

PROOF

STATE OF IOWA

Senate Journal

MONDAY, JANUARY 28, 2013

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

FIFTEENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 28, 2013

The Senate met in regular session at 1:07 p.m., President Jochum presiding.

Prayer was offered by Pastor Clegguart Mitchell of the Leon Bible Church in Leon, Iowa. He was the guest of Senator Sinclair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jacob Ihnen.

The Journal of Thursday, January 24, 2013, was approved.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that [Senate File 53](#) be referred from the Regular Calendar to the committee on **Appropriations**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:28 p.m. until 9:00 a.m., Tuesday, January 29, 2013.

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:

COLLEGE STUDENT AID COMMISSION

2011–2012 Annual Report, pursuant to Iowa Code section 261.2(8). Report received on January 28, 2013.

ECONOMIC DEVELOPMENT AUTHORITY

2012 Iowa Energy Strategic Plan Report, pursuant to 2012 Iowa Acts, [HF 2473](#), section 35. Report received on January 25, 2013.

DEPARTMENT OF EDUCATION

2012 Compact for Education Report, pursuant to Iowa Code section 272B.1(3)(j). Report received on January 25, 2013.

STATE BOARD OF REGENTS

Affirmative Action, Diversity, and Multicultural Accomplishment Report, pursuant to Iowa Code section 19B.5. Report received on January 28, 2013.

IOWA VETERANS HOME

Judicial Review Report, pursuant to Iowa Code section 625.29(7). Report received on January 25, 2013.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A(7). Report received on January 25, 2013.

Discharge Report, pursuant to Iowa Code section 35D.15(2)(c)(3). Report received on January 28, 2013.

AGENCY ICN REPORT

Iowa Communications Network (ICN) usage report for FY 2012, pursuant to Iowa Code section 8D.10, was received from the following agency:

DEPARTMENT OF PUBLIC SAFETY – Report received on January 28, 2013.

CERTIFICATES OF RECOGNITION

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

The City of Dubuque – For being named Iowa “River City of the Year”. Senator Jochum.

Major General Rrahman Rama – For his leadership in enhancing cooperation between the Kosovo Security Force and the Iowa National Guard. Senator Beall.

Minister for Kosovo Security Force Agim Ceku – For his leadership in enhancing cooperation between the Ministry for Kosovo Security Force, the Iowa National Guard, and the people of Kosovo and Iowa. Senator Beall.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Tuesday, January 22, 2013, 2:15 p.m.

Members Present: Seng, Chair; Taylor, Vice Chair; Zumbach, Ranking Member; Beall, Black, Bowman, Brase, Greiner, Guth, Hart, Houser, Kapucian, and Soddors.

Members Absent: None.

Committee Business: Presentation from the State Soil Conservation Committee.

Adjourned: 3:00 p.m.

EDUCATION

Convened: Monday, January 28, 2013, 2:15 p.m.

Members Present: Quirnbach, Chair; Schoenjahn, Vice Chair; Ernst, Ranking Member; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: None.

Committee Business: Competency based education presentation.

Adjourned: 3:00 p.m.

RULES AND ADMINISTRATION

Convened: Monday, January 28, 2013, 1:30 p.m.

Members Present: Gronstal, Chair; Jochum, Vice Chair; Dix, Ranking Member; Bertrand, Courtney, Dearden, Dvorsky, Ernst, Ragan, Rozenboom, and Sodders.

Members Absent: None.

Committee Business: Governor's appointments.

Adjourned: 1:35 p.m.

INTRODUCTION OF BILLS

[Senate File 54](#), by Zaun, a bill for an act providing for a waiver of tuition and mandatory fees at regents universities for Iowa national guard members who are residents of Iowa.

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

[Senate File 55](#), by Zaun, a bill for an act concerning the retention of existing highway rest areas.

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

[Senate File 56](#), by Zaun, a bill for an act authorizing a school district to adopt a mandatory uniform policy.

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

[Senate File 57](#), by Zaun, a bill for an act relating to reserve peace officers approved and certified to carry weapons in the line of duty and nonprofessional permits to carry weapons.

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

[Senate File 58](#), by Zaun, a bill for an act relating to liability cases involving licensed professionals.

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

[Senate File 59](#), by Dearden, a bill for an act relating to the keeping of farm deer and preserve whitetail and including penalties and applicability provisions.

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

[Senate File 60](#), by Chelgren, a bill for an act relating to the production or manufacture of goods retained within the state of Iowa and applicable federal authority, providing penalties, and including applicability provisions.

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

[Senate File 61](#), by Sorenson, a bill for an act providing for a moratorium on regulations affecting the sale of unprocessed food, and including effective date provisions.

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

[Senate File 62](#), by Sorenson, a bill for an act eliminating the reduction of a sentence through the accrual of earned time for inmates convicted of certain serious sex offenses.

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

[Senate File 63](#), by Sorenson, a bill for an act relating to the electronic tracking and monitoring of persons on the sex offender registry.

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

[Senate File 64](#), by Sorenson, a bill for an act requiring hormonal intervention therapy for persons convicted of a serious sex offense and providing a penalty.

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

[Senate File 65](#), by Danielson, a bill for an act prohibiting private safety agencies from utilizing the digits 911 in telephone numbers or internet addresses, and providing a penalty.

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

[Senate File 66](#), by Danielson, a bill for an act relating to funding for retirement incentive programs offered by school districts and including applicability provisions.

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

[Senate File 67](#), by Danielson, a bill for an act relating to exemptions from motor vehicle window transparency requirements, and including effective date and applicability provisions.

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

[Senate File 68](#), by Zaun, a bill for an act concerning private sector employee drug testing.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

[Senate File 69](#), by Danielson, a bill for an act requiring a study on the feasibility and economic impact of establishing an ergonomics standard for workplaces.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

STUDY BILLS RECEIVED

[SSB 1075](#) **Economic Growth/Rebuild Iowa**

Relating to the economic development financial assistance duties and powers of the economic development authority by authorizing and creating fees and a tax rebate, affecting the aggregate tax credit

limit for certain economic development programs and the tax credit for the endow Iowa tax credit, authorizing the diversion of withholding tax payments for certain programs, making an appropriation, and including effective date and retroactive applicability provisions.

SSB 1076 **Judiciary**

Relating to mobile and manufactured home tenancy by providing for minimum duration of rental agreements, providing for termination or nonrenewal of rental agreements, and modifying notice of unpaid rent and related forcible entry and detainer provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 31

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Greiner

Senate File 32

WAYS AND MEANS: Quirnbach, Chair; Behn and Bolkom

Senate File 34

HUMAN RESOURCES: Quirnbach, Chair; Boettger and Wilhelm

Senate File 35

HUMAN RESOURCES: Mathis, Chair; Johnson and Ragan

Senate File 36

HUMAN RESOURCES: Mathis, Chair; Quirnbach and Whitver

Senate File 37

TRANSPORTATION: Dvorsky, Chair; Feenstra and McCoy

Senate File 39

WAYS AND MEANS: Quirnbach, Chair; Behn and Bolkom

Senate File 41

LABOR AND BUSINESS RELATIONS: Soddors, Chair; Chapman and Seng

CIVIL RIGHTS COMMISSION, IOWA STATE (Sec. 216.3)
 Tom Conley, Urbandale 09/27/2012 – 04/30/2013

DRUG POLICY COORDINATOR (Sec. 80E.1)
 Steve Lukan, West Des Moines 05/30/2012 – Pleasure of the Governor

EDUCATIONAL EXAMINERS, EXECUTIVE DIRECTOR OF THE BOARD OF
 (Sec. 272.5)
 Duane Magee, Waukee 07/01/2012 – Pleasure of the Governor

EDUCATIONAL EXAMINERS, BOARD OF (Sec. 272.3)
 Brenda Garcia-Van Auken, Muscatine 11/01/2012 – 04/30/2015
 Mary Overholtzer, Tingley 04/27/2012 – 04/30/2013

ELECTRICAL EXAMINING BOARD (Sec. 103.2)
 Wayne Engle, Marion 05/01/2012 – 04/30/2015
 John Marino, Clear Lake 05/01/2012 – 04/30/2015
 Patricia Weese, Bedford 05/01/2012 – 04/30/2015

ENVIRONMENTAL PROTECTION COMMISSION (Sec. 455A.6)
 Joanne Stockdale, Okoboji 12/06/2012 – 04/30/2013

INFORMATION OFFICER, CHIEF (Sec. 8A.201A)
 Robert S. von Wolfradt, West Des Moines 04/27/2012 – Pleasure of the Governor

JUDICIAL NOMINATING COMMISSION, STATE (Sec. 46.2A)
 Scott Bailey, Otley 01/14/2013 – 04/30/2014
 John Bloom, West Des Moines 01/14/2013 – 04/30/2018
 Elizabeth Doll, Council Bluffs 01/14/2013 – 04/30/2016
 Kathy Pearson, Cedar Rapids 01/14/2013 – 04/30/2018
 Patricia (Trish) Roberts, Carroll 01/14/2013 – 04/30/2014
 Helen Sinclair, Melrose 01/14/2013 – 04/30/2016
 Steve Sukup, Clear Lake 01/14/2013 – 04/30/2016
 John (Jerry) Welter, Monticello 01/19/2013 – 04/30/2014

LATINO AFFAIRS, COMMISSION OF (Sec. 216A.12)
 Ramon Rodriguez, Pleasant Hill 05/01/2012 – 04/30/2014

MEDICINE, BOARD OF (Sec. 147.14(1)(b))
 Frank Bognanno, Des Moines 05/01/2012 – 04/30/2015
 Ann Gales, Bode 06/29/2012 – 04/30/2013
 Michael Thompson, Pella 05/01/2012 – 04/30/2015

NATURAL RESOURCES, DIRECTOR OF THE DEPARTMENT OF (Sec. 455A.3)
 Chuck Gipp, Decorah 05/31/2012 – Pleasure of the Governor

PAROLE, CHAIRPERSON OF THE BOARD OF (Sec. 904A.3)
 Jason Carlstrom, Okoboji 09/03/2012 – Pleasure of the Governor

PAROLE, BOARD OF (Sec. 904A.1)
Jason Carlstrom, Okoboji 09/03/2012 – 04/30/2014

PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD, IOWA
COMPREHENSIVE (Sec. 455G.4(4))
Timothy Gartin, Ames 08/14/2012 – 04/30/2013
N. Kurt Mumm, Jr., Johnston 08/14/2012 – 04/30/2016

PLUMBING AND MECHANICAL SYSTEMS EXAMINING BOARD (Sec. 105.3)
Susan Pleva, Woodward 05/01/2012 – 04/30/2015

PODIATRY, BOARD OF (Sec. 147.14(1)(s))
Travis Carlson, Hiawatha 08/02/2012 – 04/30/2015
Donald Shurr, North Liberty 08/02/2012 – 04/30/2015

PROPERTY ASSESSMENT APPEAL BOARD, CHAIR OF THE (Sec. 421.1A(2))
Stewart Iverson, Clarion 01/04/2013 – 04/30/2013

PROPERTY ASSESSMENT APPEAL BOARD (Sec. 421.1A)
Stewart Iverson, Clarion 01/04/2013 – 04/30/2017

PSYCHOLOGY, BOARD OF (Sec. 147.14(1)(g))
Joan Skogstrom, Urbandale 09/27/2012 – 04/30/2013

PUBLIC INFORMATION BOARD, IOWA (Sec. 23.3)
Robert Andeweg, Urbandale 07/01/2012 – 04/30/2016
Anthony Gaughan, West Des Moines 07/01/2012 – 04/30/2014
Jo Martin, Spirit Lake 07/01/2012 – 04/30/2014
Andrew McKean, Anamosa 07/01/2012 – 04/30/2016
Gary Mohr, Bettendorf 07/01/2012 – 04/30/2014
William Monroe, Johnston 07/01/2012 – 04/30/2014
Kathleen Richardson, Des Moines 07/01/2012 – 04/30/2016
Suzan Stewart, Sioux City 07/01/2012 – 04/30/2014
Peggy Weitzl, Carroll 07/01/2012 – 04/30/2016

PUBLIC SAFETY, COMMISSIONER OF (Sec. 80.2)
K. Brian London, Tallahassee 10/08/2012 – Pleasure of the Governor

REAL ESTATE APPRAISER EXAMINING BOARD (Sec. 543D.4)
Vernon (Fred) Greder, Mason City 11/01/2012 – 04/30/2013

REAL ESTATE COMMISSION (Sec. 543B.8)
John Goede, Spencer 06/26/2012 – 04/30/2014

REGENTS, STATE BOARD OF (Sec. 262.1)
Hannah Walsh, Spirit Lake 11/30/2012 – 04/30/2015

SOIL CONSERVATION COMMITTEE, STATE (Sec. 161A.4)
Timothy Palmer, Truro 09/24/2012 – 04/30/2017

TECHNOLOGY ADVISORY COUNCIL (Sec. 8A.204)

Leann Jacobsen, Spencer	08/20/2012 – 04/30/2014
Timothy Peterson, Des Moines	08/20/2012 – 04/30/2013

TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA
(Sec. 8D.3(2))

Mary Sellers, Des Moines	12/18/2012 – 04/30/2016
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TOBACCO USE PREVENTION AND CONTROL, COMMISSION ON (Sec. 142A.3)

Shirley Daniels, Des Moines	05/01/2012 – 04/30/2015
Chad Jensen, Carroll	05/01/2012 – 04/30/2015

VISION IOWA BOARD (Sec. 15F.102)

James Davidson, Burlington	09/24/2012 – 04/30/2013
Kelly Reilly, West Des Moines	07/31/2012 – 04/30/2015
Carrie Tedore, Dubuque	07/31/2012 – 04/30/2013

The appointments were 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 appointments to state boards, commissions, and departments to Senate standing committees, as indicated for investigation on January 28, 2013:

AGRICULTURE

Steven Ferguson – Executive Director of the Agricultural Development Authority

Timothy Palmer – State Soil Conservation Committee

COMMERCE

Mary Sellers – Iowa Telecommunications and Technology Commission

ECONOMIC GROWTH/REBUILD IOWA

Thomas Bernau – Iowa Capital Investment Board

Donna Walter – Iowa Capital Investment Board

EDUCATION

Andrew Waldschmitt – Iowa Autism Council

Duane Magee – Executive Director of the Educational Examiners

Brenda Garcia-Van Auken – Board of Educational Examiners
Mary Overholtzer – Board of Educational Examiners

Hannah Walsh – State Board of Regents

HUMAN RESOURCES

Elaine Sanders – Child Advocacy Board

Ramon Rodriguez – Commission of Latino Affairs
Shirley Daniels – Commission on Tobacco Use Prevention and Control
Chad Jensen – Commission on Tobacco Use Prevention and Control

JUDICIARY

Tom Conley – Iowa State Civil Rights Commission

Steve Lukan – Drug Policy Coordinator

Scott Bailey – State Judicial Nominating Commission
John Bloom – State Judicial Nominating Commission
Elizabeth Doll – State Judicial Nominating Commission
Kathy Pearson – State Judicial Nominating Commission
Patricia (Trish) Roberts – State Judicial Nominating Commission
Helen Sinclair – State Judicial Nominating Commission
Steve Sukup – State Judicial Nominating Commission
John (Jerry) Welter – State Judicial Nominating Commission

Jason Carlstrom – Chairperson of the Board of Parole

Jason Carlstrom – Board of Parole

LABOR AND BUSINESS RELATIONS

Susan Pleva – Plumbing and Mechanical Systems Examining Board

LOCAL GOVERNMENT

Stewart Iverson – Chair of the Property Assessment Appeal Board

Stewart Iverson – Property Assessment Appeal Board

NATURAL RESOURCES AND ENVIRONMENT

Chuck Gipp – Director of the Department of Natural Resources

Joanne Stockdale – Environmental Protection Commission

Timothy Gartin – Iowa Comprehensive Petroleum Underground Storage Tank Fund Board

N. Kurt Mumm, Jr. – Iowa Comprehensive Petroleum Underground Storage Tank Fund Board

STATE GOVERNMENT

Emily Forquer – Architectural Examining Board

Sandra Ryan – Commission for the Blind

Wayne Engle – Electrical Examining Board

John Marino – Electrical Examining Board

Patricia Weese – Electrical Examining Board

Robert S. von Wolfradt – Chief Information Officer

Frank Bognanno – Board of Medicine

Ann Gales – Board of Medicine

Michael Thompson – Board of Medicine

Travis Carlson – Board of Podiatry

Donald Shurr – Board of Podiatry

Joan Skogstrom – Board of Psychology

Robert Andeweg – Iowa Public Information Board

Anthony Gaughan – Iowa Public Information Board

Jo Martin – Iowa Public Information Board

Andrew McKean – Iowa Public Information Board

Gary Mohr – Iowa Public Information Board

William Monroe – Iowa Public Information Board

Kathleen Richardson – Iowa Public Information Board

Suzan Stewart – Iowa Public Information Board

Peggy Weitzl – Iowa Public Information Board

Vernon (Fred) Greder – Real Estate Appraiser Examining Board

John Goede – Real Estate Commission

Leann Jacobsen – Technology Advisory Council

Timothy Peterson – Technology Advisory Council

James Davidson – Vision Iowa Board

Kelly Reilly – Vision Iowa Board

Carrie Tedore – Vision Iowa Board

TRANSPORTATION

K. Brian London – Commissioner of Public Safety