DRAFT MINUTES
APPROVAL PENDING

Legislative Services Agency

MINUTES

Iowa Legislative Council

June 27, 2005 First Meeting of the 2005-2006 Biennium

MEMBERS PRESENT:

Senator Michael Gronstal, Chairperson
Representative Christopher Rants, Vice Chairperson

Senator Jeff Angelo
Senator Nancy Boettger
Senator Joe Bolkcom
Senator Robert Dvorsky
Senator Stewart E. Iverson, Jr.
Senator John P. Kibbie
Senator Jeff Lamberti
Senator Amanda Ragan

Representative Sandra Greiner
Representative Libby Jacobs
Representative Willard Jenkins
Representative Mark Kuhn
Representative Pat Murphy
Representative Janet Petersen
Representative Phil Wise

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: Susan Crowley, Senior Legal Counsel,
(515) 281-3430
susan.crowley@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. **Receipt of Court Rules Filings.**
VIII. **Receipt of the Report on Educational Leave.**
IX. **Additional Business – Resolution on Governor's Executive Order.**
X. **Attachments.**

I. Procedural Business.

Call to Order. The first meeting of the 2005-2006 Legislative Council was called to order by Temporary Chairperson Gronstal at 1:05 p.m., Monday, June 27, 2005, in Room 22, State Capitol, Des Moines, Iowa.

Election of Chairperson and Vice Chairperson. Senator Iverson moved that Senator Gronstal and Representative Rants, the temporary chairperson and temporary vice chairperson, respectively, be elected chairperson and vice chairperson. The motion was adopted by voice vote. Copies of the membership of the Legislative Council and the Legislative Council committees are attached to these minutes as attachments A and B.

Proposed Rules for Legislative Council. The Council considered the proposed rules for the Legislative Council previously distributed. Senator Boettger moved for adoption of the proposed rules for the 2005-2006 biennium. The motion was adopted by voice vote. A copy of the Rules of the Legislative Council is attached to these minutes as attachment C.

Minutes of June 29, 2004, Meeting. Senator Angelo moved that the minutes of the meeting of June 29, 2004, be approved. There being no additions or corrections, the motion was adopted by voice vote.

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

Adjournment. The meeting was adjourned at 2:15 p.m.

II. Consideration of the Report of the Fiscal Committee.

Chairperson Gronstal recognized Senator Angelo for the Report of the Fiscal Committee. Senator Angelo briefly reviewed the Committee's report which, he noted, pertained to the FY 2004 general fund ending balance, the FY 2004 and estimated FY 2005 ending balances of various funds, statutorily authorized departmental appropriations transfers for FY 2004 and FY 2005, the Governor's "budgeting for results" budget process, and certain other matters. The Report of the Fiscal Committee was received and filed by the Legislative Council. A copy of the Report of the Fiscal Committee is attached to these minutes as attachment D.

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

Chairperson Gronstal recognized Mr. Douglas Wulf, Fiscal Services Division, Legislative Services Agency, to review the Report of the Government Oversight Committee. The report describes the departments and programs reviewed, and topics discussed, by the Government Oversight Committee during the 2005 Legislative Session and the departments, programs, and topics selected for review during the 2005 Interim. The report also contains a list of bills sponsored by the Government Oversight Committee during the 2005 Legislative Session. Mr. Wulf stated that the Committee considered and adopted unanimously a motion made by Senator Wieck. The motion requests the Legislative Council to require that any reports not otherwise specified to be received by a designated agency or entity be submitted to the Government Oversight Committee. Senator Iverson moved to accept the report and adopt the above-noted recommendation of the Government Oversight Committee. The motion was

adopted by voice vote. A copy of the Report of the Government Oversight Committee is attached to these minutes as attachment E.

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

Chairperson Gronstal recognized Representative Jenkins for the Report of the International Relations Committee. The report summarizes the meetings of the International Relations Committee during the Legislative Session and describes the visits to Iowa made by various foreign delegations thus far in 2005. Representative Jenkins also noted that the Committee plans to request that Iowa universities, colleges, and community colleges provide the Committee with reports by January 2006 regarding programs, exchanges, and general international relations activities involving their students. The Report of the International Relations Committee was received and filed by the Legislative Council. A copy of the Report of the International Relations Committee is attached to these minutes as attachment F.

V. Consideration of the Report of the Studies Committee.

Chairperson Gronstal recognized Representative Greiner for the Report of the Studies Committee. The report recommends that the Legislative Council approve nine interim study committees. The report also contains the guidelines for interim study committees, topics for referral to existing committees, and notice that the Public Retirement Systems Committee, required by statute to meet every two years, will be meeting during the 2005 Interim. Representative Greiner noted that the peer reviews of the final draft report of the study on the Socioeconomic Effects of Gambling on Iowans have been posted on the General Assembly website and that the Studies Committee expects to receive the final report of the study on the Socioeconomic Effects of Gambling on Iowans in September 2005. In response to a question by Representative Petersen, Chairperson Gronstal stated that the Studies Committee took action on all study requests contained in 2005 legislation by either approving them as interim committees or referring them to existing committees. Representative Greiner moved that the Report of the Studies Committee be adopted. The motion was adopted by voice vote. A copy of the Report of the Studies Committee is attached to these minutes as attachment G.

VI. Consideration of the Report of the Service Committee.

Chairperson Gronstal recognized Senator Boettger for the Report of the Service Committee. Senator Boettger stated that the Service Committee did not have a quorum to officially conduct business at its meeting. However, she said that the members of the Service Committee who were present request that the Legislative Council adopt the recommendations contained in the Report of the Service Committee. The report includes the annual personnel report from the Legislative Services Agency and the annual and June 2005 personnel reports from the Office of Citizens' Aide/Ombudsman and recommends that the Legislative Council approve the proposed personnel actions. The Report of the Service Committee recommends that the Legislative Council approve the proposed budget and budget allocations for FY 2006 for the Legislative Services Agency and the Office of Citizens' Aide/Ombudsman. The report also recommends a change to the Sick Leave Conversion Program adopted by the Legislative Council in 2004. The report recommends that the Chief Clerk of the House or the Secretary of the Senate or their designee serve as the legislative branch representative on the four

customer councils within the Department of Administrative Services. The report recommends that the Legislative Council reappoint Mr. William P. Angrick to a four-year term as Citizens' Aide. Finally, the report recommends that the Legislative Council authorize legislative leaders to conduct annual performance reviews of, and approve salary adjustments for, the central agency directors. Senator Boettger moved that the Report of the Service Committee be adopted. The motion was adopted by voice vote. A copy of the Report of the Service Committee is attached to these minutes as attachment H.

VII. Receipt of Court Rules Filings.

Chairperson Gronstal recognized Mr. Dennis Prouty, Director, Legislative Services Agency, who reported that copies of changes to the Iowa Court Rules were previously distributed to members of the Legislative Council. As no action on the rules was required, Mr. Prouty's report was received and filed by the Legislative Council.

VIII. Receipt of the Report on Educational Leave.

Chairperson Gronstal noted that reports on educational leave are filed in the office of the Legislative Services Agency.

IX. Additional Business – Resolution on Governor's Executive Order.

Chairperson Gronstal recognized Vice Chairperson Rants who distributed a proposed Legislative Council Resolution pertaining to the Governor's announced plan to issue an executive order granting a blanket restoration of the right to vote and hold public office to persons convicted of certain offenses who have completely discharged their sentence by July 4, 2005, and to consider "without undue delay" restoration of rights for those who completely discharge their sentence after July 1, 2005. The resolution requests the Governor to refrain from issuing the executive order, to follow the application process for restoration set forth in statute, and to refuse an application for restoration of rights of those persons who have not paid in full court-ordered restitution. A copy of the proposed Legislative Council Resolution is attached to these minutes as attachment I.

Vice Chairperson Rants stated that he prepared the resolution in response to the negative feedback he has received regarding the Governor's intention to issue the executive order. He said that paying one's debt to society should include payment in full of restitution in addition to serving the sentence imposed. He noted that several states, including Arizona, Connecticut, Delaware, Georgia, Maryland, Virginia, and Washington, require payment of restitution before voting rights are restored. He further noted that of victim restitution ordered from 1998 to the end of 2004, over $100 million remains unpaid. This amount does not include court costs and attorney fees, he said. In response to a question by Senator Bolkcom, Vice Chairperson Rants said he had communicated with the Governor's Office on this matter and the Governor's Office indicated that the Governor is

comfortable with the executive order and has no plans to change this approach. In response to a question by Representative Jenkins, Vice Chairperson Rants stated that the Resolution has no binding effect on the Governor.

Senator Iverson spoke in favor of the proposed resolution, stating that an offender should have to initiate the process for restoration of rights and that a restoration should not be granted if restitution has not been paid. He further stated that, according to the Secretary of State's Office, the executive order would restore the right to vote and hold public office to nearly 60,000 people.

Senator Kibbie expressed concern that the proposed resolution has political overtones. He stated that only four other states besides Iowa do not automatically restore voting rights upon discharge of sentence. He also stated that more research and information is needed before the Legislative Council considers adopting the proposed resolution.

Representative Wise stated that he understands the concern about payment of restitution before voting rights are restored, but the proposed resolution is overly broad because it requests that the Governor utilize the single application process.

Representative Jacobs stated that she has worked with Representatives Elgin and Raecker on this issue and their research disclosed that the current application process for restoration of rights takes about six weeks to complete. She stated that the proposed resolution's reference to the current statutory application process makes clear that the General Assembly has spoken on the preferred process for restoring citizenship rights. She also stated that the single application process provides for consideration of the type of crime committed by the applicant which was an area of concern to her constituents.

Senator Lamberti stated that the current statutory process for restoration of rights of citizenship is not cumbersome and he does not see the need for changing that process. He expressed concern that the Governor's executive order could automatically restore the rights of a person convicted of election or voter fraud. Senator Lamberti further stated that Governor Vilsack has in the past rejected at least 105 individual applications for restoration of rights and these persons will have their rights restored under the executive order.

Representative Murphy stated that issuance of the executive order is within the constitutional authority of the Governor and the General Assembly should not get involved in this matter. He further stated that adoption of the proposed resolution would have no effect on the Governor's authority to issue the executive order.

Senator Dvorsky noted that those offenders who have their rights restored by the executive order would still be obligated to pay any court-ordered restitution. He stated that if restitution was going to be an issue in granting restorations of rights, the General Assembly needs to reconsider the statutory priority for payment of debts by offenders. He further stated that full payment of restitution can take 10 to 20 years. Ex-offenders need to be integrated into society quicker than that, he said.

Representative Petersen said she opposed the proposed resolution because it requests that all ex-offenders should follow the single application process. It makes no distinction between those ex-offenders who have paid restitution in full and those who have not.

Representative Rants moved the proposed resolution and asked for a roll call vote. The proposed resolution was defeated with eight votes in favor of adoption and nine votes against adoption.

X. Attachments.

A. Legislative Council Membership.
B. Legislative Council Committee Membership.
C. Legislative Council Rules of Procedure.
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. Proposed Legislative Council Resolution Submitted by Vice Chairperson Rants.

3530LC Council 062705

MEMBERSHIP
IOWA LEGISLATIVE COUNCIL
2005

Senator Michael Gronstal, Chair
220 Bennett Avenue
Council Bluffs, IA 51503
H – 712/328-2808
O – 515/281-4610

Speaker Christopher Rants, Vice Chair
2740 South Glass Street
Sioux City, IA 51106
H – 712/274-8874
O – 515/281-5566

Senator Jeff Angelo
808 West Jefferson
Creston, IA 50801
H – 641/782-2958
O – 515/281-3271

Representative Danny Carroll
244 – 400th Avenue
Grinnell, IA 50112
H – 641/236-7043
O – 641/269-2797

Senator Nancy Boettger
926 Ironwood Road
Harlan, IA 51537
H – 712/744-3290

Representative Bill Dix
317 S Walnut Street, Box 220
Shell Rock, IA 50670
H – 319/885-6790
O – 319/269-3664

Senator Joe Bolkcom
728 - 2nd Avenue
Iowa City, IA 52245
H – 319/337-6280

Representative Chuck Gipp
212 High Street
Decorah, IA 52101
H – 563/382-5419
O – 563/382-5419

Senator Thomas Courtney
2200 Summer Street
Burlington IA 52601
H – 319/753-2684

Representative Sandra Greiner
1005 Highway 92
Keota, IA 52248
H – 641/636-2293

Senator Robert Dvorsky
412 Sixth Street
Coralville, IA 52241
H – 319/351-0988
O – 319/625-2650 #125

Representative Libby Jacobs
808 - 58th Street
West Des Moines, IA 50266
H – 515/223-1225
O – 515/248-3641

MEMBERSHIP
IOWA LEGISLATIVE COUNCIL
2005

Senator Stewart E. Iverson, Jr.
1944 Sandy Beach Road
Clarion, IA 50525
H – 515/532-2660
O – 515/281-3560

Senator John P. Kibbie
112 Oakwood
P O Box 190
Emmetsburg IA 50536
H – 712/852-4140

Senator Jeff Lamberti
210 NE Delaware Suite 200
Ankeny, IA 50021
H – 515/965-1067
O – 515/965-1200

Senator Larry McKibben
P O Box 618
Marshalltown IA 50158
H – 641/752-6908
O – 641/752-4271

Senator Amanda Ragan
20 Granite Court
Mason City, IA 50401
H – 641/424-0874
O – 641/424-2316

Senator Mark Zieman
284 Luana Road
Postville, IA 52162
H – 563/864-3104
O – 563/539-2995

Representative Willard Jenkins
1540 West Ridgeway
P O Box 932
Waterloo, IA 50704
H – 319/233-7383

Representative Mark Kuhn
2667 – 240th Street
Charles City, IA 50616
H – 641/228-2566

Representative Dolores Mertz
607 – 110th Street
Ottosen, IA 50570
H – 515/887-2952

Representative Pat Murphy
155 North Grandview
Dubuque, IA 52001-6325
H – 563/582-5922
O – 515/281-3521

Representative Janet Petersen
4300 Beaver Hills Drive
Des Moines, IA 50310
H – 515/279-9063

Representative Phil Wise
503 Grand Avenue
Keokuk, IA 52632
H – 319/524-3643
O – 319/524-2542

LEGISLATIVE COUNCIL COMMITTEES
2005

ADMINISTRATION COMMITTEE

Senator Jeff Angelo, Chair
Representative Danny Carroll, Vice Chair
Senator Nancy Boettger
Senator Tom Courtney
Representative Libby Jacobs
Representative Janet Petersen

SERVICE COMMITTEE

Representative Christopher Rants, Chair
Senator Nancy Boettger, Vice Chair
Senator Michael E. Gronstal
Senator Stewart E. Iverson, Jr.
Representative Danny Carroll
Representative Dolores Mertz

CAPITAL PROJECTS COMMITTEE

Senator Mark Zieman, Chair
Representative Libby Jacobs, Vice Chair
Senator Jeff Angelo
Senator Robert Dvorsky
Senator John P. Kibbie
Senator Larry McKibben
Representative Bill Dix
Representative Chuck Gipp
Representative Pat Murphy
Representative Janet Petersen

STUDIES COMMITTEE

Representative Sandy Greiner, Chair
Senator Stewart E. Iverson, Jr., Co-vice Chair
Senator Amanda Ragan, Co-vice Chair
Senator Nancy Boettger
Senator Michael E. Gronstal
Senator John P. Kibbie
Senator Jeff Lamberti
Representative Chuck Gipp
Representative Patrick Murphy
Representative Christopher Rants
Representative Philip Wise

FISCAL COMMITTEE

Representative Bill Dix, Co-chair
Senator Jeff Angelo, Co-chair
Senator Joe Bolkcom
Senator Robert Dvorsky
Senator Larry McKibben
Senator Mark Zieman
Representative Sandra Greiner
Representative Mark Kuhn
Representative Paul Shomshor
Representative Jamie Van Fossen

INTERNATIONAL RELATIONS COMMITTEE

Representative Willard Jenkins, Chair
Senator Daryl Beall, Co-vice Chair
Senator Nancy Boettger, Co-vice Chair
Senator Dennis Black
Senator Gene Fraise
Senator David Johnson
Senator Maggie Tinsman
Representative Paul Bell
Representative Swati Dandekar
Representative Libby Jacobs
Representative Helen Miller
Representative Scott Raecker
Representative Chuck Soderberg

RULES

IOWA LEGISLATIVE COUNCIL

2005-2006

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.

7A. <u>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 Studies Committee and 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.</u>

8. 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.
9. 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: June 27, 2005

Report of the Fiscal Committee to the Legislative Council

June 27, 2005

The Fiscal Committee held four meetings during FY 2005:

- June 17, 2004
- August 5, 2004
- November 18, 2004
- December 16, 2004

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 following FY 2004 and FY 2005 appropriations transfers were received as of June 15, 2005:

FY 2004 appropriations transfers (Section 8.39, Code of Iowa)

Dollars Transferred	Department/Division Transferred To	Dollars Transferred	Department/Division Transferred From
	Department of Management		Department of Human Services
$ 13,534,741	Salary Adjustment Fund	$ 15,200,000	Medical Assistance (Medicaid)
1,665,259	Judicial Branch-Gen. Oper.		
$ 15,200,000	Total		
	Department of Public Health		Department of Public Health
$ 50,000	Adult Wellness	$ 174,177	Chronic Conditions
100,000	Child and Adoles. Well.	41,389	Community Capacity
2,452	Infectious Disease	89,000	Environmental Hazards
88,755	Public Protection	$ 304,566	Total
63,359	Resource Management		
$ 304,566	Total		
	Department of Human Rights		Department of Human Rights
$ 12,882	Status of African Americans	$ 12,882	Central Administration
	College Aid Commission		College Aid Commission
$ 185,000	Tuition Grant Program	$ 245,000	Scholarship Grants
60,000	Vocational Tech. Grant Program		
$ 245,000	Total		Total
	Department of Public Safety		Various Agencies
$ 1,522,019	All Divisions	$ 3,225	Commerce
		688,361	Corrections
		590,914	Human Services
		37,933	Natural Resources
		52,061	Revenue
		149,525	Veterans Home
		$ 1,522,019	Total
	Department of Transportation		Department of Transportation
$ 402,820	Workers' Compensation	$ 236,113	Indirect Cost Recovery
		166,707	Personnel Reimbursement
		$ 402,820	Total
	Department of Revenue		Department of Revenue
$ 12,000	Cigarette Stamp Printing	$ 12,000	Operations
	Department of Corrections		Department of Corrections
$ 65,000	Eighth Judicial District	$ 65,000	Clarinda Corr. Institution
50,000	Second Judicial District	50,000	Fort Dodge Corr. Institution
$ 115,000	Total	$ 115,000	Total

Dollars Transferred	Department/Division Transferred To	Dollars Transferred	Department/Division Transferred From
	Department of Human Services		Department of Human Services
$ 1,966,936	Family Investment Program	$ 1,966,936	Child & Family Services
1,966,936	Child & Family Services	1,966,936	Family Investment Program
$ 3,933,872	Total	$ 3,933,872	Total
	Department of Human Services		Department of Human Services
$ 90,000	State Supplementary Assistance	$ 625,000	Medical Assistance
625,000	MI/MR/DD State Cases	40,000	Volunteers
		50,000	Health Ins. Premium Payment
$ 715,000	Total	$ 715,000	Total
	Governor's Office		Governor's Office
$ 27,000	Terrace Hill Quarters	$ 27,000	General Office
	Dept. of Administartive Services		Various Agencies
$ 75,000	Operations	$ 25,714	Admin. Services, Deferred Comp
		49,286	Human Services, State Cases
		$ 75,000	Total
	Law Enforcement Academy		Department of Public Safety
$ 150,000	Operations	$ 150,000	State Patrol
	Inspections and Appeals		Various Agencies
$ 2,846,413	Indigent Defense	$ 61,495	Parole Board
		849,012	Public Safety
		1,052,004	Commerce
		883,902	Human Services
		$ 2,846,413	Total

FY 2005 appropriations transfers (Section 8.39, Code of Iowa)

Dollars Transferred	Department/Division Transferred To	Dollars Transferred	Department/Division Transferred From
	Department of Public Health		Department of Public Health
$ 15,808	Resource Management	$ 1,201	Addictive Disorders
		42	Child and Adoles. Wellness
		521	Chronic Conditions
		3,060	Community Capacity
		1,664	Infectious Disease
		100	Injuries
		9,220	Public Protection
		$ 15,808	Total
	Administrative Services		Administrative Services
$ 445,608	Admin. Services Account	$ 445,608	Distribution Account
	College Aid Commission		College Aid Commission
$ 42,072	Vocation-Tech. Tuition Grant	$ 42,702	ACE Program
	Administrative Services		Administrative Services
$ 162,237	Admin. Services Account	$ 162,237	Distribution Account
	Human Rights		Human Rights
$ 20,000	Status of African Americans	$ 20,000	Central Admin.
	Public Defense		Public Defense
$ 96,329	Military Division	$ 96,329	Comp. & Expense
	Public Defense		Public Defense
$ 70,000	Military Division	$ 70,000	Comp. & Expense
	Corrections		Corrections
$ 100,000	2nd Judicial District	$ 250,000	Clarinda Correctional Institution
150,000	8th Judicial District		
$ 250,000	Total		
	Corrections		Corrections
$ 50,000	1st Judicial District	$ 50,000	Newton Correctional Institution
	Transportation		Transportation
$ 230,000	Workers' Comp.	$ 230,000	Indirect Cost Recovery
	Human Services		Human Services
$ 725,000	Sexual Predator Commit.	$ 725,000	State Cases

The following lease-purchase acquisitions were received:

Lease-Purchase Principal	Department	Purpose
$ 490,000	Human Services	Replace boilers, chillers and dryers at the Glenwood Resource Center
$ 112,200	Corrections	Vehicle Replacement at the First Judicial District
$ 110,000	Revenue	Replace desk top computers
$ 2,435,000	Public Safety	Replacement of the Automated Fingerprint Information System (AFIS). The lease purchase was authorized in SF 2298 (FY 2005 Omnibus Appropriations Act)
$ 150,000	Corrections	For upgrades to the Security Control System at the North Central Correctional Facility in Rockwell City
$ 165,500	Revenue	Replace desk top computers

The Committee also received periodic updates on:

- Healthy and Well Kids in Iowa *(hawk-i)* Program
- Medical Assistance Program
- Child and Family Services and Adoption Subsidy Expenditures within the Department of Human Services

Other Major Agenda Items

- FY 2004 Ending Balance – Review of the FY 2004 ending balance of the General Fund.
- FY 2004 and estimated FY 2005 balances of various funds – Discussion included the Endowment for Iowa's Health Account, the Restricted Capital Fund, the Healthy Iowans Tobacco Trust (HITT) Fund, the Rebuild Iowa Infrastructure Fund (RIIF), the Environment First Fund, and the Senior Living Trust Fund.
- The Governor's item vetoes of FY 2005 legislation and lay-off plans.
- The initiation of on-line benefit programming for State employees and other technology options.
- Status of and challenges relating to transition from the Iowa Financial Accounting System to the Integration Information for Iowa (I/3) System.
- Planned process for the FY 2006 Governor's budget recommendations.
- Prison population and costs.
- Competitive bidding process and sole source contracting provisions.

- Technology Transfer Development and Commercialization within the Board of Regents institutions.
- Early Out Retirement participants and reemployment of certain individuals.
- The status and timeframes for the completion of the State Capitol restoration.
- Medical Assistance Program – In addition to monthly updates, discussion of the State impact of the federal prescription drug coverage within the Medicare Program, impact of HF 619 (Medicaid Cost Containment Act), possible loss of revenue from Intergovernmental Transfers (IGTs), and estimated FY 2005 supplemental appropriation need.
- The FY 2006 built-in expenditures and estimated revenues.
- Tour of the Iowa State University Howe Engineering Building.

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,

Senator Bob Dvorsky
Co-Chairperson

Senator Jeff Angelo
Co-Chairperson

Representative Bill Dix
Co-Chairperson

Attachment E

Chair Senator Tom Courtney
Chair Senator Mary Lundby
Chair Representative Dwayne Alons
Representative Joe Hutter, VC
Representative Vicki Lensing, RM
Senator Michael Connolly
Senator Ron Wieck
Representative Clel Baudler
Representative George Eichhorn
Representative Scott Raecker
Representative Roger Thomas

LEGISLATIVE OVERSIGHT COMMITTEE

Representative Wes Whitead
Representative Cindy Winckler

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

MEMORANDUM

To: Members of the Legislative Council

From: Co-Chairs Sen. Mary Lundby by Sen. Ron Wieck, Sen. Thomas Courtney, and Rep. Dwayne Alons

Date: June 21, 2005

Re: Departments and programs reviewed by the Government Oversight Committee during the 2005 legislative session and topics selected for review during the 2005 interim

As required in 2002 Iowa Acts, Chapter 1162 (SF 2325 - FY 02 Oversight Government Reform Act), the Government Oversight Committee is reporting to the Legislative Council regarding the activities during the 2005 Legislative Session and the areas selected for review during the 2005 interim by the Government Oversight Committee.

The schedule of Committee meetings for the 2005 interim is as follows:

- June 20,21 (Monday, Tuesday)
- July 18,19 (Monday, Tuesday)
- September 19,20 (Monday, Tuesday)
- October 31, November 1 (Monday Tuesday)
- December 14,15 (Wednesday, Thursday)

On June 21, 2005, at the June interim meeting, the Government Oversight Committee adopted the following recommendation for Legislative Council Consideration.

> Senator Wieck moved that the Government Oversight Committee request the Legislative Council to require that any reports not otherwise specified to be received by a designated agency or entity be submitted to the Government Oversight Committee. The motion passed unanimously.

Also at the June meeting, the Government Oversight Committee established subcommittees to work on the following items:

- Privatization of State Liquor Stores.
- Fleet Management
- Transfer administrative responsibilities for pesticides and fertilizers from Department of Agriculture to Department of Natural Resources.
- Competitive bidding and procurement.
- Regulatory Reform policies and procedures.

It is the intent to have subcommittees report to the Committee by end of calendar year 2005.

The following information is also included with this report:

1. **Attachment 1** is a listing of topics discussed during the 2005 Legislative Session Government Oversight meetings and the June interim meeting. The Committee met eight times beginning on January 25, 2005. Specific information regarding the agendas, minutes, and handouts from those meetings can be found at: http://www3.legis.state.ia.us/ga/committee.do?id=41
2. **Attachment 2** is a listing of topics for review during the 2005 interim. The Government Oversight Committee approved the list at the June 2005 meeting. The list includes continued items to study in 2005, updates on topics from the 2004 interim and 2005 legislative session as well as new topics for review during the 2005 interim. The Regular Updates section includes status reports from the Department of Administrative Services, the Lottery Authority, Government Reinvention activities, 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 2005 Legislative session. There are other Bills pending Committee action that will be discussed during the 2005 interim.

A list of 2005 required reports is being developed and will be provided with the submission of the 2005 interim report to the Legislative Council prior to the 2006 legislative session.

If you have any questions, please contact LSA staff, Douglas Wulf (515-281-3250), Sam Leto (515-281-6764), or Richard Nelson (515-242-5822).

Government Oversight Committee Meetings
List of Topics Discussed During the 2005 Legislative Session

January 25

Discussed the increase in suicides at Corrections Institutions with Gary Maynard from the Department of Corrections, Ruth Cooperrider, Judith Milosevich, and Kyle White from the State Ombudsman's Office, and Sylvia Piper from Iowa Protection and Advocacy Services.

Discussed the process used to approve contracts to provide private counsel for indigent defense with Tom Becker, State Public Defender. Also, responded to questions specifically related to the State Public Defender's appointment of a suspended judge from the 7th Judicial District, as a Public Defender.

Alcohol Beverage Division – Reviewed the Request for Proposal (RFP) for warehouse operations and discussed approval of appealed liquor license suspensions or revocations with Lynn Walding from ABD.

January 26

Lottery Authority (Dr. Ed Stanek), Department of Inspections and Appeals, (Jean Davis), and Department of Public Safety, (Joe Diaz) provided an update on new lottery games and the issues relating to electrical and mechanical devices. (Joint meeting with members of the Administration and Regulation Appropriations Subcommittee)

February 1

Department of Public Safety, Kevin Techau, Director, discussed and responded to newspaper articles regarding an interview on public access to crime reports.

February 2

Mechanical and Amusement Private Industry, and Bill Wohlers, President, Iowa Operations of Music and Amusement, responded to presentations and comments made by the Lottery Authority, DIA and DCI at the January 26 meeting.

Update and discussion on Capitol Complex Fleet Management with Mollie Anderson, Director, Patrick Deluhery, Division Administrator, and Dale Schroeder, Fleet Manager, Department of Administrative Services.

February 9

Update regarding the water damage in the Capitol, upgrades to detection and surveillance to avoid future occurrences and related issues. Mark Willemssen, LSA and Dean Ipsen, DAS.

February 9 (Cont'd)

Discussed responses from Information Technology Enterprise (ITE) and the Ethics and Campaign Disclosure Board (ECDB) regarding the Electronic Filing System. John Gillispie, ITE, and Charlie Smithson, ECDB.

Continued discussion on Capitol Complex Fleet Management with Mollie Anderson from the Department of Administrative Services (DAS).

February 15

Discussed issues relating to oversight of the County Attorney Offices in Iowa and the impact of plea bargaining and non-prosecution criteria on law enforcement requirements with Eric Tabor from the Attorney General's Office; Corwin Ritchie, Iowa County Attorneys Association; Bill Davis, Scott County Attorneys Office; Joe Diaz from the Department of Public Safety; and Mary Neubauer from the Lottery Authority.

February 16

Rehabilitative Treatment and Support Services (RTSS) – Department of Human Services (DHS), Jan Clausen, and RTSS Providers, Kim Schmett provided an update regarding efforts to resolve billing audit and repayment issues.

DHS provided a statement on the school district claim for reimbursement. Review of the Iowa Medicaid Education Disbursement (IMED) Program sponsored by the Iowa Association of School Boards (IASB) presented by Mary Gannon from IASB. Training document available on web site link @:
http://www.uni.edu/isflc/Iowa%20Medicaid.ppt

Creston School District – An update was provided on Medicaid reimbursement claims and outstanding issues by Tim Hood, Superintendent and Peter Pashler, attorney for the district.

February 22

An update on the Help America Vote Act (HAVA) was provided by Charlie Krogmeier, Secretary of State's Office.

February 23

Susan Voss, Insurance Commissioner, discussed roles, trends, handling disputes, and consumer advocacy by the Insurance Division.

March 1

Department of Transportation (DOT) – Discussed the relocation of the driver's license station to Ankeny with Mark Wandro and Nancy Richardson, DOT Administrators.

March 24

Department of Management (DOM) – Discussed the extension of the master agreement with Public Strategies Group with Mike Tramontina, Director, DOM.

County Recorders Association – Discussed the status of the County Land Record Information System (CLRIS) Project and responses received to letters to The Iowa County Recorders and the County Board of Supervisors with representatives from the Iowa County Recorders Association.

April 19

Iowa State County Treasurer Association – Discussed the County Land Record Information System (CLRIS) Project with County Treasurer Association representatives Kimberly Reynolds (Clarke County), Dave Jamison (Story County), and Lee Duin, Administrative Assistant (Polk County). Also, Polk County Recorder, Tim Brien.

Government Oversight Committee
List of Topics for Future Meeting Agendas
Updated June, 2005

1. **Preservation, storage, and retrieval of important** documents – Discussion with the Secretary of State, the Department of Corrections, the Courts, the Department of Public Health, and the Department of Administrative Services.

2. **Child Support Recovery Unit Update** – Update on the process, the rapidity of response to citizens on concerns, the collection of funds and problematic areas with collections, other problems, and anything that may need legislative assistance.

3. **Department of Human Service and Department of Public Health Programs** – provide an update on the review of duplicative programs within these State agencies and determine what actions have been or will be taken to consolidate, eliminate, or streamline the identified programs.

4. **Iowa Prison Industries** – discuss the utilization by State Agencies and the need for the legislature to strengthen requirements relating to providing additional work for treatment, vocational education, and rehabilitation of inmates.

5. **Board of Regents Update** – status report from the task force appointed to make recommendations regarding the future on the Iowa Braille and Sight Saving School in Vinton.

6. **Agricultural Finance Authority** – update on projects funded, status of the projects, and return on investment for Iowa.

7. **Sentencing Reform Possibilities** (excluding mandatory minimums).

8. **Non-Profits lack of fiscal reporting to the Legislature** (i.e. the LSA) Example is Iowa Department for the Blind use of private funding.

9. **Auditor of State** – explain how fees charged to other agencies and political subdivisions are established. Discuss concerns about annual increased costs and any needs for legislative oversight of the Auditor's Office.

10. **Board of Regents** – SUI College of Dentistry opened an outreach office in Muscatine. Does this conflict with private dental practices?

11. **Board of Regents** – constructing new buildings without meeting existing municipal building codes required of the private sector. Request union representative to attend.

12. **Gamblers Assistance** – update status on expanding services options to include residential treatment services.

13. **Required Reports Update** – reports due to the Oversight Committee based on legislative intent from the 2005 legislative session.

14. **Amber Alert** – discuss with representatives from the Department of Transportation, Department of Public Safety, and others, regarding the Iowa Amber Plan and how it

works, who has the authority to call an alert, and who to contact. Also review the Cedar Rapids Gazette article of April 11, 2005 regarding glitches.

15. **Privacy Legislation** – discuss the need for legislation for defining and protecting privacy in Iowa especially given advances in technology, the emergence of identify theft, and heightened public awareness about privacy.

16. **Deer Issues** – discuss issues related to deer, farm deer and shooting preserves with staff from the DNR and DALS.

17. **Open Records** – request the Attorney General's Office and Ombudsman to discuss the open records law and provide some direction regarding the procedures and practices that should be followed and legal issues of costs charged and refusal to provide information requested.

Consider continuation of Subcommittees for the following topics: (Need to name Subcommittee chair persons and members)

1. Privatization of State Liquor Operations
2. Fleet Management
3. Ombudsman's list of recommendations for legislative review and consideration.
4. Transfer administrative responsibilities for pesticides and fertilizers from the Department of Agriculture to the Department of Natural Resources.
5. Regulatory Reform
6. Competitive Bidding Process

Other – Regular Updates at Government Oversight Committee Meetings during the 2005 Legislative Session and Interim

- Government Reinvention – LSA to provide materials.
- Charter Agencies – DOM and Charter Agencies to provide update.
- Public Strategies Group (PSG) – DOM and PGS to provide materials.
- Grants Enterprise Management System (GEMS) – DOM to provide materials.
- Department of Administrative Services (DAS) – DAS to provide materials.
- Integrated Information for Iowa (I/3) Project – ITE and DOM to provide materials.
- Help America Vote Act (HAVA) – Secretary of State Update.
- Homeland Security – Update on funding and costs associated with E/911 System.
- Lottery – Lottery to provide semi-annual report updates and annual budget.

Bills Sponsored by the Government Oversight Committee
2005 Legislative Session

SF 396 A bill for an act authorizing the sale of Iowa communications network capacity under specified circumstances, affecting the operation of the network, and making appropriations. (Formerly SF 133) *Assigned to Oversight Subcommittee April 11.*

SF 397 A bill for an act providing for energy performance-based contracts for certain public entities and public educational facilities. (Formerly SSB 1296) *On Senate Calendar March 31.*

SF 398 A bill for an act encouraging community investment in before and after school programs by allowing school districts to request additional allowable growth and providing for related matters. (Formerly SSB 1298) *On Senate Calendar as unfinished business April 7.*

SF 403 A bill for an act providing for the receipt of and costs relating to public records requests. (Formerly SSB 1295) Signed by Governor May 4, 2005. *Signed by Governor May 4.*

SF 406 A bill for an act relating to the establishment of state and school antiharassment or antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters. (Formerly SSB 1308) *On Senate Calendar April 14.*

HF 536 A bill for an act relating to dual governmental employment by executive branch officials and state employees. *Assigned to Subcommittee March 31.*

HF 814 A bill for an act relating to electronic notices of bidding opportunities for state purchases. *Signed by Governor May 3, 2005.*

HF 829 A bill for an act relating to bidding requirements for state executive branch purchases. (Formerly HSB 168) *On House Calendar as unfinished business April 7.*

HF 846 A bill for an act relating to employment and improper influence ethics issues for executive branch officials and employees, and making penalties applicable. (Formerly HF 486) *On House Calendar April 7.*

HF 849 A bill for an act to privatize the pool of passenger motor vehicles maintained and operated by the department of administrative services. (Formerly HF 688) *On House Calendar April 7*.

REPORT OF THE INTERNATIONAL RELATIONS COMMITTEE TO THE LEGISLATIVE COUNCIL

January 25, 2005
February 16, 2005
March 16, 2005
April 27, 2005

Meetings: The International Relations Committee met during the 2005 Legislative Session on January 25, 2005, Feb, 16, 2005, March 16, 2005, and April 27, 2005.

- During the January 25, 2005, meeting the members discussed the upcoming visit of a Malaysian delegation to Washington, D.C. and Iowa, beginning January 28, 2005 and ending February 13, 2005.
- During the February 16, 2005, meeting the members discussed the upcoming visit of a delegation from Hebei, China, beginning February 24, 2005, and ending February 27, 2005, and the Coalition for Citizen Diplomacy project including a proposed statewide conference on citizen diplomacy.
- During the March 16, 2005, meeting the members discussed the upcoming visit of a Canadian delegation beginning March 20, 2005, and ending March 22, 2005.
- During the April 27, 2005, meeting the members discussed the upcoming visit of a delegation from Kaduna, Nigeria, beginning May 2, 2005, and ending May 4, 2005, a resolution supporting the establishment of a state presence in the Republic of China on Taiwan, the establishment of a sister state relationship with Chumphon, Thailand, the awarding of the Elinor Robson Award to Myles Kappelman by the Iowa Council for International understanding, and the need to reinforce the international relations protocol in the House and Senate chambers.

Delegation visits:

- **Malaysia**: The visit of the Malaysian delegation to the United States from January 28 through February 13, 2005, included stays in both Washington, D.C. and Iowa. The delegation's stay in Iowa from January 29 through February 7, 2005, was the corresponding visit that was part of an exchange program sponsored by the National Association of State Auditors, Comptrollers and Treasurers (NASACT) and the Commonwealth Parliamentary Association of Sabah, Malaysia, and administered through a United States Department of State, Bureau of Cultural and Educational Affairs, Office of Citizens Exchange contract with Ms. Ann Schodde, president of ITEBS and Associates, LTC. Senator Boettger, Representative Murphy, and Mr. Dennis Prouty, Director, Legislative Services Agency, had visited Malaysia in November 2005, as part of the exchange to promote government transparency and citizen access to government. The visit to Iowa included interactions with the members of the General Assembly, and representatives of the executive branch, the judicial branch, local government, and the business community, a reception hosted by the International Relations Committee, a visit

to rural Iowa hosted by Senator Nancy and David Boettger, and a farewell dinner at the Des Moines Embassy Club. The members of the Malaysian delegation were:

- Juhar Bin Mahiruddin
- Datuk James Andrew Vitales, JP
- Zakaria bin Mohd Edris
- Philip Benedict Lasimbang
- Metah bin Asang
- Au Kam Wah
- Mohd Yusop bin Majid
- Basali bin Tarireh
- Datuk Gapari Geoffrey bin Katingan

- **Hebei, China**. The delegation from the Iowa Sister State of Hebei, China visited Iowa from February 24 through February 27, 2005. The visit included meetings with members of the General Assembly, representatives of the executive branch and cultural programs, and a tour of the John Deere facility in Ankeny. Members of the International Relations Committee met with the delegation on Thursday, February 24, 2005, to discuss a potential legislative exchange. Members of the International Relations committee also participated in dinners with the delegation and the tour of the John Deere facility. Members of the Hebei, China delegation were:
  - Mr. Yang Quanshe, Director General of the Foreign Affairs Office of the Hebei Provincial People's Government
  - Mr. Zhao Xuejun, Director of the North and South Americas Division of the Foreign Affairs Office of the Hebei Provincial People's Government
  - Mr. Li Shaobo, Deputy Director of the Agro-Machinery Applications Station of Hebei Province
  - Mr. Sun Maozhang, Interpreter of the Foreign Affairs Office of the Hebei Provincial People's Government

- **Saskatchewan, Canada**. The delegation of Members of the Legislative Assembly (MLAs) from Saskatchewan, Canada, visited Iowa as part of a Council of State Governments exchange from March 20 through March 22, 2005. Saskatchewan will be hosting the Council of State Governments Midwestern Legislative Conference annual meeting from July 31 through August 3, 2005. The members of the Saskatchewan delegation were:
  - Mr. Greg Brkich, Saskatchewan Party, Arm River-Watrous
  - Ms. Doreen Hamilton, New Democratic Party, Regina Wascana Plains
  - Mr. Randy Weekes, Saskatchewan Party, Biggar

- **Kaduna, Nigeria**. A delegation from Kaduna, Nigeria visited Iowa from May 2 through 4, 2005. The delegation visited as part of a United States Department of State project that IRIS is managing to promote democracy and civil society in Nigeria. The delegation was able to have dinner and meet with members of the International Relations Committee and members of the lobby during its visit. The members of the delegation were:
  - Family Name: Zubairu Name: Bashir Usman, Assembly Speaker
  - Family Name: Maisango Name: Audu Emannuel, Deputy Speaker

- Family Name: Abubakar Name: Mohammad Mahmood, Assembly Minority Leader
- Family Name: Mangari Name: Patrick Stephen, Chairman, House Committee on Agriculture
- Family Name: Mohammed Name: Mohammed Auwal, Chairman, House Committee on Local Government

Future activities:

- The International Relations Committee welcomes suggestions and recommendations from all members of the General Assembly regarding proposed activities of the Committee.
- The International Relations Committee will request that Iowa universities, colleges and community colleges provide the Committee with reports regarding programs, exchanges, and general international relations activities involving their students. The targeted date of submission of the reports is January 2006.
- The International Relations Committee will work with Iowa Sister States to determine the feasibility of establishing a sister state relationship with Thailand.

Respectfully submitted,

Senator Daryl Beall
Co-Chairperson

Senator Nancy Boettger
Co-Chairperson

Representative Willard Jenkins
Co-Chairperson

REPORT OF THE STUDIES COMMITTEE TO THE LEGISLATIVE COUNCIL

June 27, 2005

The Studies Committee of the Legislative Council met on June 27, 2005, and makes the following report for approval by the Legislative Council:

A. Guidelines. That the attached guidelines for interim study committees be adopted by the Legislative Council.

B. Referrals to Existing Committees. That the following topics be referred to the indicated bodies for consideration:

1. **Elderly Services**. A review of options for unifying the state administration of services utilized by elderly Iowans to the Medical Assistance Projections and Assessment Council created in 2005 Iowa Acts, HF 841.
2. **Rural Water District Liability**. A review of the liability exemption or limitation for rural water districts as provided in Iowa Code section 357A.22A to the Senate Committee on Natural Resources and Environment and the House Committee on Environmental Protection.
3. **Capitol Complex**. Consideration of options for the Wallace State Office Building and other Capitol Complex space issues to the Capital Projects Committee of the Legislative Council.

C. 2005 Studies. That the Legislative Council authorize interim study committees for the 2005 Interim with the indicated number of members and meeting days to address the following topics:

1. **Sexual and Other Criminal Offenses, Criminal Penalties, and Sentencing Practices**. Review sexual abuse-related criminal offenses and the sex offender registry; review Iowa's criminal code and make recommendations for the code's reorganization, updating, and revision; review current penalties and sentencing practices, including current mandatory minimum sentences, limitations on parole, and sentence enhancements; and conduct a comparative assessment of relative penalties based on the threat imposed by the prohibited conduct and the risk associated with particular criminal offenders. Make recommendations and findings.
   6 Senate
   5 House
   2 Meeting Days

2. **Medical Malpractice**. Study issues relating to the costs of professional liability (malpractice) insurance coverage for health care providers in Iowa. Consider a broad range of factors affecting the availability of the coverage in the state.
   6 Senate
   5 House
   2 Meeting Days

3. **Nursing Staff in Hospitals**. Review the nurse staffing needs of the hospitals in this state and make recommendations for options to improve hospital nurse staffing levels.
   4 Senate
   3 House
   1 Meeting Day

4. **Motor Vehicle Dealers**. Study Iowa law pertaining to the relocation of a licensed motor vehicle dealership.
   4 Senate
   3 House
   1 Meeting Day

5. **Motor Vehicle Fuel**. Investigate issues relating to the sale of motor vehicle fuel, including minimum markup, selling below cost, and limiting quantities of gasoline.

4 Senate
3 House
1 Meeting Day

6. **Targeted Jobs Withholding Tax Credit.** Meet in Sioux City to discuss a proposal for a pilot project for a targeted jobs withholding tax credit.
   4 Senate
   3 House
   2 Meeting Days

7. **New Iowans**. Review the impact of the growing population of immigrants, migrant workers, and refugees who are relocating to the state to live and work, often referred to as "New Iowans." Hold a public hearing for each of the following topics in locations around the state: educational needs and opportunities for new Iowans, including discussion of public school programs and requirements and efforts to recruit more teachers from minority groups; health care available to new Iowans, including outreach efforts by the hawk-i program, effects of potential federal Medicaid program reductions, and the identification of appropriate efforts to provide better access to affordable health care for new Iowans; job creation and outreach efforts directed to new Iowans, including the widespread focus on bilingual and multilingual skills in the current economy, efforts by the Iowa Department of Economic Development, the impact of the New Iowans centers established by the Department of Workforce Development, and discussions of other efforts needed to improve job creation for New Iowans; and public safety issues involving new Iowans, including racial profiling used by state and local police and proposals to make drivers' licenses available to undocumented immigrants.
   6 Senate
   5 House
   4 Public Hearings and 1 Meeting Day

8. **Judicial District and Judicial Resources Study Committee**. This 2003/2004 interim study committee is authorized to meet in the 2005 interim to continue its work.
   2 Senate
   2 House
   27 public members
   4 meeting days

9. **Genetically Modified Organisms (GMOs)**. Review issues regarding the use of genetically modified organisms in agricultural production.
   6 Senate
   5 House
   2 Meeting Days

D. Public Retirement. That the Legislative Council take note that the Public Retirement Systems Committee created in Iowa Code section 97D.4 will be meeting during the 2005 Interim.

Respectfully submitted,

Representative Sandy Greiner
Chairperson

LEGISLATIVE COUNCIL RESOLUTION
SUBMITTED TO THE LEGISLATIVE COUNCIL ON
JUNE 27, 2005

A Legislative Council Resolution relating to issuance by the Governor of an executive order restoring certain rights of citizenship to certain disqualified persons.

WHEREAS, the Governor has the authority to restore rights of citizenship, which includes the right to vote and hold public office, to criminal offenders subject to such regulations as may be provided by law; and

WHEREAS, the General Assembly has established in statute (Iowa Code chapter 914) a process whereby a criminal offender may apply for, and the Governor may exercise the authority to grant, a restoration of rights of citizenship; and

WHEREAS, a pending executive order, as described by the Office of the Governor, will grant a blanket restoration of the right to vote and hold public office to those felons and aggravated misdemeanants who, by July 4, 2005, have completely discharged their sentences, including any accompanying terms of probation, parole, or supervised release, but have not made an application pursuant to Iowa Code chapter 914; and

WHEREAS, the pending executive order, as described by the Office of the Governor, will also provide that the Governor intends to, without undue delay, consider restoration of rights of citizenship for those criminal offenders who completely discharge their sentences, including any accompanying terms of probation, parole, or supervised release, after July 4, 2005, and whose names are

on a list provided to the Office of the Governor monthly by the Department of Corrections; and

WHEREAS, it is fundamental to the notion of justice that a criminal offender pay the offender's debt to society, not only by completely discharging the offender's criminal sentence but also by paying in full restitution assessed against the offender, before being restored one of American society's most precious rights — the right to vote and to hold public office; NOW THEREFORE,

BE IT RESOLVED BY THE LEGISLATIVE COUNCIL, That the Legislative Council requests that the Governor refrain from issuing the executive order so described by the Office of the Governor and this Resolution; and

BE IT FURTHER RESOLVED, That the Legislative Council requests that the Governor continue to follow the application procedure for restoration of rights of citizenship set out in Code chapter 914; and

BE IT FURTHER RESOLVED, That the Legislative Council requests that the Governor hereafter refuse to restore rights of citizenship to those criminal offenders who have not completely discharged their sentences, including any accompanying terms of probation, parole, or supervised release, and who have not paid in full restitution as ordered by the court and as defined in Iowa Code section 910.1, subsection 4, and Iowa Code section 910.3B; and

BE IT FURTHER RESOLVED, That upon passage of this Resolution by the Legislative Council, a copy of this Resolution shall be sent by the Secretary of the Legislative Council to the Governor, the Iowa Board of Parole, and the Director of the Iowa Department of Corrections.

LCR.301

sc/cf