



MINUTES

Iowa Legislative Council

August 16, 2011 First Meeting of the 2011-2012 Biennium

MEMBERS PRESENT:

Senator Michael E. Gronstal,
Vice Chairperson
Senator Jeff Danielson
Senator Robert E. Dvorsky
Senator David Johnson
Senator Steve Kettering
Senator John P. (Jack) Kibbie
Senator Paul McKinley
Senator Amanda Ragan
Senator Tom Rielly
Senator Mary Jo Wilhelm

Speaker Kraig Paulsen,
Chairperson
Representative Peter Cownie
Representative Jeff Kaufmann
Representative Mary Mascher
Representative Kevin M. McCarthy
Representative J. Scott Raecker
Representative Thomas R. Sands
Representative Linda L. Upmeyer

MEETING IN BRIEF

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- I. Procedural Business
- II. Consideration of the Report of the International Relations Committee
- III. Consideration of the Report of the Studies Committee
- IV. Consideration of the Report of the Service Committee
- V. Attachments



I. Procedural Business

Call to Order. The first meeting of the 2011-2012 Legislative Council was called to order by Temporary Chairperson Paulsen at 12:08 p.m., Tuesday, August 16, 2011, in Room 22, State Capitol, Des Moines, Iowa. Senators Danielson and Dvorsky attended the meeting via a teleconference connection. Copies of the membership of the Legislative Council and the Legislative Council committees are attached to these minutes as Attachment A.

Election of Chairperson and Vice Chairperson. Senator Kibbie moved that Temporary Chairperson Paulsen and Temporary Vice Chairperson Gronstal be elected chairperson and vice chairperson, respectively. The motion was approved by a voice vote.

Adoption of Rules. Representative Cownie moved adoption of the proposed Rules for the Legislative Council, and the motion was approved by a voice vote. The rules, as adopted, are attached to these minutes as Attachment B.

Minutes of Prior Meetings. Representative Sands moved that the minutes of the meeting of June 9, 2010, be approved without additions or corrections. The motion was approved by a voice vote.

Consideration of Reports. Council actions are summarized in these minutes.

Adjournment. The meeting was adjourned at 12:18 p.m.

II. Consideration of the Report of the International Relations Committee

Chairperson Paulsen called Council members' 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 C.

III. Consideration of the Report of the Studies Committee

Chairperson Paulsen recognized Senator Ragan, who moved adoption of the Report of the Studies Committee. The report recommends that the Legislative Council approve the proposed Guidelines for Interim Study Committees. The report also recommends that the Legislative Council approve seven items for legislative action, including studies mandated by law, permanent committees, and the establishment of other committees and their charges. The motion was adopted by a voice vote. A copy of the report is attached to these minutes as Attachment D.

IV. Consideration of the Report of the Service Committee

Chairperson Paulsen recognized Vice Chairperson Gronstal for the Report of the Service Committee. Vice Chairperson Gronstal explained that the report contains annual personnel reports from the Legislative Services Agency and the Office of Citizens' Aide/Ombudsman. The report also recommends that the Legislative Council approve the proposed budgets and budget allocations for fiscal year 2011-2012 for the Legislative Services Agency and the Office of Citizens' Aide/Ombudsman.



Vice Chairperson Gronstal moved adoption of the report. The report was adopted by a voice vote. A copy of the report is attached to these minutes as Attachment E.

V. Attachments

- A. Legislative Council Membership and Legislative Council Committee Memberships.
- B. Rules of the Legislative Council.
- C. Report of the International Relations Committee.
- D. Report of the Studies Committee.
- E. Report of the Service Committee.

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LEGISLATIVE COUNCIL COMMITTEES 2011 – 2012

IOWA LEGISLATIVE COUNCIL

Senator Michael E. Gronstal, Vice Chairperson
 Senator Nancy J. Boettger
 Senator Jeff Danielson
 Senator Robert E. Dvorsky
 Senator David Johnson
 Senator Steve Kettering
 Senator John P. (Jack) Kibbie
 Senator Paul McKinley
 Senator Amanda Ragan
 Senator Tom Rielly
 Senator Pat Ward
 Senator Mary Jo Wilhelm

Speaker Kraig Paulsen, Chairperson
 Representative Ako Abdul-Samad
 Representative Peter Cownie
 Representative Erik Helland
 Representative Jeff Kaufmann
 Representative Mary Mascher
 Representative Kevin M. McCarthy
 Representative Tyler Olson
 Representative J. Scott Raecker
 Representative Thomas R. Sands
 Representative Mark D. Smith
 Representative Linda L. Upmeyer

ADMINISTRATION COMMITTEE

Representative Erik Helland, Chairperson
 Senator John P. (Jack) Kibbie, Vice Chairperson
 Senator Pat Ward
 Senator Mary Jo Wilhelm
 Representative Peter Cownie
 Representative Kevin M. McCarthy

SERVICE COMMITTEE

Senator Michael E. Gronstal, Chairperson
 Speaker Kraig Paulsen, Vice Chairperson
 Senator John P. (Jack) Kibbie
 Senator Paul McKinley
 Representative Kevin M. McCarthy
 Representative Linda L. Upmeyer

CAPITAL PROJECTS COMMITTEE

Representative J. Scott Raecker, Chairperson
 Senator Matthew W. McCoy, Vice Chairperson
 Senator Robert E. Dvorsky
 Senator Steve Kettering
 Senator Tom Rielly
 Senator Pat Ward
 Representative Erik Helland
 Representative Mary Mascher
 Representative Tyler Olson
 Representative Thomas R. Sands

STUDIES COMMITTEE

Senator Amanda Ragan, Chairperson
 Speaker Kraig Paulsen, Vice Chairperson
 Senator Michael E. Gronstal
 Senator David Johnson
 Senator Steve Kettering
 Senator John P. (Jack) Kibbie
 Representative Peter Cownie
 Representative Kevin M. McCarthy
 Representative Mark D. Smith
 Representative Linda L. Upmeyer

FISCAL COMMITTEE

Senator Robert E. Dvorsky, Co-chairperson
 Representative J. Scott Raecker, Co-chairperson
 Senator Joe Bolcom
 Senator Jeff Danielson
 Senator Steve Kettering
 Senator Brad Zaun
 Representative Peter Cownie
 Representative Dave J. Jacoby
 Representative Tyler Olson
 Representative Thomas R. Sands

INTERNATIONAL RELATIONS COMMITTEE

Senator Daryl Beall, Chairperson
 Representative Jack Drake, Vice Chairperson
 Senator Rick Bertrand
 Senator Dennis H. Black
 Senator Nancy J. Boettger
 Senator Swati A. Dandekar
 Representative Richard T. Anderson
 Representative Richard D. Arnold
 Representative Deborah L. Berry
 Representative Mary Mascher
 Representative Steven N. Olson
 Representative Janet Petersen

LEGISLATIVE COUNCIL COMMITTEES 2011 – 2012

LEGISLATIVE TAX EXPENDITURE COMMITTEE

Senator Joe Bolkcom, Chairperson
Representative Thomas R. Sands, Vice Chairperson
Senator William A. Dotzler, Jr.
Senator Herman C. Quirmbach
Senator Roby Smith
Senator Brad Zaun
Representative Erik Helland
Representative Dave J. Jacoby
Representative Jeff Kaufmann
Representative Sharon S. Steckman

RULES

IOWA LEGISLATIVE COUNCIL

2011-2012

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.

Adopted: August 16, 2011

INTERNATIONAL RELATIONS COMMITTEE REPORT

August 2011

Members: The following members were appointed to the International Relations Committee of the Legislative Council for the 84th General Assembly:

<u>Senate Members</u>	<u>House Members</u>
Daryl Beall, Chair	Jack Drake, Vice Chair
Rick Bertrand	Richard Anderson
Dennis Black	Richard D. Arnold
Nancy J. Boettger	Deborah L. Berry
Swati A. Dandekar	Mary Mascher
	Steven N. Olson
	Janet Petersen

Ms. Julie Vande Hoef, policy advisor to the Governor, will serve as the liaison between the Committee and the Governor's Office.

Meetings: The International Relations Committee held an informal meeting on February 17, 2011, and received the following presentations:

- Ms. Ruth Cooperrider, Acting Citizens' Aide/Ombudsman, Office of Citizens' Aide/Ombudsman, presented the office's annual report on international relations.
- Ms. Carol Grant, Executive Director of Iowa Sister States, discussed key international activities for 2011 relating to the 50th anniversary of the Hog Lift and Iowa's Sister State relationship with Yamanashi Prefecture, Japan.
- Professor Linda Hagedorn, Assistant Dean of the College of Human Sciences, Iowa State University, discussed Iowa's international partnerships with universities and how Iowa can work with universities and study abroad programs to enhance international relations.
- Ken Riha, Dean of Kirkwood Community College, spoke about international student programs at the college.

**REPORT OF THE STUDIES COMMITTEE
TO THE LEGISLATIVE COUNCIL
August 16, 2011**

The Studies Committee of the Legislative Council met on August 16, 2011, and makes the following report for approval by the Legislative Council:

A. Guidelines. That the attached guidelines for 2011 and 2012 interim studies be adopted by the Legislative Council.

2011 Studies. That the attached proposal for studies for the 2011 Interim be adopted by the Legislative Council.

Respectfully submitted,

Senator Amanda Ragan
Chairperson

GUIDELINES FOR INTERIM STUDY COMMITTEES 2011-2012 INTERIMS

As Approved by Legislative Council on August 16, 2011

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 and legislative leadership, 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.

MEMBERSHIP CHANGES

Any change in membership numbers and voting status of the members of a legislative interim study body approved by the Legislative Council requires the approval of the Studies Committee and Legislative Council or legislative leadership.

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 ADDITIONAL MEETINGS AND MEETINGS OUTSIDE DES MOINES

Any additional meeting or a meeting or public hearing by a legislative 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 2011 interim, the deadline for completion of interim study committee meetings is November 28, 2011, and for the 2012 interim the deadline is December 16, 2012. An interim study committee must meet the deadline or receive an exemption or a revised deadline date from the Legislative Council or legislative leadership.

Proposal for 2011 Legislative Interim Studies

A. Statutory Committees

1. **Legislative Tax Expenditure Committee** (Iowa Code §§2.45(5) and 2.48)

Charge: The Committee is a permanent body under the Legislative Council. Duties include approving annual estimates of the cost of tax expenditures by December 15 each year, and performing a scheduled review of specified tax credits so that each credit is reviewed at least every five years. The first scheduled review is in 2011.

Members: 5 Senate / 5 House

Meeting Days: 1

2. **State Government Efficiency Review Committee** (Iowa Code §2.69)

Charge: The Committee is a permanent legislative committee with five Senate and five House members appointed by legislative leaders at the beginning of a new General Assembly. The Committee is required to meet as directed by the Legislative Council, at least every two years, to review state government organization and efficiency options and receive state government efficiency suggestions offered by the public and public employees. The first report is due January 2013.

Members: 5 Senate / 5 House

Meeting Days: 1

3. **Public Retirement Systems Committee** (Iowa Code §97D.4)

Charge: The Committee is a permanent legislative committee that is required to 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 (Code Chapter 411), the Department of Public Safety Peace Officers' Retirement System (PORS), and the Judicial Retirement System. The Committee typically meets during the legislative interim of odd-numbered years.

Members: 5 Senate / 5 House

Meeting Days: 2

4. **State Fish and Game Protection Fund Study Committee** (2011 Iowa Acts, S.F. 509, §18)

Charge: Review the expenditures from the State Fish and Game Protection Fund by the Department of Natural Resources.

Members: 3 Senate / 3 House

Meeting Days: 1

B. Other Interim Studies

1. **Inmate Geriatric and Psychiatric Patients Study Committee** (2011 Iowa Acts, S.F. 510, §24)

Charge: Examine treatment and placement options for inmate geriatric and psychiatric patients who are under the care, custody, and control of the state, or for patients who are otherwise housed at the Iowa Medical and Classification Center at Oakdale or other correctional facilities for geriatric or psychiatric treatment. A related study by departments of Corrections, Human Services, Inspections and Appeals, and Public Health required by 2011 Iowa Acts, S.F. 510, §25, is to be submitted to the Study Committee by November 15, 2011.

Members: 5 Senate / 5 House

Meeting Days: 2

2. Mental Health And Disability Services Study Committee (2011 Iowa Acts, S.F. 525, §1)

Charge: Review publicly supported mental health and disability services. The Study Committee shall closely engage with, monitor, and propose legislation concerning the recommendations and proposals developed by the workgroups implemented by the Department of Human Services and other bodies addressed by 2011 Iowa Acts, S.F. 525. The legislators serving on the interim committee and other interested legislators are authorized to participate in the meetings of the workgroups and subcommittees addressed by the legislation. In addition to the workgroup recommendations, the Study Committee shall address property tax issues, devise a means of ensuring the state maintains its funding commitments for the redesigned services system, recommend revisions in the requirements for mental health professionals who are engaged in the involuntary commitment and examination processes under Code Chapter 229, recommend revisions to the Code Chapter 230A amendments contained in S.F. 525 as necessary to conform with the system redesign proposed by the Study Committee, develop proposed legislation for amending Code references to mental retardation to instead refer to intellectual disabilities, and consider issues posed by the July 1, 2013, repeals of county disability services administration and funding provisions in 2011 Iowa Acts, S.F. 209. In addressing the repeal provisions, the Study Committee shall consider all funding sources for replacing the county authority to levy for adult disability services.

Members: 6 Senate / 6 House

Meeting Days: 3

3. Lake Macbride Study Committee

Charge: Review requirements and make recommendations pertaining to the use of motorboats on Lake Macbride.

Members: 3 Senate / 3 House

Meeting Days: 1

REPORT OF THE SERVICE COMMITTEE TO THE LEGISLATIVE COUNCIL

August 16, 2011

The Service Committee of the Legislative Council met on August 16, 2011, 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.

B. The Service Committee received and filed the annual personnel report from the Office of Citizens' Aide/Ombudsman and recommends that the following employee be promoted subject to performance review with approval of and effective date set by the director of the agency:

- Ms. Linda Brundies, from Assistant Ombudsman 1, grade 29, step 3, to Assistant Ombudsman 2, grade 32, step 2.

II. CENTRAL STAFF AGENCY FY 2012 BUDGETS

The Service Committee recommends that the Legislative Council approve the proposed budget and budget allocations for the fiscal year beginning July 1, 2011, pursuant to Code Section 2.12, as submitted by the following agencies:

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

Respectfully submitted,

Senator Michael E. Gronstal
Chairperson