

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, APRIL 15, 2009

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JOURNAL OF THE SENATE

NINETY-FOURTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 15, 2009

The Senate met in regular session at 9:03 a.m., President Kibbie presiding.

Prayer was offered by Pastor Melissa Drake of the Silver Creek United Methodist Church and the Hancock United Methodist Church in Hancock, Iowa. She was the guest of Senator Boettger.

The Journal of Tuesday, April 14, 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 April 14, 2009, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 236](#), a bill for an act relating to psychiatric medical institution for children services and providing an effective date. ([S-3265](#))

[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. ([S-3266](#))

[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. ([S-3268](#))

CONFIRMATION OF GOVERNOR'S APPOINTMENT
(Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Eugene Gessow as Director of the Department of Human Services, placed on the Individual Confirmation Calendar on February 12, 2009, found on page 293 of the Senate Journal.

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

Nays, 19:

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

Absent, none.

The appointee, having failed to receive a two-thirds vote, was declared to have not been confirmed by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENT
(Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Carrie LaSeur as a member of the Iowa Power Fund Board, placed on the Individual Confirmation Calendar on March 24, 2009, found on page 839 of the Senate Journal.

Senator Stewart moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 30:

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

Nays, 20:

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

Absent, none.

The appointee, having failed to receive a two-thirds vote, was declared to have not been confirmed by the Senate.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:16 a.m. until 3:00 p.m.

RECONVENED

The Senate reconvened at 3:12 p.m., President Kibbie presiding.

CONFIRMATION OF GOVERNOR'S APPOINTMENT

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointee on the En Bloc Confirmation Calendar:

Amber Crystal Amos – Commission on Community Action Agencies

Senator Gronstal moved that the foregoing appointee be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 484](#).

[Senate File 484](#)

On motion of Senator Olive, [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, placed on the Unfinished Business Calendar on April 10, 2009, was taken up for consideration.

Senator Olive offered amendment [S-3248](#), filed by him on April 14, 2009, to pages 1, 3, and 6 of the bill, and moved its adoption.

Amendment [S-3248](#) 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?" ([S.F. 484](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	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 811](#).

[House File 811](#)

On motion of Senator Hatch, [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, with report of committee recommending passage, was taken up for consideration.

Senator Hatch offered amendment [S-3271](#), filed by him from the floor to pages 16, 18, 21, 29, 31–33, 39–41, 44, 46, 61, 71, 76, 78, 80, 81, 84–86, and 111 of the bill.

Senator Hatch offered amendment [S-3276](#), filed by him from the floor to page 2 of amendment [S-3271](#), and moved its adoption.

Amendment [S-3276](#) was adopted by a voice vote.

Senator Hatch moved the adoption of amendment [S-3271](#), as amended.

A record roll call was requested.

On the question “Shall amendment [S-3271](#), as amended, be adopted?” ([H.F. 811](#)), the vote was:

Yeas, 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

Nays, 18:

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

Absent, none.

Amendment [S-3271](#), as amended, was adopted.

Senator Johnson offered amendment [S-3275](#), filed by him from the floor to pages 45, 50, 54, 60, 70, 83, 85, 86, 88, and 113 of the bill.

Senator Johnson called for the following division of amendment [S-3275](#):

Division [S-3275A](#): Page 1, line 3–Page 2, line 32; and

Division [S-3275B](#): Page 2, line 33–Page 3, line 3.

Senator Johnson moved the adoption of division [S-3275A](#).

A record roll call was requested.

On the question “Shall division [S-3275A](#) be adopted?” ([H.F. 811](#)) the vote was:

Yeas, 21:

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

Nays, 29:

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

Absent, none.

Division [S-3275A](#) lost.

Senator Johnson moved the adoption of division [S-3275B](#).

A record roll call was requested.

On the question "Shall division [S-3275B](#) be adopted?" ([H.F. 811](#)) the vote was:

Yeas, 20:

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

Nays, 30:

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

Absent, none.

Division [S-3275B](#) 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?" ([H.F. 811](#)), the vote was:

Yeas, 31:

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

Nays, 19:

Bartz	Hamerlinck	Kettering	Seymour
Behn	Hartsuch	Kreiman	Ward

Boettger	Houser	McKinley	Wieck
Feenstra	Johnson	Noble	Zaun
Hahn	Kapucian	Reynolds	

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 484](#) and [House File 811](#) be **immediately messaged** to the House.

The Senate stood at ease at 3:53 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 4:43 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 15, 2009, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 456](#), a bill for an act modifying provisions applicable to facilities qualifying for wind energy production and renewable energy tax credits and including effective and retroactive applicability date provisions.

ALSO: That the House has on April 15, 2009, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 475](#), a bill for an act relating to and making appropriations to the justice system, and including effective and retroactive applicability date provisions. ([S-3280](#))

ALSO: That the House has on April 15, 2009, **passed** the following bills in which the concurrence of the Senate is asked:

House File 810, a bill for an act providing for the establishment of small wind innovation zones, providing for the applicability of tax credits, and including effective and retroactive applicability date provisions.

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

House File 817, a bill for an act relating to the research activities tax credit for innovative renewable energy generation components and making an appropriation and providing applicability date provisions.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hartsuch, until he returns, on request of Senator Kettering.

UNFINISHED BUSINESS (Deferred April 6, 2009)

Senate File 116

The Senate resumed consideration of **Senate File 116**, a bill for an act providing that the casual sales exemption under the state sales tax does not apply to the sales of all-terrain vehicles, snowmobiles, off-road motorcycles, and off-road utility vehicles, deferred April 6, 2009.

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. 116](#)), the vote was:

Yeas, 29:

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

Nays, 20:

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

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 Courtney asked and received unanimous consent that [Senate File 116](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration [House File 722](#).

[House File 722](#)

On motion of Senator Black, [House File 722](#), a bill for an act relating to regulation of certain conservation and recreation activities under the jurisdiction of the department of natural resources, modifying fees, establishing an upland game bird study advisory committee, making penalties applicable, and providing an immediate effective date, 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. 722](#)), the vote was:

Yeas, 47:

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

Nays, 2:

Behn	Feenstra
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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 [House File 722](#) be **immediately messaged** to the House.

President Pro Tempore Danielson took the chair at 5:13 p.m.

UNFINISHED BUSINESS
(Deferred April 14, 2009)

[Senate File 464](#)

The Senate resumed consideration of [Senate File 464](#), a bill for an act relating to motor fuel containing biodiesel, providing for tax credits, making penalties applicable, and including effective date and applicability provisions, deferred April 14, 2009.

With the adoption of amendment [S-3213](#) to amendment [S-3208](#), the Chair ruled amendment [S-3277](#), filed by Senator Hamerlinck from the floor, to page 1 of amendment [S-3208](#) out of order.

Senator Johnson withdrew amendment [S-3261](#), filed by him on April 14, 2009, to page 1 of amendment [S-3208](#).

Senator Johnson offered amendment [S-3262](#), filed by him on April 14, 2009, to page 1 of amendment [S-3208](#), and moved its adoption.

Amendment [S-3262](#) was adopted by a voice vote.

Senator Johnson withdrew amendment [S-3263](#), filed by him on April 14, 2009, to page 1 of amendment [S-3208](#).

Senator Reynolds offered amendment [S-3269](#), filed by her from the floor to pages 2 and 3 of amendment [S-3208](#), and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3269](#), to amendment [S-3208](#), be adopted?" ([S.F. 464](#)), the vote was:

Yeas, 17:

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

Nays, 33:

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

Absent, none.

Amendment [S-3269](#) lost.

Senator Kapucian withdrew amendment [S-3255](#), filed by him on April 14, 2009, to page 3 of amendment [S-3208](#).

Senator Kapucian withdrew amendment [S-3264](#), filed by him from the floor to page 3 of amendment [S-3208](#).

Senator Kapucian offered amendment [S-3267](#), filed by him from the floor to page 3 of amendment [S-3208](#), and moved its adoption.

Amendment [S-3267](#) was adopted by a voice vote.

Senator Wieck offered amendment [S-3278](#), filed by him from the floor to page 3 of amendment [S-3208](#).

Senator Dandekar asked and received unanimous consent that action on amendment [S-3278](#) to amendment [S-3208](#) and **Senate File 464** be **deferred**.

UNFINISHED BUSINESS
(Deferred March 19, 2009)

[House File 243](#)

The Senate resumed consideration of [House File 243](#), a bill for an act providing for gender balance on local boards, commissions, committees, and councils, and including an applicability provision, deferred March 19, 2009.

Senator Gronstal asked and received unanimous consent that action on [House File 243](#) be **deferred**.

UNFINISHED BUSINESS
(Deferred April 9, 2009)

[House File 758](#)

The Senate resumed consideration of [House File 758](#), a bill for an act relating to damages recoverable for the wrongful or negligent injury or death of a person, deferred April 9, 2009.

Senator Schoenjahn offered amendment [S-3259](#), filed by him on April 14, 2009, to page 1 of the bill.

The Senate stood at ease at 5:38 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 6:31 p.m., President Pro Tempore Danielson 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 15, 2009, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 480](#), a bill for an act relating to the eligibility for tax credits and income reductions for qualified expenditures under the film, television, and video project promotion program, providing for a fee, and providing an applicability date provision.

ALSO: That the House has on April 15, 2009, **concurred in the Senate amendment and passed** the following bill in which the concurrence of the House was asked:

[House File 705](#), a bill for an act concerning safe rooms and storm shelters in newly constructed buildings.

Senator Gronstal asked and received unanimous consent that action on amendment [S-3259](#) and [House File 758](#) be **deferred**.

UNFINISHED BUSINESS
(Deferred April 15, 2009)

[House File 243](#)

The Senate resumed consideration of [House File 243](#), a bill for an act providing for gender balance on local boards, commissions, committees, and councils, and including an applicability provision, deferred April 15, 2009.

Senator Sodders moved that the bill be read the last time now and placed upon 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. 243](#)), the vote was:

Yeas, 31:

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

Nays, 19:

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

Absent, none.

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

WITHDRAWN

Senator Sodders asked and received unanimous consent that [Senate File 133](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House File 243](#) be **immediately messaged** to the House.

BUSINESS PENDING

[Senate File 464](#)

The Senate resumed consideration of [Senate File 464](#), a bill for an act relating to motor fuel containing biodiesel, providing for tax credits, making penalties applicable, and including effective date and applicability provisions, and amendment [S-3278](#) to amendment [S-3208](#), previously deferred.

Senator Wieck moved the adoption of amendment [S-3278](#) to amendment [S-3208](#).

A record roll call was requested.

On the question "Shall amendment [S-3278](#), to amendment [S-3208](#), be adopted?" ([S.F. 464](#)), the vote was:

Yeas, 20:

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

Nays, 30:

Appel	Dvorsky	Jochum	Schmitz
Beall	Fraise	Kibbie	Schoenjahn
Black	Gronstal	Kreiman	Seng
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hatch	Olive	Stewart

Danielson	Heckroth	Quirnbach	Wilhelm
Dearden	Hogg	Ragan	
Dotzler	Horn	Rielly	

Absent, none.

Amendment [S-3278](#) lost.

Senator Behn offered amendment [S-3252](#), filed by him on April 14, 2009, to pages 3 and 8 of amendment [S-3208](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3252](#), to amendment [S-3208](#), be adopted?” ([S.F. 464](#)), the vote was:

Yeas, 16:

Behn	Hamerlinck	Kettering	Reynolds
Black	Hartsuch	McKinley	Ward
Feenstra	Johnson	Noble	Wieck
Hahn	Kapucian	Olive	Zaun

Nays, 34:

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

Absent, none.

Amendment [S-3252](#) lost.

Senator Hamerlinck offered amendment [S-3279](#), filed by him from the floor to page 4 of amendment [S-3208](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3279](#), to amendment [S-3208](#), be adopted?” ([S.F. 464](#)), the vote was:

Yeas, 14:

Behn	Hartsuch	McKinley	Wieck
Feenstra	Johnson	Noble	Zaun
Hahn	Kapucian	Reynolds	
Hamerlinck	Kettering	Ward	

Nays, 36:

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

Absent, none.

Amendment [S-3279](#) lost.

Senator Reynolds offered amendment [S-3270](#), filed by her from the floor to page 6 of amendment [S-3208](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3270](#), to amendment [S-3208](#), be adopted?” ([S.F. 464](#)), the vote was:

Yeas, 21:

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

Nays, 29:

Appel	Dvorsky	Kibbie	Seng
Beall	Fraise	Kreiman	Sodders
Black	Gronstal	Olive	Stewart
Bolkcom	Hancock	Quirnbach	Warnstadt

Courtney	Hatch	Ragan	Wilhelm
Danielson	Heckroth	Rielly	
Dearden	Hogg	Schmitz	
Dotzler	Jochum	Schoenjahn	

Absent, none.

Amendment [S-3270](#) lost.

Senator Kibbie offered amendment [S-3260](#), filed by him on April 14, 2009, to page 8 of amendment [S-3208](#), and moved its adoption.

Amendment [S-3260](#) was adopted by a voice vote.

Senator Dandekar offered amendment [S-3282](#), filed by her from the floor to pages 2, 3, and 8 of amendment [S-3208](#).

Senator Dandekar asked that action on amendment [S-3282](#), to amendment [S-3208](#), be deferred.

Senator Hamerlinck offered amendment [S-3281](#), filed by him from the floor to pages 3, 5, and 8 of amendment [S-3208](#), and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3281](#), to amendment [S-3208](#), be adopted?" ([S.F. 464](#)), the vote was:

Yeas, 17:

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

Nays, 33:

Appel	Dvorsky	Jochum	Schoenjahn
Beall	Fraise	Kibbie	Seng
Black	Gronstal	Kreiman	Sodders
Bolkcom	Hancock	McCoy	Stewart
Courtney	Hatch	Olive	Warnstadt
Dandekar	Heckroth	Quirnbach	Wilhelm

Danielson	Hogg	Ragan
Dearden	Horn	Rielly
Dotzler	Houser	Schmitz

Absent, none.

Amendment [S-3281](#) lost.

Senator Dandekar offered amendment [S-3283](#), filed by her from the floor to pages 3 and 8 of amendment [S-3208](#), and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3283](#), to amendment [S-3208](#), be adopted?" ([S.F. 464](#)), the vote was:

Yeas, 21:

Behn	Hamerlinck	McCoy	Warnstadt
Black	Hartsuch	McKinley	Wieck
Dandekar	Horn	Noble	Zaun
Feenstra	Johnson	Olive	
Gronstal	Kapucian	Reynolds	
Hahn	Kettering	Ward	

Nays, 29:

Appel	Dotzler	Jochum	Seng
Bartz	Dvorsky	Kibbie	Seymour
Beall	Fraise	Kreiman	Sodders
Boettger	Hancock	Quirnbach	Stewart
Bolkcom	Hatch	Ragan	Wilhelm
Courtney	Heckroth	Rielly	
Danielson	Hogg	Schmitz	
Dearden	Houser	Schoenjahn	

Absent, none.

Amendment [S-3283](#) lost.

Senator Dandekar moved the adoption of amendment [S-3282](#), previously deferred.

A record roll call was requested.

On the question “Shall amendment [S-3282](#), to amendment [S-3208](#), be adopted?” ([S.F. 464](#)), the vote was:

Yeas, 19:

Behn	Hamerlinck	Kettering	Schoenjahn
Black	Hartsuch	McCoy	Ward
Dandekar	Horn	McKinley	Wieck
Feenstra	Johnson	Noble	Zaun
Hahn	Kapucian	Reynolds	

Nays, 31:

Appel	Dotzler	Houser	Schmitz
Bartz	Dvorsky	Jochum	Seng
Beall	Fraise	Kibbie	Seymour
Boettger	Gronstal	Kreiman	Sodders
Bolkcom	Hancock	Olive	Stewart
Courtney	Hatch	Quirnbach	Warnstadt
Danielson	Heckroth	Ragan	Wilhelm
Dearden	Hogg	Rielly	

Absent, none.

Amendment [S-3282](#) lost.

Senator Kibbie moved the adoption of amendment [S-3208](#), as amended.

A record roll call was requested.

On the question “Shall amendment [S-3208](#), as amended, be adopted?” ([S.F. 464](#)), the vote was:

Yeas, 33:

Appel	Dotzler	Jochum	Seng
Bartz	Dvorsky	Kibbie	Seymour
Beall	Fraise	Kreiman	Sodders
Black	Gronstal	Olive	Stewart
Boettger	Hancock	Quirnbach	Warnstadt
Bolkcom	Hatch	Ragan	Wilhelm
Courtney	Heckroth	Rielly	
Danielson	Hogg	Schmitz	
Dearden	Houser	Schoenjahn	

Nays, 17:

Behn	Hartsuch	McCoy	Wieck
Dandekar	Horn	McKinley	Zaun
Feenstra	Johnson	Noble	
Hahn	Kapucian	Reynolds	
Hamerlinck	Kettering	Ward	

Absent, none.

Amendment S-3208, as amended, was adopted.

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. 464](#)), the vote was:

Yeas, 31:

Appel	Dearden	Houser	Schmitz
Bartz	Dotzler	Jochum	Schoenjahn
Beall	Dvorsky	Kibbie	Seng
Black	Fraise	Kreiman	Seymour
Boettger	Hancock	Olive	Sodders
Bolkcom	Hatch	Quirnbach	Stewart
Courtney	Heckroth	Ragan	Wilhelm
Danielson	Hogg	Rielly	

Nays, 19:

Behn	Hamerlinck	Kettering	Ward
Dandekar	Hartsuch	McCoy	Warnstadt
Feenstra	Horn	McKinley	Wieck
Gronstal	Johnson	Noble	Zaun
Hahn	Kapucian	Reynolds	

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:41 p.m. until 9:00 a.m., Thursday, April 16, 2009.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Corporal Jason Graham Pautsch (October 1, 1988 – April 10, 2009)—With deep regret and sincere appreciation for his selfless devotion to our country. Iowa Senate (4/15/09).

SUBCOMMITTEE ASSIGNMENTS

[House File 810](#)

WAYS AND MEANS: Hogg, Chair; Bartz and Schmitz

[House File 817](#)

WAYS AND MEANS: Dandekar, Chair; Hamerlinck and Hogg

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which the confirmation of Eugene Gessow failed to be approved by the Senate on April 15, 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 15th day of April, 2009:

Senate Files 81, 441, and 445.

MICHAEL E. MARSHALL
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 15, 2009, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 43](#) – Relating to the abatement or refund of property taxes for certain religious, literary, and charitable societies and including effective and retroactive applicability date provisions.

[Senate File 225](#) – Allowing the purchase of service credit under the statewide fire and police retirement system for prior service under the retirement system.

[Senate File 322](#) – Relating to the technical administration of the tax and related laws by the department of revenue, including administration of income taxes, sales and use taxes, fees for new vehicle registrations, and property taxes and including a retroactive applicability date provision.

[Senate File 355](#) – Relating to mortgage lending by establishing licensing requirements applicable to mortgage loan originators; making specified modifications to existing licensing provisions relating to mortgage bankers and brokers, regulated loans, and industrial loans; and providing penalties and effective dates.

[Senate File 407](#) – Relating to the rights and responsibilities of Iowa veterans home members.

[Senate File 440](#) – Relating to prescription drug coverage for health care facility residents eligible for federal veterans affairs benefits.

AMENDMENTS FILED

S-3264	S.F. 464	Tim L. Kapucian
S-3265	S.F. 236	House
S-3266	S.F. 433	House
S-3267	S.F. 464	Tim L. Kapucian
S-3268	S.F. 470	House
S-3269	S.F. 464	Kim Reynolds
S-3270	S.F. 464	Kim Reynolds
S-3271	H.F. 811	Jack Hatch
S-3272	S.F. 481	Nancy J. Boettger
S-3273	S.F. 481	James A. Seymour
S-3274	S.F. 481	Shawn Hamerlinck
		Kim Reynolds
		James F. Hahn
		Randy Feenstra
		Tim L. Kapucian

		Merlin Bartz
		David Johnson
		Larry Noble
		Pat Ward
		Ron Wieck
		Steve Kettering
		Brad Zaun
		Nancy J. Boettger
		James A. Seymour
		Jerry Behn
S-3275	H.F. 811	David Johnson
S-3276	H.F. 811	Jack Hatch
S-3277	S.F. 464	Shawn Hamerlinck
S-3278	S.F. 464	Ron Wieck
S-3279	S.F. 464	Shawn Hamerlinck
S-3280	S.F. 475	House
S-3281	S.F. 464	Shawn Hamerlinck
S-3282	S.F. 464	Swati A. Dandekar
S-3283	S.F. 464	Swati A. Dandekar