

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, FEBRUARY 19, 2008

Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 19, 2008

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by Reverend Elizabeth Dilley of the Religious Coalition for Reproductive Choice in Red Oak, Iowa.

The Journal of Monday, February 18, 2008, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 18, 2008, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 104, a concurrent resolution resolving that a joint convention of the two houses of the 2008 session of the Eighty-second General Assembly be held on Tuesday, February 19, 2008, at 10:00 a.m. for Major General Ron Dardis to deliver his message of the Condition of the Iowa National Guard.

Read first time and **placed on the calendar**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Dvorsky, until he arrives, on request of Senator Horn; and Senator Hahn, until he arrives, on request of Senator Gaskill.

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate Files 2178 and 2180** be referred from the Regular Calendar to the committee on **Ways and Means**.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House Concurrent Resolution 104](#).

[House Concurrent Resolution 104](#)

On motion of Senator Gronstal, [House Concurrent Resolution 104](#), a concurrent resolution resolving that a joint convention of the two houses of the 2008 session of the Eighty-second General Assembly be held on Tuesday, February 19, 2008, at 10:00 a.m. for Major General Ron Dardis to deliver his message of the Condition of the Iowa National Guard, was taken up for consideration.

Senator Gronstal moved the adoption of [House Concurrent Resolution 104](#), which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House Concurrent Resolution 104](#) be **immediately messaged** to the House.

The Senate stood at ease at 9:02 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:40 a.m., President Kibbie presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Lundby, McKibben, and Seymour, until they return, on request of Senator Wieck; and Senator McCoy, until he returns on request of Senator Gronstal.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

David VanNingen – Child Welfare Advisory Committee

Rich Eychaner – Iowa State Civil Rights Commission

Rodrick Van Wart – Electrical Examining Board

Diane Dennler – Renewable Fuel Infrastructure Board

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question “Shall the appointees be confirmed?” the vote was:

Yeas, 44:

Angelo	Dotzler	Johnson	Rielly
Appel	Fraise	Kettering	Schmitz
Beall	Gaskill	Kibbie	Schoenjahn
Behn	Gronstal	Kreiman	Seng
Black	Hancock	McKinley	Stewart
Boettger	Hartsuch	Mulder	Ward
Bolkcom	Hatch	Noble	Warnstadt
Connolly	Heckroth	Olive	Wieck
Courtney	Hogg	Putney	Wood
Danielson	Horn	Quirmbach	Zaun
Dearden	Houser	Ragan	Zieman

Nays, none.

Absent, 6:

Dvorsky	Lundby	McKibben
Hahn	McCoy	Seymour

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

In accordance with [House Concurrent Resolution 104](#), duly adopted, the Senate proceeded to the House chamber under the direction of the Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION

In accordance with law and [House Concurrent Resolution 104](#), duly adopted, the joint convention was called to order at 9:55 a.m., President Kibbie presiding.

Senator Gronstal moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present, which motion prevailed by a voice vote.

Senator Gronstal moved that a committee of six, three members from the Senate and three members from the House, be appointed to escort Governor Chester J. Culver to the House chamber.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Courtney, Appel, and Hartsuch, on the part of the Senate, and Representatives Wise, Petersen, and Rasmussen, on the part of the House.

Senator Gronstal moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify the Adjutant General of the Iowa National Guard, Major General Ron Dardis, that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Warnstadt, Beall, and Zaun, on the part of the Senate, and Representatives Zirkelbach, Whitead, and Windschitl, on the part of the House.

State Auditor David Vaudt, Secretary of State Michael Mauro, and Attorney General Tom Miller were escorted into the House chamber.

Major General Dardis's family and invited guests were escorted into the House chamber.

The committee waited upon Governor Chester J. Culver and escorted him into the House chamber.

The committee waited upon Major General Ron Dardis, Adjutant General of the Iowa National Guard, and escorted him to the Speaker's station.

President Kibbie presented Major General Ron Dardis, Adjutant General of the Iowa National Guard, who delivered the following Condition of the Iowa National Guard address:

Thank you very much for that warm welcome.

I'm honored once again to stand before you and report on the condition of the Iowa National Guard—a guard that has evolved from a territorial militia, formed to provide collective security on the American frontier, to a full-spectrum operational force prepared to defend our state and nation during an age of persistent conflict.

For more than 170 years, generations of Iowans, mustered from throughout our communities to carry on this prairie soldier legacy, served through a Civil War, domestic emergencies and disasters, World Wars, and ideological struggles. Today, these global minutemen, like those who came before, carry on this proud legacy, serving their state and answering our nation's call to duty here at home and around the globe.

Speaker Murphy and President Kibbie, thank you for inviting me to provide this update. It is a great honor for me to appear before this joint convention of the Eighty-second General Assembly of the Iowa Legislature. The Iowa National Guard is indeed fortunate to have this opportunity to highlight our issues, tell our story, and above all, to thank you and all the citizens of Iowa for the overwhelming and enduring support of our men and women in uniform. We could not succeed without it.

I also want to thank and recognize your colleague, our comrade-in-arms, Representative Ray Zirkelbach, a proud member of the longest-serving unit in the history of the Global War on Terror—the “Ironman” Battalion, 1-133rd Infantry, Iowa Army National Guard! Sergeant Zirkelbach, I'm sure you don't get tired of hearing it, and I certainly never tire of saying it to our returning warriors—welcome home! Good to have you back home with your family, friends, and the Iowa Guard team. I thank you for your extraordinary service and for your family's tremendous sacrifice on behalf of our state and nation. Thank you for a job well done!

Governor Culver, members of the General Assembly, distinguished guests, and fellow Iowans: Last year I reported that the condition of the Iowa National Guard was strong—the strongest it had been in generations. Today, I stand by that assessment. We are a battle-hardened and respected fighting force that continues to carry out our federal, state, and community missions with vigor and determination. Yet, six years of war and more than 10,000 mobilized soldiers and airmen leave no doubt we are an organization that is stretched and stressed. We see it in the faces of our warriors sent off on their second, and in some cases third, deployments since 9–11; we see it in our families asked to endure lengthy, and in some cases repeated, separations; and we see it in returning soldiers and airmen struggling to reintegrate with their families and routines of their daily lives.

Ladies and gentlemen, this is what keeps me awake at night. I worry so much about the health and well-being of our soldiers and airmen and their families. We are trying to assist in every way possible and yet it never seems like enough.

These are indeed challenging times for the one percent of Americans who proudly serve their nation in uniform. And it is increasingly true for the soldiers and airmen of

the Iowa National Guard, who make up nearly two percent of our nation's National Guard forces.

Our military is not weak or hollow; it is not broken. It remains the preeminent military power in the world. And I want you and the citizens of Iowa to know that the Iowa National Guard stands ready to meet anticipated state and federal mission requirements. What we don't know and what most concerns senior leaders is this: Where is the breaking point?

As Admiral Michael Mullen, chairman of the Joint Chiefs of Staff, said recently, "The well is deep, but it is not infinite." Yet in this age of persistent conflict, the demands on our military will not subside in the near future. Protracted confrontation among state, nonstate, and individual actors willing to use violence to achieve political and ideological objectives will likely increase as trends in globalization, technological developments, shifts in demographics, competition for resources, and climate change continue to create friction among nations and throughout diverse populations.

The enduring lesson of 9-11 is that try as we might, we can't wish this reality away or close our eyes to the threat it poses to our national interest and domestic tranquility. Whether we like it or not, a network of global extremists is at war against our country, and it is clear that they seek to exploit those trends to challenge our security. Some of you may be saying, "Okay, that's an interesting comment on the current national security debate, but what does it have to do with the Iowa National Guard?" The answer is: everything!

When we were attacked on September 11, 2001, we had to respond with a Cold War Army, reduced in size by more than 300,000 soldiers from its Cold War peak, ill-suited and unprepared for the type of conflict thrust upon us. We were in that position as a result of decisions made during the previous decade to cash the peace dividend and draw down our military forces by nearly two-thirds. The Cold War was over; we had won. We basked in the glow of an overwhelming victory in Operation Desert Storm. We scanned the horizon for peer competitors and saw none. Reductions in defense spending made sense.

However well-intentioned these reductions seemed at the time, today we are paying the price for those decisions. When this decade began, the active Army was in desperate need of organizational change and transformation. The same was true for the Army National Guard. It was configured and resourced as a strategic reserve, unprepared and ill-equipped for the demands that would soon come its way.

Accelerated security demands brought by the Global War on Terror forced the country to do what it has always done in times of military necessity—turn to the National Guard. And the National Guard responded in numbers unprecedented since World War II, at one time providing more than half the combat power in Iraq. The Iowa National Guard contributed its share, mobilizing more than 100 percent of its authorized strength during the past six years.

Looking back, it is fair to say that those brave Americans fighting in this Global War on Terror, along with their families, paid for the Cold War peace dividend with their blood, sweat, and tears. And the men and women serving in the National Guard, especially, the Iowa National Guard, were no exception. Inadequate funding for personnel, equipment, and training forced the Army National Guard to cross-level units within and across state boundaries, severely impacting future unit and individual readiness. This practice did and continues to have a detrimental impact on Iowa National Guard readiness.

In order to overcome these challenges, the Army and its reserve components accelerated transformation and rebalancing efforts. This means the National Guard is no longer a strategic reserve. It is now viewed as an operational force expected to

prepare, train, and deploy in a manner and at a rate much different than we saw during the Cold War.

This is a positive development. If properly trained and equipped, the National Guard can add much-needed depth to our active component forces at a fraction of the cost. Currently, the Guard provides more than a third of the Army and Air Forces' force structure, yet consumes only seven percent of the resources needed to fund active duty forces. And keep in mind that the dollars invested in the National Guard provide twice the benefit because its capabilities are immediately available to the Governor in times of domestic emergencies and natural disasters.

Once transformation and rebalancing of the Army National Guard is complete, there will be 112 brigades, including 28 brigade combat teams, 46 multifunctional brigades, and 38 functional brigade formations. This rebalancing plan has created unique opportunities to station complete units, to the extent possible, within state boundaries. Iowa is a brigade combat team state, home to the 2nd Brigade Combat Team (BCT), 34th Infantry Division; nearly a full brigade combat team is headquartered in Boone with supporting units stationed across the state.

This realignment and restationing improves command and control of these units and greatly enhances our ability to meet manning, equipping, training, and mobilization requirements. While this is a positive development for the Iowa National Guard, it will create future challenges.

When the 2nd BCT is called to active duty, and that time will come given the current security requirements, it will be a significant event for the Iowa National Guard and the state of Iowa. We can expect more than 3,500 soldiers to deploy from this state at one time—nearly 50 percent of our Army National Guard strength.

In today's global security environment, we expect our National Guard soldiers to mobilize and deploy for 12 months once every four to five years, and our airmen for 45 days every 18 months. This means the old mantra of "one weekend a month and two weeks a year" no longer applies to these citizen-warriors.

Not including a BCT mobilization, we believe, on average, the Iowa National Guard will deploy between 800–1,200 soldiers annually, as well as approximately 600 airmen every 18 months. Given the current environment, we believe, these are sustainable taskings.

The Army Force Generation cycle and Air Expeditionary Force concept have changed expectations. With these new models come increased pre-mobilization training and preparation requirements, which will cause our soldiers and airmen to spend more time away from families and jobs in the months and weeks preceding a deployment. Our members and their families are beginning to understand and come to terms with this new reality. Employers, communities, and policymakers must do so as well. In order to sustain these deployment cycles, we must have a reserve component force that is predictable, accessible, manned, equipped, and organized to serve as an effective part of the Joint Forces.

The current state of our active military in this age of persistent conflict leaves us no choice. As the Commission on the National Guard and Reserve recently noted, there is "no reasonable alternative to increased reliance on the reserve components." Policymakers have accepted that the active Army needs to grow—current plans call for adding nearly 75,000 soldiers by 2010. But recruiting these new soldiers and developing the officers and non-commissioned officers to lead them will be a daunting and time-consuming challenge.

This means continued reliance on reserve component forces for the foreseeable future. Continued changes in laws, rules, regulations, personnel, and funding systems at the Department of Defense and congressional levels are needed in order to sustain the National Guard as an essential part of the nation's all-volunteer force. I'm talking

about changes that improve readiness, modernize antiquated mobilization policies, and enhance current programs and organizations that support service members, their families, and their employers, not just before and during deployments, but also when they return home. Investments in training and equipment are meaningless if we turn our backs on the needs of citizen-soldiers and airmen when the deployment is over. Not only is this a readiness issue for the National Guard—we need them for future missions—more importantly, it's the right and honorable thing to do. We must develop programs and regulations that fully accommodate the unique nature of reintegrating reserve component service members.

Promises to fully equip and resource the Army National Guard are promises that must be kept to our soldiers. They have served and sacrificed for our state and nation, they have proven their ability to accomplish their missions, and they have kept faith with the American people. We owe it to them and future soldiers to keep our end of the bargain.

In order to keep this promise, the Army must provide timely and predictable resources to the National Guard. The Army has pledged to boost Army National Guard spending by \$23 billion through 2011 and promised further increases in subsequent years.

Although the Air National Guard transformed to an operational force many years ago, it too faces significant funding challenges. It is faced with a rapidly-aging and overworked fleet of airplanes. The Air Force will need to invest heavily over the next several years to recapitalize its force.

The Iowa Air National Guard will benefit if the Air Force succeeds in acquiring the necessary funds to rebuild what it calls the "required force." Initial plans call for stationing the KC-X tanker at Sioux City and the F35 joint strike fighter at the Des Moines International Airport. This will ensure future flying missions for these Iowa units for years to come. In order to sustain these promises, Congress will need to maintain defense spending to a minimum of 4 percent of gross domestic product, a relatively low percentage compared to previous conflicts (38 percent during WWII, 14 percent during Korea, and 10 percent during Vietnam).

I realize that for the most part these are not policy issues that come before this body. However, these are things that directly impact the condition of the Iowa National Guard. The Iowa General Assembly and our Commander-in-Chief, Governor Culver, have been extremely supportive of our legislative proposals to help meet the needs of our Iowa National Guard soldiers and airmen, their families, and their communities.

We see this in the Iowa National Guard Education Assistance program, which is helping nearly 1,100 soldiers and airmen attend college this year. We see it in state matching dollars provided to the Guard to leverage federal military construction and maintenance funding to maintain and refurbish old armories and build future readiness centers in key demographic areas around the state. We see it in legislation that indirectly helps our soldiers and airmen, like the recently enacted military leave bill and previous legislation to help returning veterans purchase a home or help family members care for a loved one injured in battle.

Many of you continue to ask, "What more can we do for our Iowa National Guard soldiers and airmen?" You have done and are doing all that we have asked of you. Our soldiers and airmen are overwhelmed by the tremendous outpouring of support they receive from elected leaders and ordinary Iowans throughout the state who continue to send care packages and contribute their time and talents to causes that support our deployed service members. What our soldiers and airmen want more than anything else is your continued support. They will endure any hardship and sacrifice beyond

comprehension if they believe you still have faith in them. These men and women have devoted their lives to serving others.

I want to introduce you to some ordinary Iowans that serve their state and nation in extraordinary ways. These men and women live throughout our state; they represent more than 9,500 soldiers and airmen, their family members, and employers. These individuals are making a difference in communities, in our state, in our nation, and indeed for people in dangerous spots around the world. The Iowa National Guard is an organization of opportunity, giving young Iowans reason to stay in our great state to serve others, give back to their communities, and enrich their lives.

Let me give you an example of one such man. His name is Captain David Harper, a traditional soldier assigned to the Iowa Army National Guard's 224th Engineer Battalion. When he's not serving in uniform, Captain Harper is the Dean of Students at Pekin High School in Packwood, Iowa, where he also coaches football, wrestling, basketball, track, and baseball. Captain Harper selflessly gives of his time and talents to the community of Packwood, Iowa. He commits time to enhancing school facilities, performing maintenance for elderly and disadvantaged community members, delivering Thanksgiving meals, and spending time with youngsters through participation in the Big Brothers program. Captain Harper has served his community, state, and nation in a selfless manner throughout his life. He served more than 11 years as an enlisted soldier, including six months of deployment in support of Operation Desert Storm in 1991, on state active duty in support of the 1993 floods, and most recently on active duty in support of Operation Iraqi Freedom from October 2004 through January 2006. Captain Harper has chosen a career as an educator and a soldier, in order to make a positive impact on the future of his community, state, and nation. He embodies the traits, characteristics, and values that we espouse in our members. He is a role model for all Iowans and a proud member of our Iowa National Guard officer corps. Captain Harper, please stand and be recognized.

Captain Harper's contributions are significant. But he is one of many such men and women serving in the Iowa National Guard today.

The next two individuals I want to introduce are also making significant contributions to Iowa. Staff Sergeant Anthony R. Duong was our top recruiter last year, bringing 31 new soldiers into the Iowa Army National Guard. What is truly amazing about this is that he did it in the Sioux City market, an area of the state with smaller demographics and one that has never produced a top Army National Guard recruiter. Also significant is the outstanding relationship that he has developed with the high schools in the area, particularly Sioux City North High School where he is an assistant wrestling coach and peer mentor. Staff Sergeant Duong has established an exceptional reputation among athletes and the general student population because they know that he is there to do more than just recruit for the Iowa National Guard. He is there to invest in their school and to make a difference in the lives of young people in that community.

Sergeant 1st Class Steve Groon was selected as the national recipient of the In-service Recruiter/Intrastate Transfer Coordinator award. His sole mission was to talk soldiers leaving active duty into coming to Iowa where they could attend an Iowa college and serve in the Iowa National Guard. And he did this better than anyone else in the nation. Many of us talk about ways to get people to come to Iowa. Sergeant 1st Class Groon did more than that—he turned talk into action by delivering 30 new Iowans to the state last year alone.

Staff Sergeant Duong and Sergeant 1st Class Groon, please stand and be recognized for your outstanding accomplishments!

One of the unique things about Iowa is that it's still a place where a small employer can have a big impact. Augustine & Sons, a 2,000-acre grain and livestock operation

near Rose Hill, Iowa, with only two full-time employees, is a prime example of how size doesn't matter. This family farm near Oskaloosa is the first Iowa recipient of the Secretary of Defense Employer Support Freedom award presented annually to employers for outstanding support to employees serving in the National Guard and Reserves. Ladies and gentlemen, this is a big deal! There are only 15 such awards given each year in a country with millions of employers, large and small. Augustine & Sons must have been one of the smallest. In September last year, they went to Washington to receive the award and met the President, the Vice President, and the Secretary of Defense. A scheduled six-minute photo op turned into a nearly hour-long conversation with President Bush.

Augustine & Sons is making a big difference for the family of 1st Sergeant Matt Strasser, currently serving overseas with an Afghanistan National Army training team. But don't take my word for it. Listen to how 1st Sergeant Strasser describes what his employer has done for his family: "Thank you for letting me come and go during my last few weeks of work so I could spend as much time with my family as possible. Thank you for allowing my family to live on the farm during my first deployment rent free (Augustine & Sons are again providing this benefit). Thank you for taking my boys fishing, watching their sports games while I'm gone, and fixing their dirt bikes. Thank you for watching them when they're sick so my wife, Jessica, can go to work, and thank you for flowers on our kitchen table when she's had a rough day. Thank you for plowing winter's snow from the drive and for taking time away from your own families to help mine." These are just a few of the things the Augustines have done for their employee. There are many others. One of our values is selfless service — Augustine & Sons has clearly demonstrated this enduring Iowa National Guard value. Continued employer support for our deployed soldiers and airmen is crucial. 1st Sergeant Strasser said it best, "This support allows us to do what we do with total commitment and the confidence that our families and our jobs will be safe."

Dan and Mike Augustine, please stand and be recognized for all you have done for this family. Joining the Augustines are 1st Sergeant Strasser's wife Jessica and their two sons, Reese and Tyler.

One of the Iowa National Guard themes we wanted to emphasize this year is legacy of service. To do so we selected two families to represent the many families that have chosen to serve their state and nation in the Iowa National Guard over multiple generations.

But before I introduce them to you, there is another family I want you to meet that has earned an enduring place in our Iowa National Guard family. For them and nearly 20 other Iowa National Guard families over the last six years, this distinction came at a horrendous price—the loss of a loved one. A beloved husband and father, Master Sergeant Scott Carney died in a Humvee accident in Herat, Afghanistan, on August 24 last year. Master Sergeant Carney left behind a beautiful wife Jeni and two adoring sons, Jacob and Justin. Through the loss of their loved one, they learned the true meaning of service and sacrifice. For them, these are not mere words but consequential actions that have forever changed their family. Jeni, Jacob, and Justin, though your loss is great, I hope you find some small measure of comfort in knowing that Scott's legacy and dedication to serving others lives on in the men and women of the Iowa National Guard—a family to which you will always belong.

Jeni, you have been an inspiration to us during this most difficult time for your family.

The Corell family has a long and proud military legacy. A great-uncle served as a general officer during World War I. Grandfather Benjamin Preston fought in World War II as a Marine in the Pacific earning three Bronze Stars at Guadalcanal, and two Corells, a father and uncle, served in the Marine Corps after the Korean War. Colonel

Ben Corell began his career in the Iowa Army National Guard more than 22 years ago when he enlisted into Bravo Company, 1st Battalion, 133rd Infantry in Oelwein, Iowa.

His three sons followed suit. Staff Sergeant Wade Corell, a full-time active guard and reserve soldier, enlisted in the 1-133rd in 2000. He is an Operation Enduring Freedom veteran. Sergeant Travis Corell, an active guard and reserve recruiter for the Iowa Army National Guard in the Waterloo area, also enlisted into the 1-133rd in 2000 and is also an Operation Enduring Freedom veteran. Sergeant Tyler Corell enlisted into the 1-133rd in 2002, where he currently serves as a rifle team leader. He is both an Operation Enduring Freedom and Operation Iraqi Freedom veteran.

In 2005 when the 1-133rd was alerted for active duty, Colonel Corell was the battalion commander and all three of his sons served under him. His wife asked that he take only one son with him on the deployment. Tyler insisted he choose him. In all, more than 50 family members deployed with the 1-133rd to Iraq—an enduring example of our Iowa National Guard family legacy of service.

Family legacies are not unique to the Army National Guard. The Iowa Air National Guard has many as well.

The Kenagy family is a wonderful example of an Iowa Air National Guard family legacy. For three generations, the Kenagys have served their state and nation in an exemplary manner. Sr. Master Sergeant Dwight Kenagy served in the Air Guard for more than 30 years, including a deployment with the 185th Fighter Wing to Vietnam from 1968 to 1969. Master Sergeant David Kenagy enlisted in the Air Guard in 1992 as a traditional airman, and in 1995 became a full-time technician working in the area of aircraft flight equipment. Sr. Airman Keith Kenagy is currently serving on Operation Jump Start in the Arizona desert building roads. Airman 1st Class Brian Kenagy serves in the electric shop at the 185th Air Refueling Wing and will start college in the fall. And last but certainly not least, Dannette Kenagy, has represented the 185th Family Readiness Group since 1994 and has served as a state council representative in our family readiness program for many years.

David and I have a unique history. I'd like to take a few moments to share that history with you. Twelve years ago, I ejected from an F-16 on takeoff after a catastrophic engine failure. I experienced a successful ejection, and thankfully everything worked as advertised. The young man that packed my parachute that day was David Kenagy. Here is one general that is extremely happy he chose to work in the parachute shop and that he was and is a true professional in every sense of the word. Thanks David, for your dedicated service and a job well done!

At this time, I'd ask the Kenagy and Corell families to please stand and be recognized for the multiple generations of service that these and many other Iowa National Guard families have given to their state and nation!

Today, nearly 1,500 Iowa National Guard soldiers and airmen are serving or preparing to serve on active duty in support of the Global War on Terror. In the past year, nearly 800 returned from deployments. I'd like to highlight a few of their accomplishments. Soldiers and airmen, please stand as I recognize your units.

The 1st Battalion, 133rd Infantry, deployed more than 640 members in the spring of 2006 to the Iraqi province of Al-Anbar, at that time one of the most dangerous parts of the country. During their deployment, they:

- completed more than 500 security convoy missions,
- logged more 4.4 million mission miles delivering over one-third of the fuel needed to sustain coalition forces in Iraq,
- captured and processed over 60 insurgents, and
- discovered 10 weapons caches.

Originally scheduled to return home in April 2007, the 1-133rd's deployment was extended four months by the "Surge", making theirs the longest continuous deployment

of any National Guard unit during Operation Iraqi Freedom, and earning them the distinction of being the longest-serving Iowa military unit since World War II.

Two soldiers from the unit were killed in action, Sergeant 1st Class Scott E. Nisely and Sgt. Kampha B. Sourivong, during combat operations near Al Asad, Iraq, on September 30, 2006. The unit received 116 improvised explosive device strikes and had 35 soldiers awarded the Purple Heart for injuries received during enemy attacks. Thirty soldiers earned Bronze Stars (three with valor), 73 earned Combat Action Badges, 396 earned Combat Infantry Badges, 24 earned Combat Medic Badges, and 196 earned Army Commendation Medals (11 with valor). Two hundred seventy-seven soldiers had previously deployed, and more than 81 percent of eligible soldiers reenlisted during the deployment.

This unit's incredible journey was captured by the CBS program "60 Minutes," which devoted an entire hour to telling the story of the Ironman Battalion. The program, titled "Fathers, Sons, and Brothers," was a unique, one-of-a-kind project that showed the National Guard and the state of Iowa in a very favorable light. The unit is represented here today by Colonel Ben Corell, the Battalion Commander, and his son, Sergeant Tyler Corell.

The 16-soldier Afghan National Army-Combat Service Support Embedded Training Team (ANA-CSS ETT) provided advanced logistical and combat service support training to the Afghan National Army. The team was part of a multinational effort to ensure the safety and prosperity of the country of Afghanistan and the Afghan people. The embedded training team trained Afghan National Army and local police, secured cities and towns, opened new schools, donated supplies, and aided the economic and industrial development of Gardez. They performed more than 120 combat missions with the Afghan National Army while conducting resupply missions within their area of operations. The Afghan National Army training team is represented here today by Captain Steve Johnson and Command Sergeant Major John Brietsprecker.

The 1034th Combat Service Support Battalion (CSSB) deployed 76 soldiers—23 had previously deployed—to Iraq in early August 2006, where the unit conducted multifunctional logistics operations at Logistical Support Area (LSA) Anaconda near Balad, Iraq. During the last 14-month deployment, the 1034th CSSB operated the largest logistics base in the Iraqi theater of operations, managed more than 1,800 assigned soldiers, monitored the issuance of more than 32 short tons of ammunition, managed more than \$100 million dollars of equipment, and improved the overall operational readiness rate of equipment to 92 percent. Twenty-one soldiers earned Bronze Star Medals. The 1034th is represented here today by Lt. Colonel Dave Verdi and Sergeant 1st Class Jeff Peterson.

Company C, 2nd Battalion, 147th Aviation Battalion (Air Assault), mobilized in support of Operation Iraqi Freedom on April 11, 2006, and deployed overseas in September 2006. Based at Balad Air Base north of Baghdad, Company C conducted combat operations throughout Iraq, including battlefield circulation, VIP transport, and air assault missions. In June, the unit conducted several air assaults in support of the start of surge operations in Diyala province. Company C led its battalion in mission execution, conducting 740 missions and accumulating more 7,850 flight hours. Just to give you an idea of the operations tempo this unit experienced during their deployment, in an average year back in Iowa the unit typically has about 1,300 flight hours. This means they accumulated six years of flight time in one year—in a combat environment without a single aviation accident or injury. And thankfully, they completed the deployment without a single aircraft being shot down and only minor battle damage from small arms fire. Soldiers in the unit earned 28 Combat Action Badges, 13 Bronze Stars, 60 Air Medals, and 12 Army Commendation Medals.

Company C is represented here today by 1st Lieutenant Eric M. Nelson and Chief Warrant Officer Four Joedy VanVelzen.

These Iowa National Guard citizen soldiers have once again demonstrated that the citizen soldiers of the Iowa Army National Guard can and will perform above and beyond the call to duty.

The Iowa Air National Guard has also deployed a number of its members in support of the Global War on Terror. Its Medical Group team, represented here today by Lt. Colonel Mark Davis, volunteered for deployment to Iraq where they believed their civilian expertise and experience could save lives and lessen the effects of personal injuries. They left the confines and security of the base and instituted a one-of-a-kind critical care initiative, treating Iraqi civilians in their local communities, which provided much-needed hands-on care and life-saving treatment. The team completed more than 20 air evacuations, provided sick call services for hundreds of Army and Air Force personnel, provided tactical combat care training, and compassionately counseled U.S. Army mortuary staff struggling with their difficult duties. Lt. Colonel Davis has been named the Air National Guard Outstanding Biomedical Sciences Officer and Outstanding Physician Assistant of the Year.

Colonel Jennifer Walters, Captain Christopher Latcham, and Chief Master Sergeant Sean Larson from the 132nd Fighter Wing deployed to Bagram Air Base, Afghanistan, where they supported nearly 1,400 deployed airmen in 35 austere locations throughout the country. They conducted multiple command visits; assisted with the first Air Force Provincial Team rotations; resolved request for fillers and in-lieu-of conflicts; initiated retasking of airmen; assisted with the reconstruction of roads, bridges, wells, schools, and district and community centers; participated in humanitarian assistance missions; and conducted demining, unexploded ordnance, and weapons caches missions.

As we all know, the National Guard is unique among our nation's military services because of its role in coming to the aid of civilian authorities in times of natural disasters and emergencies. Few missions are as satisfying for members of the National Guard than coming to the aid of a neighbor in need.

Over the Fourth of July holiday last summer, 26 members of the Iowa National Guard did just that when they deployed to Fredonia, Kansas, to provide water purification services to the town's 2,600 residents. Fredonia's municipal water supply was contaminated by extensive flooding. One day they were grilling hamburgers in Iowa celebrating the Fourth of July, and the next day they were purifying water in Kansas. Before it was all said and done, these Iowa National Guard soldiers provided more than 3.1 million gallons of potable water for their Kansas neighbors. Those of you who remember the floods of 1993 can really appreciate what this meant for the residents of Fredonia. Representing the 1555th Quartermaster Company is Sergeant Lani Hefel and Sergeant Josh Michel.

Ladies and gentlemen, these are your soldiers and airmen who have served their state and nation this past year!

Few of us will forget the one-two punch of the ice storm/blizzard combination that nearly shut down the state last February. There's nothing like a good old-fashioned Iowa blizzard to remind us of the importance of our state mission. When that call came, the men and women of the Iowa Guard team were ready. Nearly 600 Iowa National Guard soldiers and airmen responded with the skill and professionalism the citizens of this state have come to expect. We conducted generator missions, gave highway assistance team support, provided armories for shelters, and even transported an expectant mother stranded in Marshalltown to Des Moines for medical care.

Let me share with you a little story about the uniqueness of the Iowa National Guard that was brought home to the Governor and me during the Guard's response to

this snow storm. Governor Culver and I were traveling around the affected area when we stopped in Toledo for a briefing. We walked in and there stood two Iowa National Guard soldiers, Major Todd Lucas and 1st Sergeant Willie Adams, running the Guard's storm response operations.

I said, "Governor you're not going to believe this, but the last time I saw these two was in Sharan, Afghanistan—fifteen miles from the Pakistan border—where they were serving as part of a Provincial Reconstruction Team." This story, more than any other, encapsulates the uniqueness of our mission—from prairie soldier to global minuteman—we are the Iowa National Guard!

Ladies and gentlemen, thanks for listening to my comments and thank you for your continued support of the men and women who proudly serve in the Iowa National Guard.

May God continue to bless you and your families, the great state of Iowa, and the United States of America!

Thank you!

Major General Ron Dardis was escorted from the House chamber by the committee previously appointed.

Governor Chester J. Culver was escorted from the House chamber by the committee previously appointed.

Representative McCarthy moved that the joint convention be dissolved, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:55 a.m. until 8:45 a.m., Wednesday, February 20, 2008.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Robert and Gloria Beekman, Pocahontas—For celebrating their 50th wedding anniversary. Senator Kibbie (2/19/08).

Rosalia Cink, Algona—For celebrating her 90th birthday. Senator Kibbie (2/19/08).

James R. Golden—For celebrating his 80th birthday. Senator Wieck (2/19/08).

LeRoy and Joyce Kaspersen—For celebrating their 50th wedding anniversary. Senator Kibbie (2/19/08).

Jim and Glenda Kollasch, Bancroft—For celebrating their 50th wedding anniversary. Senator Kibbie (2/19/08).

Darwin Tielbur, Graettinger—For celebrating his 80th birthday. Senator Kibbie (2/19/08).

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 19, 2008, 3:00 p.m.

Members Present: Fraise, Chair; Rielly, Vice Chair; Johnson, Ranking Member; Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Mulder, Olive, Putney, and Seng.

Members Absent: None.

Committee Business: Passed [SF 2014](#).

Adjourned: 3:50 p.m.

ECONOMIC GROWTH

Convened: February 19, 2008, 2:05 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Houser, Ranking Member; Beall, Dotzler, Hatch, Mulder, Seymour, and Zaun.

Members Absent: Danielson, Hahn, Rielly, and Schmitz (all excused).

Committee Business: Approved governor's appointee.

Adjourned: 2:10 p.m.

HUMAN RESOURCES

Convened: February 19, 2008, 1:10 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Boettger, Bolkcom, Dotzler, Hartsuch, Hatch, Johnson, Kreiman, Mulder, Quirmbach, and Wood.

Members Absent: None.

Committee Business: Approved SSBs 3002 and 3111. Approved governor's appointees.

Adjourned: 1:30 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: February 19, 2008, 2:05 p.m.

Members Present: Black, Chair; Hancock, Vice Chair; Gaskill, Ranking Member; Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Noble, Ragan, Schoenjahn, Seng, and Wood.

Members Absent: Lundby (excused).

Committee Business: Passed SFs 2077, as amended, 2121, and 2151. Approved governor's appointee.

Adjourned: 2:30 p.m.

TRANSPORTATION

Convened: February 19, 2008, 1:00 p.m.

Members Present: Rielly, Chair; Danielson, Vice Chair; Noble, Ranking Member; Beall, Hancock, Heckroth, Houser, Putney, Warnstadt, Zaun, and Zieman.

Members Absent: Dearden and McCoy (both excused).

Committee Business: Presentation on teen driving.

Adjourned: 1:55 p.m.

WAYS AND MEANS

Convened: February 19, 2008, 11:30 a.m.

Members Present: Bolkcom, Chair; McCoy, Vice Chair; Angelo, Appel, Dotzler, Hogg, Houser, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, and Ward.

Members Absent: McKibben, Ranking Member; Connolly and Zieman (all excused).

Committee Business: Passed [HF 2233](#).

Adjourned: 11:40 a.m.

INTRODUCTION OF BILLS

[Senate File 2189](#), by committee on State Government, a bill for an act concerning bingo conducted during county fairs.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2190](#), by Warnstadt, a bill for an act relating to the filing of an examining physician's report prior to involuntary hospitalization hearings for chronic substance abusers and mentally ill persons.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate File 2191](#), by Zieman, a bill for an act relating to the purchase of liability insurance by the association of Iowa fairs.

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

[Senate File 2192](#), by Hogg, a bill for an act relating to greenhouse gas emissions, specifying greenhouse gas reduction goals, carbon dioxide sequestration assessments, and cost recovery disallowance of designated public utility investments under certain circumstances.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

[Senate File 2193](#), by committee on State Government, a bill for an act relating to conflicts of interest, lobbying activities, and receipt of gifts by certain government officials and employees.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2194](#), by committee on State Government, a bill for an act providing for the oversight of persons organized or doing business in this state on a nonprofit basis, providing for fees, and making an appropriation.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2195](#), by Danielson, a bill for an act relating to the property tax exemption for speculative shell buildings and including effective and retroactive applicability date provisions.

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

[Senate File 2196](#), by Danielson, a bill for an act concerning the purchase of creditable service and postretirement adjustments to benefits under the municipal fire and police retirement system.

Read first time under Rule 28 and referred to committee on **State Government**.

STUDY BILLS RECEIVED

[SSB 3187](#) **Education**

Providing that funding of teacher compensation, professional development, early intervention, and educational excellence phase II be implemented through the school aid formula on a per pupil basis.

[SSB 3188](#) **Local Government**

Relating to the office of the county recorder by making changes to fees charged by the county recorder, information required to be endorsed on certain recorded documents and instruments, and standards for indexes maintained by the county recorder.

[SSB 3189](#) **Appropriations**

Relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection.

SSB 3190 Human Resources

Requiring health benefit coverage for certain cancer treatment delivered pursuant to approved cancer clinical trials, establishing a cancer clinical trial review board, and providing an applicability date.

SSB 3191 Human Resources

Relating to the inclusion of licensed marital and family therapists as behavioral health participating providers under the medical assistance program.

SSB 3192 Ways and Means

Establishing a lifelong learning accounts program within the educational savings plan trust and providing tax credits for contributions made by employers to lifelong learning accounts and including an applicability date provision.

SSB 3193 Transportation

Exempting certain persons from motor vehicle manufacturer licensing requirements.

SSB 3194 Human Resources

Relating to health care reform including health information technology, wellness initiatives including an income tax checkoff, coverage for preexisting conditions, continuation of coverage for certain dependent children, and limitations on rate increases for long-term care insurance, providing an appropriation, and including an applicability provision.

SSB 3195 Human Resources

Relating to child care by revising requirements for child care homes and child development homes, restricting the presence of certain registered sex offenders on the premises of child care providers, and providing penalties and an appropriation.

SSB 3196 Human Resources

Relating to recovery from third parties liable for health care coverage provided to recipients of medical assistance, and providing an effective date.

SSB 3197 Commerce

Modifying provisions relating to the application for a certificate of franchise authority applicable to the provision of cable or video services by an existing provider.

SSB 3198 Agriculture

Providing for infrastructure associated with storing, blending, and dispensing renewable fuel, and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2171**

TRANSPORTATION: Beall, Chair; Danielson and Houser

Senate File 2181

AGRICULTURE: Kibbie, Chair; Fraise and Johnson

Senate File 2182

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Behn and Dvorsky

Senate File 2192

NATURAL RESOURCES AND ENVIRONMENT: Hogg, Chair; Behn and Hancock

SSB 3187

EDUCATION: Schoenjahn, Chair; Boettger and Wood

SSB 3188

LOCAL GOVERNMENT: Rielly, Chair; Schoenjahn and Hartsuch

SSB 3189

APPROPRIATIONS: Seng, Chair; Black, Dvorsky, Gaskill, and Kettering

[SSB 3190](#)

HUMAN RESOURCES: Bolkcom, Chair; Dotzler and Hartsuch

[SSB 3191](#)

HUMAN RESOURCES: Schmitz, Chair; Boettger and Ragan

[SSB 3192](#)

WAYS AND MEANS: Dotzler, Chair; Bolkcom and Ward

[SSB 3193](#)

TRANSPORTATION: Rielly, Chair; Hancock and Noble

[SSB 3194](#)

HUMAN RESOURCES: Hatch, Chair; Bolkcom, Johnson, Ragan, and Seymour

[SSB 3195](#)

HUMAN RESOURCES: Kreiman, Chair; Mulder and Schmitz

[SSB 3196](#)

HUMAN RESOURCES: Wood, Chair; Bolkcom and Seymour

[SSB 3197](#)

COMMERCE: Warnstadt, Chair; Behn and Courtney

[SSB 3198](#)

AGRICULTURE: Kibbie, Chair; Fraise, Gaskill, Johnson, and Rielly

FINAL COMMITTEE REPORTS OF BILL ACTION

STATE GOVERNMENT

Bill Title: [SENATE FILE 2189](#) (formerly [SF 2147](#)), a bill for an act concerning bingo conducted during county fairs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hatch, Kettering, Kibbie, McKibben, and Schmitz. Nays, none. Absent, 2: Hahn and Wood.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2193](#) ([SSB 3150](#)), a bill for an act relating to conflicts of interest, lobbying activities, and receipt of gifts by certain government officials and employees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hatch, Kettering, Kibbie, McKibben, and Schmitz. Nays, none. Absent, 2: Hahn and Wood.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2194*](#) ([SSB 3139](#)), a bill for an act providing for the oversight of persons organized or doing business in this state on a nonprofit basis, providing for fees, and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Connolly, Horn, Appel, Black, Danielson, Hatch, Kibbie, and Schmitz. Nays, 5: Zieman, Behn, Gaskill, Kettering, and McKibben. Absent, 2: Hahn and Wood.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 2194](#), and they were attached to the committee report.

WAYS AND MEANS

Bill Title: [HOUSE FILE 2233](#), a bill for an act relating to providing sales, use, and property tax exemptions for certain web search portal businesses.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Bolkcom, McCoy, Angelo, Appel, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, and Ward. Nays, none. Absent, 3: McKibben, Connolly, and Zieman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILL ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker

of the House, and presented to the Governor for his approval on this 19th day of February, 2008.

[Senate File 572](#)

MICHAEL E. MARSHALL
Secretary of the Senate

**GOVERNOR’S APPOINTEES PLACED ON
EN BLOC CALENDAR**

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

ECONOMIC GROWTH

John Bilsten – Iowa Power Fund Board

HUMAN RESOURCES

- Cynthia Cox – Child Welfare Advisory Committee
- George Estle – Child Welfare Advisory Committee
- Jerry Foxhoven – Child Welfare Advisory Committee
- Kathleen Kilnoski – Child Welfare Advisory Committee
- Jean McAleer – Child Welfare Advisory Committee
- Matthew McDowell – Child Welfare Advisory Committee
- Richard Moore – Child Welfare Advisory Committee
- Kathleen Penkert – Child Welfare Advisory Committee
- Randal Peters – Child Welfare Advisory Committee
- Ronald Stehl– Child Welfare Advisory Committee

Rachel Scott – Administrator of the Division on the Status of Women

NATURAL RESOURCES AND ENVIRONMENT

Roya Stanley – Director of the Office of Energy Independence

AMENDMENTS FILED

S-5005	S.F. 2089	Zaun
S-5006	S.F. 2089	Zaun
S-5007	S.F. 2089	Zaun