

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, FEBRUARY 19, 2009

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

THIRTY-NINTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 19, 2009

The Senate met in regular session at 8:48 a.m., President Kibbie presiding.

Prayer was offered by Reverend Doug Peters, pastor of the Walnut Hills United Methodist Church in Urbandale, Iowa. He was the guest of Senator Zaun.

The Journal of Wednesday, February 18, 2009, 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 18, 2009, **passed** the following bills in which the concurrence of the Senate is asked:

House File 256, a bill for an act relating to bidders at a property tax sale and owners of tax sale certificates and including effective and applicability date provisions.

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

House File 281, a bill for an act relating to the administration of the Iowa water pollution control works and drinking water facilities financing program.

Read first time and referred to committee on **Environment and Energy Independence**.

[House File 283](#), a bill for an act relating to the county commissions of veteran affairs fund and required hours of service for executive directors and administrators.

Read first time and attached to **companion** [Senate File 147](#).

[House File 311](#), a bill for an act requiring health care benefit coverage for certain medically necessary prosthetic devices and providing an applicability date.

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

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 9:49 a.m., President Kibbie presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Houser and Bartz, until they arrive, on request of Senator Kettering.

CONSIDERATION OF BILLS

(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 147, 142, and 114.

[Senate File 147](#)

On motion of Senator Ragan, [Senate File 147](#), a bill for an act relating to the county commissions of veteran affairs fund and required hours of service for executive directors and administrators, was taken up for consideration.

Senator Ragan asked and received unanimous consent that [House File 283](#) be **substituted** for [Senate File 147](#).

House File 283

On motion of Senator Ragan, [House File 283](#), a bill for an act relating to the county commissions of veteran affairs fund and required hours of service for executive directors and administrators, 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. 283](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

| | |
|-------|--------|
| Bartz | Houser |
|-------|--------|

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

WITHDRAWN

Senator Ragan asked and received unanimous consent that [Senate File 147](#) be **withdrawn** from further consideration of the Senate.

Senate File 142

On motion of Senator Heckroth, [Senate File 142](#), a bill for an act relating to economic development by providing for an innovation and commercialization development fund, making the department of revenue responsible for approving certain tax credits for third-party developers, making appropriations, and providing an effective date, was taken up for consideration.

Senator McKinley asked and received unanimous consent that action on [Senate File 142](#) be **deferred**.

Senate File 114

On motion of Senator Rielly, [Senate File 114](#), a bill for an act relating to the number of historic preservation grants that may be awarded in a county 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?" ([S.F. 114](#)), the vote was:

Yeas, 47:

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

Nays, 1:

Behn

Absent, 2:

Bartz Houser

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:

Patricia Broerman, Plumbing and Mechanical Systems
Examining Board
Carol Crane, Plumbing and Mechanical Systems
Examining Board
Thomas Day, Plumbing and Mechanical Systems
Examining Board
Mickey Gage, Plumbing and Mechanical Systems
Examining Board
Jane Hagedorn, Plumbing and Mechanical Systems
Examining Board
Ronald Masters, Plumbing and Mechanical Systems
Examining Board
Dennis Molden, Plumbing and Mechanical Systems
Examining Board
Susan Salsman, Plumbing and Mechanical Systems
Examining Board
Charles Thomas, Plumbing and Mechanical Systems
Examining 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:

| | | | |
|-------|----------|----------|---------|
| Appel | Feenstra | Johnson | Rielly |
| Beall | Fraise | Kapucian | Schmitz |

| | | | |
|-----------|------------|-----------|------------|
| Behn | Gronstal | Kettering | Schoenjahn |
| Black | Hahn | Kibbie | Seng |
| Boettger | Hamerlinck | Kreiman | Seymour |
| Bolkcom | Hancock | McCoy | Sodders |
| Courtney | Hartsuch | McKinley | Stewart |
| Dandekar | Hatch | Noble | Ward |
| Danielson | Heckroth | Olive | Warnstadt |
| Dearden | Hogg | Quirnbach | Wieck |
| Dotzler | Horn | Ragan | Wilhelm |
| Dvorsky | Jochum | Reynolds | Zaun |

Nays, none.

Absent, 2:

Bartz Houser

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 114](#) and [House File 283](#) 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 113](#).

[Senate File 113](#)

On motion of Senator Jochum, [Senate File 113](#), a bill for an act relating to orders for postsecondary education subsidies, was taken up for consideration.

Senator Hartsuch offered amendment [S-3020](#), filed by him on February 10, 2009, to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3020](#) be adopted?" ([S.F. 113](#)), the vote was:

Yeas, 16:

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

Nays, 32:

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

Absent, 2:

| | |
|-------|--------|
| Bartz | Houser |
|-------|--------|

Amendment [S-3020](#) lost.

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

On the question "Shall the bill pass?" ([S.F. 113](#)), the vote was:

Yeas, 41:

| | | | |
|-----------|----------|-----------|------------|
| Appel | Fraise | Kettering | Schoenjahn |
| Beall | Gronstal | Kibbie | Seng |
| Black | Hahn | Kreiman | Seymour |
| Boettger | Hancock | McCoy | Stewart |
| Bolkcom | Hatch | McKinley | Ward |
| Courtney | Heckroth | Noble | Warnstadt |
| Dandekar | Hogg | Olive | Wieck |
| Danielson | Horn | Quirnbach | Wilhelm |
| Dearden | Jochum | Ragan | |
| Dotzler | Johnson | Rielly | |
| Dvorsky | Kapucian | Schmitz | |

Nays, 7:

| | | | |
|----------|------------|----------|------|
| Behn | Hamerlinck | Reynolds | Zaun |
| Feenstra | Hartsuch | Sodders | |

Absent, 2:

| | |
|-------|--------|
| Bartz | Houser |
|-------|--------|

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 [House Concurrent Resolution 3](#).

[House Concurrent Resolution 3](#)

On motion of Senator Gronstal, [House Concurrent Resolution 3](#), a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-third General Assembly, with report of committee recommending passage, was taken up for consideration.

Senator Boettger offered amendment [S-3023](#), filed by Senator Bartz on February 18, 2009, to pages 16 and 17 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3023](#) be adopted?” ([H.C.R. 3](#)), the vote was:

Yeas, 16:

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

Nays, 32:

| | | | |
|-------|---------|--------|---------|
| Appel | Dotzler | Horn | Rielly |
| Beall | Dvorsky | Jochum | Schmitz |

| | | | |
|-----------|----------|-----------|------------|
| Black | Fraise | Kibbie | Schoenjahn |
| Bolkcom | Gronstal | Kreiman | Seng |
| Courtney | Hancock | McCoy | Sodders |
| Dandekar | Hatch | Olive | Stewart |
| Danielson | Heckroth | Quirnbach | Warnstadt |
| Dearden | Hogg | Ragan | Wilhelm |

Absent, 2:

Bartz Houser

Amendment [S-3023](#) lost.

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 [Senate File 113](#) and [House Concurrent Resolution 3](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:30 a.m. until 1:00 p.m., Monday, February 23, 2009.

APPENDIX

CERTIFICATES OF RECOGNITION

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

His Excellency Narong Sasitorn, Consul General of Thailand—Recognizing him as a distinguished guest of the people of Iowa, thanking him for his address to the Senate, and proclaiming him an Honorary Iowan. Senator Beall (2/19/09).

Mrs. Chatana Sasitorn—Recognizing her as a distinguished guest of the people of Iowa and proclaiming her an Honorary Iowan. Senator Beall (2/19/09).

Lillian Blakey, Manson—For celebrating her 105th birthday. Senator Beall (2/19/09).

City of Iowa City—For being named the third City of Literature by UNESCO. Senator Dvorsky (2/19/09).

Mary Crawford, Arlington—For celebrating her 90th birthday. Senator Schoenjahn (2/19/09).

Philip Latessa—For his service to the state, the nation, and the world as Executive Director of Iowa Sister States. Senator Beall (2/19/09).

Andrew Dennis Loew, Madrid—For achieving the rank of Eagle Scout, Troop 150. Senator Behn (2/19/09).

Christopher Merrill, Iowa City—For his efforts leading to Iowa City being named the third City of Literature by UNESCO. Senator Dvorsky (2/19/09).

Taylor Petersen, Gladbrook—For receiving a Prudential Spirit of Community Award. Senator Kapucian (2/19/09).

REPORTS OF COMMITTEE MEETINGS

ECONOMIC GROWTH

Convened: Thursday, February 19, 2009, 2:10 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Beall, Dandekar, Dotzler, Hamerlinck, Hatch, Heckroth, Kapucian, Reynolds, Rielly, Schmitz, and Wilhelm.

Members Absent: Houser, Ranking Member; and Wieck (both excused).

Committee Business: Approved SSBs 1165 and 1176, both as amended. Presentation by the Director of Economic Development.

Adjourned: 3:10 p.m.

ENVIRONMENT AND ENERGY INDEPENDENCE

Convened: Thursday, February 19, 2009, 3:20 p.m.

Members Present: Black, Chair; Hogg, Vice Chair; Behn, Ranking Member; Bolkom, Hancock, Hartsuch, Reynolds, Rielly, Stewart, Ward, and Wilhelm.

Members Absent: None.

Committee Business: Passed SFs 79 and 135, both as amended, and [SF 175](#).

Adjourned: 3:45 p.m.

HUMAN RESOURCES

Convened: Tuesday, February 17, 2009, 3:05 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Hartsuch, Ranking Member; Bartz, Boettger, Bolkom, Dotzler, Hatch, Johnson, Quirnbach, Seymour, and Wilhelm.

Members Absent: Kreiman (excused).

Committee Business: Presentation by the Director of Department of Human Services.

Adjourned: 4:00 p.m.

ALSO:

Convened: Thursday, February 19, 2009, 1:05 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Hartsuch, Ranking Member; Bartz, Boettger, Bolkom, Dotzler, Hatch, Johnson, Kreiman, Quirnbach, Seymour, and Wilhelm.

Members Absent: None.

Committee Business: Approved SSBs 1160 and 1180 and [HF 122](#).

Adjourned: 2:00 p.m.

VETERANS AFFAIRS

Convened: Thursday, February 19, 2009, 12:50 p.m.

Members Present: Beall, Chair; Warnstadt, Vice Chair; Seymour, Ranking Member; Black, Danielson, Hartsuch, Kibbie, Noble, Ragan, and Sadders.

Members Absent: Wieck (excused).

Committee Business: Approved governor's appointments. Passed [SF 112](#) and HF 214.

Adjourned: 1:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, February 19, 2009, 10:35 a.m.

Members Present: Seng, Chair; Black, Vice Chair; Hahn, Ranking Member; and Wilhelm.

Members Absent: Houser (excused).

Committee Business: Presentations by the Iowa Resource Conservation and Development and the Iowa League of RC&Ds

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Thursday, February 19, 2009, 10:35 a.m.

Members Present: Schoenjahn, Chair; Quirnbach, Vice Chair; Boettger, Ranking Member; Feenstra and Horn.

Members Absent: None.

Committee Business: Presentations by the Executive Director of Iowa Public Television, the Regional Telecommunications Councils, and the Iowa Valley Community College.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, February 19, 2009, 10:30 a.m.

Members Present: Hatch, Chair; Ragan, Vice Chair; Johnson, Ranking Member; and Schmitz.

Members Absent: Hartsuch (excused).

Committee Business: Presentation on the IowaCare program.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Thursday, February 19, 2009, 10:35 a.m.

Members Present: Hancock, Chair; Hogg, Vice Chair; Noble, Ranking Member; Fraise and Zaun.

Members Absent: None.

Committee Business: Presentation by the Department of Corrections.

Adjourned: 11:25 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,
INFRASTRUCTURE, AND CAPITALS**

Convened: Thursday, February 19, 2009, 10:45 a.m.

Members Present: McCoy, Chair; Warnstadt, Vice Chair; and Beall.

Members Absent: Seymour, Ranking Member; and Hamerlinck (both excused).

Committee Business: Floodplain management presentation by the Environmental Services Division of the Department of Natural Resources.

Adjourned: 11:30 a.m.

INTRODUCTION OF BILLS

[Senate File 195](#), by committee on Agriculture, a bill for an act relating to the grain depositors and sellers indemnity fund.

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

[Senate File 196](#), by McKinley, a bill for an act relating to the civil commitment of a juvenile sexually violent predator.

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

[Senate File 197](#), by committee on Labor and Business Relations, a bill for an act relating to unemployment insurance benefits and compliance with federal law regarding and in order to qualify for funding, and including effective and applicability dates.

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

[Senate File 198](#), by committee on Judiciary, a bill for an act relating to bidders at a property tax sale and owners of tax sale certificates and including effective and applicability date provisions.

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

[Senate File 199](#), by committee on Judiciary, a bill for an act relating to the uniform athlete agents Act and providing remedies and penalties.

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

[Senate File 200](#), by Hancock, a bill for an act creating a sales tax exemption for information technology devices during certain dates.

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

[Senate File 201](#), by Johnson, a bill for an act relating to the civil liability of a physician acting as a volunteer emergency medical services director for acts or omissions occurring in the performance of the director's volunteer duties.

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

[Senate File 202](#), by Johnson and Feenstra, a bill for an act relating to the medical assistance reimbursement rate for intermediate care facilities for persons with mental retardation.

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

[Senate File 203](#), by committee on Human Resources, a bill for an act relating to the identification of the eligibility of tenants of an assisted living program for benefits through the United States department of veterans affairs.

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

STUDY BILLS RECEIVED

[SSB 1231](#) **State Government**

Relating to public records and open meetings, including the creation of the public records, open meetings, and privacy advisory committee, and providing an effective date.

[SSB 1232](#) **State Government**

Authorizing to post certain notices, actions, and information on an internet website.

[SSB 1233](#) **Environment and Energy Independence**

Relating to environmental management system designation.

SSB 1234 Environment and Energy Independence

Relating to wastewater treatment.

SSB 1235 Natural Resources

Establishing an upland game bird study advisory committee and providing an immediate effective date.

SSB 1236 State Government

Establishing a special wine auction permit.

SSB 1237 Appropriations

Relating to public funding and regulatory matters and making, reducing, and transferring appropriations and revising fund amounts and including effective, retroactive, and other applicability date provisions.

SSB 1238 State Government

Concerning the acquisition of certain goods and services provided through the department of administrative services.

SUBCOMMITTEE ASSIGNMENTS**Senate File 138**

TRANSPORTATION: Dandekar, Chair; Hahn and Hancock

Senate File 162

EDUCATION: Appel, Chair; Hamerlinck and Kreiman

Senate File 163

EDUCATION: Quirnbach, Chair; Feenstra and Wilhelm

Senate File 182

ENVIRONMENT AND ENERGY INDEPENDENCE: Stewart, Chair; Behn and Bolkcom

[Senate File 189](#)

VETERANS AFFAIRS: Black, Chair; Danielson and Seymour

[Senate File 190](#)

TRANSPORTATION: Hancock, Chair; Dandekar and Kapucian

[Senate File 191](#)

REBUILD IOWA: Stewart, Chair; Dvorsky and Hamerlinck

[Senate File 192](#)

STATE GOVERNMENT: Horn, Chair; Dearden and Seymour

[House File 281](#)

ENVIRONMENT AND ENERGY INDEPENDENCE: Hogg, Chair; Reynolds and Wilhelm

[SSB 1231](#)

STATE GOVERNMENT: Jochum, Chair; Behn and Danielson

[SSB 1232](#)

STATE GOVERNMENT: Appel, Chair; Danielson and Feenstra

[SSB 1233](#)

ENVIRONMENT AND ENERGY INDEPENDENCE: Hogg, Chair; Hancock and Hartsuch

[SSB 1234](#)

ENVIRONMENT AND ENERGY INDEPENDENCE: Rielly, Chair; Stewart and Ward.

[SSB 1235](#)

NATURAL RESOURCES: Dearden, Chair; Johnson and Schoenjahn

[SSB 1236](#)

STATE GOVERNMENT: Black, Chair; Dearden and Seymour

[SSB 1237](#)

APPROPRIATIONS: Dvorsky, Chair; Kettering and McCoy

[SSB 1238](#)

STATE GOVERNMENT: Danielson, Chair; Appel and Feenstra

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: [SENATE FILE 195 \(SSB 1113\)](#), a bill for an act relating to the grain depositors and sellers indemnity fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Fraise, Olive, Johnson, Appel, Behn, Boettger, Courtney, Hahn, Hancock, Kapucian, Kibbie, Rielly, Seng, and Soddors. Nays, none. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: [HOUSE FILE 122 \(HSB 7\)](#), a bill for an act relating to requiring reports for certain precursor substances and extending an information program for drug prescribing and dispensing and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Ragan, Schmitz, Hartsuch, Bartz, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Quirnbach, Seymour, and Wilhelm. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 203 \(SSB 1180\)](#), a bill for an act relating to the identification of the eligibility of tenants of an assisted living program for benefits through the United States department of veterans affairs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Hartsuch, Bartz, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Quirnbach, Seymour, and Wilhelm. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: [SENATE FILE 198 \(SSB 1173\)](#), a bill for an act relating to bidders at a property tax sale and owners of tax sale certificates and including effective and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, Kettering, Boettger, Fraise, Hancock, Horn, Jochum, Noble, Quirmbach, Schoenjahn, Soddors, Ward, Warnstadt, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 199 \(SSB 1170\)](#), a bill for an act relating to the uniform athlete agents Act and providing remedies and penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, Kettering, Boettger, Fraise, Hancock, Horn, Jochum, Noble, Quirmbach, Schoenjahn, Soddors, Ward, Warnstadt, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 199](#), and they were attached to the committee report.

LABOR AND BUSINESS RELATIONS

Bill Title: *[SENATE FILE 197 \(SSB 1052\)](#), a bill for an act relating to unemployment insurance benefits and compliance with federal law regarding and in order to qualify for funding, and including effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Courtney, Jochum, Ward, Dearden, Dotzler, Hatch, Horn, Wieck, and Zaun. Nays, none. Absent, 2: Gronstal and Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Labor and Business Relations Committee on [Senate File 197](#), and they were attached to the committee report.

VETERANS AFFAIRS

Bill Title: [HOUSE FILE 214](#) (formerly [HF 29](#)), a bill for an act establishing the interstate compact on educational opportunity for military children and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Beall, Warnstadt, Seymour, Black, Danielson, Hartsuch, Kibbie, Noble, Ragan and Soddors. Nays, none. Absent, 1: Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 112](#), a bill for an act providing for presentation of flags flown at half-staff over the state capitol in recognition of the death of a member of the armed forces of the United States while serving on active duty.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Beall, Warnstadt, Seymour, Black, Danielson, Hartsuch, Kibbie, Noble, Ragan and Sodders. Nays, none. Absent, 1: Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 19, 2009, when the votes were taken on [House Concurrent Resolution 3](#), amendment [S-3023](#) to [House Concurrent Resolution 3](#), [House File 283](#), Senate Files 113 and 114, and the En Bloc Confirmation Calendar. Had I been present, I would have voted "Yea" on all. Also, I was necessarily absent when the vote was taken on amendment [S-3020](#) to [Senate File 113](#). Had I been present, I would have voted "Nay."

MERLIN BARTZ

BILL REFERRED TO COMMITTEE

[House File 260](#) was referred to the committee on **Local Government**.

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 recommendations for confirmation:

VETERANS AFFAIRS

Todd Jacobus – Commission of Veterans Affairs

Darlene McMartin – Commission of Veterans Affairs

AMENDMENT FILED

[S-3024](#) [S.F. 81](#) Bill Heckroth