

MINUTES

Iowa Legislative Council

June 13, 2007

First Meeting of the 2007-2008 Biennium

MEMBERS PRESENT:

Speaker Patrick J. Murphy, Chairperson Senator John P. Kibbie, Vice Chairperson

Senator Jeff Angelo Senator Thomas G. Courtney Senator Jeff Danielson Senator Robert E. Dvorsky Senator Michael E. Gronstal Senator David Johnson Senator Mary A. Lundby Senator Becky Schmitz Senator Brian Schoenjahn Senator James A. Seymour Representative Sandra H. Greiner Representative Mary Mascher Representative Kevin McCarthy Representative Dolores Mertz Representative Jo Oldson Representative Kraig Paulsen Representative Christopher C. Rants Representative Tom Sands

MEETING IN BRIEF

Dennis Prouty, Secretary to the Legislative Council, (515) 281-3566 dennis.prouty@legis.state.ia.us

Organizational staffing provided by: Richard Johnson, Legal Services Division Director, (515) 281-3894 richard.johnson@legis.state.ia.us

Minutes prepared by: Doug Adkisson, Senior Legal Counsel, (515) 281-3884 doug.adkisson@legis.state.ia.us

- I. Procedural Business.
- II. Consideration of the Report of the Fiscal Committee.
- III. Consideration of the Report of the Government Oversight Committee.
- IV. Consideration of the Report of the International Relations Committee.
- V. Consideration of the Report of the Studies Committee.
- VI. Consideration of the Report of the Service Committee.
- VII. Consideration of Prefiling Rules of the Legislative Council.
- VIII. Consideration of Report of the Supreme Court.
- IX. Additional Business.
- X. Attachments.



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I. Procedural Business.

Call to Order. The first meeting of the 2007 Legislative Council was called to order by Speaker Murphy at 1:09 p.m., Wednesday, June 13, 2007, in Room 22, State Capitol, Des Moines, Iowa. Senator Courtney attended the meeting via a telecommunications connection. Copies of the membership of the Legislative Council and the Legislative Council committees are attached to these minutes as Attachments A and B.

Election of Chairperson and Vice Chairperson. Upon motion and voice vote, Speaker Murphy was nominated and elected Chairperson and Senator Kibbie was nominated and elected Vice Chairperson.

Adoption of Rules. Chairperson Murphy moved the approval of the proposed Rules for the Legislative Council, and the motion was approved by voice vote. The proposed rules are attached to these minutes as Attachment C.

Minutes of June 16, 2006, Meeting. Senator Gronstal moved that the minutes of the meeting of June 16, 2006, be approved without additions or corrections. The motion was approved by voice vote.

Consideration of Reports and Additional Business. Council actions are summarized in these minutes.

Recess and Adjournment. The Council temporarily recessed for a Republican caucus and reconvened. The meeting was adjourned at 2:30 p.m.

II. Consideration of the Report of the Fiscal Committee.

Chairperson Murphy recognized Representative Oldson who discussed the Report of the Fiscal Committee. There being no objection, the report was received and filed. A copy of the report is attached to these minutes as Attachment D.

III. Consideration of the Report of the Government Oversight Committee.

Chairperson Murphy called the Council's attention to the Report of the Government Oversight Committee. There being no objection, the report was received and filed. A copy of the report is attached to these minutes as Attachment E.

IV. Consideration of the Report of the International Relations Committee.

Chairperson Murphy called the Council's attention to the Report of the International Relations Committee. There being no objection, the report was received and filed. A copy of the report is attached to these minutes as Attachment F.

V. Consideration of the Report of the Studies Committee.

Chairperson Murphy recognized Senator Gronstal for the Report of the Studies Committee. Senator Gronstal explained that the report recommends that the Legislative Council approve guidelines for the 2007 and 2008 interim studies and that the Legislative Council approve 14 items for legislative action, including studies mandated by law, permanent committees, and the

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establishment of other committees and their charges. Senator Gronstal moved that the report be adopted. The motion was adopted by voice vote. A copy of the report is attached to these minutes as Attachment G.

VI. Consideration of the Report of the Service Committee.

Chairperson Murphy recognized Senator Gronstal for the Report of the Service Committee. Senator Gronstal explained that the report contains annual personnel reports from the Legislative Services Agency and the Office of Citizens' Aide/Ombudsman, including recommendations for promotions, exceptional meritorious increases, and the reclassifications of positions and employees. Senator Gronstal noted that the report recommends that the Legislative Council approve the proposed budget and budget allocations for FY 2008 for the Legislative Services Agency and the Office of Citizens' Aide/Ombudsman, that the four legislative leaders representing the four caucuses appropriately review annually the performance of the central agency directors and approve salary adjustments for the directors, and that the Legislative Council approve the proposed Legislative Council Policies and Procedures along with the separate proposed amendments. Senator Gronstal moved the adoption of the report. The motion was adopted by voice vote. A copy of the report is attached to these minutes as Attachment H.

VII. Consideration of Prefiling Rules of the Legislative Council.

Chairperson Murphy announced that further action on the Prefiling Rules of the Legislative Council was not necessary due to the approval in the Report of the Service Committee of the proposed Legislative Council Policies and Procedures.

VIII. Consideration of Report of the Supreme Court.

Chairperson Murphy recognized Senator Gronstal who moved to receive the Report of the Supreme Court, which amends the Iowa Rules of Civil Procedure. There being no objection, the Report of the Supreme Court was received and filed.

IX. Additional Business.

Consideration of Report of the Capital Projects Committee. Chairperson Murphy recognized Representative Oldson to discuss the Report of the Capital Projects Committee. A copy of the report is attached to these minutes as Attachment I.

Chairperson Murphy recognized Ms. Mollie Anderson, Director of the Department of Administrative Services, and the department's legislative liaison, Mr. Mark Johnson, who provided information regarding the state's progress in acquiring three parcels of real estate, including row houses, located at the base of the West Capitol Terrace. According to Ms. Anderson, the state has purchased real estate located at 709 E. Locust Street, anticipates that the state will acquire real estate located at 707 E. Locust Street owned by the lowa Association of Community College Trustees, and is negotiating for the purchase of property located at 711 E. Locust Street owned by the Schooner Group, LLC. Senator Lundby, Senator Gronstal, Vice Chairperson Kibbie, Senator Dvorsky, Representative Rants, Representative Paulsen, and other members of the Council discussed the state's planned purchase of real estate located at

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711 E. Locust Street, negotiations to purchase the real estate in 2006 from its prior owner, and negotiations to purchase the real estate from its current owner. They also discussed the relevance of Code § 8A.330 (2006 lowa Acts, ch. 1179, § 37) which allows the department to expend up to \$1 million, for a project without legislative approval, and the role of the Executive Council and the General Assembly in being notified of departmental plans to acquire real estate adjacent to the Capitol Complex. Senator Lundby moved and later withdrew a motion requiring the department to notify the Legislative Council of any plans to purchase real estate adjacent to the Capitol Complex. Senator Lundby then moved that the Legislative Council recommend that the state not purchase real estate adjacent to the Capitol Complex if the purchase price exceeds 115 percent of either the fair market value of the real estate or the sale price paid for the real estate within the preceding year. The motion was adopted by voice vote.

Midwest Interstate Passenger Rail Compact. Chairperson Murphy recognized Vice Chairperson Kibbie who discussed H.F. 559, enacted by the General Assembly during the 2007 Legislative Session, which authorizes Iowa's involvement in the Midwest Interstate Passenger Rail Compact, contingent upon funding. Senator Lundby moved that the Legislative Council appropriate \$15,000 for this year to support the compact dues and the motion was approved by voice vote.

Expenditure of Moneys. Chairperson Murphy recognized Senator Lundby who discussed issues relating to the expenditure of moneys by the Legislative Council. Mr. Dennis Prouty, Director of the Legislative Services Agency, participated in the discussion and agreed to provide additional expenditure information to those interested.

X. Attachments.

- A. Legislative Council Membership.
- B. Legislative Council Committee Memberships.
- C. Proposed Rules of the Legislative Council.
- D. Report of the Fiscal Committee.
- E. Report of the Government Oversight Committee.
- F. Report of the International Relations Committee.
- G. Report of the Studies Committee.
- H. Report of the Service Committee.
- I. Report of the Capital Projects Committee.

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MEMBERSHIP IOWA LEGISLATIVE COUNCIL 2007

Senator John P. Kibbie, Vice Chairperson

112 Oakwood PO Box 190

Emmetsburg, IA 50536 H – 712/852-4140

Senator Jeff Angelo

PO Box 604

Creston, IA 50801 H - 641/340-3712 O - 515/281-3271

Senator Thomas G. Courtney

2200 Summer Street Burlington, IA 52601 H – 319/753-2684

Senator Jeff Danielson

PO Box 1191

Cedar Falls, IA 50613 H - 319/236-0611

Senator Robert E. Dvorsky

412 Sixth Street Coralville, IA 52241 H – 319/351-0988 O – 319/625-2125

Senator Michael E. Gronstal

220 Bennett Ave.

Council Bluffs, IA 51503

H – 712/328-2808 O – 515/281-4610

Senator David Johnson

PO Box 279

Ocheyedan, IA 51354 H - 712/758-3280 Speaker Patrick J. Murphy, Chairperson

155 N Grandview Ave. Dubuque, IA 52001 H – 563/582-5922 O – 515/281-5566

Representative Polly Bukta

604 S. 32nd Street Clinton, IA 52732 H – 563/242-6603

Representative Sandra H. Greiner

1005 Hwy 92 Keota, IA 52248 H – 641/636-2293

Representative Mary Mascher

40 Gryn Court

Iowa City, IA 52246 H - 319/351-2826

O - 319/688-1170

Representative Kevin McCarthy

5220 SE 31st Court Des Moines, IA 50320 H – 515/953-5221

Representative Dolores Mertz

607 - 110th Street Ottosen, IA 50570 H - 515/887-2952

Representative Jo Oldson

418 - 38th Place Des Moines, IA 50312 H - 515/255-2805

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MEMBERSHIP IOWA LEGISLATIVE COUNCIL 2007

Senator Mary A. Lundby PO Box 648 Marion, IA 52302 H/O – 319/377-6673

Senator Becky Schmitz 404 W. Washington Fairfield, IA 52556 H – 641/472-2341

Senator Brian Schoenjahn 221 Park Ave, PO Box 117 Arlington, IA 50606 H/O – 563/633-4065

Senator James A. Seymour 901 White Street Woodbine, IA 51579 H = 712/647-2699

Senator Pat Ward 4205 Oakwood Lane West Des Moines, IA 50265 H – 515/221-3945 Representative Kraig Paulsen 1305 Cress Parkway Hiawatha, IA 52233 H – 319/294-2062 O – 319/984-3097

Representative J. Scott Raecker 9011 Iltis Drive Urbandale, IA 50322 H – 515/276-5987 O – 515/271-1911

Representative Christopher C. Rants 2740 S Glass Sioux City, IA 51106 H – 712/274-8874

Representative Tom Sands 134 Orchard Lane, PO Box 226 Columbus Junction, IA 52738 H – 319/728-8716 O – 319-728-2436

Representative Paul Shomshor 3018 Avenue M Council Bluffs, IA 51501 H – 712/325-0638

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LEGISLATIVE COUNCIL COMMITTEES 2007

IOWA LEGISLATIVE COUNCIL

Speaker Patrick J. Murphy, Chairperson

Representative Polly Bukta
Representative Sandra H. Greiner
Representative Mary Mascher
Representative Kevin McCarthy
Representative Dolores Mertz
Representative Jo Oldson
Representative Kraig Paulsen
Representative J. Scott Raecker
Representative Christopher C. Rants

Representative Tom Sands Representative Paul Shomshor

ADMINISTRATION COMMITTEE

Representative Kevin McCarthy, Chairperson Senator Thomas G. Courtney, Vice Chairperson

Senator Becky Schmitz Senator Pat Ward Speaker Patrick J. Murphy

Speaker Patrick J. Murphy Representative Kraig Paulsen

CAPITAL PROJECTS COMMITTEE

Representative Jo Oldson, Chairperson Senator Brian Schoenjahn, Vice Chairperson

Senator Jeff Angelo Senator Robert E. Dvorsky Senator John P. Kibbie Senator James A. Seymour Representative Dolores Mertz Representative Kraig Paulsen Representative J. Scott Raecker Representative Nathan Reichert

FISCAL COMMITTEE

Senator Robert E. Dvorsky, Co-chairperson Representative Jo Oldson, Co-chairperson

Senator Jeff Angelo
Senator Joe Bolkcom
Senator Jeff Danielson
Senator Larry McKibben
Representative Mark Kuhn
Representative J. Scott Raecker
Representative Tom Sands
Representative Paul Shomshor

Senator John P. Kibbie, Vice Chairperson

Senator Jeff Angelo

Senator Thomas G. Courtney Senator Jeff Danielson Senator Robert E. Dvorsky Senator Michael E. Gronstal Senator David Johnson Senator Mary A. Lundby Senator Becky Schmitz Senator Brian Schoenjahn Senator James A. Seymour

Senator Pat Ward

SERVICE COMMITTEE

Senator Michael E. Gronstal, Chairperson Speaker Patrick J. Murphy, Vice Chairperson

Senator Thomas G. Courtney Senator Mary A. Lundby Representative Kevin McCarthy Representative Christopher C. Rants

STUDIES COMMITTEE

Senator Michael E. Gronstal, Chairperson

Representative Mary Mascher, Vice Chairperson

Senator David Johnson Senator John P. Kibbie Senator Mary A. Lundby Senator Becky Schmitz Representative Polly Bukta Representative Sandra H. Greiner Representative Kevin McCarthy Representative Christopher C. Rants

INTERNATIONAL RELATIONS COMMITTEE

Senator Daryl Beall, Chairperson

Representative McKinley Bailey, Vice Chairperson

Senator Dennis H. Black Senator Nancy J. Boettger Senator Eugene S. Fraise Senator Larry McKibben

Representative Richard Anderson

Representative Paul Bell Representative Swati Dandekar Representative Libby Jacobs Representative Helen Miller Representative Rod Roberts

PROPOSED RULES

IOWA LEGISLATIVE COUNCIL

2007-2008

- 1. Thirteen members shall constitute a quorum.
- 2. At least thirteen affirmative votes are required for final action on any motion except a motion to recess or adjourn.
- 3. A substitute motion may be offered in lieu of a pending motion at any time unless the question has been called on the pending motion. A substitute motion takes precedence over any pending amendment to the original motion and, if adopted, disposes of the original motion and any pending amendments to the original motion.
- 4. Whenever Mason's Manual of Legislative Procedure does not conflict with the rules specifically adopted by the Council, Mason's Manual of Legislative Procedure shall govern the deliberations of the Council.
- 5. Meetings shall be set by motion before adjournment, or by call of the Council Chairperson with the approval of the Vice Chairperson if meetings are necessary before the date set in the motion.
- 6. Rules may be changed by a majority vote of the Council as provided in Rule 2.
- 7. The Council upon its motion may create committees in addition to those provided by statute to carry out its duties and shall designate the members of those committees. The committees shall include members of both political parties. The actions of the committees shall be reported to the Council at each meeting.
- 8. Legislative Council committees shall be organized so that a majority of all members of a committee shall constitute a quorum and an affirmative vote of at least a majority of all members of a committee shall be required for final action on any motion except a motion to recess or adjourn. However, for the International Relations Committee, a majority of the committee members of each house shall constitute a quorum and a majority of the Committee members of each house shall be required for final action on any motion except a motion to recess or adjourn.
- 9. The Speaker of the House, Majority Leader of the Senate, and Minority Leaders of the Senate and House of Representatives shall appoint the members of their respective caucuses to interim study committees created by the Legislative Council or by statute or resolution.
- 10. If the appointing authority for members of permanent legislative committees, committees created under rule 7, statutory bodies, and other bodies is the Legislative Council, the Speaker of the House, Majority Leader of the Senate, and the Minority Leaders of the Senate and House of Representatives, shall make the appointment or appointments.

Proposed: June 13, 2007

Report of the Fiscal Committee to the Legislative Council June 13, 2007

The Fiscal Committee held two meetings during the 2006 Interim:

- September 26, 2006
- January 8, 2007

Holly Lyons, Director of the Fiscal Services Division of the Legislative Services Agency (LSA) and Jeff Robinson, LSA, provided regular revenue updates, and the Committee also received notices of appropriations transfers and lease purchases. The FY 2006 and FY 2007 appropriation transfers are listed below.

FY 2006 Appropriation Transfers

Dollars		Department/Division		Dollars	Department/Division
Tr	ransferred	Transferred To	Т	ransferred	Transferred From
Human Rights				Human Rights	
\$	20,000	Status of African Americans	\$	20,000	Latino Affairs
		Inspections & Appeals			Inspections & Appeals
\$	80,000	Administration Division	\$	80,000	Health Facilities Division
		Public Health			Public Health
\$	20,000	Infectious Diseases	\$	20,000	Elderly Wellness
		Public Employment Relations Board			Economic Development
\$	20,000	General Office	\$	20,000	Business Development
		Governor's Office			Governor's Office
\$	85,000	Terrace Hill Quarters	\$	85,000	General Office
		Revenue			Revenue
\$	16,000	Cigarette Stamps	\$	16,000	Operations
		Public Safety			Public Safety
\$	155,000	Fire Marshal	\$	50,000	Criminal Investigation
				70,000	State Patrol
				35,000	Narcotics Enforcement
		Public Defense			Human Services
\$	144,494	Operations	\$	229,970	State Supp. Assistance
	85,476	Civil Rights Commission			
		Human Services			Human Services
\$	1,700,000	Family Invest. Prog. (FIP)	\$	1,700,000	Child and Family Services
		Human Services - TANF		_	Human Services - TANF
\$	1,700,000	Child and Family Services	\$	1,700,000	Child and Family Services

Dollars		Department/Division		Dollars	Department/Division	
Tra	ansferred	Transferred To	Tra	nsferred	Transferred From	
	Administrative Services				Administrative Services	
\$	473,000	West Capitol Terrace	\$	473,000	Ankeny Laboratory Project	
	Human Rights			Human Rights		
\$	20,000	Status of African Americans	\$	20,000	Criminal and Juvenile Justice	
					Planning	
Human Rights				Human Rights		
\$	15,000	Persons with Disabilities	\$	15,000	Criminal and Juvenile Justice	
					Planning	
	Secretary of State				Secretary of State	
\$	200,000	Voter Registration	\$	200,000	Business Services	

The Committee received the following Lease-Purchase Notifications during the Interim:

Lease-Purchase Notifications

L	ease-Purchase		
	Principal	Department	Purpose
\$	2,500,000	Human Services	Energy conservation improvements at the Woodward State Resource Center.
\$	65,000	Corrections	Laundry Operations at the Clarinda Correctional Facility

Approval of the Return on Investment Report

• The Fiscal Committee approved the Return on Investment Report for the State Office Building and accompanying parking structure (location on Des Moines Street between East 10th and East 11th Streets) and the model energy efficient building for the Iowa Utilities Board/Consumer Advocate Division of the Department of Justice (to be located near SE 14th Street and Court Avenue) at the January 8, 2007, meeting.

Summary of Committee Agenda Topics and Information Received

- Received updates on the status of the General Fund budget.
- Received updates on the status of significant non-General Fund sources, which included:
 - Endowment for Iowa's Health Account
 - o Restricted Capital Fund of the Tobacco Settlement Trust Fund
 - Endowment for Iowa's Health Restricted Capitals Fund of the Tobacco Settlement Trust Fund
 - Healthy Iowans Tobacco Trust (HITT) Fund
 - Rebuild Iowa Infrastructure Fund (RIIF)
 - Environment First Fund
 - Senior Living Trust Fund

- Reviewed FY 2008 built-in and planned expenditures.
- Received updates on the Healthy and Well Kids in Iowa (hawk-i) Program.
- Received updates on the Medical Assistance Program (Medicaid).
- Reviewed the Governor's item vetoes of FY 2007 legislation.
- Received an update on the Capitol Complex Building Construction Projects.
- Received an update regarding the Group Care Waiting list from the Department of Human Services for children receiving needed services.
- Received an update on the Elderly Services Waiver and Case Management provided within the Medical Assistance Program (Medicaid).
- Received a report regarding the Federal Funding receipts for lowa and surrounding States.
- Received information on Child and Family Services and Adoption Subsidy Expenditures within the Department of Human Services.
- Received information on Military Pay Differential expenditures.

Materials distributed to the Committee related to these topics are maintained at the Fiscal Services Division office and are available upon request. The agenda, minutes, and handouts for each meeting can be found on the LSA web site at: http://staffweb.legis.state.ia.us/lfb/committee/fiscalcomm/fiscalco.htm.

Respectfully Submitted on behalf of the 2006 Interim,

Senator Bob Dvorsky Co-chairperson Senator Jeff Angelo Co-chairperson Rep. Scott Raecker Co-chairperson

The Co-chairpersons for the 2007 Interim are Senator Bob Dvorsky and Representative Jo Oldson.

Chair Senator Tom Courtney
Chair Representative Vicki Lensing
Senator Michael Connolly, VC
Representative Wayne Ford, VC
Senator Ron Wieck, RM
Representative Ralph Watts, RM
Senator Mary Lundby
Senator Becky Schmitz
Representative Clel Baudler
Representative Deborah Berry
Representative Steven Olson



Representative Kurt Swain Representative Jodi Tymeson Representative Wes Whitead

State Capitol
Des Moines, IA 50319
LSA 515-281-6766
Fax 515-281-6625

MEMORANDUM

To: Members of the Legislative Council

From: Chairpersons Senator Thomas Courtney and Representative Vicki Lensing

Date: June 13, 2007

Re: Departments and programs reviewed by the Government Oversight Committee during

the 2007 Legislative Session and topics selected for review during the 2007 interim.

As required in 2002 Iowa Acts, Chapter 1162 (SF 2325 - FY 2002 Oversight Government Reform Act), the Government Oversight Committee is reporting to the Legislative Council regarding the activities during the 2007 Legislative Session and the areas selected for review during the 2007 interim by the Government Oversight Committee.

The schedule of Committee meetings for the 2007 interim began with meetings on May 14, 15. Other meetings have been tentatively scheduled as follows:

- June 18,19 (Monday, Tuesday)
- July 23, 24 (Monday, Tuesday)
- September 17,18 (Monday, Tuesday)
- October 29, 30 (Monday, Tuesday)
- December 17,18 (Monday, Tuesday)

The Government Oversight Committee adopted the following recommendation for Legislative Council Consideration:

The Government Oversight Committee requests that the Legislative Council continue to recommend that any required reports adopted in 2007 legislation, not otherwise specified to be received by a designated agency, entity, or Committee, be submitted to the Government Oversight Committee for review.

The following information is also included with this report:

 Attachment 1 is a listing of topics discussed during the 2007 Legislative Session, Joint Government Oversight Committee meetings. The Committee met nine times beginning on January 17, 2007. Specific information regarding the agendas, minutes, and handouts from those meetings can be found under "Committee Information" at: http://www3.legis.state.ia.us/ga/committee.do?id=41

- 2. Attachment 2 is a listing of potential topics for review during the 2007 interim. The list includes continued items to study in 2007, updates on topics from the 2006 interim and the 2007 Legislative Session as well as new topics for review during the 2007 interim. The Regular Updates section includes status reports from the Department of Administrative Services, the Lottery Authority, Help America Vote Act, and Homeland Security. These Updates will include monthly, quarterly, and semi-annual status reports to the Government Oversight Committee by State agencies, project teams, and elected officials.
- 3. **Attachment 3** is a listing of Bills sponsored by the Government Oversight Committee during the 2007 Legislative Session. There are other Bills pending Committee action that will be discussed during the 2007 interim.

A list of 2007 required reports is being developed and will be provided with the submission of the 2007 interim report to the Legislative Council prior to the 2008 legislative session.

If you have any questions, please contact LSA staff, Douglas Wulf (515-281-3250) or Richard Nelson (515-242-5822).

Government Oversight Committee Meetings List of Topics Discussed During the 2007 Legislative Session

January 17

Approved Rules for the Committee and discussed topics for future meetings.

January 23

Discussed conflict between Mediacom Communication Corporation and Sinclair Broadcast Group and impacts on Iowa citizens. Present: Rocco Commisso, Chairman and CEO, and Ed Pardini, Divisional Vice-President, Mediacom Communications Corp.; David Smith, President and CEO, and Barry Faber, General Counsel from Sinclair Broadcast Group; Janet Keefer, Associate Professor of Journalism, Drake University.

January 25

Update on workforce services provided by the Iowa Employment Solutions (IES) @ DMACC. Present: Doug Williams, VP Business Services at DMACC and Michael Wilkinson, Executive Director for Workforce Services at IES @ DMACC.

Update provided by Grant Dugdale, Assistant Attorney General, regarding legal ramifications of the CIETC issues.

Discussed response from Mary Maloney, Polk County Treasurer, concerning documentation and accountability issues raised by the Iowa Association of County Treasurers.

February 8

Update on staff augmentation proposal provided by the Department of Administrative Services. Present: Mollie Anderson, Director, Department of Administrative Services (DAS).

Update by William Angrick, Citizens' Aide Ombudsman, providing an overview of cases handled in Calendar Year 2006 by the Ombudsman, and a presentation of topics for consideration by the Government Oversight Committee during the 2007 Legislative Session.

February 13

Discussed with the Civil Rights Commission issues the Legislature may want to consider. Present: Ralph Rosenberg, Executive Director of the Iowa Civil Rights Commission.

Attachment 1

February 15

Update by the State Auditor's Office regarding proposals or issues the Committee may want to consider for legislative action. Present: David Vaudt, State Auditor.

February 20

Update and discussion on the Iowa Communications Network provided by John Gillispie, Executive Director.

February 22

Update on the Grant Enterprise Management Systems (GEMS) provided by Kathie Mabie, GEMS Coordinator, Department of Management

March 13

Assigned Bills to subcommittees and discussed next meeting opportunities.

DRAFT

Government Oversight Committee List of Possible Topics for 2007 Interim Meeting Agendas Update as of May 14, 2007

- Update of the Iowa Communications Network (ICN) including testimony by national experts. Also review and discussion of HF 622 (ICN Expansion Bill) and HF 868 (County Fair Infrastructure Project Tax Credit Bill) proposed by Representative Wayne Ford in the 2007 Legislative Session relating to the ICN.
- Continue review of CIETC Issues and request an update by the Attorney General's staff.
- Update and discussion on the Institute for Tomorrow's Workforce (ITW). Review findings of the ITW Report filed January 2007 to the Governor and General Assembly.
- Update on veteran's benefits and issues.
- Discussion on building code requirements and enforcement.
- Advancing energy efficiencies in State Government.
- Review the State contract for an anti-drug program with Rock in Prevention.
- Continue monitoring automated financial and human resource services provided by the Integrated Information for Iowa (I/3) Project.
- Update by LSA Computer Services on changes made or pending to legislative computers in the Capitol.
- Discussion on transfer of college credits with Community Colleges, Regents institutions and private colleges and universities.
- ➤ Update by the Lottery by Ed Stanek, CEO.
- Continue discussion regarding the current conflicts between members of the lowa State County Treasurer's Association and Polk County regarding fund ownership and distribution of interest earned to other counties from electronic payments of licenses and fees.
- Continue review and discussion with the Department of Public Health regarding the Gamblers Treatment Program concerning service contract issues presented by some providers.

Other – Regular Updates during the 2007 Legislative Session and Interim

- Grants Enterprise Management System (GEMS) DOM provides update.
- ❖ Department of Administrative Services (DAS) DAS provides update.
- ❖ Integrated Information for Iowa (I/3) Project DAS to provide materials.
- ❖ Help America Vote Act (HAVA) Secretary of State provides update.
- ❖ Homeland Security/E911 LSA provides quarterly update on funding and expenditures.
- ❖ Lottery The Lottery provides semi-annual updates and annual budget.
- Board of Regents Provide monthly updates regarding status of the Iowa Braille and Sight Saving School and efforts to provide necessary services to Iowans.

Additional Items Provided by Committee Members

- Review of Community Development Block Grant (CDBG) expenditures for FY 2006. (Rep. Watts)
- Implications of the language adopted in Senate File 403 (Administration and Regulation Appropriations Bill), Sections 30-38 relating to disposal of real property. (Rep. Tymeson)
- Review of HF 622 and HF 686 relating to the ICN. Include appearance by national experts. (Rep. Ford)
- Review report by the Regents regarding arming campus police as required by the 2007 General Assembly. (Rep. Baudler)
- Insurance Commissioner on Conseco settlement invite Susan Voss to appear and provide insight to the investigation and outcomes. (Sen. Connolly)
- A review of Iowa's non profit laws Are they too lenient? Do other states allow similar organizations the ability to shift such large excess revenues (profits) and escape taxation? What are the standards for providing charity care in order to be entitled to non profit status? Obtain a summary of Senator Grassley's efforts to review the issue at the federal level. (Senator Connolly)
- 527 organizations and the State's Deferred Compensation Program invite Mollie Anderson from DAS to discuss fees, kick back suit, and less
 than arms length arrangements. (Senator Connolly)
- Auditor findings on job creation from the Values Fund. (Sen. Lundby and Sen. Wieck)
- IWD discrimination update. (Sen. Lundby and Sen. Wieck)
- Assignment and use of troopers in lowa and comparison of surrounding states. (Sen. Lundby and Sen. Wieck)
- Business climate in Iowa compared to surrounding states including review of 2005 small business survival index, and impact of minimum wage, repeal of right to work, worker's comp issues, increase in taxes and fees, etc. (Sen. Lundby and Sen. Wieck)

- Impact of Tobacco tax increase on:
 - General Fund
 - Direct cessation of smokers
 - Impact on retailers and border communities
 - Study of impact from others states that have increased tobacco tax (Sen. Lundby and Sen. Wieck)
- Impact of excluding collective bargaining units in whistleblower protection. (Sen. Lundby and Sen. Wieck)
- Review of Senate policies related to a member or staff charged with an indictable offense. (Sen. Lundby and Sen. Wieck)
- Update on Power Fund and rules promulgated.
- Review of expenditure by the Regents institutions on commercialization activities and progress. (Sen. Lundby and Sen. Wieck)
- Review of Fund of Funds activity (or lack thereof). (Sen. Lundby and Sen. Wieck)
- Update on search for U of I president. (Sen. Lundby and Sen. Wieck)
- Review of unemployment compensation taxes and fund balances compared to surrounding states. (Sen. Lundby and Sen. Wieck)
- Review of property taxation in Iowa compared to surrounding states.
 (Sen. Lundby and Sen. Wieck)
- Review of election laws and corruption in Iowa compared to surrounding states. (Sen. Lundby and Sen. Wieck)
- Review of the State budget FY 2004 present including built-ins (through FY 2009), general expenditures, and FTEs. Also include comparison to surrounding states. (Sen. Lundby and Sen. Wieck)
- Investigate expenditures for HAVA vis-à-vis the Auditor concerns. (Sen. Lundby and Sen. Wieck)
- Update on collection of taxpayer money owed by CIETC. (Sen. Lundby and Sen. Wieck)

	Bills Sponsored by the Government Oversight Committee 2007 Session		
Bill	Bill Title		
HF 917	A bill for an act concerning appropriations to the office of grants enterprise management and including an effective date and retroactive applicability provision. (Formerly HSB 312)		
HF 933	A bill for an act relating to insurance by allowing certain associations to qualify as self-insurers for purposes of lowa's motor vehicle financial responsibility laws and by expanding the powers of the commissioner of insurance to enforce the state's insurance laws. (Formerly HSB 313)		
HF 512	A bill for an act expanding access to the lowa communications network to include the lowa national guard and the military division of the department of public defense for specified purposes.		
<u>SF 577</u>	A bill for an act relating to administration of provisions involving violations of the state's non-competition by government law. (Formerly <u>SSB 1346</u> .)		
<u>SF 594</u>	A bill for an act relating to employment, including whistleblower complaints received by the citizens' aide and disclosures of information by health care workers, and providing penalties. (Formerly SSB 1262.)		
SF 605	A bill for an act relating to student loans, including the protection of students and parents from certain lenders and institutions of higher education with conflicts of interest, and establishing penalties and a student lending education fund. (Formerly <u>SSB 1360</u> .)		

REPORT OF THE INTERNATIONAL RELATIONS COMMITTEE TO THE LEGISLATIVE COUNCIL

Meetings: The International Relations Committee of the Legislative Council met on February 21, 2007.

February 21, 2007

Presentation. Ms. Ann Schodde, President, ITEBS and Associates, presented information regarding the United States Center for Citizen Diplomacy (USCCD). Ms. Schodde reported that the USCCD is now established with a small office in downtown Des Moines and has a board of directors. Senators Beall and Boettger and Representatives Dandekar and Raecker are members of the board. The goal of the USCCD is to promote citizen diplomacy. Ms. Schodde reported on the various projects that the USCCD has completed and is planning, including an awards ceremony and an educational institute for teachers. The financial goal of the USCCD is to be a line item in the federal budget by 2011. The USCCD has a one million dollar donation that must be matched by January 2009 and has launched a drive to raise \$500,000. The USCCD request to the federal government is \$400,000. The USCCD is requesting \$350,000 from the state of Iowa for FY2008 and FY2009.

Discussion. The committee members also discussed various projects in which they are involved.

REPORT OF THE STUDIES COMMITTEE TO THE LEGISLATIVE COUNCIL

June 13, 2007

The Studies Committee of the Legislative Council met on June 13, 2007, and makes the following report for approval by the Legislative Council:

- **A. Guidelines**. That the attached guidelines for 2007 and 2008 interim studies be adopted by the Legislative Council.
- **B. 2007 Studies**. That the attached proposal for studies for the 2007 Interim be adopted by the Legislative Council.

Respectfully submitted,

Senator Michael E. Gronstal Chairperson

PROPOSED GUIDELINES FOR INTERIM STUDY COMMITTEES

2005-2006 <u>2007-2008</u> INTERIMS

ADOPTION OF RULES

Interim study committees must have a majority of the members representing each house voting affirmatively in order to adopt rules.

COMPENSATION OF PUBLIC MEMBERS

Persons serving as public members of study committees are eligible to receive actual expenses only, if they are not eligible for expense reimbursement by an organization that they represent. In order for a public member representing an organization to be eligible to receive actual expenses, the organization must submit a letter to the Legislative Council indicating that the public member is not eligible for the reimbursement from the organization. Payment of the expenses is subject to the approval of the Chairperson and Vice Chairperson of the Legislative Council.

STAFF WORK FOR PUBLIC MEMBERS

After consultation with, as appropriate, the Legislative Services Agency (LSA) Director, a study committee chair may authorize research or legislative drafting work by the LSA for public members of study committees.

APPROVAL OF NOMINEES

Public members of study committees may be nominated by designated organizations, subject to Legislative Council approval or subject to the approval of the Chairperson and Vice Chairperson of the Legislative Council in consultation with the Minority Leaders of the Senate and House of Representatives.

GENDER BALANCE

Appointment of public members to study committees shall be gender balanced.

APPROVAL OF ACTIONS

A majority vote of a study committee's voting members present is necessary to carry any action; however, recommendations to the Legislative Council or General Assembly must be adopted with the affirmative votes of a majority of the committee's members of each house.

VOTING BY PUBLIC MEMBERS

Unless otherwise provided by the General Assembly or the Legislative Council, public members of study committees are nonvoting.

APPROVAL OF MEETINGS OUTSIDE DES MOINES

Any meeting or public hearing by a study committee held outside of Des Moines requires the prior approval of the Studies Committee or legislative leadership.

PUBLIC HEARINGS

When authorization is given for a study committee to hold a public hearing, the committee may hold one hearing as a body or individual members may each hold a public hearing or groups of two or more members may hold public hearings. However, for each authorized public hearing, no members of the study committee may receive compensation for attendance at more than one session.

APPROVAL OF EXPENSES FOR SPEAKERS AND CONSULTING WORK

Any expenditure by a study committee for a speaker or presentation or for any other purpose either requires the prior approval of the Studies Committee and Legislative Council, or legislative leadership, or requires inclusion of the expenditure in a budget proposed by the study committee and approved by the Studies Committee and the Legislative Council, or legislative leadership. Contractual consulting work for a study committee requires the prior approval of the Studies Committee and the Legislative Council. Expenditures shall only be made in accordance with legislative expenditure policies and procedures.

SCHEDULING GUIDELINES

For the 2005 2007 interim, the deadline for completion of interim study committee meetings is November 25, 2005 26, 2007, and for the 2006 2008 interim the deadline is December 15, 2006 2008. An interim study committee must meet the deadline or receive an exemption or a revised deadline date from the Legislative Council.

Proposal for 2007 Legislative Interim Studies

A. Studies Mandated by Law and Permanent Committee

1. Legislative Property Tax Study Committee (2007 lowa Acts, S.F. 601, § 127)

Charge: The Legislative Property Tax Study Committee is established for the 2007 and 2008 Legislative Interims to perform a comprehensive review of the property tax system.

Members: 5 Senate/5 House/9 nonvoting members appointed by leaders, including one who is engaged in economic development activities in the state/3 nonvoting executive branch agency members appointed by the Governor

Meeting Days: 3

2. Legislative Commission on Affordable Health Care Plans for Small Businesses and Families (2007 lowa Acts, H.F. 909, §§ 99,127, & 128) Charge: The Commission is created by legislation to review, analyze, and make recommendations by December 2007 on a broad spectrum of issues relating to the affordability of health care for Iowans. The legislation creates a Health Care Data Research Advisory Council to assist the Commission with research, analysis, and other functions. The legislation appropriates \$500,000 for FY08 to the Legislative Services Agency to support the work of the Commission and Council. To accomplish its charge, the Commission is authorized to procure consultation and other support directly through the Advisory Council or through exclusive contracts with other entities able to perform in the short time frame provided for the study, subject to legislative expenditure guidelines. The Commission is authorized to expend moneys from the appropriation made in Code section 2.12 to pay the June expenses of Commission members and staff to attend the Commission's first meeting and a health care conference in Des Moines sponsored by the University of Iowa's College of Public Health, subject to all expenditure guidelines otherwise applicable to the Commission. Such expenditures may be offset by a reduction in the \$500,000 appropriation for FY08.

Members: 5 Senate/5 House/9 public members, as designated in legislation plus a representative of the Iowa Pharmacy Association, appointed by leaders/5 consumers appointed by Governor/ 3 agency directors or designees. Only agency directors or designees are nonvoting members, with final recommendations subject to approval by legislator members per interim committee study guidelines. The appointing authority for legislator members of each caucus may designate a legislator from the same caucus to act as an alternate to attend official meetings of the commission for an absent legislator member.

Meeting Days: 7 plus 3 public hearings

3. TIME-21 Transportation Funding Study Committee (2007 lowa Acts, H.F. 932 § 8)

Charge: Address the revenue needs of the Transportation Investment Moves the Economy in the Twenty-first Century (TIME-21) Fund created in 2007 Iowa Acts, H.F. 932, for funding of roads and highways.

Members: 4 Senate/4 House

Meeting Days: 2

4. Public Retirement Systems Committee (lowa Code § 97D.4)

Charge: Review and evaluate all public retirement systems in place in Iowa, including the Iowa Public Employees' Retirement System (IPERS), the Municipal Fire and Police Retirement System of Iowa (411), the Department of Public Safety Peace Officers' Retirement System (PORS), the Judicial Retirement System, and TIAA-CREF.

Members: 5 Senate/5 House

Meeting Days: 3

B. Other Interim Studies

1. Criminal Code Reorganization Study Committee

Charge: Meet during the 2007 and 2008 Legislative Interims to consider proposals for Criminal Code revisions, reorganization, and updates.

Members: 3 Senate/3 House/8 Voting Public Members appointed by leaders to represent each of the following: Professor from University of Iowa College of Law, Professor from Drake University Law School, district court judge, Iowa Attorney General, State Public Defender, Iowa County Attorneys Association, Iowa Board of Parole, and Department of Corrections.

Meeting Days: 3

2. Sustainable Funding For Natural Resources

Charge: Study how best to provide for sustainable funding for natural resource needs. Cooperate with the members of the Sustainable Natural Resource Funding Advisory Committee established in 2006 lowa Acts, chapter 1185, section 43, and other interested persons in performing the study.

Members: 5 Senate/5 House **Meeting Days**: Up to 8

3. Livestock Odor Study Committee

Charge: Consider issues relating to odors associated with livestock. Study and make recommendations for additional state funding for research into cost effective management practices, facilities, equipment, and practices to mitigate odor from livestock production facilities, for an Iowa State University Veterinary Laboratory review of airborne disease research, and for research for utilizing manure and other livestock waste products as sources of nutrient recovery and renewable energy.

Members: 5 Senate/5 House

Meeting Days: 2

4. State Prison System Study and Planning Study Committee

Charge: Consider the recommendations and proposals generated by the state prison system study and planning addressed by the Department and Board of Corrections pursuant to 2006 Iowa Acts, H.F. 2782, § 1.

Members: 5 Senate/5 House

Meeting Days: 2

5. Early Care Best Practices Study Committee

Charge: Review best practices for lowa's early care system of programs, services, support, or other assistance made available to a parent or other person who is involved with addressing the health and education needs of a child from birth through age five.

Members: 5 Senate/5 House

Meeting Days: 2

6. Freedom of Information, Open Meetings, and Public Records Study Committee

Charge: Review and recommend changes to Iowa's open meetings and public records laws in Code chapters 21 and 22 and the State Archives and Records Act in Code chapter 305.

Members: 5 Senate/5 House

Meeting Days: 3

7. Energy Efficiency Study Committee

Charge: Examine energy efficiency programs under the purview of the Iowa Utilities Board and consider other proposals for improving energy efficiency in the state.

Members: 5 Senate/5 House

Meeting Days: 2

8. Home-based Child Care Study Committee

Charge: Consider options for increasing the number of home-based child care providers who are subject to registration. Not more than \$100,000 is authorized for the costs of research, pilot projects, and other testing of options.

Members: 5 Senate/5 House

Meeting Days: 2

9. Skilled Worker Shortage Study Committee

Charge: Consider educational system improvements and other options to address shortages of skilled workers.

Members: 5 Senate/5 House

Meeting Days: 2

10. Animal Feeding of Distillers Dried Grains Study Committee

Charge: Consider issues related to standards for the distillers dried grains that can be used in formulating rations for livestock.

Members: 5 Senate/5 House

Meeting Days: 1

REPORT OF THE SERVICE COMMITTEE TO THE LEGISLATIVE COUNCIL

June 13, 2007

The Service Committee of the Legislative Council met on June 13, 2007, and makes the following report and recommendations to the Legislative Council for approval:

I. PERSONNEL REPORTS

A. The Service Committee received and filed the annual personnel report from the Legislative Services Agency and recommends that the following employees be promoted or given an exceptional meritorious increase, subject to performance review with approval of and effective date set by the director of the agency:

- Ms. Kathy Wesely, from Senior Finance Officer, grade 31, step 4, to Senior Finance Officer 2, grade 35, step 1.
- Ms. Sandra Laust, from Legislative Document Technician 3, grade 25, step 6, to Legislative Document Technician Supervisor, grade 28, step 5.
- Ms. Jackie Ellenwood, from Legislative Document Technician 1, grade 19, step 4, to Legislative Document Technician 2, grade 22, step 2.
- Ms. Lisa Burk, from Legislative Analyst 2, grade 32, step 3, to Legislative Analyst 3, grade 35, step 2.
- Ms. Mary Beth Mellick, from Legislative Analyst 1, grade 29, step 6, to Legislative Analyst 2, grade 32, step 5.
- Mr. Jess Benson, from Legislative Analyst, grade 27, step 4, to Legislative Analyst 1, grade 29, step 3.
- Ms. Rachele Hjelmaas, from Legal Counsel 2, grade 35, step 4, to Senior Legal Counsel, grade 38, step 2.
- Ms. Diane Ackerman, from Research Analyst 3, grade 35, step 4, to Senior Research Analyst, grade 38, step 3.
- Mr. Richard Schulze, from Index Supervisor, grade 28, step 7, to Assistant Editor 3, grade 30, step 7.
- Ms. Cindy Thurmond, from Publications Assistant, grade 21, step 3, to Assistant Editor 1, grade 24, step 2.
- Mr. Jess Benson, from Legislative Analyst, grade 27, step 3, to Legislative Analyst, grade 27, step 4, a one-step exceptional meritorious increase.
- Ms. Deb Kozel, from Senior Legislative Analyst, grade 38, step 3, to Senior Legislative Analyst, grade 38, step 4, a one-step exceptional meritorious increase.
- Ms. Cindy Thurmond, from Publications Assistant, grade 21, step 2, to Publications Assistant, grade 21, step 3, a one-step exceptional meritorious increase.

- B. The Service Committee received and filed the annual personnel report from the Office of Citizens' Aide/Ombudsman and recommends that the following employees be promoted or reclassified subject to performance review with approval of and effective date set by the director of the agency, and subject to available fiscal resources:
 - Ms. Elizabeth Hart, from Assistant 1, grade 29, step 4, to Assistant 2, grade 32, step 3.
 - Mr. Kyle White, from Assistant 2, grade 32, step 5, to Assistant 3, grade 35, step 4.
 - Mr. Rory Calloway, from Assistant 2, grade 32, step 5, to Assistant 3, grade 35, step 4.
 - Mr. Charles Teas, from Assistant, grade 27, step 3, to Assistant 1, grade 29, step 2.
 - Ms. Angela Dalton, from Assistant 1, grade 29, step 4, to Assistant Ombudsman 2, grade 32, step 3, due to position reclassification.
 - Ms. Barbara Van Allen, from Assistant 1, grade 29, step 3, to Assistant Ombudsman 2, grade 32, step 2, due to position reclassification.
 - Mr. Charles Teas, from Assistant, grade 27, step 3, to Assistant Ombudsman 1, grade 29, step 1, due to position reclassification.
 - Ms. Linda Brundies, from Assistant, grade 27, step 2, to Assistant Ombudsman 1, grade 29, step 1, due to position reclassification.
 - Ms. Jeri Burdick Crane, from Senior Finance Officer, grade 31, step 5, to Senior Finance Officer 2, grade 35, step 3, due to position reclassification.

The Service Committee also recommends the reclassification of the following positions in the Office of Citizens' Aide/Ombudsman at the request of the Citizens' Aide/Ombudsman:

- Legal Counsel, grade 30, would be eliminated, with Legal Counsel entry level at grade 32.
- Assistant, grade 27, would be eliminated, with Assistant Ombudsman entry level at grade 29.
- Other Assistant positions would be renamed Assistant Ombudsman.
- Assistant Ombudsman 2, grade 32, would be entry level for specialty assignments.
- Senior Finance Officer 2, grade 35, would be created.

II. CENTRAL STAFF AGENCY FY 2008 BUDGETS

The Service Committee recommends that the Legislative Council approve the proposed budget and budget allocations for the fiscal year beginning July 1, 2007, pursuant to Code section 2.12, as submitted by the following agencies:

- Legislative Services Agency
- Office of the Citizens' Aide/Ombudsman

III. AGENCY DIRECTOR PERFORMANCE REVIEWS

The Service Committee recommends that the Legislative Council authorize four legislative leaders representing the four caucuses to appropriately review annually the performance of the central agency directors and to approve salary adjustments for the directors.

IV. LEGISLATIVE COUNCIL POLICY AND PROCEDURES MANUAL

The Service Committee recommends that the Legislative Council approve the proposed Legislative Council Policies and Procedures Manual along with the separate proposed amendments.

Respectfully submitted,

Senator Michael E. Gronstal Chairperson

REPORT OF THE CAPITAL PROJECTS COMMITTEE TO THE LEGISLATIVE COUNCIL

June 13, 2007

The Capital Projects Committee of the Legislative Council met on June 13, 2007, and makes the following report:

Mollie Anderson, Director of the Department of Administrative Services (DAS), presented an overview of current DAS projects including the State Capitol north wing restoration, an update on the West Capitol Terrace Project including the East Locust properties at the base of the West Capitol Terrace, the renovation of the Public Safety Building, the construction of the new state office building and the Iowa Utilities Board/Office of Consumer Advocate building, and the acquisition of Mercy Capitol Hospital properties.

Respectfully submitted,

Representative Jo Oldson Chairperson