

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, JANUARY 22, 2015

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

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 22, 2015

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was offered by the Honorable Jason Schultz, member of the Senate from Crawford County, Schleswig, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kenten Kingsbury.

The Journal of Wednesday, January 21, 2015, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:16 a.m. until 1:00 p.m., Monday, January 26, 2015.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS**

Convened: Wednesday, January 14, 2015, 2:05 p.m.

Members Present: Dvorsky, Chair; Chapman, Ranking Member; Bisignano, Bolkcom, Brase, Courtney, Garrett, Hogg, Kapucian, Kraayenbrink, Mathis, Ragan, Rozenboom, Schneider, Schoenjahn, Segebart, Wilhelm, and Zumbach.

Members Absent: Danielson, Vice Chair; Dotzler and McCoy (all excused).

Committee Business: Introductions.

Adjourned: 2:15 p.m.

ETHICS

Convened: Thursday, January 22, 2015, 11:30 a.m.

Members Present: Horn, Chair; Dearden, Vice Chair; Schultz, Ranking Member; Behn and Seng.

Members Absent: Zaun (excused).

Committee Business: Discussed [SSB 1070](#) and 1071.

Adjourned: 11:35 a.m.

HUMAN RESOURCES

Convened: Wednesday, January 14, 2015, 4:30 p.m.

Members Present: Mathis, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Allen, Bolkcom, Chelgren, Costello, Garrett, Jochum, Segebart, Taylor, and Wilhelm.

Members Absent: Dotzler (excused).

Committee Business: Introductions; approved committee rules.

Adjourned: 4:45 p.m.

ALSO:

Convened: Wednesday, January 21, 2015, 4:00 p.m.

Members Present: Mathis, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Allen, Chelgren, Costello, Dotzler, Garrett, Jochum, Segebart, Taylor, and Wilhelm.

Members Absent: Bolkcom (excused).

Committee Business: ACE guest presentations and discussions.

Adjourned: 5:05 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, January 22, 2015, 2:00 p.m.

Members Present: Dearden, Chair; Brase, Vice Chair; Rozenboom, Ranking Member; Behn, Bolkcom, Johnson, Kinney, Petersen, Ragan, Schoenjahn, Seng, and Zumbach.

Members Absent: Shipley (excused).

Committee Business: Presentation by Dr. Dale Garner, Chief of the Wildlife Bureau of DNR.

Adjourned: 2:40 p.m.

RULES AND ADMINISTRATION

Convened: Thursday, January 22, 2015, 9:15 a.m.

Members Present: Gronstal, Chair; Jochum, Vice Chair; Dix, Ranking Member; Chapman, Courtney, Dearden, Dvorsky, Guth, Ragan, Soddors, and Whitver.

Members Absent: None.

Committee Business: Approved assignment of Governor's appointees.

Adjourned: 9:20 a.m.

TRANSPORTATION

Convened: Wednesday, January 21, 2015, 4:00 p.m.

Members Present: Bowman, Chair; Dvorsky, Vice Chair; Kapucian, Ranking Member; Brase, Dearden, Feenstra, Horn, Kraayenbrink, Quirnbach, and Smith.

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

Committee Business: Presentation by Paul Trombino, Director of the DOT; Bob Younie, Mark Lowe, and Stuart Anderson gave detailed accounts of items included in the omnibus bill.

Adjourned: 5:05 p.m.

WAYS AND MEANS

Convened: Thursday, January 15, 2015, 1:00 p.m.

Members Present: Bolkcom, Chair; Allen, Vice Chair; Breitbach, Dotzler, Hogg, Jochum, Petersen, Quirnbach, Schultz, Seng, and Smith.

Members Absent: Feenstra, Ranking Member; Anderson, Behn, and McCoy (all excused).

Committee Business: Introductions; approved committee rules.

Adjourned: 1:15 p.m.

ALSO:

Convened: Tuesday, January 20, 2015, 3:30 p.m.

Members Present: Bolkcom, Chair; Allen, Vice Chair; Feenstra, Ranking Member; Anderson, Behn, Dotzler, Hogg, Jochum, Petersen, Quirnbach, Schultz, Seng, and Smith.

Members Absent: Breitbach and McCoy (both excused).

Committee Business: Discussed [SSB 1059](#).

Adjourned: 4:00 p.m.

EDUCATION APPROPRIATIONS SUBCOMMITTEE

Convened: Thursday, January 22, 2015, 10:00 a.m.

Members Present: Schoenjahn, Chair; Kraayenbrink, Ranking Member; Horn and Sinclair.

Members Absent: Quirnbach, Vice Chair (excused).

Committee Business: LSA presentation.

Adjourned: 11:20 a.m.

HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE

Convened: Thursday, January 22, 2015, 10:05 a.m.

Members Present: Ragan, Chair; Bolkcom, Vice Chair; Segebart, Ranking Member; Dvorsky and Johnson.

Members Absent: None.

Committee Business: Presentation by DHS on the 2016–2017 HHS Budget.

Adjourned: 11:30 a.m.

INTRODUCTION OF RESOLUTION

[Senate Joint Resolution 1](#), by Dvorsky, Bolkcom, Dotzler, Seng, Bisignano, Bowman, Petersen, Wilhelm, Taylor, Horn, Dearden, Soddors, Gronstal, Jochum, Schoenjahn, McCoy, Hart, Brase, Allen, Mathis, Ragan, Kinney, Hogg, and Danielson, a joint resolution requesting the call of a constitutional convention in order to propose an amendment to the Constitution of the United States to allow Congress and the states to prohibit or otherwise regulate the expenditure of funds for political speech by any corporation, limited liability company, or other corporate entity.

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

INTRODUCTION OF BILLS

[Senate File 60](#), by Soddors, a bill for an act relating to the coordination of, access to, and availability of broadband via fiberoptic network infrastructure throughout the state.

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

[Senate File 61](#), by Dotzler, a bill for an act relating to sports tourism by modifying the regional sports authority district program, creating a sports tourism program and sports program fund, and making an appropriation.

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

STUDY BILLS RECEIVED

[SSB 1072](#) **State Government**

Concerning government accountability, relating to state employee bonuses, personnel records and settlement agreements and disciplinary actions, and citizen interaction with state government, and including effective date and retroactive applicability provisions.

SSB 1073 State Government

Relating to governmental bodies and advisory bodies and public notice requirements under the open meetings law and the confidentiality of peace officers' investigative reports under the open records law.

SSB 1074 Education

Relating to at-risk, alternative and alternative school, and returning dropout and dropout prevention programs and funding.

SSB 1075 Judiciary

Relating to judicial salaries.

SSB 1076 Judiciary

Relating to nonprofit corporations' powers and duties, document filings, meetings, mergers, voting procedures, and the functions of directors and officers.

SSB 1077 Judiciary

Relating to the calculation of certain court costs in probate.

SSB 1078 Judiciary

Relating to probate and estate-related laws, including the deduction of administrative expenses on the Iowa fiduciary income tax return, the Iowa inheritance tax, liability of beneficiaries of payable-on-death accounts or transfer-on-death securities accounts, fiduciaries' right to property and information, and the surviving spouse's elective share.

SSB 1079 Judiciary

Relating to expert witness fees.

SSB 1080 **Judiciary**

Relating to the issuance of and violations of civil protective orders and criminal no-contact orders and modifying penalties.

SSB 1081 **Judiciary**

Providing an exemption from liability under the Iowa municipal tort claims Act for an officer or employee of a school district or local school board from a claim related to a person's participation in an extracurricular activity not sponsored by the school on school grounds.

SSB 1082 **Local Government**

Relating to the improper use of a persons with disabilities parking permit and applicable penalties.

SUBCOMMITTEE ASSIGNMENTS**Senate File 40**

HUMAN RESOURCES: Dotzler, Chair; Johnson and Ragan

Senate File 59

TRANSPORTATION: Quirnbach, Chair; Breitbach and Horn

SSB 1072

STATE GOVERNMENT: Danielson, Chair; Bowman and Whitver

SSB 1073

STATE GOVERNMENT: Danielson, Chair; Bertrand and Bowman

SSB 1074

EDUCATION: Quirnbach, Chair; Hogg and Johnson

SSB 1075

JUDICIARY: Hogg, Chair; Garrett and Sadders

SSB 1076

JUDICIARY: Hogg, Chair; Kinney and Schneider

SSB 1077

JUDICIARY: Hogg, Chair; Garrett and Horn

SSB 1078

JUDICIARY: Hogg, Chair; Bisignano and Schneider

SSB 1079

JUDICIARY: Petersen, Chair; Bisignano and Whitver

SSB 1080

JUDICIARY: Hogg, Chair; Garrett and Petersen

SSB 1081

JUDICIARY: Horn, Chair; Schneider and Sodders

SSB 1082

LOCAL GOVERNMENT: Allen, Chair; Breitbach and Taylor

APPOINTMENTS

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNORTERM

ADMINISTRATIVE SERVICES, DIRECTOR OF THE DEPARTMENT OF (Sec. 8A.102)

Janet Phipps Burkhead, Adel 05/19/2014 – Pleasure of the Governor

AFRICAN AMERICANS, COMMISSION ON THE STATUS OF (Sec. 216A.142)

Kenneth Morris, Jr., Cedar Rapids 07/01/2014 – 04/30/2018

Candace Williams, Davenport 05/01/2014 – 04/30/2018

ASIAN AND PACIFIC ISLANDER AFFAIRS, COMMISSION OF (216A.152)

Manisha Paudel, Dubuque 11/20/2014 – 04/30/2016

BOARD OF BARBERING (Sec. 147.14(1)(a))

Robert Gray, Davenport 05/01/2014 – 04/30/2017

ECONOMIC DEVELOPMENT AUTHORITY (Sec. 15.105)

Lisa Hull, Clarinda 06/03/2014 – 04/30/2015

EDUCATIONAL EXAMINERS, BOARD OF (Sec. 272.3)
Erin Schoening, Underwood 08/29/2014 – 04/30/2017

ELECTRICAL EXAMINING BOARD (Sec. 103.2)
Allen DeHeer, Winterset 06/17/2014 – 04/30/2017
Marg Stoldorf, Red Oak 06/17/2014 – 04/30/2017
Emily Wuebker, Afton 06/17/2014 – 04/30/2017

ELEVATOR SAFETY BOARD (Sec. 89A.13)
Todd Christensen, Des Moines 05/01/2014 – 04/30/2018

EMPLOYMENT APPEAL BOARD (Sec. 10A.601)
Ashley Koopmans, Des Moines 05/23/2014 – 04/30/2016
Ashley Koopmans, Des Moines 12/19/2014 – 04/30/2018
James Strohman, Ames 12/19/2014 – 04/30/2016

LANDSCAPE ARCHITECTURAL EXAMINING BOARD (Sec. 544B.3)
Debra Schiel-Larson, Indianola 05/01/2014 – 04/30/2017

LAW ENFORCEMENT ACADEMY COUNCIL, IOWA (Sec. 80B.6)
Timothy Carmody, Council Bluffs 11/20/2014 – 04/30/2015

MENTAL HEALTH AND DISABILITY SERVICES COMMISSION (Sec. 225C.5(1))
Thomas Broeker, Burlington 05/01/2014 – 04/30/2017

PAROLE, BOARD OF (Sec. 904A.1)
Norman Granger, Waterloo 08/28/2014 – 04/30/2018
John Hodges, Bondurant 05/19/2014 – 04/30/2018

PAROLE, CHAIRPERSON OF THE BOARD OF (Sec. 904A.3)
John Hodges, Bondurant 05/19/2014 – Pleasure of the Governor

PHYSICIAN ASSISTANTS, BOARD OF (Sec. 147.14(1)(l))
Dennis Janssen, Clive 11/20/2014 – 04/30/2015

PUBLIC DEFENDER, STATE (Sec. 13B.2)
Adam Gregg, Johnston 12/08/2014 – Pleasure of the Governor

PUBLIC HEALTH, DIRECTOR OF (Sec. 135.2)
Gerd Clabaugh, Johnston 05/19/2014 – Pleasure of the Governor

REGENTS, STATE BOARD OF (Sec. 262.1)
Sherry Bates, Scranton 12/22/2014 – 04/30/2017

SOCIAL WORK, BOARD OF (Sec. 147.14(1)(t))
Karilynne Lenning, West Des Moines 11/20/2014 – 04/30/2017

TAX REVIEW, STATE BOARD OF (Sec. 421.1)
Kathleen Till Stange, West Des Moines 08/29/2014 – 04/30/2019

VISION IOWA BOARD (Sec. 15F.102)

Rebecca Anderson, Burlington

11/20/2014 – 04/30/2016

BY THE TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, EXECUTIVE
DIRECTOR OF THE IOWA (8D.4)

Richard Lumbar, Des Moines

09/04/2014 – Pleasure of the Commission

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 22, 2015:

COMMERCE

Richard Lumbar – Telecommunications and Technology Commission

ECONOMIC GROWTH

Lisa Hull – Economic Development Authority

EDUCATION

Erin Schoening – Board of Educational Examiners

Sherry Bates – State Board of Regents

HUMAN RESOURCES

Thomas Broeker – Mental Health and Disability Services Commission

Gerd Clabaugh – Director of Public Health

JUDICIARY

Timothy Carmody – Iowa Law Enforcement Academy Council

John Hodges – Chairperson of the Board of Parole

John Hodges – Board of Parole

Norman Granger – Board of Parole

Adam Gregg – State Public Defender

LABOR AND BUSINESS RELATIONS

Ashley Koopmans – Employment Appeal Board
James Strohman – Employment Appeal Board

STATE GOVERNMENT

Janet Phipps Burkhead – Director of the Department of Administrative Services

Kenneth Morris, Jr. – Commission on the Status of African Americans

Manisha Paudel – Commission of Asian and Pacific Islander Affairs

Allen DeHeer – Electrical Examining Board
Marg Stoldorf – Electrical Examining Board
Emily Wuebker – Electrical Examining Board

Todd Christensen – Elevator Safety Board

Debra Schiel-Larson – Landscape Architectural Examining Board

Dennis Janssen – Board of Physician Assistants

Karilynne Lenning – Board of Social Work

Rebecca Anderson – Vision Iowa Board

WAYS AND MEANS

Kathleen Till Stange – State Board of Tax Review

**WITHDRAWAL OF
GOVERNOR'S APPOINTEES**

The following letters from the Governor were received in the office of the Secretary of the Senate on January 22, 2015:

I am withdrawing the name of Candace Williams to serve as a member of the Commission on the Status of African Americans from further consideration by the Senate.

I am withdrawing the name of Robert Gray to serve as a member of the Board of Barbering from further consideration by the Senate.

I am withdrawing my May 23, 2014 nomination of Ashley Koopmans to the Employment Appeal Board as Employee Representative from further consideration by the Senate.

Sincerely,
TERRY E. BRANSTAD
Governor