeffrey, Judy — 791, 820, 854, 1023, 1154, 1155
 - Johnson, Merle — 791, 820, 854, 965, 969
 - Robinson, Greg — 791, 820, 854, 965, 969
- Elder Affairs, Commission of:
 - Ernst, Daniel — 132, 141, 155, 318, 332
 - James, Dava — 791, 820, 855, 1000, 1113
 - Nichols, Nancy — 791, 820, 855, 1000, 1050

- Plasier, Leroy — 132, 141, 155, 318, 332
Sorenson, Shirley — 132, 141, 155, 318, 332
- Elder Affairs, Director of Department of:
McCalley, John — 791, 820, 855, 1003, 1154, 1155
- Elevator Safety Board:
Christensen, Todd — 132, 142, 156, 319, 332
Schumacher, Marvin — 791, 823, 859, 1002, 1051
deferral — 797
- Emergency Response Commission, Iowa:
deferral — 797
- Empowerment Board, Iowa:
Jayawardena, Darshini — 791, 821, 856, 1000, 1051
Krueger, Ruth — 133, 141, 155, 318, 786
Macek, Marguerite — 133, 141, 155, 318, 332
Monroy-Huddleston, Sara — 791, 821, 856, 1059, 1169
Ryba, Cathy — 133, 141, 155, 318, 332
White, John — 133, 141, 155, 318, 786, 791, 821, 856, 1000, 1132
- Engineering and Land Surveying Examining Board:
Heagel, Patricia — 791, 823, 859, 1002, 1051
Johnstone, Craig — 791, 823, 859, 1002, 1051
- Environmental Protection Commission:
Cochran, Dale — 791, 822, 858, 1107, 1570
Heathcote, Susan — 791, 822, 858, 1107, 1154, 1155
Hubbell, Charlotte — 791, 822, 858, 1107, 1154, 1155
Klemme, Ralph — 791, 822, 858, 1107, 1154, 1155
deferral — 1570
- Finance Authority, Iowa:
Caudron, Roger — 792, 825, 863, 1003, 1051
Erickson, David — 792, 825, 863, 1004, 1114, 1115
Kramer, Heather — 792, 835, 863, 1003, 1051
- Grain Indemnity Fund Board, Iowa:
Hershberger, Edwin — 792, 819, 853, 1108, 1113
Kaldenberg, Thomas — 792, 819, 853, 1108, 1113
- Grape and Wine Development Commission:
Mark, Ron — 797, 819, 853, 1107, 1201
Tabor, Paul — 797, 819, 853, 1108, 1113
- Great Places Advisory Board:
Anderson, Robin — 792, 819, 854, 999, 1051
Erickson, Samantha — 792, 819, 854, 999, 1051
Ginsberg, Mark — 792, 819, 854, 885, 1051
Lynch, Theresa — 792, 819, 854, 999, 1051
- Health Facilities Council:
Cell, Susan — 792, 821, 856, 1000, 1051
Elcock, Marc — 792, 821, 856, 1000, 1051

APPOINTEES — continued

- Healthy and Well Kids in Iowa (hawk-i) Board:
 Salter, Susan — 792, 821, 856, 1000, 1051
 Spencer, Seldon — 792, 821, 856, 1000, 1051
- Hearing Aid Dispensers, Board for Licensing and Regulation of:
 Hoyman, Gregory — 792, 823, 859, 1002, 1051
 Moore, Gregory — 792, 823, 859, 1002, 1051
- Human Services, Council on:
 Hartman, Roger — 792, 821, 856, 1000, 1051
 Miller, James — 792, 821, 856, 1000, 1051
- Human Services, Director of Department of:
 Concannon, Kevin — 792, 821, 856, 1003, 1114, 1115
- Inspections and Appeals, Director of Department of:
 Lerner, Dean — 792, 823, 860, 1004, 1114, 1115
- Interior Design Examining Board:
 Akkurt, Cigdem — 792, 823, 860, 1002, 1089
 Sankey, Scott — 792, 823, 860, 1004, 1114, 1115
- Interpreters for Hearing Impaired Examiners, Board of:
 Gouldsmith, Judy — 792, 821, 856, 1000, 1049
 Moorman-Rice, David — 792, 821, 856, 1000, 1169
- IOWAccess Advisory Council:
 McGinn, Daniel — 793, 823, 860, 1002, 1051
 Neuzil, Terrence — 793, 823, 860, 1002, 1051
 Selberg, Teresa — 793, 823, 860, 1002, 1090
deferral — 797
- IPERS, Investment Board of:
 Beary, Michael — 793, 823, 860, 1004, 1114, 1115
 Ingram, James — 1347
deferral — 797
- Judicial Nominating Commission, State:
 Cochran, David — 793, 822, 857, 1001, 1051
 Lawler, Mary Beth — 793, 822, 857, 1001, 1051
 Williams, Madalin — 793, 822, 857, 1001, 1051
- Judicial Qualifications, Commission on:
 French, Shelly — 793, 822, 857, 1001, 1051
 Thomas, Henry — 133, 142, 155, 330, 354, 1179
- Landscape Architectural Examining Board:
 Kimes, Helen — 793, 823, 860, 1002, 1051
 Seeger, Christopher — 793, 823, 860, 1002, 1024
deferral — 1024
- Law Enforcement Academy Council, Iowa:
 Romar, James — 793, 825, 862, 1059, 1169
- Lottery Authority Board of Directors:
 Baxter, Elaine — 793, 823, 860, 1002, 1051
 Rial, Thomas — 793, 823, 860, 1002, 1051

- Management, Director of Department of:
Krogmeier, Charles — 793, 824, 860, 1004, 1114, 1115
- Massage Therapy, Board of Examiners for:
Belieu, Mary — 793, 823, 860, 1002, 1052
Carlson, Doug — 793, 823, 860, 1002, 1113
Eaton, Kimberly — 793, 823, 860, 1002, 1052
Patch-Gray, Malinda — 133, 142, 156, 232, 241
- Medical Examiners, Board of:
Drew, Tom — 793, 824, 860, 1002, 1052
Habib, Shahid — 793, 824, 860, 1002, 1024
Houmes, Blaine — 793, 824, 860, 1002, 1052
Lee, Yasyn — 793, 824, 860, 1002, 1052
Shah, Yogesh — 133, 142, 156, 319
deferral — 1024
- Mental Health, Mental Retardation, Developmental Disabilities, and
Brain Injury Commission:
Crannell, Lynn — 793, 821, 856, 1000, 1169
Heitmann, Richard — 793, 821, 856, 1000, 1052
Johnson, David — 133, 142, 155, 319, 786, 793, 821, 856, 1059, 1090
Smith, Carl — 793, 821, 856, 1000, 1132
Todd, Raymond — 793, 821, 856, 1000, 1052
Whetstone, Gano — 793, 821, 856, 1000, 1052
- Mental Health Risk Pool Board:
Clinton, Wayne — 794, 822, 858, 1001, 1052
Pitts, Marjorie — 794, 822, 858, 1001, 1052
- Mortuary Science Examiners, Board of:
Eicher, Margaret — 794, 824, 860, 1002, 1052
Welander, LuJean — 794, 824, 860, 1002, 1052
- Natural Resource Commission:
Bird, William — 794, 822, 858, 1001, 1052
Drees, Gregory — 794, 822, 858, 1001, 1052
Rettig, Janelle — 794, 822, 858, 1001, 1052
- Natural Resources, Director of Department of:
Leopold, Richard — 794, 822, 858, 1004, 1133, 1134
- Nursing Examiners, Board of:
Bradley, Clyde — 794, 824, 861, 1002, 1132
Hasek, Jane — 794, 824, 861, 1002, 1052
Hilliard, Mark — 794, 824, 861, 1002, 1052
- Nursing Home Administrators, Board of Examiners for:
Beaty, Margaret — 794, 824, 861, 1002, 1132
Reis, Jan — 794, 824, 861, 909
- Optometry Examiners, Board of:
Connolly, Connie — 794, 824, 861, 1002, 1052
Olson, Christopher — 794, 824, 861, 1002, 1052

APPOINTEES — continued

Parole, Board of:

Alvarez, Alfredo — 133, 142, 155, 330, 332

Petroleum Underground Storage Tank Fund Board, Iowa Comprehensive:

Johnson, Jacqueline — 794, 822, 858, 1001, 1052

Lincoln, Nancy — 794, 822, 858, 1001, 1052

Pharmacy Examiners, Board of:

Wedemeyer-Oleson, DeeAnn — 794, 824, 861, 1002, 1052

Whitworth, Margaret — 794, 824, 861, 1002, 1169

Physical & Occupational Therapy Examiners, Board of:

Behrends, Denise — 794, 824, 861, 1003, 1053

Callanan, Susan — 794, 824, 861, 1003, 1053

Ungs, Martin — 794, 824, 861, 1003, 1053

Physician Assistant Examiners, Board of:

Friedmann, Edward — 794, 821, 856, 1000, 1053

Khan, Anila — 794, 821, 856, 1000, 1053

Podiatry Examiners, Board of:

Barp, Eric — 795, 824, 861, 1003, 1053

Mandi, Denise — 795, 824, 861, 1003, 1053

Scholz, Jill — 795, 824, 861, 1003, 1053

Prevention of Disabilities Policy Council:

Dungy, Claibourne — 795, 821, 856, 1000, 1053

Lindgren, Scott — 795, 821, 856, 1000, 1132

Tinsman, Maggie — 795, 821, 856, 1000, 1053

Psychology Examiners, Board of:

Johnson, Mary — 133, 142, 157, 232, 241, 795, 824, 861, 1003, 1053

Moody, James — 795, 824, 861, 1003, 1053

Public Safety, Commissioner of:

Eugene Meyer — 795, 825, 862, 965, 1156, 1203, 1221

Racing and Gaming Commission, State:

Seyfer, Gregory — 795, 824, 861, 1004, 1133, 1134

Real Estate Appraiser Examining Board:

Kesterson, James — 795, 824, 861, 1003, 1053

Morehead, Gregory — 795, 824, 861, 1003, 1053

Real Estate Commission:

Stevens, Judith — 795, 824, 861, 1003, 1053

Regents, State Board of:

Campbell, Bonnie — 795, 820, 854, 965, 1176

Evans, Jack — 795, 820, 854, 965, 1199

Lang, Craig — 795, 820, 854, 1023, 1199

Miles, David — 795, 820, 854, 965, 1200

Renewable Fuel Infrastructure Board:

Bond, Mona — 133, 142, 156, 294, 1159

Harding, Dennis — 132, 142, 156, 197, 253, 1159

Hillgren, Allen — 133, 142, 156, 263, 1177, 1178

Hove, Jeff — 133, 142, 156, 263, 1177, 1178

- Neville, Brenda — 133, 142, 156, 374, 1158
Norton, Mary — 133, 142, 156, 263, 1159
Reams-Widder, Jill — 133, 142, 156, 231, 253, 1177, 1178
Sexton, Keith — 133, 142, 156, 197, 253, 1177, 1178
Smitherman, David — 133, 142, 156, 231, 253, 1159
Wente, Yvonne — 133, 142, 156, 263, 1177, 1178
Wiegert, Brian — 133, 142, 156, 294, 1177, 1178
deferrals — 1159
- Respiratory Care, State Board for:
George, Kerry — 795, 824, 862, 1003, 1053
- School Budget Review Committee:
Tack, Leland — 795, 820, 854, 965, 1053
- Small Business Advisory Council:
Neugent, Timothy — 795, 820, 854, 999, 1053
Rainey, Nikita — 795, 820, 854, 999, 1053
Sieman, Loretta — 795, 820, 854, 999, 1053
- Social Work Examiners, Board of:
Hoffman, Christine — 795, 824, 862, 1003, 1053
Keith, Katinka — 795, 824, 862, 1003, 1090
Zimmerman, Ken — 795, 824, 862, 1003, 1053
- Soil Conservation Committee, State:
Ammons, Susan — 795, 819, 853, 1024
deferrals — 797, 1024
- Speech Pathology & Audiology Examiners, Board of:
Aird, Jason — 796, 824, 862, 1003, 1053
Jud, Coral — 796, 824, 862, 1003, 1053
- State-Federal Relations, Director of Office for:
Murphy, Jon — 796, 824, 862, 1004, 1114, 1115
- Tax Review, State Board of:
Koenig, Kathleen — 796, 825, 863, 1004, 1133, 1134
- Technology Governance Board:
Gupta, Atul — 796, 820, 855, 965, 969
Pitcher, Terri — 796, 820, 855, 965, 969
- Telecommunications and Technology Commission, Executive Director of:
Gillispie, John — 797, 819, 853, 965, 1133, 1134
- Telecommunications and Technology Commission, Iowa:
Mahaffey, Michael — 796, 819, 853, 965, 1053
- Title Guaranty Division Board:
Schneider, Patricia — 796, 819, 853, 965, 1054
deferral — 798
- Tobacco Use Prevention and Control, Commission on:
Callaway, Cathryn — 796, 821, 857, 1000, 1054
Sodders, Steven — 134, 142, 155, 319, 332
Streit, Gary — 796, 821, 857, 1000, 1054

APPOINTEES — continued

Transportation Commission, State:

Sawtelle, Wayne — 796, 825, 862, 966, 1004, 1179

Utilities Board:

Stamp, Curtis — 796, 819, 854, 965, 1133, 1134

Tanner, Krista — 796, 819, 854, 965, 1133, 1134

Utilities Board, Chair of:

Norris, John — 796, 819, 854, 965, 1134

Veterans Affairs, Commission of:

Delamore, Donald — 796, 825, 862, 1108, 1113

Mulcahy, Steven — 796, 825, 862, 1108, 1131, 1202

Waychus, Rosetta — 796, 825, 862, 1108, 1132

Veterinary Medicine, Board of:

Colvin, Tom — 134, 142, 157, 319, 425, 1134

Upton, Dean — 796, 825, 862, 1003, 1054

Vision Iowa Board:

Cloud Gross, Melanie — 796, 825, 862, 1024

Diehl, Fred — 796, 825, 862, 1087, 1134

Lutz, Terry — 796, 825, 862, 1087, 1134

Monroe, Marilyn — 796, 825, 862, 1087, 1134

deferral — 1024

Women, Administrator of Division on Status of:

deferral — 798

Workers' Compensation Commissioner:

Godfrey, Christopher — 134, 142, 156, 294, 1177

Workforce Development Board, Iowa:

Amos, Jerome — 796, 822, 857, 966, 969

Grobstich, Roger — 134, 142, 156, 294, 1134

Ingram, Kimberline — 796, 822, 857, 966, 969

Lord, Julie — 134, 142, 156, 295, 332

Workforce Development, Director of:

deferral — 798

APPOINTMENTS BY GOVERNOR

Deferrals — 797, 798, 1024, 1159, 1570

En Bloc Confirmation Calendar:

Confirmation — 241, 331, 332, 786, 969, 1049–1054, 1089, 1090,
1113, 1115, 1132, 1134, 1155, 1169, 1178

Placement on — 197, 231, 232, 263, 295, 318, 319, 330, 885, 965, 966,
999–1003, 1023, 1059, 1087, 1108, 1114, 1133, 1134, 1154, 1177

Individual Confirmation Calendar:

Confirmation — 1176, 1177, 1179, 1199–1202, 1221

Failure to confirm — 1156

Placement on by senators — 253, 354, 425, 1004, 1131

Placement on by standing committees — 263, 294, 330, 374, 965,
1003, 1004, 1023, 1059, 1087, 1107

APPOINTMENTS — continued

- Investigating committees — (*See individual committees*)
- Referral to standing committees — 141, 142, 819–825, 1237
- Submission by governor — 132–134, 789–797, 1237, 1347
- Withdrawals — 909, 1023, 1024, 1158, 1159, 1570

APPROPRIATIONS, COMMITTEE ON

- Amendments filed — 530, 1182, 1183, 1392, 1428, 1442
- Appointments to — 23
- Appointments to subcommittees — 25, 26
- Bills and resolutions introduced by — 259, 495, 600, 766, 877, 977, 1020, 1021, 1081, 1236, 1326, 1334, 1351, 1352, 1406, 1502
- Bills referred to — 60, 106, 126, 190, 191, 213, 214, 239, 281, 288, 323, 324, 347, 368, 386, 396, 415–417, 469, 471, 510, 525, 564, 576, 599, 617, 645, 710, 777, 811, 814, 843, 889, 908, 968, 1033, 1242, 1281, 1303, 1350, 1354, 1355, 1371, 1398, 1500, 1528, 1573
- Committee meeting reports — 76, 248, 490, 524, 724, 845, 876, 974, 1079, 1157, 1211, 1305, 1351, 1390, 1427, 1437, 1502, 1538
- Committee reports — 262, 503, 530, 600, 769, 878, 879, 977, 1021, 1022, 1082, 1182, 1183, 1212, 1236, 1326, 1334, 1352, 1392, 1407, 1421, 1422, 1428, 1442, 1503, 1504, 1536, 1540
- Study bills — 202, 203, 291, 316, 348, 370, 371, 419, 452, 511, 565, 767, 814, 847, 938, 1021, 1346, 1539
- Subcommittee assignments — 80, 203, 204, 229, 252, 293, 294, 317, 352, 371, 373, 388, 421–423, 453, 454, 512, 513, 567, 768, 769, 815, 847, 848, 938–941, 961, 962, 1021, 1082, 1307, 1346, 1391, 1417, 1463, 1503, 1539, 1540
- Subcommittee meeting reports:
 - Administration and Regulation — 111, 124, 137, 162, 163, 188, 237, 257, 287, 297, 299, 307, 344, 358, 429, 507, 595
 - Agriculture and Natural Resources — 112, 124, 146, 180, 189, 237, 268, 288, 299, 321, 344, 358, 381, 430, 459, 507
 - Economic Development — 112, 124, 147, 163, 237, 257, 298, 307, 357, 366, 392, 430, 459, 507, 693
 - Education — 112, 125, 147, 163, 189, 238, 257, 279, 299, 308, 344, 366, 381, 430, 460, 490, 507, 575, 595
 - Health and Human Services — 112, 125, 162, 180, 189, 256, 258, 280, 299, 315, 345, 367, 392, 415, 430, 460, 477, 508, 595, 996
 - Justice System — 113, 125, 147, 164, 189, 238, 258, 280, 300, 345, 367, 382, 415, 431, 478, 508, 595, 627, 693
 - Transportation, Infrastructure, and Capitals — 113, 148, 164, 238, 258, 288, 300, 345, 367, 382, 429, 476

ASSISTANT MAJORITY LEADERS — Democrats

Bolkcom, Joe — Senator, 39th District
 Connolly, Mike — Senator, 14th District
 Courtney, Thomas — Senator, 44th District
 Dotzler, Bill — Senator, 11th District
 Hatch, Jack — Senator, 33rd District
 Ragan, Amanda — Senator, 7th District

ASSISTANT MINORITY LEADERS — Republicans

Angelo, Jeff — Senator, 48th District
 Johnson, David — Senator, 3rd District
 McKibben, Larry — Senator, 22nd District
 Putney, John — Senator, 20th District
 Wieck, Ron — Senator, 27th District

BEALL, DARYL — Senator, 25th District; Democrat

Amendments filed — 354, 1064, 1161, 1186, 1213, 1278, 1381, 1386
 Amendments offered — 443, 1264, 1287, 1338, 1381
 Amendments withdrawn — 1264, 1286
 Bills introduced — 18, 114, 126, 180, 190, 191, 281, 301, 323, 324, 347,
 368, 383–385, 395, 418, 460, 461, 471, 472, 479, 563, 576, 577, 814
 Certificates of recognition — 278, 321, 743, 1032, 1273, 1290, 1362
 Presentations — 44, 198, 1359
 Resolutions introduced — 322, 358, 846, 1033, 1362, 1416
 Senate committee appointments — 26

BEHN, JERRY — Senator, 24th District; Republican

Amendments filed — 172–177, 218, 220, 221, 354, 360, 547, 555, 556,
 559, 613, 901–904, 930–933, 942, 944, 986, 989, 1013, 1037–1039,
 1061, 1063, 1064, 1147–1150, 1160, 1222, 1223, 1225, 1244, 1278,
 1282–1285, 1298–1301, 1313, 1343, 1384, 1443, 1445–1450, 1465,
 1495, 1496, 1565, 1566
 Amendments offered — 360, 948, 949, 1475, 1565
 Amendments withdrawn — 949, 1048
 Bills introduced — 214, 248, 249, 288, 368, 382–384, 386, 579, 597, 779
 Certificates of recognition — 1078
 Resolutions introduced — 382, 518, 846, 1362, 1416
 Senate committee appointments — 26

BILLS — (*See also* RESOLUTIONS; *for complete bill histories, see Index volume.*)

Approved (signed by governor) — 374, 467, 521, 569, 687, 782, 783, 909,
 910, 999, 1022, 1086, 1087, 1107, 1183, 1276, 1277, 1308, 1393, 1394,
 1541, 1542, 1575–1578
 Companion bills received and attached — 224, 378, 427, 486, 495, 522,
 710, 749, 906, 946, 1165

Item veto messages — 1494, 1579–1585
 Referral to committee — (*See individual committees*)
 Sent to governor — 330, 425, 485, 515, 569, 621, 730, 770, 848, 909, 998,
 1058, 1086, 1130, 1213, 1236, 1276, 1346, 1393, 1428, 1494, 1575
 Similar bills received and attached — 457, 748, 826, 843, 864, 888, 906,
 968, 970, 1035, 1198, 1531
 Substitutions — 242, 446, 497, 541, 546, 550, 758, 759, 895, 897, 916, 919,
 922, 953, 956, 971, 1067, 1073, 1091, 1250, 1297, 1373, 1376, 1532
 Unfinished Business Calendar, placement on — 777, 1097, 1205
 Veto messages — 1184, 1585
 Withdrawals — 243, 446, 498, 541, 547, 551, 590, 759, 760, 896, 898, 926,
 934, 954, 957, 972, 1068, 1074, 1092, 1128, 1251, 1302, 1376, 1378,
 1533

BLACK, DENNIS H. — Senator, 21st District; Democrat
 Amendments filed — 389, 1119, 1186, 1359, 1386, 1460
 Amendments offered — 1359
 Amendments withdrawn — 1119, 1419
 Bills introduced — 18, 181, 238, 239, 281, 309, 324, 358, 359, 368, 383–
 385, 395, 418, 460, 472, 525, 526, 563, 597, 814
 Conference committee appointments & reports — 1479, 1521
 Presentations — 44, 1398
 Resolutions introduced — 322, 358, 846, 1362, 1406, 1416
 Senate committee appointments — 27

BOARDS — (*See APPOINTEES; COMMUNICATIONS RECEIVED*)

BOETTGER, NANCY — Senator, 29th District; Republican
 Amendments filed — 172–176, 218, 220, 221, 284, 360, 545, 547, 555,
 559, 613, 730, 901–904, 930–933, 986, 989, 1013, 1037–1039, 1061,
 1063, 1064, 1108, 1147–1150, 1160, 1218, 1222, 1223, 1225, 1244,
 1267, 1278, 1282–1285, 1298–1301, 1313, 1343, 1348, 1381, 1443,
 1445–1450, 1460, 1496, 1497, 1566
 Amendments offered — 218, 903, 1013, 1070, 1116, 1147, 1148, 1172,
 1285, 1449
 Amendments withdrawn — 758, 1267, 1283, 1289
 Bills introduced — 190, 214, 248, 249, 270, 281, 288, 301, 346, 368, 382–
 384, 386, 471, 519, 575, 577, 579, 779, 814
 Certificates of recognition — 342, 428, 517, 691, 692, 844, 845, 1103,
 1196, 1290, 1436, 1480
 Presentations — 1359
 Resolutions introduced — 382, 846, 1362, 1416
 Senate committee appointments — 27

BOLKCOM, JOE — Senator, 39th District; Assistant Majority Leader, Democrat

Amendments filed — 817, 1006, 1013, 1024, 1030, 1310, 1428, 1438, 1471, 1512, 1535

Amendments offered — 840, 1013, 1030, 1435, 1438, 1512, 1519

Amendments withdrawn — 1031, 1439

Bills introduced — 18, 126, 149, 165, 180, 190, 191, 213, 239, 270, 271, 281, 282, 301, 309, 324, 325, 368, 383, 385, 394, 395, 416–419, 431, 433, 451, 460, 461, 471, 472, 479, 491, 509, 510, 563, 629, 814

Conference committee appointments & reports — 1479, 1550

Resolutions introduced — 322, 358, 813, 846, 1080, 1362, 1416

Senate committee appointments — 27

BUDGET MESSAGE

Governor Chet Culver — 207

BUSINESS AND LABOR RELATIONS, COMMITTEE ON — (*See* LABOR AND BUSINESS RELATIONS)

CANVASS OF VOTES

Joint Conventions — 22, 89

CERTIFICATES OF EXCELLENCE

Senate Pages — 1531

CERTIFICATES OF RECOGNITION — (*See individual senators*)

CERTIFICATION OF ELECTION

Governor and lieutenant governor — 90

State senators — 7–9

CHAPLAINS

Committee appointed — 16

CHIEF JUSTICE OF SUPREME COURT, The Honorable Marsha K. Ternus

Condition of Iowa Judiciary Message — 65

COMMERCE, COMMITTEE ON

Amendments filed — 1083

Appointees, investigation of — 141, 154, 197, 819, 853, 854, 965

Appointments to — 23

Bills and resolutions introduced — 126, 393, 528, 529, 576–578, 632, 693–696, 698, 726, 779

Bills referred to — 149, 190, 226, 267, 270, 271, 309, 323, 385, 416, 418, 419, 461, 471, 472, 480, 487, 491, 509, 510, 519, 629, 881, 888

- Committee meeting reports — 58, 123, 187, 256, 306, 379, 489, 524, 574, 626, 766, 959, 1079, 1144
- Committee reports — 131, 398, 530, 531, 583, 584, 633, 699–701, 727, 770, 780, 962, 1083
- Study bills — 60, 61, 129, 150, 227, 228, 251, 260, 290, 316, 326, 349, 369, 370, 462, 580
- Subcommittee assignments — 61, 131, 151, 168, 230, 252, 262, 292, 293, 317, 327, 351, 352, 373, 387, 421, 464, 482, 483, 512, 566, 567, 583, 884, 908

COMMISSIONS — (*See* APPOINTEES; COMMUNICATIONS RECEIVED)

COMMITTEE ASSIGNMENTS

- Senators — 23–33

COMMITTEE MEETING REPORTS

- Agriculture — 75, 111, 161, 298, 356, 379, 477, 574, 626, 778, 1098
- Appropriations — 76, 248, 490, 524, 724, 845, 876, 974, 1079, 1157, 1211, 1305, 1351, 1390, 1427, 1437, 1502, 1538
- Appropriations Subcommittees:
 - Administration and Regulation — 111, 124, 137, 162, 163, 188, 237, 257, 287, 297, 299, 307, 344, 358, 429, 507, 595
 - Agriculture and Natural Resources — 112, 124, 146, 180, 189, 237, 268, 288, 299, 321, 344, 358, 381, 430, 459, 507
 - Economic Development — 112, 124, 147, 163, 237, 257, 298, 307, 357, 366, 392, 430, 459, 507, 693
 - Education — 112, 125, 147, 163, 189, 238, 257, 279, 299, 308, 344, 366, 381, 430, 460, 490, 507, 575, 595
 - Health and Human Services — 112, 125, 162, 180, 189, 256, 258, 280, 299, 315, 345, 367, 392, 415, 430, 460, 477, 508, 595, 996
 - Justice System — 113, 125, 147, 164, 189, 238, 258, 280, 300, 345, 367, 382, 415, 431, 478, 508, 595, 627, 693
 - Transportation, Infrastructure, & Capitals — 113, 148, 164, 238, 258, 288, 300, 345, 367, 382, 429, 476
- Commerce — 58, 123, 187, 256, 306, 379, 489, 524, 574, 626, 766, 959, 1079, 1144
- Economic Growth — 59, 137, 145, 187, 225, 256, 315, 343, 391, 414, 477, 592, 627, 882, 975, 1103
- Education — 105, 110, 138, 179, 201, 236, 278, 298, 342, 458, 476, 506, 562, 593, 812, 937, 1020, 1079
- Ethics — 161
- Government Oversight — 111, 161, 188, 307, 344, 414, 458, 692, 1032, 1273, 1493
- Human Resources — 83, 111, 145, 146, 212, 236, 268, 287, 343, 428, 517, 574, 625, 724, 876, 960, 974, 1078

COMMITTEE MEETING REPORTS — continued

- Judiciary — 75, 105, 145, 201, 212, 268, 321, 357, 380, 451, 489, 562, 594, 646, 995, 1098
- Labor and Business Relations — 58, 76, 163, 201, 279, 451, 506, 563, 626, 692, 937, 1056
- Local Government — 83, 105, 138, 202, 236, 269, 306, 322, 380, 414, 518, 593, 627, 813, 960, 1104
- Natural Resources and Environment — 75, 123, 146, 188, 225, 257, 279, 315, 379, 380, 414, 477, 593, 627, 883, 995, 1104
- Rules and Administration — 74, 76, 106, 124, 138, 146, 188, 213, 269, 279, 322, 357, 366, 381, 490, 846, 937, 960, 976, 1157, 1211, 1235, 1290, 1325, 1390, 1405, 1480, 1538, 1569
- State Government — 83, 106, 139, 212, 236, 269, 306, 381, 392, 429, 518, 593, 646, 743, 845, 975, 1079, 1416
- Transportation — 59, 145, 161, 213, 225, 269, 343, 506, 563, 594, 724, 960, 1056, 1098
- Veterans Affairs — 83, 105, 123, 162, 306, 459, 518, 575, 975, 1056, 1099
- Ways and Means — 84, 122, 123, 179, 248, 297, 379, 459, 489, 766, 876, 975, 1080, 1181, 1274, 1391, 1437, 1480, 1502, 1539, 1569

COMMITTEE REPORTS

- Agriculture — 520, 650, 678, 699, 727, 780, 1105
- Appropriations — 262, 503, 530, 600, 769, 878, 879, 977, 1021, 1022, 1082, 1182, 1183, 1212, 1236, 1326, 1334, 1352, 1392, 1407, 1421, 1422, 1428, 1442, 1503, 1504, 1536, 1540
- Commerce — 131, 398, 530, 531, 583, 584, 633, 699–701, 727, 770, 780, 962, 1083
- Economic Growth — 274, 398, 491, 513, 601, 619, 633, 651, 679, 701, 781, 884, 885, 996, 1105
- Education — 196, 274, 473, 531, 601, 602, 634, 651, 816, 1022, 1083
- Ethics — 170
- Government Oversight — 1033, 1291, 1464
- Human Resources — 215, 231, 353, 388, 434–436, 454, 531, 585, 602, 634, 652, 680, 681, 701, 727, 728, 745, 816, 962, 963, 1057, 1058, 1084
- Judiciary — 119, 152, 215, 282, 328, 329, 374, 399, 464, 465, 491, 514, 532, 568, 585, 603, 604, 634–636, 653, 654, 682, 683, 702–706, 728, 729, 745, 746, 770, 996, 997, 1106, 1130
- Labor and Business Relations — 171, 282, 465, 466, 532, 533, 604, 619, 620, 636, 637, 683, 706
- Local Government — 275, 309, 310, 329, 354, 389, 399, 400, 424, 533, 534, 568, 637–639, 707, 963, 964, 1106
- Natural Resources and Environment — 171, 240, 401, 436, 437, 492, 514, 534, 605, 639, 640, 683–685, 707, 729, 746, 998, 1107
- Rules and Administration — 37, 40, 62, 81, 101, 120, 141, 153, 196, 266, 276, 283, 329, 359, 374, 376, 492, 819, 848, 914, 941, 950, 978, 1158, 1209, 1212, 1213, 1216, 1237, 1292, 1320, 1347, 1368, 1392, 1393,

- 1398, 1399, 1407, 1408, 1481–1483, 1513, 1521, 1540, 1541, 1554, 1568
- State Government — 153, 154, 310, 318, 389, 401, 424, 455, 466, 534, 535, 585, 586, 605, 620, 621, 640–642, 654, 685, 686, 707, 708, 729, 746, 781, 1084, 1085, 1417
- Transportation — 275, 535, 568, 586, 606, 642, 643, 654, 655, 730, 1058, 1100
- Veterans Affairs — 606, 656, 1086, 1100
- Ways and Means — 181, 310, 473, 474, 515, 781, 782, 885, 908, 978, 979, 1100, 1101, 1130, 1197, 1275, 1276, 1285, 1292, 1293, 1307, 1393, 1408, 1464, 1483, 1504, 1541, 1559

COMMITTEES, SPECIAL

- Chaplains — 16
- Conference — (*See* CONFERENCE COMMITTEES)
- Credentials — 6, 7
- Mileage — 16, 42

COMMUNICATIONS RECEIVED

- Administrative Services, Department of — 33, 235, 255
- Agricultural Safety and Health, Iowa Center for — 33
- Alcoholic Beverages Division (Dept. of Commerce) — 33
- Arts Council, Iowa — 136
- Citizens' Aide/Ombudsman — 33, 341
- Civil Rights Commission — 36
- College Student Aid Commission — 34, 103, 592
- Communications Network, Iowa — 34
- County Engineers Association Service Bureau, Iowa — 255
- County Real Estate Electronic Government Advisory Committee — 34, 391
- Criminal and Juvenile Justice Planning, Division on — 34, 1098
- Drug Control Policy, Office of — 34, 104, 136, 255
- Economic Development, Department of — 34, 74, 103, 136, 235, 256, 592
- Education, Department of — 34, 36, 103, 136, 235
- Elder Affairs, Department of — 122
- Higher Education Loan Authority — 74
- Human Rights, Department of — 34, 36, 256, 305
- Human Services, Department of — 34–36, 103, 136, 268
- Institute for Tomorrow's Workforce — 137
- Iowa Communications Network — 34
- Iowa Public Employees' Retirement System — 35, 37
- Justice, Department of — 35, 36
- Law Enforcement Academy — 36
- Legislative Service Agency — 339
- Lottery Board — 37
- Management, Department of — 104
- Municipal Fire and Police Retirement System of Iowa — 35

COMMUNICATIONS — continued

- National Guard, Iowa — 137
- Natural Resources, Department of — 35, 200
- Parole, Board of — 104
- Public Defense, Department of — 103
- Public Employment Relations Board — 35
- Public Health, Department of — 35, 103, 875
- Regents, Board of — 36, 103, 110, 137, 235
- Revenue, Department of — 36, 235, 391, 907
- Tax Review, Board of — 200
- Technology Governance Board — 104
- Telecommunications & Technology Commission — 36, 37
- Transportation, Department of — 36, 104, 179, 200, 1020
- Veterans Affairs, Department of — 110
- Veterans Home — 37
- Workforce Development — 104, 1181

COMPANION BILLS — (*See also Senate and House Companion Bills, listed in bill history section of Index volume*)

- Received and attached — 224, 378, 427, 486, 495, 522, 710, 749, 906, 946, 1165

CONCURRENCE BY SENATE — (*See HOUSE AMENDMENTS IN SENATE*)

CONDITION OF THE IOWA JUDICIARY MESSAGE

- Delivery by Chief Justice Marsha K. Ternus — 65

CONDITION OF THE IOWA NATIONAL GUARD ADDRESS

- Delivery by Major General Ron Dardis — 404

CONDITION OF THE STATE MESSAGE

- Delivery by Governor Tom Vilsack — 46

CONFERENCE COMMITTEES

- Senate File 277 — 1268, 1328, 2281
- Senate File 472 — 1318, 1413, 1414, 2285
- Senate File 551 — 1479, 1521, 1522, 2286
- House File 808 — 1371, 1427, 1484
- House File 909 — 1479, 1550

CONFIRMATION OF APPOINTEES — (*See APPOINTEES*)

CONNOLLY, MIKE — Senator, 14th District; Assistant Majority Leader, Democrat

- Amendments filed — 330, 485, 730, 770, 910, 942, 1170, 1224, 1312, 1382, 1386, 1465, 1535

Amendments offered — 333, 874, 917, 1011, 1170, 1204, 1224, 1382, 1535
 Bills introduced — 18, 149, 181, 190, 191, 271, 301, 368, 383–386, 395, 460, 471, 472, 519, 744
 Certificates of recognition — 297, 743, 875, 1404
 Conference committee appointments & reports — 1268, 1328
 Explanations of votes — 321, 995, 1235
 Resolutions introduced — 322, 358, 846, 1033, 1362, 1463
 Senate committee appointments — 27

COURTNEY, THOMAS G. — Senator, 44th District; Majority Whip, Democrat
 Amendments filed — 849, 942, 1048, 1385, 1386
 Amendments offered — 870
 Amendments withdrawn — 949
 Bills introduced — 18, 84, 180, 190, 191, 301, 324, 325, 346, 368, 383, 385, 395, 471, 478, 563
 Certificates of recognition — 200, 201, 255, 278, 287, 356, 413, 488, 489, 573, 574, 624, 671, 672, 875, 936, 1032, 1143, 1144, 1273, 1462, 1493
 Conference committee appointments & reports — 1318, 1413
 Resolutions introduced — 322, 358, 846, 1362, 1398
 Senate committee appointments — 27

CREDENTIALS, COMMITTEE ON

Appointment — 6
 Report — 7

DANIELSON, JEFF — Senator, 10th District; President Pro Tempore, Democrat
 Amendments filed — 817, 835, 910, 966, 993, 1064, 1131, 1213, 1381, 1386, 1395, 1428, 1434, 1495, 1505, 1527
 Amendments offered — 537, 835, 993, 1017, 1073, 1218, 1381, 1434, 1505
 Amendments withdrawn — 835, 1434
 Bills introduced — 18, 150, 180, 239, 272, 282, 288, 301, 324, 347, 348, 368, 383–385, 394–396, 433, 460, 471, 472, 480, 510, 525, 563, 597, 598, 814
 Election and oath of office — 10
 Resolutions introduced — 300, 322, 358, 846, 1196, 1362, 1416
 Senate committee appointments — 27

DEARDEN, DICK L. — Senator, 34th District; Democrat
 Amendments filed — 656, 987, 1240, 1284
 Amendments offered — 764, 987, 1270
 Bills introduced — 18, 180, 190, 191, 239, 272, 301, 309, 324, 347, 368, 383–386, 395, 417, 460, 471, 472, 563
 Certificates of recognition — 235, 458
 Conference committee appointments & reports — 1318, 1371, 1413, 1427
 Resolutions introduced — 322, 358, 846, 1325, 1362, 1462
 Senate committee appointments — 27

DEFERRAL OF APPOINTMENTS — (*See* GOVERNOR)

DOTZLER, WILLIAM A., JR. — Senator, 11th District; Assistant Majority Leader, Democrat

Amendments filed — 703, 835, 989, 994, 1004, 1028, 1093, 1270, 1381, 1383, 1385, 1386, 1412, 1543

Amendments offered — 749, 989, 994, 1093, 1270, 1383, 1385, 1412

Bills introduced — 18, 126, 139, 149, 180, 190, 191, 288, 301, 324, 346, 368, 383–385, 395, 460, 471, 472, 479, 480, 563, 576, 598, 814

Certificates of recognition — 110, 144, 187, 212, 278, 297, 356, 458, 476, 573, 691, 692, 812, 1032, 1143, 1144, 1415

Presentations — 254

Presiding at session — 1168

Resolutions introduced — 322, 358, 846, 1362, 1511

Senate committee appointments — 28

DVORSKY, ROBERT E. — Senator, 15th District; Democrat

Amendments filed — 485, 504, 558, 656, 817, 835, 849, 1310, 1348, 1379, 1381, 1471, 1562, 1563

Amendments offered — 504, 547, 658, 899, 1229, 1379, 1381, 1563

Bills introduced — 18, 149, 180, 250, 281, 282, 301, 383–386, 395, 460, 471, 472, 563

Certificates of recognition — 122, 287, 624, 625, 882, 1462

Conference committee appointments & reports — 1479, 1550

Presiding at session — 835, 928, 989, 1215

Resolutions introduced — 264, 322, 358, 846, 1080, 1157, 1362, 1463

Senate committee appointments — 28

ECONOMIC GROWTH, COMMITTEE ON

Amendments filed — 1105

Appointees, investigation of — 141, 154, 263, 819, 820, 854, 885, 999, 1237

Appointments to — 23

Bills and resolutions introduced by — 270, 393, 490, 508, 599, 616, 630, 647, 675–677, 694, 779

Bills referred to — 126, 346, 384, 417, 431, 749, 772, 881, 967, 1206

Committee meeting reports — 59, 137, 145, 187, 225, 256, 315, 343, 391, 414, 477, 592, 627, 882, 975, 1103

Committee reports — 274, 398, 491, 513, 601, 619, 633, 651, 679, 701, 781, 884, 885, 996, 1105

Study bills — 79, 151, 420, 520, 564, 565

Subcommittee assignments — 80, 151, 152, 397, 423, 453, 512, 520, 567, 780, 815, 908, 1021

EDUCATION, COMMITTEE ON

Appointees, investigation of — 820, 854, 855, 965, 1023

Appointments to — 24

- Bills and resolutions introduced — 191, 272, 468, 529, 596, 598, 599, 632, 649
- Bills referred to — 77, 150, 165, 190, 191, 202, 239, 249, 250, 259, 301, 324, 348, 378, 384, 385, 394, 461, 480, 495, 526, 577, 598, 843, 968, 1027, 1205, 1206
- Committee meeting reports — 105, 110, 138, 179, 201, 236, 278, 298, 342, 458, 476, 506, 562, 593, 812, 937, 1020, 1079
- Committee reports — 196, 274, 473, 531, 601, 602, 634, 651, 816, 1022, 1083
- Study bills — 85, 117, 151, 193, 194, 260, 273, 452, 463, 481
- Subcommittee assignments — 86, 87, 119, 152, 194, 195, 229, 252, 261, 262, 274, 388, 454, 463, 464, 483, 484, 565–567, 617–619, 678, 878, 996, 1057

EMPLOYEES OF THE SENATE

- Appointments — 11–14
- Pages — 15, 1531
- Pay grades and steps — 37–42

EN BLOC CONFIRMATION CALENDAR — (*See* APPOINTEES)

ENGROSSMENT AND ENROLLMENT OF BILLS, CORRECTIONS

- Senate File 32 — 485
- Senate File 74 — 573
- Senate File 347 — 1494
- Senate File 361 — 1023
- Senate File 499 — 1574
- Senate File 548 — 998
- Senate Files 551, 562, 588, 601 — 1574

ESSAY CONTEST WINNERS

- “Write Women Back Into History” — 1162

ETHICS, COMMITTEE ON

- Appointments to — 24
- Bills and resolutions introduced — 164
- Committee meeting reports — 161
- Committee reports — 170
- Study bills — 127
- Subcommittee assignments — 130

EXPLANATIONS OF VOTES — (*See individual senators*)

FRAISE, GENE — Senator, 46th District; Democrat

- Amendments filed — 354, 622, 850, 910, 944, 1061, 1213, 1384, 1386, 1532
- Amendments offered — 840, 914, 948, 1384

FRAISE — continued

- Bills introduced — 18, 84, 180, 190, 191, 259, 281, 301, 324, 368, 383–385, 395, 460, 471, 472, 563, 814
- Certificates of recognition — 428
- Resolutions introduced — 322, 358, 813, 846, 1362
- Senate committee appointments — 28

GASKILL, E. THURMAN — Senator, 6th District; Republican

- Amendments filed — 172–176, 218, 284, 547, 850, 930–933, 986, 989, 1061, 1063, 1064, 1076, 1108, 1147, 1150, 1218, 1222, 1223, 1225, 1244, 1278, 1282–1285, 1299, 1300, 1313, 1343, 1349, 1443, 1445–1450, 1471, 1495, 1496
- Bills introduced — 214, 249, 288, 309, 346, 368, 382, 383, 385, 386, 395, 417, 563, 575, 579, 599, 814
- Certificates of recognition — 974
- Conference committee appointments & reports — 1479, 1521
- Resolutions introduced — 382, 518, 672, 846, 1033, 1362
- Senate committee appointments — 28

GOVERNMENT OVERSIGHT, COMMITTEE ON

- Appointments to — 24
- Bills and resolutions introduced by — 1033, 1291, 1463
- Bills referred to — 1573
- Committee meeting reports — 111, 161, 188, 307, 344, 414, 458, 692, 1032, 1273, 1493
- Committee reports — 1033, 1291, 1464
- Study bills — 452, 938, 1416
- Subcommittee assignments — 454, 941, 1417

GOVERNOR, Chet Culver

- Appointments by — 132–134, 789–797, 1237, 1347
- Bills signed by — 374, 467, 521, 569, 687, 782, 783, 909, 910, 999, 1022, 1086, 1087, 1107, 1183, 1276, 1277, 1308, 1393, 1394, 1541, 1542, 1575–1578
- Budget message — 207
- Deferral of appointments — 797, 798, 1024, 1159, 1570
- Inaugural address — 95
- Item veto messages — 1494, 1579–1585
- Veto messages — 1184, 1585

GOVERNOR, Thomas Vilsack

- Condition of the State Message — 46

GRONSTAL, MICHAEL E. — Senator, 50th District; Majority Leader, Democrat

- Address to the Senate — 4

- Amendments filed — 611, 1034, 1374, 1381, 1386, 1387
- Amendments offered — 611, 1034, 1374, 1386, 1387
- Amendments withdrawn — 611, 1387
- Bills introduced — 18, 191, 301, 324, 368, 383–385, 460, 471, 510, 528, 563, 813, 1033, 1182, 1405, 1406
- Certificates of recognition — 122, 470, 671, 812, 974, 1273
- Presentations — 7, 9, 186, 950, 1027
- Resolutions introduced — 139, 185, 270, 322, 358, 846, 938, 1306, 1362, 1511
- Senate committee appointments — 28

GUESTS

- Senators Appel and Ward welcomed winners of “Write Women Back Into History” contest — 1162
- Senator Beall introduced visitors from Nigeria — 44
- Senator Beall introduced former congressman Berkley Bedell — 198
- Senators Beall and Boettger introduced visitors from China — 1359
- Senator Black welcomed former lieutenant governor Robert Anderson — 44
- Senator Black welcomed Gold Wing road riders — 1398
- Senator Dotzler introduced Harriet Fulbright — 254
- Senator Gronstal welcomed representative Leonard Boswell — 7
- Senator Gronstal welcomed attorney general Tom Miller, former lieutenant governor JoAnn Zimmerman, former senators Norm Rogers and Rod Halvorson, and teacher of the year Jackie Warnstadt — 9
- Senator Gronstal introduced women’s volleyball team from Iowa western community college — 186
- Senator Gronstal welcomed workers who helped restore electricity after winter storm — 950
- Senator Gronstal introduced U.S. senator Joe Biden — 1027
- Senator Hahn welcomed former senator Merlin Hulse — 742
- Senator Hartsuch welcomed former senator Maggie Tinsman — 713
- Senator Horn introduced Dr. David Johnson — 1369
- Senator Johnson welcomed former senator Richard Vande Hoef — 426
- Senator Johnson welcomed former governor Robert Ray — 1217
- Senator Kibbie introduced Ken Quinn of world food prize foundation — 199
- Senator Kibbie introduced Tony Dempsey, member of Irish Parliament — 732
- Senator Kibbie introduced Jerri Sadler, 2007 Miss Shamrock — 733
- Senator McKinley welcomed visitors from Pella tulip time festival — 1066
- Senator McKinley welcomed former senator H. Kay Hedge — 1438
- Senator Mulder introduced professor Jeff Barker of Northwestern college — 159

GUESTS — continued

- Senator Mulder introduced Orange City tulip time queen and her attendants — 1008
- Senator Quirnbach introduced representatives from Special Olympics — 135
- Senator Ragan welcomed family of command sergeant major Galen Kittleson — 1411
- Senator Stewart introduced former representative Bob Osterhaus — 1111

HAHN, JAMES — Senator, 40th District; Republican

- Amendments filed — 172–177, 218, 220, 221, 360, 547, 555, 556, 731, 901–904, 930–932, 986, 989, 1013, 1037–1039, 1042–1045, 1048, 1059, 1061, 1063, 1064, 1076, 1108, 1147, 1150, 1160, 1218, 1222, 1223, 1225, 1244, 1278, 1282–1285, 1298–1300, 1313, 1343, 1348, 1380, 1443, 1445–1447, 1449, 1450, 1496, 1497, 1566
- Amendments offered — 734, 1095, 1380
- Bills introduced — 214, 248–250, 280, 346, 382–386, 395, 575, 579, 599, 779, 814
- Certificates of recognition — 200, 201, 1273, 1351, 1390, 1436
- Presentations — 742
- Resolutions introduced — 382, 518, 814, 846, 937, 1157, 1362
- Senate committee appointments — 28

HANCOCK, THOMAS — Senator, 16th District; Democrat

- Amendments filed — 389, 401, 502, 1005, 1064, 1088, 1131, 1149, 1213, 1385, 1386, 1465
- Amendments offered — 502, 1091, 1244, 1475
- Amendments withdrawn — 1475
- Bills introduced — 18, 19, 148, 150, 180, 190, 191, 239, 347, 368, 383, 384, 395, 460, 470–472, 479, 563, 564, 578
- Certificates of recognition — 255, 671, 672, 778, 812, 907, 936, 1211
- Resolutions introduced — 322, 358, 846, 1362
- Senate committee appointments — 28

HARTSUCH, DAVID — Senator, 41st District; Republican

- Amendments filed — 172–176, 204, 218, 220, 221, 354, 360, 515, 547, 555, 556, 559, 609, 613, 714, 879, 886, 902–904, 931–933, 986, 1013, 1036–1039, 1042–1045, 1061, 1063, 1064, 1076, 1108, 1147, 1150, 1218, 1222, 1223, 1244, 1278, 1282–1285, 1298–1301, 1313, 1343, 1349, 1443, 1445–1450, 1496, 1566
- Amendments offered — 219–221, 542, 609, 902, 904, 1036–1039
- Amendments withdrawn — 904
- Bills introduced — 248, 249, 346, 368, 382, 383, 386, 472, 575, 579
- Certificates of recognition — 122, 671, 1583
- Conference committee appointments & reports — 1371, 1427

Presentations — 713
Resolutions introduced — 382, 518, 846, 1235, 1325, 1362
Senate committee appointments — 28

HATCH, JACK — Senator, 33rd District; Assistant Majority Leader, Democrat
Amendments filed — 731, 835, 1028, 1284, 1348, 1386, 1445, 1449, 1450
Amendments offered — 763, 1028, 1442, 1445, 1450, 1562
Bills introduced — 18, 114, 126, 149, 180, 190, 191, 280, 301, 309, 324,
368, 383, 385, 386, 416, 471, 563, 814
Certificates of recognition — 305
Conference committee appointments & reports — 1479, 1550
Resolutions introduced — 322, 358, 846, 1362
Senate committee appointments — 29

HECKROTH, BILL — Senator, 9th District; Democrat
Amendments filed — 973, 984, 1005, 1064, 1386
Amendments withdrawn — 984
Bills introduced — 18, 180, 190, 191, 271, 301, 347, 348, 368, 383, 385,
460, 471, 563, 598
Certificates of recognition — 413, 844, 845, 882, 907, 936, 1078, 1103,
1324, 1325, 1436
Resolutions introduced — 322, 358, 846, 1362
Senate committee appointments — 29

HOGG, ROB — Senator, 19th District; Democrat
Amendments filed — 849, 886, 942, 966, 973, 1041, 1339, 1347, 1348,
1353, 1377, 1386, 1471, 1527
Amendments offered — 867, 894, 982, 1041, 1339, 1376, 1377
Amendments withdrawn — 1041, 1376, 1527
Bills introduced — 18, 181, 190, 191, 324, 346, 386, 396, 416, 461, 471,
472, 479, 480, 525, 563, 597
Explanations of votes — 691
Resolutions introduced — 846, 1325, 1362
Senate committee appointments — 29

HORN, WALLY E. — Senator, 17th District; Democrat
Amendments filed — 515, 622, 912, 966, 973
Amendments offered — 550, 661
Bills introduced — 18, 180, 190, 191, 281, 301, 309, 324, 368, 383, 384,
395, 460, 472
Certificates of recognition — 1129
Presentations — 1369
Resolutions introduced — 322, 358, 846, 1362
Senate committee appointments — 29

HOUSE AMENDMENTS IN SENATE

- Senate Concurrent Resolution 2, S-3019 — 224; Senate concurred — 242
- Senate File 49, S-3387 — 1315; amended and concurred — 1374
- Senate File 61, S-3024 — 305; amended and concurred — 338
- Senate File 70, S-3050 — 522; concurred — 829
- Senate File 78, S-3108 — 709; concurred — 799
- Senate File 131, S-3277 — 1065
- Senate File 155, S-3315 — 1147; concurred — 1258
- Senate File 175, S-3303 — 1111; concurred — 1257
- Senate File 212, S-3361 — 1280; concurred — 1336
- Senate File 254, S-3382 — 1304; concurred — 1335
- Senate File 265, S-3314 — 1147; concurred — 1256
- Senate File 277, S-3298 — 1102; 1221; amended and concurred — 1233
- Senate File 333, S-3304 — 1111; concurred — 1255
- Senate File 339, S-3281 — 1075; concurred — 1254
- Senate File 340, S-3399 — 1350; concurred — 1366
- Senate File 344, S-3505 — 1499; concurred — 1509
- Senate File 360, S-3320 — 1164; concurred — 1259
- Senate File 403, S-3225 — 1008; concurred — 1018
- Senate File 406, S-3333 — 1209; concurred — 1252
- Senate File 414, S-3350 — 1242; concurred — 1272
- Senate File 421, S-3499 — 1478; concurred — 1488
- Senate File 427, S-3487 — 1453; concurred — 1454
- Senate File 430, S-3386 — 1315; concurred — 1321
- Senate File 457, S-3400 — 1350; concurred — 1363
- Senate File 469, S-3385 — 1315; concurred — 1364
- Senate File 489, S-3336 — 1215; concurred — 1251
- Senate File 472, S-3360 — 1269; refused to concur — 1286
- Senate File 485, S-3388 — 1315; concurred — 1357
- Senate File 503, S-3498 — 1478; concurred — 1489
- Senate File 510, S-3530 — 1556; concurred — 1558
- Senate File 530, S-3401 — 1354; 1358; concurred — 1369
- Senate File 540, S-3324 — 1169; concurred — 1249
- Senate File 546, S-3384 — 1315; amended and concurred — 1340
- Senate File 551, S-3436 — 1389; amended and concurred — 1460
- Senate File 554, S-3363 — 1280; concurred — 1302
- Senate File 558, S-3442 — 1425; concurred — 1426
- Senate File 559, S-3497 — 1478; concurred — 1487
- Senate File 563, S-3337 — 1215; concurred — 1242
- Senate File 575, S-3435 — 1389; concurred — 1401
- Senate File 579, S-3528 — 1551; concurred — 1552
- Senate File 580, S-3521 — 1528; concurred
- Senate File 588, S-3506 — 1500; amended and concurred — 1515
- Senate File 593, S-3523 — 1530; concurred — 1534
- Senate File 601, S-3532 — 1556; amended and concurred — 1567
- House File 793, S-3334 — 1210; concurred — 1262

House File 368, S-3362 — 1280; concurred — 1337
House File 641, S-3526 — 1545; concurred — 1557
House File 923, S-3527 — 1545; concurred — 1553
House File 911, S-3531 — 1556; concurred — 1561

HOUSER, HUBERT — Senator, 49th District; Republican

Amendments filed — 360, 986, 1013, 1045, 1061, 1063, 1064, 1108, 1147,
1150, 1160, 1213, 1222, 1223, 1225, 1244, 1278, 1284, 1298-1300,
1312, 1343, 1348, 1566
Bills introduced — 190, 248, 280, 281, 288, 368, 382-384, 395, 460, 563
Certificates of recognition — 413, 1405
Conference committee appointments & reports — 1479, 1521
Resolutions introduced — 382, 518, 846, 1362
Senate committee appointments — 29

HUMAN RESOURCES, COMMITTEE ON

Amendments filed — 963, 1057
Appointees, investigation of — 141, 142, 154, 155, 318, 319, 820, 821,
855-857, 999, 1000, 1003, 1059
Appointments to — 24
Bills and resolutions introduced — 214, 226, 347, 348, 384, 432-434, 451,
527, 529, 576, 596, 597, 631, 648, 649, 672-676, 693, 725, 744, 814
Bills referred to — 18, 114, 139, 181, 214, 226, 250, 281, 301, 325, 347,
359, 384, 385, 394, 395, 450, 471, 479, 510, 519, 525, 528, 578, 579,
670, 709, 748, 771, 772, 843, 929, 946, 1008, 1026, 1205, 1206
Committee meeting reports — 83, 111, 145, 146, 212, 236, 268, 287, 343,
428, 517, 574, 625, 724, 876, 960, 974, 1078
Committee reports — 215, 231, 353, 388, 434-436, 454, 531, 585, 602, 634,
652, 680, 681, 701, 727, 728, 745, 816, 962, 963, 1057, 1058, 1084
Study bills — 115-117, 139, 140, 150, 166, 192, 193, 228, 250, 251, 260,
290, 316, 368, 371, 420, 511, 617
Subcommittee assignments — 107, 118, 119, 130, 140, 151, 152, 169, 194,
195, 229, 230, 252, 261, 262, 292, 293, 303, 317, 351, 371-373, 388,
397, 422, 423, 454, 512, 513, 520, 567, 582, 618, 619, 726, 769, 780,
815, 877, 940, 962, 1021, 1057

INAUGURATION

Inaugural address by Governor Chet Culver — 95
Joint convention — 88

INDIVIDUAL CONFIRMATION CALENDAR — (See APPOINTEES)

INTRODUCTIONS — (See GUESTS)

INVESTIGATIONS OF APPOINTEES — (See APPOINTEES; *individual committees*)

ITEM VETO MESSAGES

Senate File 277 — 1494
 Senate File 403 — 1579
 Senate File 551 — 1580
 Senate File 562 — 1580
 Senate File 575 — 1581
 Senate File 588 — 1582
 Senate File 601 — 1583

JOHNSON, DAVID — Senator, 3rd District; Assistant Minority Leader, Republican

Amendments filed — 172–177, 218, 220, 221, 284, 360, 502, 545, 547, 555–557, 611, 612, 730, 850, 901–904, 930–933, 986, 989, 1013, 1037–1039, 1042–1045, 1048, 1060, 1063, 1064, 1108, 1147, 1150, 1160, 1218, 1222, 1223, 1225, 1244, 1278, 1282–1285, 1298–1301, 1312, 1343, 1348, 1385, 1443, 1445–1450, 1464, 1496, 1566
 Amendments offered — 502, 557, 659, 850, 1094, 1118, 1300, 1443, 1445, 1446, 1449, 1525, 1526
 Amendments withdrawn — 658
 Bills introduced — 77, 78, 84, 148, 202, 214, 226, 239, 248–250, 280, 281, 288, 309, 346, 382–385, 462, 510, 575, 579, 599, 617, 779
 Certificates of recognition — 104, 110, 255, 488, 743, 995, 1324, 1569
 Conference committee appointments & reports — 1479
 Presentations — 426, 1217
 Resolutions introduced — 382, 518, 813, 846, 1157, 1362, 1406
 Senate committee appointments — 29

JOINT CONVENTIONS

Budget Message by Governor Chet Culver — 206
 Canvass of votes — 21
 Condition of Iowa Judiciary Message by Chief Justice Marsha Ternus — 64
 Condition of Iowa National Guard Address by Major General Ron Dardis — 403
 Condition of State Message by Governor Tom Vilsack — 45
 Inaugural address by Governor Culver — 95
 Pioneer Lawmakers program — 1165
 Tellers — 16, 89

JUDICIARY, COMMITTEE ON

Amendments filed — 532, 1106, 1130
 Appointees, investigation of — 142, 155, 156, 330, 821, 822, 857, 1000, 1001, 1003
 Appointments to — 24

- Bills and resolutions introduced by — 114, 149, 214, 280, 322, 323, 368, 392, 393, 461, 509, 526, 527, 578, 596, 598, 600, 630–632, 647, 648, 672, 674, 675, 677, 694, 696–699, 725, 743, 744, 766
- Bills referred to — 19, 77, 78, 148, 150, 180, 226, 260, 272, 282, 309, 323, 346, 348, 358, 368, 377, 383, 386, 394, 395, 416, 418, 426, 433, 457, 472, 479, 510, 523, 526, 578, 579, 597, 670, 843, 864, 881, 929, 1205, 1206, 1572
- Committee meeting reports — 75, 105, 145, 201, 212, 268, 321, 357, 380, 451, 489, 562, 594, 646, 995, 1098
- Committee reports — 119, 152, 215, 282, 328, 329, 374, 399, 464, 465, 491, 514, 532, 568, 585, 603, 604, 634–636, 653, 654, 682, 683, 702–706, 728, 729, 745, 746, 770, 996, 997, 1106, 1130
- Study bills — 61, 114, 126, 127, 129, 150, 151, 165–167, 192, 227, 228, 251, 273, 302, 348–350, 370, 396, 420, 452, 473, 481, 482, 581, 617, 650
- Subcommittee assignments — 61, 62, 80, 107, 108, 118, 130, 131, 152, 168–170, 194, 195, 229, 230, 252, 273, 274, 302, 303, 327, 352, 353, 372, 373, 388, 397, 398, 422, 423, 453, 454, 464, 473, 483–485, 512, 582, 583, 618, 619, 650, 726, 878, 884, 908, 940

KETTERING, STEVE — Senator, 26th District; Republican

- Amendments filed — 175, 176, 218, 220, 221, 360, 545, 547, 555, 810, 902–904, 930–932, 986, 989, 1004, 1013, 1028, 1037–1039, 1059, 1063, 1064, 1076, 1108, 1147, 1150, 1159, 1160, 1222, 1223, 1225, 1244, 1278, 1282–1285, 1298–1300, 1313, 1343, 1348, 1443, 1445–1450, 1495–1497, 1566
- Amendments offered — 545, 810
- Bills introduced — 18, 19, 60, 214, 226, 248–250, 288, 368, 382, 383, 395, 460, 478, 563, 579
- Explanations of votes — 812
- Resolutions introduced — 382, 518, 846, 1362, 1511
- Senate committee appointments — 29

KIBBIE, JOHN P. — Senator, 4th District; President of the Senate, Democrat

- Address to Senate — 1
- Amendments filed — 485, 817, 834, 850, 910, 941, 1064, 1119, 1386
- Amendments offered — 538, 834, 952
- Amendments withdrawn — 834
- Bills introduced — 18, 59, 180, 190, 191, 239, 281, 301, 309, 324, 368, 383–386, 395, 460, 461, 471, 472, 510, 563, 813
- Certificates of recognition — 476, 592, 691, 692, 1196, 1273
- Election and oath of office — 9
- Presentations — 199, 732, 733
- Resolutions introduced — 185, 322, 358, 846, 1362, 1511
- Senate committee appointments — 30

KREIMAN, KEITH A. — Senator, 47th District; Democrat

Amendments filed — 253, 330, 354, 425, 521, 687, 714, 805, 849, 879, 897, 898, 912, 928, 944, 951, 966, 973, 992, 1046, 1213, 1348, 1377, 1449, 1471

Amendments offered — 441, 714, 755, 805, 866, 897, 898, 928, 947, 951, 973, 1009, 1014, 1264

Amendments withdrawn — 866, 984, 1171, 1418, 1449

Bills introduced — 18, 78, 114, 139, 180, 190, 191, 301, 309, 325, 346, 368, 383–386, 395, 461, 471, 472, 525, 563

Conference committee appointments & reports — 1371, 1427

Presiding at session — 1556, 1557

Resolutions introduced — 322, 358, 846, 1362, 1437, 1493, 1511

Senate committee appointments — 30

LABOR AND BUSINESS RELATIONS, COMMITTEE ON

Appointees, investigation of — 142, 156, 294, 295, 822, 857, 966

Appointments to — 24

Bills and resolutions introduced by — 281, 460, 462, 526, 528, 596, 616, 628, 629, 633, 672

Bills referred to — 18, 159, 383, 417, 427, 457, 471, 480, 510, 629, 1182, 1205, 1206

Committee meeting reports — 58, 76, 163, 201, 279, 451, 506, 563, 626, 692, 937, 1056

Committee reports — 171, 282, 465, 466, 532, 533, 604, 619, 620, 636, 637, 683, 706

Study bills — 79, 86, 128, 129, 202, 261, 316, 326, 327, 420, 511, 565, 617

Subcommittee assignments — 43, 80, 87, 131, 168, 204, 262, 317, 327, 328, 421, 423, 453, 473, 512, 513, 566, 568, 619, 677, 1275

LEGISLATIVE EMPLOYEES — (*See* OFFICERS AND EMPLOYEES OF THE SENATE)

LOCAL GOVERNMENT, COMMITTEE ON

Amendments filed — 1106

Appointees, investigation of — 822, 858, 1001

Appointments to — 24

Bills and resolutions introduced by — 308, 325, 347, 393, 394, 418, 527, 563, 628, 631–633, 695

Bills referred to — 19, 60, 84, 191, 249, 250, 301, 384, 427, 431, 469, 525, 577, 578, 670, 710, 1026, 1572

Committee meeting reports — 83, 105, 138, 202, 236, 269, 306, 322, 380, 414, 518, 593, 627, 813, 960, 1104

Committee reports — 275, 309, 310, 329, 354, 389, 399, 400, 424, 533, 534, 568, 637–639, 707, 963, 964, 1106

- Study bills — 226, 227, 251, 272, 273, 316, 317, 326, 370, 581, 510, 564, 580
- Subcommittee assignments — 107, 108, 229, 230, 252, 253, 261, 274, 317, 318, 327, 371, 373, 464, 484, 513, 567, 582, 769, 780, 815, 1104

LUNDBY, MARY — Senator, 18th District; Minority Leader, Republican

Address to Senate — 3

Amendments filed — 172–176, 284, 334, 360, 731, 902, 904, 930–933, 986, 989, 1013, 1037–1039, 1060, 1063, 1076, 1147, 1218, 1222, 1223, 1244, 1278, 1284, 1298, 1300, 1312, 1343, 1349, 1386, 1443, 1445–1450, 1496, 1497

Amendments offered — 334, 612

Bills introduced — 114, 249, 250, 280, 309, 382, 383, 395, 510, 525, 528, 563, 813

Resolutions introduced — 185, 264, 270, 382, 518, 846, 938, 1362, 1511

Senate committee appointments — 30

MAJORITY LEADER, Senator Michael Gronstal — (*See GRONSTAL*)

McCOY, MATT — Senator, 31st District; Democrat

Amendments filed — 610, 807, 810, 879, 1428, 1465, 1495, 1517

Amendments offered — 610, 807, 889, 895, 1443, 1456, 1474, 1517, 1532

Bills introduced — 18, 114, 126, 148, 149, 165, 190, 214, 259, 323, 347, 368, 383, 385, 395, 416, 460, 471, 472, 510, 597

Certificates of recognition — 573

Resolutions introduced — 322, 358, 846, 1129, 1362

Senate committee appointments — 30

McKIBBEN, LARRY — Senator, 22nd District; Assistant Minority Leader, Republican

Amendments filed — 172–174, 176, 218, 265, 284, 333, 360, 547, 556, 559, 586, 608–611, 656, 849, 901–904, 910, 930–932, 935, 954, 989, 1013, 1045, 1061, 1063, 1064, 1076, 1147, 1150, 1218, 1222, 1223, 1225, 1232, 1244, 1278, 1282–1285, 1294, 1298–1300, 1312, 1343, 1348, 1379, 1443, 1445–1450, 1455, 1465, 1495, 1496, 1566

Amendments offered — 176, 265, 608, 609, 611, 658, 935, 954, 1028, 1232, 1294, 1316, 1343, 1379, 1443, 1455, 1476

Amendments withdrawn — 608, 610

Bills introduced — 248, 249, 280, 288, 309, 346, 347, 368, 382–386, 575, 579, 599, 779

Certificates of recognition — 297, 305, 936, 1032, 1273

Resolutions introduced — 382, 518, 846, 1362

Senate committee appointments — 30

McKINLEY, PAUL — Senator, 36th District; Republican

- Amendments filed — 172–177, 218, 220, 221, 335, 336, 360, 547, 555, 556, 559, 613, 687, 901, 902, 904, 930–933, 986, 989, 1004, 1013, 1028, 1037–1039, 1042–1045, 1061, 1063, 1064, 1076, 1108, 1147–1150, 1159, 1160, 1218, 1222, 1223, 1231, 1244, 1278, 1282–1285, 1297–1301, 1313, 1343, 1348, 1385, 1443, 1445–1450, 1495, 1496, 1566
- Amendments offered — 172, 173, 177, 547, 555, 720, 901, 902, 1119, 1150, 1222, 1223, 1297, 1298
- Bills introduced — 77, 214, 248–250, 280, 288, 324, 346, 382–386, 461, 472, 480, 526, 575, 579, 599, 629, 779
- Conference committee appointments & reports — 1268
- Presentations — 1066, 1438
- Resolutions introduced — 382, 518, 846, 1362
- Senate committee appointments — 30

MEMORIALS

- In Memoriam list — 1188, 1189
- Joint Memorial Service — 1187
- Memorials — 2421–2427

MESSAGES — (*See also* COMMUNICATIONS RECEIVED)

- Budget Message — 207
- Condition of the Iowa Judiciary Message — 65
- Condition of the Iowa National Guard Message — 403
- Condition of the State Message — 46
- Item vetoes — 1494, 1579–1585
- Vetoes — 1184, 1585

MILEAGE, COMMITTEE ON

- Committee appointed — 16
- Reports — 42

MINORITY LEADER, Senator Mary Lundby — (*See* LUNDBY)

MOTIONS TO RECONSIDER AND RULINGS

- Confirmation of appointee, Senator Angelo — 1181; withdrawn — 1203
- Confirmation of appointee, Senator Gronstal — 1157; adopted — 1202
- Senate File 236, S–3119, Senator Connolly — 741; withdrawn
- Senate File 247, S–3054, Senator Wood — 562
- Senate File 514, Senator Hatch — 987; withdrawn — 988
- Senate File 519, Senator Connolly — 1056; failed — 1573
- House File 783, Senator Dvorsky — 1235; ruled out of order — 1319
- House File 783, Senator Olive — 1318; lost
- House File 793, S–3196, Senator Behn — 1048; adopted
- House File 911, Senator Gronstal — 1493; adopted — 1517

MULDER, DAVID — Senator, 2nd District; Republican

- Amendments filed — 174–176, 218, 220, 221, 333, 335, 336, 360, 521, 545, 547, 560, 569, 901–904, 930–933, 986, 1013, 1038, 1061, 1063, 1064, 1109, 1147, 1148, 1150, 1213, 1218, 1223, 1231, 1244, 1278, 1283, 1284, 1298, 1300, 1301, 1313, 1343, 1348, 1385, 1443, 1445, 1447–1450, 1456, 1496, 1566
- Amendments offered — 560, 689, 1447
- Bills introduced — 139, 191, 214, 239, 249, 280, 288, 346, 368, 382–385, 395, 472, 579, 599, 814
- Certificates of recognition — 200, 297, 524, 812, 936, 1143
- Conference committee appointments & reports — 1268, 1328
- Explanations of votes — 671
- Presentations — 159, 1008
- Resolutions introduced — 143, 382, 518, 846, 1129, 1362
- Senate committee appointments — 30

NATURAL RESOURCES AND ENVIRONMENT, COMMITTEE ON

- Amendments filed — 639
- Appointees, investigation of — 142, 156, 197, 231, 263, 294, 374, 822, 858, 1001, 1004, 1107
- Appointments to — 24
- Bills introduced by — 165, 239, 393, 432–434, 491, 509, 528, 600, 630, 631, 672–676, 695, 726, 743
- Bills referred to — 18, 78, 239, 250, 271, 282, 309, 324, 325, 346, 386, 396, 417, 418, 451, 471, 478–480, 509, 525, 563, 597, 598, 772, 864, 880, 1205, 1206, 1572
- Committee meeting reports — 75, 123, 146, 188, 225, 257, 279, 315, 379, 380, 414, 477, 593, 627, 883, 995, 1104
- Committee reports — 171, 240, 401, 436, 437, 492, 514, 534, 605, 639, 640, 683–685, 707, 729, 746, 998, 1107
- Study bills — 129, 192, 193, 250, 350, 369, 370, 387, 396
- Subcommittee assignments — 117, 131, 195, 252, 292, 327, 351, 353, 372, 373, 387, 388, 397, 398, 421, 453, 464, 473, 483, 511, 512, 581, 582, 618, 878, 884

NOBLE, LARRY — Senator, 35th District; Republican

- Amendments filed — 172–176, 218, 389, 547, 555, 556, 865, 901–904, 930–933, 986, 1013, 1061, 1063, 1064, 1076, 1108, 1147, 1222, 1223, 1244, 1278, 1282, 1283, 1285, 1298, 1299, 1313, 1343, 1349, 1384, 1443, 1445–1450, 1495, 1496, 1564, 1566
- Amendments offered — 865, 1384, 1564
- Bills introduced — 214, 248, 249, 280, 346, 368, 382–384, 386, 472, 578, 579, 599
- Explanations of votes — 1020
- Resolutions introduced — 382, 518, 846, 1362
- Senate committee appointments — 30

OATHS OF OFFICE

- Officers and employees of the Senate — 13
- President of the Senate, Senator John Kibbie — 9
- President pro tempore, Senator Jeff Danielson — 10
- Secretary of the Senate, Michael E. Marshall — 6
- Senators — 9

OFFICERS AND EMPLOYEES OF THE SENATE

- Employee classifications, grades, and steps — 37–42
- Pages, appointments — 15
- Permanent officers, appointments— 11–13
- Secretaries, appointments — 13, 14

OLIVE, RICH — Senator, 5th District; Democrat

- Amendments filed — 966, 1005, 1062, 1386
- Amendments offered — 1230
- Bills introduced — 18, 114, 180, 190, 191, 301, 324, 368, 383, 384, 395, 460, 472, 563
- Certification of recognition — 1361, 1404, 1405
- Resolutions introduced — 322, 358, 846, 1362, 1539
- Senate committee appointments — 31

PAGES

- Appointment of — 15
- Special presentation to — 1531

PETITIONS

- Placed on file — 1327

PIONEER LAWMAKERS ASSOCIATION OF IOWA

- Address by Mike Glover — 1166
- Joint convention — 1165

POINTS OF ORDER AND RULINGS

- Senate File 41, S–3029, Senator Gronstal — 334; amendment out of order
- Senate File 109, S–3023B, Senator Kreiman — 285; amendment out of order
- Senate File 128, S–3072, Senator McCoy — 608; amendment out of order
- Senate File 128, S–3081, Senator McCoy — 609; amendment out of order
- Senate File 128, S–3080, Senator McCoy — 611; amendment out of order
- Senate File 128, S–3082, Senator McCoy — 611; amendment out of order
- Senate File 128, S–3077, Senator Behn — 611; amendment in order
- Senate File 128, S–3079, Senator McCoy — 611; amendment out of order
- Senate File 128, S–3066, Senator Behn — 612; amendment in order
- Senate File 128, S–3085, Senator McCoy — 613; amendment out of order
- Senate File 427, S–3168, Senator Gronstal — 901; amendment out of order

- Senate File 431, S-3118, Senator Danielson — 734; amendment out of order
- Senate File 462, S-3299, Senator Bolkcom — 1013; amendment out of order
- Senate File 562, S-3232, Senator Dotzler — 1095; amendment out of order
- Senate File 585, S-3351, Senator Dotzler — 1270; amendment out of order
- Senate File 588, S-3371, Senator Gronstal — 1295; amendment in order
- Senate File 601, S-3533, Senator Gronstal — 1566; amendment out of order
- Senate File 604, S-3486, Senator Connolly — 1455; amendment out of order
- Senate File 604, S-3441, Senator Angelo — 1457; amendment in order
- Senate File 604, S-3493, Senator Bolkcom — 1458; amendment out of order
- Senate File 606, S-3508, Senator McCoy — 1532; amendment out of order
- House File 1, S-3001, Senator Gronstal — 176; amendment out of order
- House File 1, S-3005, Senator Gronstal — 173; amendment out of order
- House File 1, S-3009, Senator Gronstal — 174; amendment out of order
- House File 653, S-3191, Senator Appel — 932; amendment out of order
- House File 742, S-3310, Senator Black — 1173; amendment out of order
- House File 793, S-3248, Senator Kreiman — 1048; amendment in order
- House File 877, S-3377, Senator Gronstal — 1301; amendment out of order

PRESENTATIONS — (*See* GUESTS)

PRESIDENT OF THE SENATE, Senator John Kibbie — (*See* KIBBIE)

PRESIDENT PRO TEMPORE OF THE SENATE, Senator Jeff Danielson — (*See* DANIELSON)

PRESS, MEMBERS OF

Assignment of desks in press gallery — 57, 58

PUTNEY, JOHN — Senator, 20th District; Minority Whip, Republican

Amendments filed — 176, 218, 284, 360, 547, 555, 558, 901-904, 925, 928, 930-933, 935, 954, 986, 989, 1013, 1042, 1045, 1048, 1061, 1063, 1064, 1076, 1109, 1147, 1213, 1218, 1222, 1223, 1225, 1244, 1278, 1282-1285, 1298-1300, 1312, 1343, 1348, 1383, 1443, 1445-1450, 1496, 1497, 1531, 1532, 1566

Amendments offered — 558, 925, 1042, 1225, 1284, 1383, 1531

Amendments withdrawn — 928, 1225, 1532

Bills introduced — 84, 249, 281, 288, 309, 324, 346, 368, 382, 383, 386, 431, 460, 510, 575, 599, 779

Certificates of recognition — 74, 1538

PUTNEY — continued

Explanations of votes — 200, 517, 691, 812, 1273

Resolutions introduced — 382, 518, 846, 1362

Senate committee appointments — 31

QUIRMBACH, HERMAN C. — Senator, 23rd District; Democrat

Amendments filed — 253, 425, 485, 730, 910, 918, 966, 992, 1006, 1046, 1348, 1373, 1439, 1519

Amendments offered — 543, 739, 918, 992, 1046, 1140, 1175, 1265, 1373, 1439, 1519

Amendments withdrawn — 311, 1520

Bills introduced — 18, 181, 190, 191, 301, 347, 368, 384–386, 416, 460, 461, 471, 472, 510, 563

Certificates of recognition — 974, 1129, 1144, 1502

Conference committee appointments & reports — 1268, 1328, 1371, 1427

Presentations — 135

Resolutions introduced — 322, 346, 358, 846, 1129, 1362

Senate committee appointments — 31

RAGAN, AMANDA — Senator, 7th District; Assistant Majority Leader, Democrat

Amendments filed — 521, 966, 1161, 1386, 1449, 1471

Amendments offered — 1263, 1449, 1475

Bills introduced — 18, 114, 139, 180, 190, 191, 301, 324, 325, 368, 383–385, 395, 418, 460, 471, 472, 525, 563, 814

Certificates of recognition — 1235

Presentations — 1411

Resolutions introduced — 59, 258, 322, 358, 672, 846, 847, 877, 1033, 1181, 1362, 1406

Senate committee appointments — 31

REPORTS RECEIVED — (*See* COMMUNICATIONS)RESOLUTIONS — (*See also Index volume for complete bill histories*)

Printed after session — 2289–2420

Printed during session — 752, 827, 980, 1430, 1432

RIELLY, TOM — Senator, 38th District; Democrat

Amendments filed — 425, 849, 879, 886, 910, 966, 1005, 1025, 1061, 1064, 1384, 1386, 1456, 1460, 1464, 1465

Amendments offered — 449, 891, 919, 971, 1028, 1030, 1127, 1456, 1460

Amendments withdrawn — 1460, 1475

Bills introduced — 18, 181, 190, 191, 239, 249, 259, 300, 347, 368, 383, 385, 395, 416, 418, 460, 578, 814

Certificates of recognition — 255, 524

Conference committee appointments & reports — 1479, 1521

Resolutions introduced — 322, 358, 846, 1274, 1362
Senate committee appointments — 31

RULES AND ADMINISTRATION, COMMITTEE ON

Appointees, referral to committees — 141, 142, 819–825, 1237
Appointments to — 25
Bills introduced by — 59, 76, 77, 1208, 1568
Bills referred to — 59, 100, 113, 139, 143, 185, 249, 259, 264, 270, 300,
322, 346, 358, 377, 382, 415, 470, 519, 672, 813, 814, 846, 847, 877,
937, 938, 1033, 1080, 1097, 1111, 1129, 1158, 1181, 1196, 1236, 1274,
1306, 1325, 1362, 1398, 1405, 1406, 1416, 1437, 1463, 1493, 1511,
1539
Committee meeting reports — 74, 76, 106, 124, 138, 146, 188, 213, 269,
279, 322, 357, 366, 381, 490, 846, 937, 960, 976, 1157, 1211, 1235,
1290, 1325, 1390, 1405, 1480, 1538, 1569
Committee reports — 37, 40, 62, 81, 101, 120, 141, 153, 196, 266, 276,
283, 329, 359, 374, 376, 492, 819, 848, 914, 941, 950, 978, 1158, 1209,
1212, 1213, 1216, 1237, 1292, 1320, 1347, 1368, 1392, 1393, 1398,
1399, 1407, 1408, 1481–1483, 1513, 1521, 1540, 1541, 1554, 1568

RULES OF THE SENATE

Rule 21, Engrossment of Bills — (*See* SECRETARY OF THE SENATE,
subhead Corrections in Engrossment)
Rule 59, Appointments — 154, 241, 253, 331, 354, 853, 969, 1089, 1113,
1132, 1134
Temporary rules adopted — 6

SCHMITZ, BECKY — Senator, 45th District; Democrat

Amendments filed — 944, 1060, 1064, 1095, 1312, 1386
Amendments offered — 1095
Amendments withdrawn — 1095
Bills introduced — 18, 114, 139, 180, 190, 191, 301, 368, 383–385, 395,
460, 471, 472, 525, 563, 814
Certificates of recognition — 278, 624, 625, 995, 1078, 1324, 1325
Resolutions introduced — 322, 358, 846, 1362
Senate committee appointments — 31

SCHOENJAHN, BRIAN H. — Senator, 12th District; Democrat

Amendments filed — 275, 730, 770, 835, 910, 941, 1064, 1386, 1460,
1464, 1465
Amendments offered — 440, 762, 923
Bills introduced — 18, 77, 180, 190, 191, 239, 301, 368, 383, 385, 386,
395, 460, 471, 563
Certificates of recognition — 812, 936
Resolutions introduced — 322, 358, 846, 1362
Senate committee appointments — 31

SEATS

- Assignment of seats in press gallery — 57, 58
- Selection of members — 16–18

SECRETARY OF THE SENATE, Michael E. Marshall

- Appointment and oath of office — 6
- Communications received — (*See* COMMUNICATIONS)
- Corrections in engrossment, Senate Rule 21:
 - Senate File 32 — 485
 - Senate File 74 — 573
 - Senate File 347 — 1494
 - Senate File 361 — 1023
 - Senate File 499 — 1574
 - Senate File 548 — 998
 - Senate Files 551, 562, 588, 601 — 1574
- Report — 342

SECRETARY OF STATE, Michael Mauro

- Certification of election — 7

SENATE CONCURRENCE — (*See* HOUSE AMENDMENTS IN SENATE)SENATE EMPLOYEES — (*See* OFFICERS AND EMPLOYEES OF THE SENATE)

SENATE INSISTING ON SENATE AMENDMENT

- Senate File 277 — 1268
- Senate File 551 — 1479
- House File 808 — 1367
- House File 909 — 1479

SENATE REFUSAL TO CONCUR — (*See* HOUSE AMENDMENTS IN SENATE)

SENG, JOE M. — Senator, 43rd District; Democrat

- Amendments filed — 910, 941, 1004, 1028, 1061, 1088, 1278, 1383, 1385, 1386, 1460
- Amendments offered — 1028, 1067, 1117, 1282, 1385, 1386, 1460
- Amendments withdrawn — 1383, 1385, 1460
- Bills introduced — 18, 180, 190, 191, 301, 309, 324, 368, 383, 460, 471, 472, 509, 510, 563, 814
- Conference committee appointments & reports — 1479, 1521
- Resolutions introduced — 322, 358, 846, 1362
- Senate committee appointments — 32

SEYMOUR, JAMES A. — Senator, 28th District; Republican

- Amendments filed — 172–176, 218, 220, 221, 360, 545, 547, 559, 611, 612, 656, 687, 901–904, 931–933, 986, 1013, 1061, 1063, 1064, 1147, 1150, 1161, 1222, 1223, 1225, 1244, 1278, 1282–1285, 1299, 1300, 1313, 1343, 1443, 1445–1447, 1449, 1450, 1495, 1496, 1566
- Amendments offered — 611, 1449, 1450
- Bills introduced — 139, 214, 248, 249, 280, 288, 346, 368, 382–386, 460, 472, 563, 575, 579, 599, 779
- Certificates of recognition — 691, 692, 844, 845, 907, 1196, 1415, 1416, 1462
- Conference committee appointments & reports — 1479
- Explanations of votes — 1538
- Resolutions introduced — 258, 382, 518, 846, 847, 1181, 1362
- Senate committee appointments — 32

STANDING COMMITTEES

- Appointments — 23–33

STATE GOVERNMENT, COMMITTEE ON

- Amendments filed — 1084
- Appointees, investigation of — 142, 156, 157, 232, 319, 822–825, 858–862, 1001–1004, 1087, 1347
- Appointments to — 25
- Bills and resolutions introduced by — 149, 308, 316, 387, 393, 417, 451, 461, 529, 576, 577, 599, 616, 617, 628–630, 632, 633, 649, 673–675, 695, 696, 725, 778
- Bills referred to — 19, 77, 114, 126, 148, 165, 249, 270, 271, 281, 282, 301, 324, 359, 365, 395, 396, 416, 432, 460, 472, 480, 564, 575, 597, 772, 887, 888, 906, 1027, 1205, 1206, 1406, 1572, 1573
- Committee meeting reports — 83, 106, 139, 212, 236, 269, 306, 381, 392, 429, 518, 593, 646, 743, 845, 975, 1079, 1416
- Committee reports — 153, 154, 310, 318, 389, 401, 424, 455, 466, 534, 535, 585, 586, 605, 620, 621, 640–642, 654, 685, 686, 707, 708, 729, 746, 781, 1084, 1085, 1417
- Study bills — 78, 79, 85, 106, 107, 116, 117, 166–168, 192, 260, 289–291, 326, 368, 369, 387, 420, 421, 453, 462, 511, 520, 565, 617
- Subcommittee assignments — 79, 80, 86, 107, 108, 118, 119, 140, 168–170, 194, 261, 262, 292–294, 303, 327, 372, 388, 397, 422–424, 453, 454, 464, 483, 512, 513, 520, 568, 581, 618, 619, 815, 940, 941, 1057, 1416

STATE OF THE BUDGET MESSAGE

- Delivery by Governor Chet Culver — 207

STEWART, ROGER — Senator, 13th District; Democrat

Amendments filed — 501, 1386, 1465

Amendments offered — 501, 1512

Bills introduced — 18, 114, 180, 190, 191, 301, 324, 346, 368, 383–385, 395, 417, 460, 471, 472, 563

Certificates of recognition — 297, 624

Presentations — 1111

Resolutions introduced — 322, 358, 846, 1362

Senate committee appointments — 32

STUDY BILLS IN COMMITTEES

Agriculture — 60, 151, 192, 229, 289, 291, 302, 452, 580, 581

Appropriations — 202, 203, 291, 316, 348, 370, 371, 419, 452, 511, 565, 767, 814, 847, 938, 1021, 1346, 1539

Commerce — 60, 61, 129, 150, 227, 228, 251, 260, 290, 316, 326, 349, 369, 370, 462, 580

Economic Growth — 79, 151, 420, 520, 564, 565

Education — 85, 117, 151, 193, 194, 260, 273, 452, 463, 481

Ethics — 127

Government Oversight — 452, 938, 1416

Human Resources — 115–117, 139, 140, 150, 166, 192, 193, 228, 250, 251, 260, 290, 316, 368, 371, 420, 511, 617

Judiciary — 61, 114, 126, 127, 129, 150, 151, 165–167, 192, 227, 228, 251, 273, 302, 348–350, 370, 396, 420, 452, 473, 481, 482, 581, 617, 650

Labor and Business Relations — 79, 86, 128, 129, 202, 261, 316, 326, 327, 420, 511, 565, 617

Local Government — 226, 227, 251, 272, 273, 316, 317, 326, 370, 481, 510, 564, 580, 780

Natural Resources and Environment — 129, 192, 193, 250, 350, 369, 370, 387, 396

State Government — 78, 79, 85, 106, 107, 116, 117, 166–168, 192, 260, 289–291, 326, 368, 369, 387, 420, 421, 453, 462, 511, 520, 565, 617

Transportation — 228, 272, 463, 581

Veterans Affairs — 581

Ways and Means — 127, 128, 140, 229, 289, 350, 387, 419, 481, 565, 677, 847, 877, 883, 938, 961, 1081, 1104, 1182, 1212, 1275, 1391, 1539

SUBCOMMITTEES

Appropriations subcommittee members — 25, 26

Bills assigned to subcommittees — (*See individual committees*)

Investigation of governor's appointments — (*See APPOINTEES*)

SUBSTITUTION OF BILLS — (*See BILLS*)

SUPREME COURT OF IOWA

Condition of Iowa Judiciary Message, The Honorable Marsha K. Ternus
— 65

TELLERS OF JOINT CONVENTION

Appointment — 16, 89

TRANSPORTATION, COMMITTEE ON

Appointees, investigation of — 825, 862, 965, 966, 1059

Appointments to — 25

Bills and resolutions introduced by — 529, 576, 599, 628, 630–632, 648,
649, 725

Bills referred to — 18, 148, 180, 190, 238, 239, 250, 271, 272, 309, 324,
325, 347, 384, 417, 431, 433, 472, 479, 480, 528, 578, 579, 670, 929,
1027, 1205

Committee meeting reports — 59, 145, 161, 213, 225, 269, 343, 506, 563,
594, 724, 960, 1056, 1098

Committee reports — 275, 535, 568, 586, 606, 642, 643, 654, 655, 730,
1058, 1100

Study bills — 228, 272, 463, 581

Subcommittee assignments — 86, 203, 230, 273, 274, 317, 327, 387, 421,
453, 464, 511, 512, 566, 582, 583

UNFINISHED BUSINESS CALENDAR

Bills placed on — 777, 1097, 1205

VETERANS AFFAIRS, COMMITTEE ON

Amendments filed — 1086

Appointees, investigation of — 825, 862, 1108

Appointments to — 25

Bills and resolutions introduced by — 600, 647, 648

Bills referred to — 433, 826, 882, 1066, 1206

Committee meeting reports — 83, 105, 123, 162, 306, 459, 518, 575, 975,
1056, 1099

Committee reports — 606, 656, 1086, 1100

Study bills — 581

Subcommittee assignments — 464, 583

VETO MESSAGES — (*See also* ITEM VETO MESSAGES)

Senate File 139 — 1184

Senate File 543 — 1585

VILSACK, THOMAS — Governor

Condition of the State Message — 46

WARD, PAT — Senator, 30th District; Republican

- Amendments filed — 174, 176, 284, 547, 555, 556, 559, 613, 731, 872, 901–904, 930–933, 935, 954, 986, 989, 1045, 1048, 1063, 1064, 1076, 1108, 1147, 1218, 1222, 1223, 1225, 1244, 1278, 1282, 1283, 1285, 1295, 1298–1301, 1313, 1343, 1348, 1443, 1445–1450, 1457, 1496, 1505, 1566
- Amendments offered — 174, 613, 664, 737, 872, 1048, 1295, 1457
- Bills introduced — 214, 248, 280, 346, 382–386, 525, 575, 579, 599, 779
- Certificates of recognition — 1143, 1144
- Conference committee appointments & reports — 1318, 1413
- Presentations — 1162
- Resolutions introduced — 382, 470, 518, 846, 1362
- Senate committee appointments — 32

WARNSTADT, STEVE — Senator, 1st District; Democrat

- Amendments filed — 687, 783, 817, 835, 1064, 1108, 1161, 1186, 1227, 1278, 1386, 1444, 1495
- Amendments offered — 785, 835, 1074, 1173, 1191, 1227, 1444, 1525
- Bills introduced — 18, 60, 126, 139, 180, 190, 191, 346, 347, 383, 395, 415, 431, 460, 472, 528, 814
- Certificates of recognition — 104, 391, 1032
- Conference committee appointments & reports — 1318, 1413
- Petitions presented — 1327
- Resolutions introduced — 113, 270, 846, 1362
- Senate committee appointments — 32

WAYS AND MEANS, COMMITTEE ON

- Amendments filed — 1504
- Appointees, investigation of — 825, 863, 1003, 1004
- Appointments to — 25
- Bills and resolutions introduced by — 181, 308, 470, 508, 778, 779, 883, 908, 976, 977, 1099, 1129, 1196, 1274, 1281, 1291, 1306, 1406, 1463
- Bills referred to — 18, 19, 60, 84, 114, 150, 248, 249, 259, 271, 272, 277, 301, 348, 359, 368, 383, 396, 416, 418, 469, 479, 519, 520, 577, 579, 597, 598, 645, 676, 711, 744, 777, 779, 811, 968, 1146, 1306, 1355, 1425, 1473, 1490, 1491, 1530, 1545, 1572, 1573
- Committee meeting reports — 84, 122, 123, 179, 248, 297, 379, 459, 489, 766, 876, 975, 1080, 1181, 1274, 1391, 1437, 1480, 1502, 1539, 1569
- Committee reports — 181, 310, 473, 474, 515, 781, 782, 885, 908, 978, 979, 1100, 1101, 1130, 1197, 1275, 1276, 1285, 1292, 1293, 1307, 1393, 1408, 1464, 1483, 1504, 1541, 1559
- Study bills — 127, 128, 140, 229, 289, 350, 387, 419, 481, 565, 677, 847, 877, 883, 938, 961, 1081, 1104, 1182, 1212, 1275, 1391, 1539

Subcommittee assignments — 117, 118, 130, 141, 194, 230, 273, 292, 293, 353, 388, 397, 421, 423, 463, 483, 484, 512, 566, 568, 582, 618, 677, 678, 726, 767, 768, 815, 848, 878, 884, 941, 962, 1081, 1082, 1104, 1182, 1212, 1275, 1391, 1392, 1463, 1493, 1494, 1540

WIECK, RON — Senator, 27th District; Assistant Minority Leader, Republican
Amendments filed — 218, 221, 284, 360, 545, 547, 555, 556, 559, 608, 807, 901–904, 930–933, 986, 989, 1005, 1013, 1037–1039, 1042–1045, 1048, 1061–1064, 1076, 1108, 1147, 1148, 1150, 1218, 1222, 1223, 1225, 1244, 1270, 1278, 1282–1285, 1298–1300, 1313, 1343, 1349, 1443, 1445–1450, 1496, 1566
Amendments offered — 608, 986, 1066, 1076, 1270, 1566
Bills introduced — 60, 226, 248, 249, 259, 280, 288, 346, 368, 382, 383, 385, 386, 415, 460, 519, 563, 575, 579, 599, 779
Conference committee appointments & reports — 1318
Resolutions introduced — 113, 382, 518, 846, 1362
Senate committee appointments — 32

WITHDRAWAL OF BILLS — (*See* BILLS)

WOOD, FRANK B. — Senator, 42nd District; Democrat
Amendments filed — 401, 558, 560, 687, 817, 835, 1005, 1015, 1064, 1222, 1386, 1449, 1460, 1464, 1465, 1514
Amendments offered — 448, 555, 560, 1015, 1222, 1449, 1514
Amendments withdrawn — 952
Bills introduced — 18, 180, 190, 191, 239, 250, 301, 324, 368, 383, 384, 386, 395, 417, 460, 471, 472, 510, 563
Certificates of recognition — 1078, 1404
Conference committee appointments & reports — 1268, 1328
Explanations of votes — 366
Resolutions introduced — 322, 358, 846, 1362
Senate committee appointments — 33

“WRITE WOMEN BACK INTO HISTORY” CONTEST

Winners introduced — 1162

ZAUN, BRAD — Senator, 32nd District; Republican
Amendments filed — 172–177, 204, 218, 220, 221, 333, 335, 336, 360, 425, 547, 555, 556, 613, 730, 731, 901, 903, 904, 930–933, 986, 989, 990, 1005, 1013, 1037–1039, 1061, 1063, 1064, 1108, 1147–1150, 1213, 1218, 1222, 1223, 1231, 1244, 1278, 1282, 1283, 1285, 1298–1301, 1313, 1343, 1348, 1443, 1445–1450, 1456, 1471, 1495, 1496, 1523
Amendments offered — 174, 175, 221, 335, 336, 547, 613, 738–740, 990, 1149, 1231, 1265, 1298, 1301, 1448, 1523
Amendments withdrawn — 739, 740, 758, 1477

ZAUN — continued

- Bills introduced — 191, 214, 239, 249, 281, 282, 288, 346, 368, 382–386, 395, 480, 564, 575, 579, 599, 779
- Certificates of recognition — 488
- Conference committee appointments & reports — 1371, 1427
- Explanations of votes — 959
- Resolutions introduced — 382, 518, 846, 1362, 1406
- Senate committee appointments — 33

ZIEMAN, MARK — Senator, 8th District; Republican

- Amendments filed — 172–176, 218–221, 284, 333, 360, 547, 549, 555, 556, 610–612, 740, 901–904, 930–933, 1013, 1037–1039, 1042–1045, 1061–1064, 1076, 1108, 1147, 1149, 1150, 1193, 1194, 1218, 1222, 1223, 1244, 1278, 1282–1285, 1298–1301, 1313, 1342, 1343, 1443, 1445–1450, 1496, 1497, 1505, 1566
- Amendments offered — 176, 219, 549, 556, 610, 611, 740, 930–933, 1042–1045, 1193, 1194, 1222, 1282, 1283, 1447
- Amendments withdrawn — 221, 1042, 1043, 1342
- Bills introduced — 60, 106, 148, 214, 248–250, 271, 325, 346, 382–384, 395, 431, 575, 579, 599, 616, 676, 1306
- Certificates of recognition — 187, 506, 671
- Resolutions introduced — 382, 518, 846, 1306, 1362
- Senate committee appointments — 33