

PROOF

STATE OF IOWA

Senate Journal

MONDAY, JANUARY 11, 2010

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JOURNAL OF THE SENATE

FIRST CALENDAR DAY
FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 11, 2010

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the 2010 Regular Session of the Eighty-third General Assembly convened at 10:03 a.m. The Senate was called to order by President Kibbie.

Prayer was offered by Father Jim Kiernan, retired priest of St. Ambrose Cathedral Parish in Des Moines, Iowa. He was the guest of Senators Hatch, Kibbie, and Zaun.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senator Gene Fraise.

OPENING REMARKS BY THE PRESIDENT OF THE SENATE

President Kibbie addressed the Senate with the following remarks:

Good morning. I would like to welcome all of you back to the Second Session of the 83rd General Assembly.

Before I begin my opening remarks, I would like to recognize one of our colleagues who has attained another important milestone in his life.

Senator Steve Warnstadt has been promoted to Colonel in the Iowa National Guard. Senator Warnstadt has gained the trust and confidence of all of us in this chamber. Steve, we are proud of your accomplishments and are privileged to serve with you in the Senate.

As we enter this difficult session, we need to recognize the sacrifices that have already been made in both the private and public sectors.

Concessions have been made to the realities of a prolonged national recession by those on main street and by the unions that represent our public employees.

I applaud the actions agreed to that will save public sector jobs and will allow us to continue to provide critical services to Iowans who need them.

I appreciate the leadership of Governor Culver in making the tough decisions to bring the FY 2010 budget into balance. His actions were decisive and I think the

appropriate action rather than the alternative which was calling the Legislature back. That would have been time consuming and politically charged. Now that we are back, we must exercise our responsibilities to put in order the priorities of our state for the next fiscal year.

This budget crisis offers us the opportunity to look for efficiencies in the way we do the state's business. The old saying that we must do more with less has never been truer.

As the lower revenue figures came in, I was encouraged by the quantity and quality of ideas that were proposed by members of both parties and in both chambers. Those ideas provide us with starting points for the members of our budget subcommittees as they continue deliberations on the 2011 budget.

I know we always say that we should work together to choose our priorities, and I remain hopeful that we move above the politics of these decisions and make choices without finger pointing or efforts to score points with some constituency.

All of us will be contacted by our constituents and interest groups who want us to save some program or spend money we don't have. I have heard many in my district who have compelling stories, but we must convey to all that "no means no." Our job is easy when we can say "yes" but is much more difficult when we are required to say "no".

We have a very short window this year as we have determined this will be an 80-day session. We will have only 2 months to make our budget decisions and no one believes the job will be easy.

I am hopeful we can ensure that we don't go backward on our commitments to educate our children; that we retain the social safety net for those Iowa families in the most need; that we do the best we can to promote economic growth; and that we can leave this session with the sense that we did the best for Iowans.

I spoke earlier about efficiencies and I think one of the most important tasks we have this session is the opportunity to look at the cost saving recommendations made by Governor Culver as well as the suggestions offered by our colleagues Senator Appel and Representative Mascher.

Many of these suggestions have bipartisan appeal and we should move these cost saving measures early in the session. A comprehensive review like this is past due and from what I have seen, the work of the Governor's Office and the members of the Legislature of both parties have produced recommendations that will save money and provide a leaner, more responsive government.

I would close by saying that we are now in the 29th month of this brutal economic recession. While the future often looks dark, I remain confident that better times are in front of us.

While our task has been difficult and we still have tough decisions to make, Iowa is much better positioned than many other states so the growth we are now seeing will accelerate the rest of this year and into 2011 so that the future for our citizens will be better.

Our efforts in this session will go a long way to sustain that progress. I look forward to working with all of you as we help our state move forward.

And by the way how about those Hawkeyes in the Orange Bowl and Iowa State in the Insight Bowl. They made Iowans proud. Let us do the same.

Thank you.

REMARKS BY THE MAJORITY LEADER

Senator Gronstal addressed the Senate as follows:

Mr. President, colleagues and staff. Welcome to the second session of the Eighty-Third General Assembly of the Iowa Senate.

While we all enjoy seeing each other again, the truth is this will be a difficult session. Given the state of the economy, how could it be otherwise?

We are in the middle of the worst economic recession since the Great Depression.

Almost 50,000 Iowans have lost their jobs in the last year. That is a shocking number, and while some may say that it is just a number, we all live and work in local districts across the state, we know many of the stories behind that number. Businesses who have had to cut back or close. Communities that are struggling. And far too many Iowa families whose lives are now dominated by uncertainty and stress.

It does not matter that Iowans had little to do with the reckless greed and corporate overreaching that created this recession. The historic size of this economic downturn means no state has been spared.

The falloff in economic activity that has hammered businesses has also hit state and local governments. Iowa state revenue has never before fallen so far so fast.

The good news for Iowa taxpayers is that State law requires our budget to be balanced. Let there be no doubt: We will have a balanced state budget when we adjourn by March 31st.

Thanks to Governor Culver's 10 percent across the board cut last fall, this year's budget is under control. Our primary task during this session is to write a balanced budget for next year.

And that is what we will do. We will balance the budget, and we will do it WITHOUT raising taxes. We will not add to the burdens of middle class families by raising taxes during a recession.

To get the job done, we will have to cut almost every service provided by state government.

At the same time, we will reorganize state government for the first time in more than 25 years. By consolidating agencies and delivering services to Iowans more efficiently, we will eliminate wasteful spending and create more accountability for taxpayers.

We've already cut on-going expenses by more than \$75 million. We will implement millions in savings during this session.

The State Government Reorganization Commission is leading the way by focusing on finding solutions, not scoring political points. The recommendations they approved with a bipartisan, unanimous vote will be the basis of our reform work this year.

Please join me in thanking the commission's chair Senator Appel and our colleagues who were members: Senator Danielson, Senator Feenstra, Senator Hamerlinck and Senator Warnstadt.

Every citizen will have the information and the tools necessary to hold government accountable. In addition to making the state budget leaner, we will make it much easier for citizens to know where their tax dollars are going and the results they are producing.

We will also conduct a top-to-bottom review of every corporate tax credit. Tax dollars spent through tax credits should receive the same amount of scrutiny as tax dollars spent on local education or for children's health care. Tax credits that aren't creating promised jobs or accomplishing their intended goals should be fixed or eliminated.

During the next 80 days, here's what you should expect. You will be asked again and again to make exceptions. As the majority leader of the Senate, I'm counting on you to say "no." There simply is no way to avoid the pain of cutbacks we will make this year.

Saying "no" will get us through this tough budget year.

However, simply saying "no" is not a strategy for building a better future. And make no mistake about it, Iowa does have a bright future.

I was in the Legislature during the farm crisis of the 1980s. That was a dark time for Iowa, mostly because our state's economic future was so bleak.

Today, the downturn has been even steeper but Iowa's long term potential has never been greater. Yes, we must manage our way through this difficult time. And we won't be able to respond to the needs of Iowans the way we would like to.

But there is hope. Our economic efforts have put Iowa ahead of the nation. The independent, non-partisan Pew Center says that Iowa is the 2nd best managed state in the nation. Iowa has \$419 million in our reserves, and Iowa is spending less this year from the General Fund than three years ago.

We will come out of this recession with a newly right-sized, reorganized state government. And we will have protected our local schools, community colleges and public universities from the kind of devastating cuts occurring in other states.

When the inevitable economic recovery arrives, Iowa will be ready to respond.

Take, for example, our national leadership in renewable fuels like wind energy and biofuels. We are creating good jobs, energy independence and an economic advantage for anyone who uses energy in our state.

Major technology players like IBM and Google believe in Iowa's future. That's why they recently chose Iowa as the place for major new investments creating hundreds of jobs.

I've toured several ethanol plants in Iowa. The economic recession and the low price of oil has given this industry a hiccup but neither the recession nor low oil prices will last forever.

Every plant that I've visited is a center of technical innovation. The idea behind value-added agriculture was to capture more of the value of the crops we produce in Iowa. That idea is reality now in Iowa. We've moved from simply producing raw grain to producing food, fuel, fiber, plastics and other finished products from the crops we grow.

In a plant near Coon Rapids, I talked with a 26-year-old Iowan who worked in front of a wall of monitors. He told me that he never dreamed he would have a future in Iowa when he graduated from high school.

Today there are far too many people in working and middle class families across our Iowa who are wondering if they have a future in our state.

By responsibly balancing the budget without raising taxes, reforming and reorganizing state government, by protecting educational opportunity, and by continuing to lay the groundwork for future economic growth, we can make it possible for them to reach that future in our state.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and notified the Senate that the House was duly organized and ready to receive any communication the Senate might be ready to transmit.

REMARKS BY THE MINORITY LEADER

Senator McKinley addressed the Senate as follows:

Thank you Mr. President.

Friends and colleagues: There is an ancient Chinese curse that says, "May you live in interesting times." Is there any doubt that we live in interesting times?

As we start this new legislative session in this new decade, we are faced with a great number of challenges. Before the gavel falls for the final time this year, I know this body will be asked to act on many of these challenges. We are all going to be asked to make choices and take votes that we all wish we could avoid.

As we convene today in these interesting times, our state faces the largest deficit its history as a result of this Legislature passing and this governor signing the largest amount of spending in state history just months ago. Never in Iowa's 164 years have we seen a deficit top \$1 billion dollars but that is precisely the fiscal predicament that we must contend with in this shortened session.

Iowa does not have a revenue problem – we have a spending problem. Only three months ago, Governor Culver signed a ten percent across-the-board cut. Given the level of unsustainable spending and because our Constitution thankfully demands a balanced budget, action needed to be taken. Yet, it was all avoidable.

Some may wish to cast blame with Washington or Wall Street but that misses the mark. Had we spent at the rate of inflation since 2004, our state would not have had the \$415 million dollar hole that needed to be eliminated by the governor's across-the-board cut. Instead, we would have had a balanced budget, an \$80 million dollar surplus and very few of the difficult fiscal decisions that we now must tackle in the coming weeks. Even after the governor made his across-the-board reduction, we are still left with the second most spending ever.

Republicans offered hundreds of millions in immediate cost savings last year and while most of them were voted down, we will continue to work hard to find savings, eliminate waste and offer innovative solutions that will result in a leaner and more efficient delivery of services to our constituents. Senate Republicans will continue to offer common sense solutions and a fiscally responsible vision for the years ahead.

If this body is truly serious about reorganizing government, Republicans stand ready to offer our solutions and suggestions to fundamentally and systemically reform the way our government operates. We must strive for lasting reforms and reject short-sighted attempts that will only further exacerbate the problem later. Now is not the time to kick the can further down the road.

We must now work together to pass a sustainable and responsible budget that funds the core essential services of government and reflects the priorities of our citizens. We must accomplish this without shifting taxes onto local governments, raising fees or continuing the past practice of using one-time dollars for ongoing expenditures.

While much of our focus may be on the budget, we face another tremendous challenge. We have 113,000 Iowans in the ranks of the unemployed and many other of our fellow citizens are underemployed having endured furloughs, benefit cuts and hour reductions. Our unemployment rate is now at levels not seen since the depths of the Farm Crisis a generation ago.

Senate Republicans believe we must make this session about jobs. We must grow this economy and send a clear message that Iowa is a destination for all those who wish to find success and fulfill their economic dreams. We must never lose focus on the future and remember that while we aim to help the Iowans of today, we are also

building a state so that all of our children, grandchildren and the future generations of Iowans can find a job, build a business and raise their families here. Many of us have been given so much and have achieved our dreams as a result of the lives we have lived in this wonderful state. We must work every day this session to make it possible for others to realize their dreams here too.

Last session, Iowa put \$1.7 billion dollars on the credit card to create temporary government make-work. Yet, all of that debt, to be paid off over three decades, will not lead to good paying sustainable private sector jobs. It is one thing to pay someone to dig a ditch and fill it back up and it is another thing to make it easier for sustainable private sector jobs to be created in every community in every county. We must move away from the mindset of allowing government to pick winners and losers and strive to help all who seek success.

Jobs can be created during a recession and during tough economic times. I know because I created lots of jobs in southern Iowa during the Farm Crisis. We must unleash the entrepreneurial spirit and ingenuity of the private sector. We know small business, the engine of economic growth in this state, is responsible for two out of every three new jobs created. We must not add additional barriers that will make it more difficult for jobs to be created.

Already, we've learned that the property taxpayers of this state will likely be forced to shoulder upwards of \$270 million in growth stopping increases this year alone. Let's create a climate with reasonable levels of regulation and taxation that encourages private investment in our workforce. It's time to set aside the legislation that raises taxes, puts out of balance the labor-management relationship and enacts new over zealous regulations that send jobs across our borders. We should not punish the very people who we need to help grow our state. Senate Republicans intend to focus on jobs and property tax relief and for the future of Iowa, our kids and grandchildren, I pray there is bi-partisan support.

Besides getting our fiscal house in order, working to make it easier for sustainable private sector jobs to be created and helping the property taxpayers, we will certainly be asked work on other important endeavors. Challenges exist in education, health care, energy, agriculture and with our natural resources. We must do better in providing oversight and never stop trying to make our government more open and transparent. We must also challenge ourselves to guarantee ample public safety and ensure that we have roads and infrastructure that are safe, reliable and capable of supporting the Iowa economy of the future.

With a shortened session, we must work efficiently and diligently on behalf of the citizens of this great state – the citizens and taxpayers who elected us and put their trust in us to carry out their wishes. They are asking us to lay the foundation for a brighter and more optimistic future. Senate Republicans are eager and energized to play a significant role in leading Iowa forward.

This is now the second session where I have served as the Republican Leader and as I have traveled extensively throughout this wonderful state in the past few months, I've met with Iowans from all corners of the state and from all walks of life. I've heard one common message: government is too big, too out-of-touch and it is increasingly out-of-control. In fact, I know there are tea parties here today and I welcome their scrutiny. Whether Iowans are gathering at tea parties all over the state demanding a greater voice, less spending, a smaller government, more freedom, liberty and opportunity or whether they want us, the members of the General Assembly, to finally give them a vote on the basic definition of marriage: we have a duty to listen to their concerns for they are the reason we are in this chamber today.

We, as elected officials, have been granted an incredible authority to set policy and represent the people of this state. As individuals, we are here to serve as the voice and

vote of our constituents in our districts but together we must work for the betterment of all.

Senate Republicans are again ready to get to work for the people of this state. Our agenda is straight forward: if it helps streamline government, keeps government within its means and does not ask for the taxpayer to shoulder even more of the burden through higher taxes, you will see broad Republican support. If the proposals help make it easier for sustainable private sector jobs to be created, you will see broad Republican support. If we are about expanding freedom, liberty and opportunity in this state, Republicans will be on board. But if the proposals and legislation seeks to do otherwise – if they seek to continue to grow government, raise taxes and make it more difficult for jobs to be created - do not be surprised to find us strongly opposed.

I want to conclude by offering one more famous Chinese proverb. It says, quite simply, “May you find what you are looking for.” There are 50 of us in this chamber and together we represent the three million Iowans that call our beautiful state home. Every Iowan is unique and special but we all are looking for similar things: a better life and jobs for our family, good schools and safe communities for our children and a government that lives within its means, promotes liberty and fosters opportunity.

Iowans are blessed with common sense, are hardworking, frugal and optimistic about the future. They care about their communities, their schools and the neighbors around them. Our people are smart, they love this state and they want what is best for their families. This sense of independence, community and self sufficiency is the bedrock and lifeblood of this great state.

Mr. President, let us work together every day to offer a more optimistic, hopeful and prosperous future. Always be proud to be an Iowan and though we live in interesting times, may we all find what we are looking for.

Thank you very much.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Gronstal moved that a committee of five be appointed to notify the Governor that the Senate was organized and ready to receive any communication that he might be ready to transmit.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Wilhelm, Chair; Danielson, Quirnbach, Feenstra, and Johnson.

COMMITTEE TO NOTIFY THE HOUSE

Senator Gronstal moved that a committee of five be appointed to notify the House of Representatives that the Senate was organized and ready for business.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Hogg, Chair; Warnstadt, Jochum, Reynolds, and Hamerlinck.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:35 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 10:43 a.m., President Kibbie presiding.

REPORT OF THE COMMITTEE TO NOTIFY THE HOUSE

Senator Hogg reported that the committee assigned to notify the House that the Senate was organized and ready for business had performed its duty.

The report was accepted, and the committee was discharged.

SUPPLEMENTAL REPORT OF OFFICERS AND EMPLOYEES OF THE SENATE

MR. PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following individuals as permanent officers and employees of the Senate for the 2010 Session of the Eighty-third General Assembly:

Legal Counsel

Administrative Services Assistant Lara Margelofsky

Secretaries to Senators

Committee Secretary Ryan Bratvold
Committee Secretary Rachael Creswell
Committee Secretary Susan Elgin
Committee Secretary Erin Kreiman
Committee Secretary Matthew Peirce
Committee Secretary Sara Sedlacek
Committee Secretary Mary Shields
Committee Secretary Kelli Todd
Committee Secretary Joanne Walton
Committee Secretary Jacob Wilson
Committee Secretary Christian Zenti
Secretary Suzanne Behnke
Secretary Candace Boucher
Secretary Susan Bruckshaw

Secretary Emily Lofgren
 Secretary Shelly McCullough
 Secretary Katherine Tenner

MICHAEL E. GRONSTAL, Chair

Senator Gronstal moved the adoption of the report and appointment of the permanent officers and employees of the Senate.

The motion prevailed by a voice vote, and the foregoing officers and employees appeared before the bar of the Senate and were duly sworn to their oaths of office.

APPOINTMENT OF PAGES

Senator Gronstal asked and received unanimous consent to take up the following report of the committee on Rules and Administration:

MR. PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following persons as Pages for the Senate for the 2010 Session of the Eighty-third General Assembly:

- Joshua Berg, Clare
- Bailey Bishop, Baxter
- Matthew Brown, Estherville
- John Cashman, Waverly
- Caroline Dvorsky, Coralville
- Trisha Kempton, Corning
- Daniel Meyers, Waverly
- Aaron Pope, West Des Moines
- Alexander Schalla, Cantril
- Taylor Sedlacek, Mount Vernon
- Vanessa Shirley, Des Moines
- Chloe Wilson, Ankeny

MICHAEL E. GRONSTAL, Chair

Senator Gronstal moved the adoption of the report and the appointment of the Senate Pages.

The motion prevailed by a voice vote, and the foregoing Senate Pages appeared before the bar of the Senate and were duly sworn to their oaths of office.

REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

Senator Wilhelm reported that the committee assigned to notify the Governor that the Senate was organized and ready for business had performed its duty.

The report was accepted, and the committee was discharged.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 11:05 a.m. until 8:45 a.m., Tuesday, January 12, 2010.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF ADMINISTRATIVE SERVICES

FY 2009 Diversity and Affirmative Action in Iowa Report, pursuant to Iowa Code section 19B.5. Report received on October 5, 2009.

DAS Annual Report for FY 2009, pursuant to Iowa Code section 7E.3(4). Report received on November 30, 2009.

OFFICE OF AUDITOR OF STATE

Report on Targeted Small Business Procurement Goals, pursuant to Iowa Code section 11.46. Report received on December 18, 2009.

Report on Attorney General's Office Reimbursement Recommendations, pursuant to 2009 Iowa Acts, [SF 475](#). Report received on December 22, 2009.

DEPARTMENT FOR THE BLIND

Approval of Educational Leave Requests, pursuant to administrative rule 11-63.10(4). Documents received on June 5, 2009.

IOWA BOARD OF PAROLE

Interim Status Report on Certificate of Employability, pursuant to 2009 Iowa Acts, [SF 475](#). Report received on December 21, 2009.

OFFICE OF CITIZENS' AIDE/OMBUDSMAN

2008 Annual Report, pursuant to Iowa Code section 2C.18. Report received on August 12, 2009.

"Turning a Blind Eye: An Investigation Into Misconduct by the City of Stuart's Street Superintendent, and How City Leaders Responded to It," pursuant to Iowa Code section 2C.17. Report received on December 28, 2009.

OFFICE OF DRUG CONTROL POLICY

2010 Iowa Drug Control Strategy, pursuant to Iowa Code chapter 80E.1. Report received on October 30, 2009.

DEPARTMENT OF ECONOMIC DEVELOPMENT

2009 Third Quarter Report on the Activities of the Iowa Commission on Volunteer Service, pursuant to Iowa Code section 15H.2(2)(h). Report received on November 10, 2009.

DEPARTMENT OF EDUCATION

2009 Condition of Education Report, pursuant to Iowa Code section 256.9(24). Report received on November 18, 2009.

2008–2009 Report on Charter Schools in Iowa, pursuant to Iowa Code section 256F.10. Report received on December 17, 2009.

2009–2010 Iowa Autism Council Recommendations, pursuant to Iowa Code section 256.35A(4). Report received on December 14, 2009.

Iowa Learning Technology Commission Final Report, pursuant to Iowa Code section 280A.3. Report received on January 4, 2010.

FY 2009 Report on Community Colleges, pursuant to Iowa Code section 260C.14. Report received on January 7, 2010.

2009 Disaster Waivers Report, pursuant to Iowa Code section 256.9. Report received on January 7, 2010.

OFFICE OF ENERGY INDEPENDENCE

Annual Report for FY 2009, pursuant to Iowa Code section 469.3(j). Report received on November 19, 2009.

IOWA FINANCE AUTHORITY

State Housing Trust Fund status report, pursuant to 2006 Iowa Acts, chapter 1185, section 49. Report received on October 2, 2009.

IOWA HIGHER EDUCATION LOAN AUTHORITY

2009 Annual Report, pursuant to Iowa Code section 261A.21. Report received on December 23, 2009.

DEPARTMENT OF PUBLIC DEFENSE

Iowa Homeland Security and Emergency Management Division's 2009 Annual Report on the Iowa Individual Assistance Grant Program, pursuant to Iowa Code section 29C.20A(4). Report received on January 5, 2010.

Community Disaster Grant Fund Report, pursuant to 2009 Iowa Acts, [HF 64](#). Report received on January 11, 2010.

DEPARTMENT OF HUMAN SERVICES

Proposal for Revising Iowa Code chapter 230A, Community Mental Health Centers, pursuant to 2008 Iowa Acts, [SF 2425](#), section 61. Report received on July 15, 2009.

Iowa Medicaid Annual DUR Report, pursuant to Iowa Code section 249A.24(3). Report received on September 25, 2009.

Report on Child Support Recovery Unit's Collection of Annual Fees, pursuant to 2009 Iowa Acts, [SF 319](#), section 18. Report received on December 3, 2009.

Report on Child Support Recovery Unit's Collection of Interest, pursuant to 2009 Iowa Acts, [SF 319](#), section 19. Report received on December 3, 2009.

Mental Health Task Force Report and Recommendations, pursuant to 2009 Iowa Acts, [HF 811](#), Section 22. Report received on December 14, 2009.

Proposal for State Mental Health Institute Closure and Consolidation, pursuant to 2009 Iowa Acts, [HF 811](#), Section 22. Report received on December 14, 2009.

[House File 2310](#) Legislative Report, pursuant to 2008 Iowa Acts, [HF 2310](#). Report received on December 14, 2009.

Independent Living Services Annual Report, pursuant to 2009 Iowa Acts, [HF 457](#), section 234.35(4). Report received on December 15, 2009.

[House File 811](#) Legislative Report, pursuant to 2009 Iowa Acts, [HF 811](#), section 17. Report received on December 15, 2009.

2009 Report on Lean Government, pursuant to 2009 Iowa Acts, [HF 811](#), section 39. Report received on December 23, 2009.

Report on the Feasibility of Food Assistance Program Expanded Categorical Eligibility, pursuant to 2009 Iowa Acts, [HF 811](#), section 6, subsection 6. Report received on December 29, 2009.

Healthy and Well Kids in Iowa (hawk-i) Annual Report, pursuant to Iowa Code section 514I.5(7)(g). Report received on January 4, 2010.

DEPARTMENT OF JUSTICE

Prosecutor Intern Program 2009 Annual Report, pursuant to Iowa Code section 13.2(12). Report received on December 10, 2009.

MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA

FY 2009 Annual Report, pursuant to Iowa Code section 411.5(6)(a). Report received on December 10, 2009.

DEPARTMENT OF NATURAL RESOURCES

2008 Iowa Drinking Water Program Annual Compliance Report, pursuant to the 1996 reauthorized Safe Drinking Water Act. Report received on July 20, 2009.

2009 Lake Restoration Program Annual Report and 2010 Plan, pursuant to 2008 Iowa Acts, [HF 2782](#). Report received on December 31, 2009.

Comprehensive Recycling Planning Task Force Final Report, pursuant to 2009 Iowa Acts, [HF 826](#). Report received on January 5, 2010.

Final Report of the Advisory Committee for Sustainable Natural Resource Funding, pursuant to 2008 Iowa Acts, [HF 2580](#). Report received on January 8, 2010.

FY 2009 Household Hazardous Materials Program Report, pursuant to Iowa Code section 455D.19. Report received on January 8, 2010.

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

FY 2009 Sudan Divestment Program Implementation Report, pursuant to Iowa Code section 12F.5. Report received on September 29, 2009.

FY 2009 Comprehensive Annual Financial Report, pursuant to Iowa Code section 97B.4(4)(a). Report received on December 30, 2009.

DEPARTMENT OF PUBLIC HEALTH

Iowa eHealth Project's Iowa Health Information Technology Plan, pursuant to Iowa Code section 135.156. Report received on July 17, 2009.

Prevention and Chronic Care Management Advisory Council Report, pursuant to Iowa Code section 135.161. Report received on July 21, 2009.

Health and Long Term Care Access Advisory Council Phase 1 Report, pursuant to Iowa Code section 135.163. Report received January 7, 2009.

Patient Autonomy State Advisory Council Report, pursuant to 2008 Iowa Acts, [HF 2539](#). Report received on January 7, 2010.

DEPARTMENT OF PUBLIC SAFETY

2009 Annual Report, pursuant to Iowa Code section 7E.3(4). Report received on November 12, 2009.

BOARD OF REGENTS

FY 2009 Postsecondary Enrollment Program and Specific Expenditures Report, pursuant to 2009 Iowa Acts, [SF 470](#), section 33(a) through (f). Report received on October 1, 2009.

Annual Report on Use of Proceeds from Sale of ISU Ankeny Experimental Farm, pursuant to Iowa Code section 266.39F. Report received on December 14, 2009.

Annual Report on Patents and Licenses, pursuant to Iowa Code section 262B.3. Report received on December 16, 2009.

Annual Report on Iowa Values Fund, pursuant to Iowa Code section 15G.111(2). Report received on December 16, 2009.

Annual Report on Progress of Regents Institutions on Technology Transfer, pursuant to 2009 Iowa Acts, Chapter 176. Report received on December 16, 2009.

2008 – 2009 Annual Report for College Bound and IMAGES programs, pursuant to Iowa Code sections 262.92, 261.101, and 262.93. Report received on December 29, 2009.

2009 Annual Report on Articulation Efforts, pursuant to 2009 Iowa Acts, [HF 815](#). Report received on December 29, 2009.

University of Iowa Hospitals and Clinics Report for 2008 – 2009, pursuant to Iowa Code section 263A.13. Report received on January 4, 2010.

DEPARTMENT OF REVENUE

FY 2009 Collection Enterprise Report, pursuant to Iowa Code section 421.17(27)(h) and (j). Report received on October 16, 2009.

SAVE Annual Report for FY 2009, pursuant to Iowa Code section 8.57(6)(h). Report received on November 24, 2009.

Dependent Health Care Coverage Report for Tax Year 2008, pursuant to 2008 Iowa Acts, [HF 2539](#), section 4. Report received on December 24, 2009.

FY 2009 Tax Gap Compliance Project Revenue and Expenditure Report, pursuant to Iowa Code section 421.17(23). Report received on January 4, 2010.

IOWA SCHOOLS JOINT INVESTMENT TRUST

2009 Annual Financial Report, pursuant to Iowa Code 12B.10A(7). Report received on November 16, 2009.

IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

2009 Annual Report on Maintenance Contracts, pursuant to Iowa Code section 8D.3(3)(g). Report received on November 23, 2009.

Review of Network Operating Fund, pursuant to Iowa Code section 8D.14(2). Report received on November 23, 2009.

DEPARTMENT OF TRANSPORTATION

Use of Reversions Report, pursuant to Iowa Code section 307.46(2). Report received on September 22, 2009.

Iowa Statewide Passenger Transportation Funding Study, pursuant to 2008 Iowa Acts, [SF 2420](#). Report received on December 1, 2009.

TREASURER OF STATE

FY 2009 Iowa State Operating Fund Annual Report, pursuant to Iowa Code section 12F.5. Report received on November 3, 2009.

FY 2009 Iowa Judicial Retirement System Annual Report, pursuant to Iowa Code section 12F.5. Report received on November 3, 2009.

FY 2009 Iowa Peace Officers' Retirement, Accident and Disability System Annual Report, pursuant to Iowa Code section 12F.5. Report received on November 3, 2009.

Annual Financial Report from Tobacco Settlement Authority, pursuant to Iowa Code section 12E.15. Report received on January 4, 2010.

IOWA UTILITIES BOARD

2009 Annual Report on Small Wind Innovation Zones, pursuant to 2009 Iowa Acts, [HF 810](#), subsection 6. Report received on December 29, 2009.

Renewable Energy Tax Credit Eligibility Study, pursuant to 2009 Iowa Acts, SF 456, section 8. Report received on December 29, 2009.

Report on Energy Efficiency in Iowa's Electric and Natural Gas Sectors, pursuant to 2008 Iowa Acts, [SF 2386](#). Report received on December 29, 2009.

DEPARTMENT OF VETERANS AFFAIRS

FY 2009 County Grant Program for Veterans Status Report, pursuant to 2008 Iowa Acts, chapter 1187, section 4(3). Report received on October 1, 2009.

2009 Iowa Veterans Trust Fund Annual Report, pursuant to Iowa Code section 35A.13(9). Report received on January 8, 2010.

WATER RESOURCES COORDINATING COUNCIL

Floodplain Management Recommendations, pursuant to 2009 Iowa Acts, [HF 756](#), section 11. Report received on November 13, 2009.

AGENCY ICN REPORTS

Iowa Communications Network (ICN) usage reports for FY 2009, pursuant to Iowa Code section 8D.10, were received from the following agencies:

OFFICE OF THE ATTORNEY GENERAL – Report received on December 11, 2009.

OFFICE OF AUDITOR OF STATE – Report received on November 17, 2009.

IOWA CIVIL RIGHTS COMMISSION – Report received on August 21, 2009.

DEPARTMENT OF ECONOMIC DEVELOPMENT – Report received on November 3, 2009.

DEPARTMENT OF EDUCATION – Report received on January 6, 2010.

DEPARTMENT OF HUMAN RIGHTS – Report received on August 25, 2009.

DEPARTMENT OF HUMAN SERVICES – Report received on October 7, 2009.

IOWA LAW ENFORCEMENT ACADEMY – Report received on September 4, 2009.

STATE LIBRARY OF IOWA – Report received on December 3, 2009.

IOWA BOARD OF PAROLE – Report received on November 30, 2009.

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM – Report received on October 1, 2009.

DEPARTMENT OF PUBLIC SAFETY – Report received on December 12, 2009.

DEPARTMENT OF TRANSPORTATION – Report received on December 2, 2009.

DEPARTMENT OF VETERANS AFFAIRS – Report received on September 15, 2009.

IOWA VETERANS HOME – Report received on December 2, 2009.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the northeast Senate gallery:

Representatives from the Greater Des Moines Tea Party Movement. Senator Zaun.

CERTIFICATE OF RECOGNITION

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

Tyler Jacobsma, Sioux Center—For his selection to the U.S. Naval Academy for 2010/2011. Senator Feenstra (1/11/10).

REPORTS OF COMMITTEE MEETINGS

ECONOMIC GROWTH

Convened: Monday, January 11, 2010, 3:35 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Beall, Dandekar, Dotzler, Hamerlinck, Heckroth, Kapucian, Reynolds, Rielly, Schmitz, Wieck, and Wilhelm.

Members Absent: Houser, Ranking Member; and Hatch (both excused).

Committee Business: Organizational meeting.

Adjourned: 3:40 p.m.

EDUCATION

Convened: Monday, January 11, 2010, 2:05 p.m.

Members Present: Schmitz, Chair; Schoenjahn, Vice Chair; Boettger, Ranking Member; Appel, Beall, Dvorsky, Feenstra, Hamerlinck, Heckroth, Johnson, Kreiman, Quirnbach, Sadders, and Wilhelm.

Members Absent: McKinley (excused).

Committee Business: Organizational meeting.

Adjourned: 2:30 p.m.

LOCAL GOVERNMENT

Convened: Monday, January 11, 2010, 2:30 p.m.

Members Present: Quirnbach, Chair; Beall, Vice Chair; Reynolds, Ranking Member; Hamerlinck, Kapucian, Kreiman, Olive, Rielly, and Schoenjahn.

Members Absent: Houser and McCoy (both excused).

Committee Business: Organizational meeting.

Adjourned: 2:45 p.m.

RULES AND ADMINISTRATION

Convened: Monday, January 11, 2010, 10:40 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; McKinley, Ranking Member; Boettger, Courtney, Dearden, Dvorsky, Kettering, Ragan, and Zaun.

Members Absent: Danielson (excused).

Committee Business: Organizational meeting.

Adjourned: 10:45 a.m.

TRANSPORTATION

Convened: Monday, January 11, 2010, 4:00 p.m.

Members Present: Rielly, Chair; Beall, Vice Chair; Noble, Ranking Member; Dandekar, Danielson, Hahn, Hancock, Heckroth, Kapucian, Reynolds, Warnstadt, and Zaun.

Members Absent: McCoy (excused).

Committee Business: Organizational meeting.

Adjourned: 4:10 p.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 101](#), by Kibbie, to recognize Iowa's school bus drivers as indispensable members of the education community and to recognize Thursday, April 29, 2010, as School Bus Driver Day.

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

INTRODUCTION OF BILLS

[Senate File 2001](#), by Johnson, relating to informed consent to an abortion and providing a criminal penalty, and providing effective dates.

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

[Senate File 2002](#), by Heckroth, establishing a veterans recognition award program.

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

[Senate File 2003](#), by McCoy, requiring the department of administrative services to issue a request for proposals regarding office space.

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

[Senate File 2004](#), by Johnson, relating to an appropriation from the rebuild Iowa infrastructure fund to the department of natural resources for the restoration and renovation of a historical shelter

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

[Senate File 2005](#), by Johnson, relating to awards of noneconomic damages against health care providers.

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

[Senate File 2006](#), by Johnson, relating to reduction or termination of visitation based upon repeated willful failure to pay support.

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

[Senate File 2007](#), by Warnstadt, modifying the timeline of the property assessment protest process and including applicability provisions.

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

[Senate File 2008](#), by Warnstadt, relating to campaign finance disclosure report due dates and providing a penalty.

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

[Senate File 2009](#), by Kibbie, relating to fee schedules established for the provision of certain dental services.

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

[Senate File 2010](#), by Schoenjahn, relating to the uses of physical plant and equipment levy funds by school districts.

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

[Senate File 2011](#), by Schoenjahn, requiring certain employers to provide written information to employees about certain employment policies without written requests from employees.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

[Senate File 2012](#), by Schoenjahn, extending the voluntary shared unemployment compensation work program for additional weeks.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

[Senate File 2013](#), by Bolkom, concerning the wagering tax rate on gambling games.

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

[Senate File 2014](#), by Johnson, providing for the operation of all-terrain vehicles during daylight hours within cities of a certain size and on secondary roads within a limited distance of the owner's residence, and making penalties applicable.

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

[Senate File 2015](#), by Schoenjahn, relating to motor vehicle window transparency requirements, providing for a motor vehicle decal for persons who qualify for an exemption, providing a fee, and making a penalty applicable.

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

[Senate File 2016](#), by Soddors, establishing an annual registration fee for certain motor trucks equipped to assist a person with a disability or owned or used by a person who uses a wheelchair.

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

[Senate File 2017](#), by Soddors, providing an exemption from the state individual income tax for federal retirement pay received for military service and including a retroactive applicability date provision.

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

[Senate File 2018](#), by Schoenjahn, relating to city general obligation bonds by designating certain projects relating to multipurpose facilities as an essential corporate purpose and by modifying the definition of general corporate purpose.

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

[Senate File 2019](#), by Beall, relating to eligible lenders for the home ownership assistance program for military members.

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

[Senate File 2020](#), by Beall and Feenstra, relating to choice of automobile repair facilities under automobile liability insurance policies.

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

[Senate File 2021](#), by Noble, relating to protections for persons with mental illness in a dissolution of marriage action.

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

STUDY BILLS RECEIVED

SSB 3001 **Transportation**

Relating to annual motor vehicle registration fees for older-model multipurpose vehicles and certain vehicles equipped for a person with a disability or used by a person who relies on a wheelchair.

SSB 3002 **State Government**

Providing for a retirement incentive program for state employees and including effective date provisions.

SSB 3003 **State Government**

Concerning the administration of the Iowa public employees' retirement system.

SSB 3004 **State Government**

Relating to the provision of services through Iowa communications network connection facilities under specified circumstances.

SSB 3005 **State Government**

Requiring certain campaign finance statements and reports to be filed in an electronic format.

SSB 3006 **State Government**

Relating to ethics regulations for the executive branch, legislative branch, and local officials and employees.

SSB 3007 **State Government**

Concerning bona fide retirement requirements under the Iowa public employees' retirement system and including effective date and retroactive applicability provisions.

SSB 3008 **Judiciary**

Concerning penalties for failure to obey an official traffic control device when the violation results in death or serious injury.

SSB 3009 **Judiciary**

Relating to preservation of claims to mineral rights in or on land.

SSB 3010 **Judiciary**

Modifying the authority to enter certain dispositional orders in juvenile court.

SUBCOMMITTEE ASSIGNMENTS**Senate File 222**

REBUILD IOWA: Heckroth, Chair; Reynolds and Stewart

Senate File 2003

STATE GOVERNMENT: Dearden, Chair; Hartsuch and Hatch

Senate File 2005

JUDICIARY: Kreiman, Chair; Warnstadt and Zaun

Senate File 2006

JUDICIARY: Kreiman, Chair; Boettger and Warnstadt

Senate File 2008

STATE GOVERNMENT: Soddors, Chair; Behn and Horn

Senate File 2013

STATE GOVERNMENT: Courtney, Chair; Seymour and Soddors

SSB 3001

TRANSPORTATION: Heckroth, Chair; Hancock and Noble

SSB 3002

STATE GOVERNMENT: Appel, Chair; Dearden and Behn

[SSB 3003](#)

STATE GOVERNMENT: Kibbie, Chair; Sodders and Feenstra

[SSB 3004](#)

STATE GOVERNMENT: Jochum, Chair; Horn and Wieck

[SSB 3005](#)

STATE GOVERNMENT: Dearden, Chair; Horn and Seymour

[SSB 3006](#)

STATE GOVERNMENT: Horn, Chair; Courtney and Seymour

[SSB 3007](#)

STATE GOVERNMENT: Kibbie, Chair; Sodders and Feenstra

[SSB 3008](#)

JUDICIARY: Kreiman, Chair; Sodders and Ward

[SSB 3009](#)

JUDICIARY: Schoenjahn, Chair; Quirnbach and Kettering

[SSB 3010](#)

JUDICIARY: Kreiman, Chair; Hancock and Zaun

REPORT OF THE COMMITTEE ON
RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to [Senate Concurrent Resolution 2](#), the committee on Rules and Administration submits the following increases, reclassifications, and effective dates of Senate employees:

Conf. Sec. II to Secretary to Admin. Services Officer III	K'Ann Brandt	Effective 2/09
Indexer II/Records & Supply	Kathleen Curoe	Resigned 12/09
Journal Editor I to Admin. Services Officer	Angela Cox	Effective 2/09
Journal Editor I to Admin. Services Officer	Maureen Taylor	Effective 2/09
Assist. Finance Officer to Admin. Services Officer	Betty Shea	Effective 2/09

Assist. Journal Editor to
Admin. Services Assist. Jennifer Beminio Effective 2/09

Assist. Journal Editor to
Admin. Services Assist. Jesse Hughes Effective 2/09

MICHAEL E. GRONSTAL, Chair

REPORT OF THE COMMITTEE ON
RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to [Senate Concurrent Resolution 2](#), the committee on Rules and Administration submits the following names of officers and employees of the Senate for the 83rd General Assembly, 2010 Session, and their respective classifications, grades, and steps:

Admin. Services Assistant	Lara Margelofsky	P/FT	Grade 20, Step 2
Legislative Secretary	Suzanne Behnke	S/O	Grade 15, Step 1
Legislative Secretary	Candace Boucher	S/O	Grade 17, Step 4+2
Legislative Secretary	Susan Bruckshaw	S/O	Grade 16, Step 7
Legislative Secretary	Emily Lofgren	S/O	Grade 18, Step 1
Legislative Secretary	Shelly McCullough	S/O	Grade 15, Step 1
Legislative Secretary	Katherine Tenner	S/O	Grade 16, Step 1
Legis. Comm. Secretary	Ryan Bratvold	S/O	Grade 17, Step 1
Legis. Comm. Secretary	Rachael Creswell	S/O	Grade 18, Step 1
Legis. Comm. Secretary	Susan Elgin	S/O	Grade 18, Step 1
Legis. Comm. Secretary	Erin Kreiman	S/O	Grade 18, Step 2
Legis. Comm. Secretary	Matthew Peirce	S/O	Grade 18, Step 1
Legis. Comm. Secretary	Sara Sedlacek	S/O	Grade 18, Step 1
Legis. Comm. Secretary	Mary Shields	S/O	Grade 18, Step 1
Legis. Comm. Secretary	Kelli Todd	S/O	Grade 18, Step 1
Legis. Comm. Secretary	Joanne Walton	S/O	Grade 18, Step 1
Legis. Comm. Secretary	Jacob Wilson	S/O	Grade 18, Step 1
Legis. Comm. Secretary	Christian Zenti	S/O	Grade 18, Step 1

MICHAEL E. GRONSTAL, Chair