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**STATE OF IOWA**

**Senate Journal**

**THURSDAY, APRIL 23, 2009**

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# JOURNAL OF THE SENATE

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ONE HUNDRED SECOND CALENDAR DAY  
SIXTY-FIRST SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, April 23, 2009

The Senate met in regular session at 8:57 a.m., President Kibbie presiding.

Prayer was offered by Minister Lacinda McClendon of Our Savior's Full Gospel Baptist Church in Des Moines, Iowa. She was the guest of Senator Appel.

The Journal of Wednesday, April 22, 2009, was approved.

## HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 22, 2009, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 476](#), a bill for an act relating to a quality assurance assessment program, nursing facility reimbursements, and providing monetary penalties, contingencies, and effective dates.

ALSO: That the House has on April 22, 2009, **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 457](#), a bill for an act relating to disaster recovery by legalizing certain actions taken and proceedings conducted by cities and counties in response to a natural disaster, designating certain activities as essential corporate purposes and essential county purposes, amending provisions related to local bonding authority and contract letting requirements, amending provisions relating to

emergency contract letting requirements for joint governmental entities and institutions under the control of the board of regents, amending provisions related to city and county lease contracts and loan agreements, modifying provisions relating to municipal support of certain projects, amending provisions related to expenditures from certain revolving loan funds, and including effective date and retroactive applicability date provisions.

ALSO: That the House has on April 22, 2009, **concurred in the Senate amendment and passed** the following bill in which the concurrence of the House was asked:

**House File 756**, a bill for an act relating to regional watershed, land use, and floodplain management policies, and providing for the establishment of a council.

ALSO: That the House has on April 22, 2009, **appointed the conference committee to Senate File 437**, a bill for an act relating to the affairs of the governing body of a drainage district by providing for public access to meetings and records, and the Conference Committee members on the part of the House are: the Representative from Black Hawk, Representative Kressig, Chair; the Representative from Black Hawk, Representative Burt; the Representative from Polk, Representative Huser; the Representative from Linn, Representative Wagner; the Representative from Harrison, Representative Windschitl.

ALSO: That the House has on April 22, 2009, **appointed the conference committee to Senate File 470**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and providing effective dates, and the Conference Committee members on the part of the House are: the Representative from Scott, Representative Winckler, Chair; the Representative from Ringgold, Representative Dolecheck; the Representative from Buchanan, Representative Ficken; the Representative from Black Hawk, Representative Kressig; the Representative from Hardin, Representative Sweeney.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hancock, for the day, on request of Senator Schoenjahn.

## SENATE INSISTS

[Senate File 457](#)

Senator Hogg called up for consideration [Senate File 457](#), a bill for an act relating to disaster recovery by legalizing certain actions taken and proceedings conducted by cities and counties in response to a natural disaster, designating certain activities as essential corporate purposes and essential county purposes, amending provisions related to local bonding authority and contract letting requirements, amending provisions relating to emergency contract letting requirements for joint governmental entities and institutions under the control of the board of regents, amending provisions related to city and county lease contracts and loan agreements, modifying provisions relating to municipal support of certain projects, amending provisions related to expenditures from certain revolving loan funds, and including effective date and retroactive applicability date provisions, amended by the Senate, further amended by the House, further amended and concurred in 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 457](#) on the part of the Senate: Senators Hogg, Chair; Bolkom, Hamerlinck, McCoy, and Reynolds.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 457](#) be **immediately messaged** to the House.

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 11:31 a.m., President Pro Tempore Danielson presiding.

## RECESS

On motion of Senator Courtney, the Senate recessed at 11:32 a.m. until 1:30 p.m.

## RECONVENED

The Senate reconvened at 4:10 p.m., President Kibbie presiding.

## QUORUM CALL

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

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

## 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, 2009, **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 433](#), a bill for an act relating to the classification and assessment of violations in health care facilities and assisted living programs and providing penalties.

ALSO: That the House has on April 23, 2009, **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 389](#), a bill for an act relating to health care, health care providers, and health care coverage, providing penalties, and providing retroactive and other effective dates.

ALSO: That the House has on April 23, 2009, **appointed the conference committee to [Senate File 457](#)**, a bill for an act relating to disaster recovery by legalizing certain actions taken and proceedings conducted by cities and counties in response to a natural disaster, designating certain activities as essential corporate purposes and essential county purposes, amending provisions related to local bonding authority and contract letting requirements, amending provisions relating to emergency contract letting requirements for joint governmental entities and

institutions under the control of the board of regents, amending provisions related to city and county lease contracts and loan agreements, modifying provisions relating to municipal support of certain projects, amending provisions related to expenditures from certain revolving loan funds, and including effective date and retroactive applicability date provisions, and the Conference Committee members on the part of the House are: the Representative from Linn, Representative Tyler Olson, Chair; the Representative from Butler, Representative Grassley; the Representative from Polk, Representative Helland; the Representative from Dubuque, Representative Isenhardt; the Representative from Boone, Representative Donovan Olson.

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

**House File 809**, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, and providing effective and retroactive applicability dates. (S-3318)

ALSO: That the House has on April 23, 2009, **adopted the conference committee report and passed House File 671**, a bill for an act providing volunteer emergency services providers protection from employment termination.

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 4:26 p.m., President Kibbie presiding.

#### CONFERENCE COMMITTEE REPORT RECEIVED

#### Senate File 437

A conference committee report, signed by the following Senate and House members, was filed April 23, 2009, on Senate File 437, a bill for an act relating to the affairs of the governing body of a drainage district by providing for public access to meetings and records:

On the part of the Senate:

RICH OLIVE, Chair  
DENNIS H. BLACK  
SHAWN HAMERLINCK  
KEITH A. KREIMAN  
KIM REYNOLDS

On the part of the House:

BOB KRESSIG, Chair  
KERRY BURT  
GERI HUSER  
NICK WAGNER  
MATT WINDSCHITL

CONFERENCE COMMITTEE REPORT CONSIDERED

[Senate File 437](#)

Senator Olive called up the conference committee report on [Senate File 437](#), a bill for an act relating to the affairs of the governing body of a drainage district by providing for public access to meetings and records, filed on April 23, 2009, 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 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. 437](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Hancock

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

The Senate stood at ease at 4:30 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 6:30 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, 2009, **adopted the conference committee report and passed** [Senate File 437](#), a bill for an act relating to the affairs of the governing body of a drainage district by providing for public access to meetings and records.

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

[Senate File 484](#), a bill for an act relating to regulatory requirements involving boarding homes and dependent adults and providing an appropriation and a penalty. ([S-3321](#))

ALSO: That the House has on April 23, 2009, **amended the Senate amendment, concurred in the Senate amendment as amended, and passed** the following bills in which the concurrence of the Senate is asked:

[House File 759](#), a bill for an act requiring counties and cities with flood hazard areas within their boundaries to participate in the national flood insurance program. ([S-3319](#))

[House File 811](#), a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, providing penalties, making penalties applicable and providing effective, retroactive, and applicability date provisions. ([S-3320](#))



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

[House File 826](#), a bill for an act relating to the comprehensive recycling planning task force.

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

#### CONFERENCE COMMITTEE REPORT RECEIVED

#### [House File 671](#)

A conference committee report, signed by the following Senate and House members, was filed April 23, 2009, on [House File 671](#), a bill for an act providing volunteer emergency services providers protection from employment termination:

On the part of the Senate:

TOM HANCOCK, Chair  
JEFF DANIELSON  
STEVE KETTERING  
LARRY NOBLE  
STEVE SODDERS

On the part of the House:

POLLY BUKTA, Chair  
KERRY BURT  
BOB KRESSIG  
STEVE LUKAN  
GARY WORTHAN

#### CONFERENCE COMMITTEE REPORT CONSIDERED

#### [House File 671](#)

Senator Danielson called up the conference committee report on [House File 671](#), a bill for an act providing volunteer emergency services providers protection from employment termination, filed on April 23, 2009, 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 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. 671](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Hancock

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

HOUSE AMENDMENT TO  
SENATE AMENDMENT CONSIDERED

[House File 809](#)

Senator Danielson called up for consideration [House File 809](#), a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, and providing effective and retroactive applicability dates, amended by the Senate and further amended by the House in House amendment [S-3318](#) to Senate amendment [H-1662](#), filed April 23, 2009.

Senator Danielson 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 Danielson 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 a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 809](#)), the vote was:

Yeas, 30:

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

Nays, 19:

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

Absent, 1:

Hancock

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 671](#) 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 340](#).

**[Senate File 340](#)**

On motion of Senator Kreiman, [Senate File 340](#), a bill for an act relating to the federal Adam Walsh Child Protection and Safety Act, placed on the Unfinished Business Calendar on April 10, 2009, was taken up for consideration.

Senator Kreiman offered amendment [S-3317](#), filed by Senator Kreiman, et al., from the floor striking and replacing everything after the enacting clause and amending the title page of the bill.

([Senate File 340](#) and amendment [S-3317](#) were deferred.)

The Senate stood at ease at 6:52 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.

The Senate resumed consideration of [Senate File 340](#) and amendment [S-3317](#), previously deferred.

Senator Kreiman moved the adoption of amendment [S-3317](#).

Amendment [S-3317](#) 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. 340](#)), the vote was:

Yeas, 49:

Appel	Feenstra	Kapucian	Schoenjahn
Bartz	Fraise	Kettering	Seng
Beall	Gronstal	Kibbie	Seymour
Behn	Hahn	Kreiman	Sodders
Black	Hamerlinck	McCoy	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Noble	Warnstadt

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

Nays, none.

Absent, 1:

Hancock

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

#### SENATE INSISTS

#### [Senate File 389](#)

Senator Hatch called up for consideration [Senate File 389](#), a bill for an act relating to health care, health care providers, and health care coverage, providing penalties, and providing retroactive and other effective dates, amended by the House, further amended and concurred in 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 389](#) on the part of the Senate: Senators Hatch, Chair; Gronstal, Hartsuch, Johnson, and Kibbie.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 389](#) be **immediately messaged** to the House.

HOUSE AMENDMENT TO  
SENATE AMENDMENT CONSIDERED

[House File 811](#)

Senator Hatch called up for consideration [House File 811](#), a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, providing penalties, making penalties applicable and providing effective, retroactive, and applicability date provisions, amended by the Senate and further amended by the House in House amendment [S-3320](#) to Senate amendment [H-1630](#), filed April 23, 2009.

Senator Hatch moved that the Senate concur in the House amendment to the Senate amendment.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" ([H.F. 811](#)), the vote was:

Yeas, 31:

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

Nays, 18:

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

Absent, 1:

Hancock

The motion prevailed and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Hatch 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 a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 811](#)), the vote was:

Yeas, 30:

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

Nays, 19:

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

Absent, 1:

Hancock

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 484](#)

Senator Olive called up for consideration [Senate File 484](#), a bill for an act relating to regulatory requirements involving boarding homes and dependent adults and providing an appropriation and a penalty, amended by the House in House amendment [S-3321](#), filed April 23, 2009.

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 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:

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

Nays, none.

Absent, 1:

Hancock

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

#### CONFERENCE COMMITTEE REPORT RECEIVED

#### [Senate File 457](#)

A conference committee report, signed by the following Senate and House members, was filed April 23, 2009, on [Senate File 457](#), a bill for an act relating to disaster recovery by legalizing certain actions taken and proceedings conducted by cities and counties in response to a natural disaster, designating certain activities as essential corporate purposes and essential county purposes, amending provisions related to local bonding authority and contract letting



requirements, amending provisions relating to emergency contract letting requirements for joint governmental entities and institutions under the control of the board of regents, amending provisions related to city and county lease contracts and loan agreements, modifying provisions relating to municipal support of certain projects, amending provisions related to expenditures from certain revolving loan funds, and including effective date and retroactive applicability date provisions:

On the part of the Senate:

ROBERT M. HOGG, Chair  
JOE BOLKCOM  
SHAWN HAMERLINCK  
MATT MCCOY  
KIM REYNOLDS

On the part of the House:

TYLER OLSON, Chair  
PAT GRASSLEY  
ERIK HELLAND  
CHUCK ISENHART  
DONOVAN OLSON

#### CONFERENCE COMMITTEE REPORT CONSIDERED

#### [Senate File 457](#)

Senator Hogg called up the conference committee report on [Senate File 457](#), a bill for an act relating to disaster recovery by legalizing certain actions taken and proceedings conducted by cities and counties in response to a natural disaster, designating certain activities as essential corporate purposes and essential county purposes, amending provisions related to local bonding authority and contract letting requirements, amending provisions relating to emergency contract letting requirements for joint governmental entities and institutions under the control of the board of regents, amending provisions related to city and county lease contracts and loan agreements, modifying provisions relating to municipal support of certain projects, amending provisions related to expenditures from certain revolving loan funds, and including effective date and retroactive applicability date provisions, filed on April 23, 2009, 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 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. 457](#)), the vote was:

Yeas, 48:

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

Nays, none.

Present, 1:

Hatch

Absent, 1:

Hancock

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

HOUSE AMENDMENT TO  
SENATE AMENDMENT CONSIDERED

[House File 759](#)

Senator Jochum called up for consideration [House File 759](#), a bill for an act requiring counties and cities with flood hazard areas within their boundaries to participate in the national flood insurance program, amended by the Senate and further amended by the House in House amendment [S-3319](#) to Senate amendment [H-1559](#), filed April 23, 2009.

Senator Jochum 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 Jochum 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 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, 30:

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

Nays, 19:

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

Absent, 1:

Hancock

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 457** and **484** and [House File 759](#) be **immediately messaged** to the House.

#### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 7:39 p.m. until 2:00 p.m., Friday, April 24, 2009.

## APPENDIX

### MOTIONS TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which [House File 809](#) passed the Senate on April 23, 2009.

ALSO: I move to reconsider the vote by which [House File 811](#) passed the Senate on April 23, 2009.

MICHAEL E. GRONSTAL

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

The Secretary of the Senate submitted the following reports:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 23rd day of April, 2009:

Senate Files 318, 336, 342, and 380.

MICHAEL E. MARSHALL  
Secretary of the Senate

### BILL SIGNED BY THE GOVERNOR

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

[Senate File 456](#) – Modifying provisions applicable to facilities qualifying for wind energy production and renewable energy tax credits and including effective and retroactive applicability date provisions.

### AMENDMENTS FILED

<a href="#">S-3317</a>	<a href="#">S.F. 340</a>	Keith A. Kreiman Steve Kettering Steve Warnstadt Pat Ward
<a href="#">S-3318</a>	<a href="#">H.F. 809</a>	House
<a href="#">S-3319</a>	<a href="#">H.F. 759</a>	House
<a href="#">S-3320</a>	<a href="#">H.F. 811</a>	House
<a href="#">S-3321</a>	<a href="#">S.F. 484</a>	House