

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, MARCH 21, 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

SIXTY-SEVENTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 21, 2013

The Senate met in regular session at 9:07 a.m., President Jochum presiding.

Prayer was offered by the Honorable Ken Rozenboom, member of the Senate from Mahaska County, Oskaloosa, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Hanna Zinn.

The Journal of Wednesday, March 20, 2013, was approved.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 11](#).

[Senate Resolution 11](#)

On motion of Senator Bowman, [Senate Resolution 11](#), a resolution opposing the decision of the International Olympic Committee to end wrestling as an Olympic event, with report of committee recommending passage, was taken up for consideration.

Senator Bowman moved the adoption of [Senate Resolution 11](#), which motion prevailed by a voice vote.

SPECIAL GUEST

Senator Bowman introduced to the Senate chamber Dan Gable, legendary wrestler and former wrestling coach of the University of Iowa Hawkeyes.

Coach Gable addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following Senate Files be referred from the Regular Calendar to the following committees:

S.F. 341	Ways and Means
S.F. 426	Appropriations

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 20, 2013, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 347](#), a bill for an act relating to record checks of prospective and current health care employees and certain students.

ALSO: That the House has on March 20, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 486](#), a bill for an act relating to persons offering orthotic, prosthetic, and pedorthic services to the public, and relating to the scope of orthotic, prosthetic, and pedorthic services which may be ordered by certain health care providers, and including transition provisions.

Read first time and attached to **companion** [Senate File 294](#).

[House File 531](#), a bill for an act relating to programs and accounts administered by the college student aid commission.

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

[House File 565](#), a bill for an act relating to mechanic's liens and the mechanics' notice and lien registry.

Read first time and attached to **similar** [Senate File 360](#).

[House File 602](#), a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

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

[House File 603](#), 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.

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

[House File 604](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters.

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:25 a.m. until 1:00 p.m., Monday, March 25, 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:

AUDITOR OF STATE

Report on Special Investigation of the City of Muscatine 7/01/08–3/08/12, pursuant to Iowa Code section 11.6. Report received on March 21, 2013.

DEPARTMENT OF HUMAN SERVICES

Mental Health and Disabilities Services Annual Report, pursuant to Iowa Code section 225C.6(1)(h). Report received on March 21, 2013.

CERTIFICATES OF RECOGNITION

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

Coach Dan Gable – For his leadership in promoting the State of Iowa and the sport of wrestling. Senator Bowman.

Jenny Reisen – For taking the “Step of a Lifetime”. Senator Jochum.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Thursday, March 14, 2013, 12:30 p.m.

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

Members Absent: Black (excused).

Committee Business: Governor’s appointees.

Adjourned: 12:40 p.m.

HUMAN RESOURCES

Convened: Thursday, March 21, 2013, 10:10 a.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Johnson, Ranking Member; Boettger, Bolkcom, Dotzler, Ernst, Mathis, Quirnbach, Segebart, and Whitver.

Members Absent: Hatch and Jochum (both excused).

Committee Business: Governor’s appointees.

Adjourned: 10:20 a.m.

JUDICIARY

Convened: Wednesday, March 20, 2013, 3:05 p.m.

Members Present: Hogg, Chair; Schneider, Ranking Member; Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Taylor, and Whitver.

Members Absent: Courtney, Vice Chair; Sorenson and Zaun (all excused).

Committee Business: Governor's appointees.

Adjourned: 3:10 p.m.

TRANSPORTATION

Convened: Thursday, March 21, 2013, 10:15 a.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach.

Members Absent: None.

Committee Business: Governor's appointee.

Adjourned: 11:05 a.m.

ALSO:

Convened: Thursday, March 21, 2013, 11:50 a.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Dvorsky, Feenstra, and Zumbach.

Members Absent: Danielson, Dearden, McCoy, and Taylor (all excused).

Committee Business: Governor's appointees.

Adjourned: 11:55 a.m.

INTRODUCTION OF RESOLUTION

[Senate Concurrent Resolution 5](#), by Beall, Zumbach, Hart, Houser, Soddors, Boettger, Courtney, Breitbach, Dearden, Segebart, Horn, Johnson, Taylor, Kapucian, Brase, Greiner, Bowman, Anderson, Wilhelm, Ernst, Petersen, Bertrand, Seng, Dix, Dotzler, Rozenboom, Dvorsky, Sinclair, Quirmbach, Chapman, Ragan, Whitver, Mathis, Feenstra, Schoenjahn, Bolkcom, Danielson, Hatch, McCoy, Jochum, Gronstal, Black, and Hogg, a concurrent resolution urging the United States government to renew its commitment to this nation's energy security.

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

SUBCOMMITTEE ASSIGNMENT

[House File 533](#)

EDUCATION: Wilhelm, Chair; Hart and Sinclair

FINAL COMMITTEE REPORTS OF BILL ACTION

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: [HOUSE FILE 311](#), a bill for an act relating to water quality.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 13: Dearden, Black, Greiner, Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 394](#), a bill for an act establishing a lifetime fur harvester license for residents who are sixty-five years of age or older.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dearden, Black, Greiner, Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S APPOINTEES PLACED ON
EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

AGRICULTURE

Curtis Sindergard – Iowa Grain Indemnity Fund Board

HUMAN RESOURCES

Quentin Hart – Commission on Aging

G. Willard Jenkins – Commission on Aging

Christopher Wiedmann – Board of Athletic Training

Jill Struyk – Board of Behavioral Science

Shannon Unternahrer – Child Advocacy Board

Matt Connolly – Commission of Persons with Disabilities

Craig Cretsinger – Prevention of Disabilities Council

Maggie Tinsman – Prevention of Disabilities Council

Steven Wolfe – Prevention of Disabilities Council

Connie Schmett – Health Facilities Council

Kim Spading – Council on Human Services

Marilyn Seemann – Mental Health and Disability Services Commission

Robbyn Graves – Commission on Tobacco Use Prevention and Control

David Vander Horst – Commission on Tobacco Use Prevention and Control

LABOR AND BUSINESS RELATIONS

Michele Chalfant – Plumbing and Mechanical Systems Examining Board

NATURAL RESOURCES AND ENVIRONMENT

Cindy Greiman – Environmental Protection Commission

Robert Sinclair – Environmental Protection Commission

Joanne Stockdale – Environmental Protection Commission

Eugene Ver Steeg – Environmental Protection Commission

Lorraine Glover – Flood Mitigation Board

Arnold Honkamp – Flood Mitigation Board

Amy Kaleita – Flood Mitigation Board

John Torbert – Flood Mitigation Board

Marcus Branstad – Natural Resource Commission

Phyllis Reimer – Natural Resource Commission

Timothy Gartin – Iowa Petroleum Underground Storage Tank Fund Board

STATE GOVERNMENT

Rita Davenport – Commission on the Status of African Americans

Jason Wilson – Alcoholic Beverages Division

Kolby DeWitt – Architectural Examining Board
Emily Forquer – Architectural Examining Board

Steve Hou – Commission of Asian and Pacific Islander Affairs

Charles Wubbena – Board of Barbering

Joseph Van Lent – Commission for the Blind

Robert Brecke – Boiler and Pressure Vessel Board
Timothy Fehr – Boiler and Pressure Vessel Board
Amy Iles – Boiler and Pressure Vessel Board

Jason Wall – Board of Chiropractic

John Johnson – Commission on Community Action Agencies
Brian Lauterbach – Commission on Community Action Agencies
Robyn Ormsby – Commission on Community Action Agencies

Richard Sheriff – Board of Cosmetology Arts and Sciences

Mark Hersch – Commission of Deaf Services
Robert Vizzini – Commission of Deaf Services

Steven Bradley – Board of Dentistry
Thomas Jeneary – Board of Dentistry
Kaaren Vargas – Board of Dentistry

Janet Johnson – Board of Dietetics

Siobhan Harman – Elevator Safety Board
Kristine Kesterson – Elevator Safety Board
Wayne Sims – Elevator Safety Board

Christopher Enyeart – Iowa Emergency Response Commission

Bryan Myers – Engineering and Land Surveying Examining Board
Howard Stewart – Engineering and Land Surveying Examining Board

Jaime Secory – Board of Hearing Aid Dispensers
Jerry Smith – Board of Hearing Aid Dispensers

Kevin Clark – Interior Design Examining Board
Ann Quebe – Interior Design Examining Board

Erica Andersen – Landscape Architectural Examining Board
Christopher Seeger – Landscape Architectural Examining Board

Christina Michael – Board of Massage Therapy
Rhonda Reif – Board of Massage Therapy

Robert Bender – Board of Medicine
Julie Carmody – Board of Medicine
Ann Gales – Board of Medicine
Allison Schoenfelder – Board of Medicine

Kimberly Doehrmann – Board of Mortuary Sciences
Barbara Teahen – Board of Mortuary Sciences

Dawn Buffalo – Commission of Native American Affairs
Joe Coulter – Commission of Native American Affairs
Larry Lasley – Commission of Native American Affairs
Karen Mackey – Commission of Native American Affairs
Kelly Montijo Fink – Commission of Native American Affairs
Dirk Whitebreast – Commission of Native American Affairs

Nancy Kramer – Board of Nursing
James Seymour (appointment) – Board of Nursing
James Seymour (reappointment) – Board of Nursing
Chad Ware – Board of Nursing

Karol Dammann – Board of Nursing Home Administrators
Patricia Hoffman-Simanek – Board of Nursing Home Administrators
Michael Jenison – Board of Nursing Home Administrators
Lanny Ward – Board of Nursing Home Administrators

Thomas Hayden – Board of Optometry
Tamie Stahl – Board of Optometry

Denise Behrends – Board of Physical and Occupational Therapy
Todd Bradley – Board of Physical and Occupational Therapy
Erin Hytrek – Board of Physical and Occupational Therapy

Melissa Gentry – Board of Physician Assistants
Keith Guess – Board of Physician Assistants
Susan Koehler – Board of Physician Assistants
Joseph Molnar – Board of Physician Assistants

Tara Decker-Brock – Board of Podiatry
 Gregory Lantz – Board of Podiatry
 Denise Mandi – Board of Podiatry

Melinda Green – Board of Psychology
 Joan Skogstrom – Board of Psychology

Vernon (Fred) Greder – Real Estate Appraiser Examining Board
 Greg Harms – Real Estate Appraiser Examining Board

Dennis Stolk – Real Estate Commission

Lawrence (Gene) Lilla – Board of Respiratory Care

Amy Courneya – Board of Social Work
 Valerie Huntley – Board of Social Work
 Jody Weigel – Board of Social Work

Diana Hanson – Board of Speech Pathology and Audiology
 Kent Weaver – Board of Speech Pathology and Audiology

James Davidson – Vision Iowa
 Mark Murphy – Vision Iowa
 Carrie Tedore – Vision Iowa

WAYS AND MEANS

Jill Sanchez – State Board of Tax Review

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

TRANSPORTATION

Loree Miles – State Transportation Commission
 Tom Rielly – State Transportation Commission

VETERANS AFFAIRS

Timothy Orr – State of Iowa Adjutant General

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

Pursuant to Senate Rule 59, the Commerce committee having failed to file its report within the prescribed time, the nominee, Nick Wagner as a member of the Utilities Board, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, David Loy as a member of the Accountancy Examining Board, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Ying Sa as a member of the Accountancy Examining Board, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Laura Walker as a member of the Accountancy Examining Board, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Kyle Barnhart as a member of the Electrical Examining Board, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Kathryn Kunert as a member of the Electrical Examining Board, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Theodore (TJ) Meiners as a member of the Electrical Examining Board, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Lisa Petersen as a member of the Electrical Examining Board, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Wayne Walter as a member of the Investment Board of the IPERS, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Dennis Young as a member of the Investment Board of the IPERS, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Terry Rich as the Chief Executive Officer of the Iowa Lottery Authority, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Sharon Meyer as a member of the Board of Pharmacy, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Judith Trumpy as a member of the Board of Pharmacy, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Richard Arnold as a member of the Racing and Gaming Commission, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Timothy Peterson as a member of the Technology Advisory Council, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Dewayne Rahe as a member of the Iowa Board of Veterinary Medicine, is now automatically placed, without recommendation, upon the individual confirmation calendar.

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on March 21, 2013:

I am withdrawing the name of Alan Koch to serve as a member of the Environmental Protection Commission from further consideration by the Senate.

Sincerely,
TERRY E. BRANSTAD
Governor

AMENDMENTS FILED

S-3054	S.F. 416	Janet Petersen Charles Schneider
S-3055	S.F. 297	William A. Dotzler