

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, JANUARY 13, 2010

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JOURNAL OF THE SENATE

THIRD CALENDAR DAY
THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 13, 2010

The Senate met in regular session at 8:50 a.m., President Kibbie presiding.

Prayer was offered by Reverend Kay Hooper, pastor of the First United Methodist Church in Indianola, Iowa. She was the guest of Senator Appel.

The Journal of Tuesday, January 12, 2010, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 8:53 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:05 a.m., President Kibbie presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Johnson, for the day, on request of Senator Kettering.

The Senate stood at ease at 9:06 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:50 a.m., President Kibbie presiding.

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 102](#), duly adopted, the Senate proceeded to the House chamber under the direction of the Secretary of the Senate and the Sergeant-at-Arms.

SPECIAL GUEST

President Kibbie welcomed to the Senate chamber the Honorable Joy Corning, former member of the Senate from Black Hawk County, Cedar Falls, Iowa.

The Senate rose and expressed its welcome.

JOINT CONVENTION

In accordance with law and [House Concurrent Resolution 102](#), duly adopted, the joint convention was called to order at 9:57 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.

President Kibbie declared a quorum present and the joint convention duly organized.

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 Condition of the Judiciary Message.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Horn, Courtney, and Hartsuch on the part of the Senate, and Representatives Schueller, Thede, and Hagenow 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 Honorable Marsha K. Ternus, Chief Justice of the Iowa Supreme Court, that the joint convention was ready to receive her.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Hancock, Fraise, and Bartz on the part of the Senate, and Representatives Swaim, Olson, and Anderson on the part of the House.

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

The Justices of the Supreme Court, Chief Judge Sackett and the Judges of the Court of Appeals, and the Chief Judges of the District Courts were escorted into the House chamber.

Lieutenant Governor Patty Judge was escorted into the House chamber.

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

The committee waited upon Chief Justice Marsha K. Ternus and escorted her to the Speaker's station.

President Kibbie then presented Chief Justice Marsha K. Ternus, who delivered the following Condition of the Judiciary Message:

Thank you for this opportunity to speak with you about the delivery of justice in Iowa.

Over the last six months, the members of the court and I have traveled around the state to talk with Iowans about the condition of the court system. We have visited with lawyers, local officials, judges, and other community members, in both rural and urban counties. We have listened to their concerns. They have many concerns — and significant ones — about the impact the budget cuts have had on the operation of the court system. However, their overarching concern is reduced access to justice and its effect on individual Iowans and their communities. Today, I speak to you with their concerns, their voices clearly in mind.

Our common concern for justice is why we gather here this morning. Justice is not an optional government service. Justice is “a constitutional imperative.” As Alexander Hamilton, one of the founders of our government and one of the authors of *The Federalist*, observed: “Justice is the end of government” and it is “the first duty of society.” Two centuries later, Hamilton's conclusions still ring true. Justice is the glue that holds our diverse society together. For these reasons, justice is not only the common obligation of all three branches of government; justice is our primary obligation.

The general theme of my previous reports has been that the state of the judiciary is good. This year, however, I cannot give a favorable report. The budget cuts of the past decade have taken a heavy toll on the ability of the judicial branch to fulfill its constitutional mission. Consequently, the ability of Iowans to receive the court services the Constitution affords them has been reduced, and justice hangs in the balance.

Condition of the Courts

Although we are a co-equal, independent branch of government, we know our separate powers do not shield the courts from sacrifice in times of fiscal crisis. In fact, we have reduced our operating expenses time and time again in response to the state's financial problems. In the last decade alone, we cut the cost of operating the state court system five times — and each time the cuts were deep. Unlike many state agencies and the regents, the judicial branch has no pass-through funds, no programs to cut, and no reserve funds to tap. Nearly all of our operating costs are for people — employees and judges who are the lifeblood of the court system — so when we cut our budget, we must cut our workforce. Since FY 2002 our staffing levels have plummeted 17%. Last year alone, we cut our workforce by almost 11%. In addition, we are holding open judicial vacancies. These unfilled judicial positions come at a time when the judicial workload formula shows that the state is already twenty-one judges short of caseload demands.

What is the result of our ten years of downsizing? Today, Iowa's court system operates with a smaller workforce than it had in 1987, the year the state assumed full funding for the court system. Yet over the same period, the number of cases filed in our courts, excluding simple misdemeanors and scheduled violations, has increased by 66%. You heard that right: after twenty-two years, we have fewer people to handle a 66% increase in the most serious and time-consuming cases on our docket.

For years, we have managed the growing imbalance between resources and workload remarkably well without too many serious problems rising to the surface. Under the current circumstances, however, we can no longer insulate Iowans from the consequences of inadequately funded courts; we must ration access to justice.

What does this sad state of affairs mean for Iowans? It means their primary point of access to justice, the clerk of court office, is open part time. It means they will lose valuable services such as assistance completing pro se forms for small claims, dissolution of marriage, and mental health commitments. It means Iowans will encounter delays in important services such as the processing of child support checks and docketing liens. It means citizens will wait longer for hearings and trials and will have to settle for assembly-line justice. It means pressures to plea bargain will increase. It means that some matters like distribution of court orders and arrest warrant checks will be vulnerable to mistakes or will fall between the cracks. While we are doing everything in our power to minimize these problems, we simply do not have the staff to prevent them. We are deeply concerned about the effect these problems will have, not only on litigants and others dependent on court services, but also on the safety of our communities.

Stop Gap Measures

To cope with our reduced funding, we have implemented measures that will allow the courts to function as well as possible in the short term. We continue to operate a clerk of court office in each county, although all offices operate with reduced public hours and some operate only a few days a week. We continue to send judges to every county on a regular basis, and to assign one judge to one child or one family in child welfare cases, although more cuts may force us to discontinue these services.

In addition, cases and duties have been ranked in order of priority to ensure that we concentrate our limited resources on high priority cases. Priority cases are cases

that involve a constitutional mandate that necessitates timely adjudication, as well as cases that involve the health, safety, and well-being of vulnerable citizens. For example, criminal cases, mental health commitments, and cases involving the welfare of children are high priorities. Of course by concentrating our resources on these priority cases, litigants in non priority cases will see longer delays. Non priority cases that will be delayed include important matters such as foreclosures, divorces not involving children, debt collection actions, personal injury lawsuits, property disputes, probate matters, and judicial review of administrative agency actions such as workers compensation and unemployment compensation cases.

We are confident that our judges and court staff will, as always, do all they can to enable the judicial branch to fulfill its important mission. It is due to their tireless efforts and admirable work ethic that we have coped as well as we have with dwindling resources. However, even the most productive person can do only so much in a day. We must acknowledge the fact that without restoration of the resources we have lost, we cannot provide the access to justice that Iowans need, and our ability to provide criminal justice consistent with constitutional requirements is in jeopardy.

Maintain the Delivery of Justice

We appreciate the scope and magnitude of the state's fiscal difficulties. In recognition of this grim reality, the judicial branch submitted a status quo budget request for FY 2011. We did so even though a status quo budget means we must continue to ration access to justice. As leaders of the state's justice system, we would be irresponsible to downplay the importance of access to justice and to disregard the dangers of underfunded courts. We urge you to provide the funds we need to maintain access to justice at the current level. There are many important reasons to do so.

Let's start with the most important reason: the administration of justice is not an optional service. It is "a constitutional imperative." There are some things that only government can do and these things it must do well. Administering justice under the law equally to all people is a function that only government can fulfill. The determination of guilt and innocence, property rights and parental rights, and legal privileges and power are judgments only government can make. In short, providing access to justice is an indispensable function of government. Indeed, the long-term stability of our democracy hinges on the ability of each branch of government to effectively carry out its constitutional responsibilities, a delicate balance that is jeopardized when one branch is underfunded.

Another reason to maintain access to justice at the current level is that during bad economic times, Iowans need the courts more than ever. As a chief justice from another state has aptly observed about the state courts: "We have become the emergency room for society's worst ailments." Consider the kinds of cases that have seen significant growth in numbers just over the past two years:

- Mortgage foreclosures are up 34%
- Debt collection cases are up 21%
- Petitions for domestic violence protective orders are up 15%
- Adult commitments for substance abuse or mental health problems are up 16%
- Juvenile commitments for substance abuse or mental health problems are up 76%

As these figures demonstrate, this is the worst possible time for the people of Iowa to have less access to justice.

I cannot emphasize enough the serious consequences the budget cuts have on vulnerable and troubled children and on young adults in particular. Recent budget cuts have undermined our ability to monitor troubled youth, identify their needs in a timely manner, and provide the services they require. As you know, we have a small window of opportunity to help these children and young adults. Society pays a high price when we squander that opportunity. When we fail to effectively address their problems early on, we greatly increase the odds these children will end up in the adult correctional and mental health systems. If that happens, not only will we have failed to provide these children with the tools they need to become productive members of society, we will have put the safety of our communities at risk. We cannot allow our vulnerable youth to become casualties of this fiscal crisis.

It would be easy for you to respond that there is nothing you can do; the state's financial situation has never been worse, and every part of government must contribute. But I suggest that the judicial branch has already contributed more than its fair share over the years. The consequences of cut, after cut, after cut now far outweigh the money to be saved. After a decade of downsizing, the time has come to hold the line.

Let me first note that additional cuts in the judicial branch budget will do little to fix the state's looming shortfall. The judicial branch budget represents a tiny fraction — only 3% — of the state budget. We are frequently reminded these days that small amounts add up to real savings. But consider this: small cuts can result in real problems. Even a small reduction in the judicial branch budget will have noticeable and dire consequences on the delivery of justice to Iowans who need court services.

Ironically, underfunding the judicial system is counterproductive to economic recovery because a well-funded court system contributes to the economic well-being of our communities. Besides the obvious impact caused by layoffs of state employees, which harm local communities, cuts in court budgets impact the business community at large. Case delays add to the cost of doing business and create uncertainties for businesses, making them less likely to invest and expand. Recent studies in California and Florida confirm the economic fallout of cutbacks in court services in those states. There is no reason to believe Iowa is immune from such consequences.

Here's another reason to hold the line on court funding. Budget cuts impact court services disproportionately, in large part as a consequence of the cumulative effects of past budget cuts. The judicial branch workforce, unlike the workforce of other government entities, did not bounce back from the cuts imposed earlier in the decade. As you know, most state offices and departments cut personnel in FY 2002. That year, we cut our workforce by 9%. Seven years later, in 2009, before our last round of budget cuts, our workforce was still 7% lower than it was in FY 2002. In contrast, for example, by FY 2009 the executive branch had regained the staffing level it had before the FY 2002 cuts, and the regents had increased its staffing level by 8%. So when this latest financial crisis hit, the playing field was already out of balance.

This imbalance is readily seen in the last round of budget cuts. Notwithstanding the budget reductions implemented by the governor in the executive branch, the delivery of justice was still hit disproportionately harder than most other sectors of government. Our workforce represents only 4% of state government's entire workforce. Yet, our latest workforce reduction, which included the elimination of vacant positions and layoffs, amounted to approximately 23% of the entire state's workforce reduction. Focusing just on layoffs, the judicial branch laid off 110 employees, more than any other entity in state government. On top of our workforce reduction, we have imposed ten days of unpaid leave on all judicial officers and court employees. While employees

of other state entities are taking unpaid leave, most are taking far less than ten days, and many are taking none at all.

Here's the bottom line: This past decade, budget cuts have hit court services harder than other state functions. More budget cuts will severely diminish Iowans' access to justice and jeopardize our ability to fulfill our constitutional responsibilities.

We, like you, value the level and quality of justice we have in this state. We, like you, want to avoid any further erosion of access to justice and its ripple effect on our citizens and communities. We pledge to work closely with you and the governor to find solutions that will prevent the further decline of Iowa's court system.

Funding Solutions

Last year, as in previous times of fiscal duress, we worked with you to raise court fees as a way to avoid or minimize budget cuts. We are open to discussions about raising court fees again so long as we raise fees that do not further impair access to justice. We have already identified a list of fees that meet this requirement, which we will provide to you. We also highly recommend that litigants and other court users realize the full benefit of the revenue raised from such fees.

3 Rs: Retooling, Redesigning, Restructuring

Earlier, I reviewed some of the stop gap measures we have taken to maintain the delivery of justice. I must inform you, however, that these measures do not ensure the same level of access we have provided in the past. Plainly put, it is unrealistic to expect the courts to return to business as usual.

Under these circumstances, we must examine ways to retool, redesign, and restructure court operations so our resources are used as effectively as possible and are allocated to the greatest needs. We have ideas for changes along these lines. Some we can do on our own under our constitutional authority to administer and supervise the courts. Others require action by you. All are prudent measures that improve our service to the people, not only through this financial crisis but well into the future.

Retooling

In the long run, retooling our operations through the use of modern technology holds great potential for increasing our efficiency and productivity without impairing the quality of our work. Technology can expand access to justice, speed up case processing, increase productivity, lower expenses for litigants and the state, and improve quality.

EDMS

For years we have been telling you of our plans for a paperless court using a system we call EDMS. EDMS will help us manage our growing caseload and enable us to process cases at any location. For instance, court employees in the smaller counties would be able to handle some of the case processing work of the busier, larger counties. EDMS will make judges more efficient because they will be able to work on cases from any county regardless of where they may be assigned for the day. In short, EDMS is a long-range solution that will allow the judicial branch to maintain access to justice in the face of shrinking resources. I am pleased to report that we have begun testing EDMS in Plymouth County. If all goes well, we aim to have EDMS statewide within four years.

DART

Our citizens expect their government to explore the use of technology that has the potential for effectively providing services to the public within the constraints of

smaller budgets. Digital audio recording technology, or DART, may have this potential. Courts in 26 states and most federal magistrate and bankruptcy courts successfully use digital recording to make an official record of some or all court proceedings. Just this month, the Conference of State Court Administrators issued a white paper, which we have included in your materials, recommending, with only two limited exceptions, that “courts should move to digital recording as the method for making the verbatim record.” This report concludes digital technology is reliable and accurate and “is an economic alternative to traditional court reporting that provides savings to both litigants and courts.” Even though Iowa courts are staffed with skilled court reporters, given our serious financial problems, it would be irresponsible for the court to ignore a technology that may allow our courts to run more affordably without sacrificing quality.

For the last eight months, a judicial council committee has been studying DART to evaluate its accuracy and reliability. Late last month, the committee submitted its report. In a nutshell, the committee unanimously concluded that: (1) digital recording technology can reliably record the words spoken during court proceedings if the court uses high quality equipment that has been professionally installed and is operated by a trained employee, and (2) accurate transcripts of court proceedings can be obtained from such digital recordings when prepared by well-qualified transcribers. Please review this report, which is included in the materials we have provided to you. It should settle all questions about the accuracy and reliability of digital audio recording equipment.

Despite this favorable report, the Supreme Court has no plan to displace court reporters. The evaluation of this technology is just the first step in determining whether Iowa courts should join the courts of 26 other states and the many federal courts that currently use digital recording to make the official court record. There are many more questions to address before we would ever consider moving ahead with DART. We must fully examine the cost of purchasing, installing, maintaining, and operating this equipment; the method and cost of transcribing recordings; and the cost of providing judges with the support staff they need. I can assure you that the availability of skilled support staff for judges will be a primary consideration in reaching any conclusion about the use of DART. I can also assure you that our decision will be based on facts and on what is in the best interest of the court system as a whole, including the interests of judges, litigants and the public. I trust you will respect our constitutional authority in this area.

Redesigning

Now let’s move from retooling our operations to redesigning court procedures.

Civil Litigation Reform

Last year I told you of our goal to make Iowa’s civil justice system faster, less complicated, more affordable, and better equipped to handle complex cases. Civil justice system reforms in other jurisdictions show that these improvements are attainable. To achieve such improvements in Iowa, we have established a steering committee that will develop a plan for a multi-option civil justice system that will include proposals for new court processes and improvements in current procedures. We have asked the steering committee to complete this challenging task by June, 2011.

Mediation in Family Law Cases

As requested by the legislature, each of our judicial districts has examined how mediation of family law cases could be implemented or expanded in their districts. A report summarizing these efforts is included in the materials provided to you this

morning. We will continue to examine ways in which we can make this dispute resolution option available to Iowa litigants within the limits of our current funding.

In addition to our study of civil litigation reform and our expansion of family law mediation, our employees and judges are constantly searching for ways to streamline our procedures and work flow in a way that will allow us to do more with less. We have learned that even small changes can make a big difference in our ability to handle the work of the courts.

Restructuring

Our final option to better meet the demands on our courts within our budget constraints is restructuring our delivery system.

Consolidation

When meeting with citizens around the state to talk about the budget question, they always want to know: Do we plan to consolidate the courts, particularly in rural areas of the state? Our answer is: No, the judicial branch has no plans to consolidate the courts. Although the Supreme Court has reached no conclusion about whether consolidation is a prudent policy decision, we think consolidation has obvious drawbacks for the operation of the courts. While it is true that consolidation might make our clerk of court offices easier to manage and supervise, it would reduce our expenses by only a negligible amount. We tapped all the savings we would have achieved through consolidation when we cut our clerk of court workforce last year and reduced the smallest offices to part-time. At this point, consolidating clerk of court offices may actually increase our expenses, not lower them. We would need to move mountains of court records from closed offices to the new permanent location. Because we are required by statute to hold court in every county, we would need to transport case files and exhibits back and forth between counties with and without clerk offices as required for court hearings. Moreover, merging clerk of court offices would shift considerable costs to litigants and local governments by requiring parties to travel farther and prisoners to be transported longer distances.

Notwithstanding the lack of significant savings to the courts by the consolidation of clerk of court offices, additional budget cuts could eventually starve us into consolidation because we simply will not have enough employees to staff 100 clerk offices. Currently, some of our small, part-time clerk of court offices operate with only one employee. In Judicial District 5B in south central and southwest Iowa, we have sixteen employees running nine clerk offices. Last month we had to close one county's clerk office for two days in one week because we had no one available to staff the office those days. Given our current staffing levels, such closures will continue to occur. More budget cuts will worsen this situation and expand it to more counties. The result: de facto consolidation. In the past, you have made it clear that you do not want to consolidate court services; yet, your recent funding decisions suggest the opposite and drive us toward that result. We ask that you not force consolidation of our courts through the back door of underfunding. Whether to have court consolidation is an important policy matter that should be made by careful deliberation, not by default.

Magistrates

Now let's shift to another important topic: magistrates.

Last year, I told you of our task force that examined Iowa's judicial magistrate structure, and you approved one of the key recommendations of the task force: the requirement that judicial magistrates must be attorneys licensed to practice law in Iowa. We appreciate your support of that improvement, and now ask you to follow

through with more. Specifically, we ask you to approve the following recommendations of the task force:

- Allow the judicial branch to convert two part-time magistrate positions to one full-time magistrate position.
- Eliminate the mandatory minimum of one magistrate per county but require that magistrate court be held in every county on a regular basis.
- Allow a magistrate to reside in a county that is contiguous to the county of appointment.

These changes will result in a more efficient and effective use of Iowa's magistrates that will increase their collective productivity, reduce disparities in workload, increase the pool of applicants for magistrate positions, and reduce the number of conflicts that plague magistrate courts, particularly magistrate courts in smaller counties.

It's been said, "There is much we can do to chart a better course than the one we're on." I have mentioned four improvements that will chart a better course for the judicial branch, enhancing the delivery of justice and enabling the courts to operate more efficiently. We recognize that improvement necessarily requires change, and change can be difficult for some people. Nonetheless, we cannot handle a 66% increase in workload with fewer employees without changing the way we deliver court services. So although change is always challenging, it is inevitable, as we simply cannot afford to continue "business as usual."

Iowa's Fair and Impartial Courts

I turn now to a brighter note. Even though the budget cuts of the past decade have severely impaired Iowans' access to justice, the quality of justice in Iowa remains strong. The credit for this good news belongs to our dedicated court employees and our high-caliber, fair and impartial judiciary.

Iowa's judiciary is recognized as among the best in the nation. For example, in surveys conducted by the Harris Poll for the United States Chamber of Commerce from 2002 to 2008, Iowa's judiciary has consistently ranked among the top ten in terms of competence, fairness and impartiality. In addition to the results of this survey, I have learned since becoming chief justice that chief justices from many other states hold Iowa's court system in high regard. They view our judges as competent, fair, and highly ethical.

Iowa's high standing is, in large part, a result of its constitutional commission-based, merit selection process for choosing judges. Because merit selection emphasizes professional qualifications, Iowa's judges tend to possess the attributes most valued in judges—integrity, legal excellence, and above all else, fairness and impartiality.

Fair and impartial justice is the hallmark of Iowa's court system and is central to the ultimate quality of justice. Iowa's dedicated judges and staff are committed to ensuring that everyone who comes to our courts receives fair and impartial justice. Fair and impartial justice does not mean everyone will agree with court decisions or that courts are immune from error. Fair and impartial justice means that our judges and the process for resolving legal disputes are even-handed. Fair and impartial justice means that Iowa's courts follow the rule of law: when a person stands before an Iowa judge he or she can trust that the judge will make a decision based upon the facts of the case and the consistent application of the law and the constitution, not based upon political pressures or promises or personal beliefs. But fair and impartial justice

means little to those people who do not have access to that justice. And now, because of a decade of budget cuts, we are rationing Iowans' access to justice.

Conclusion: Iowa Cannot Afford to Ration Justice

The judicial branch cannot stop the erosion of access to justice by itself. We are doing all we can within the constraints of our current statutory framework and our appropriations. Your support and cooperation are imperative. We depend on you to marshal the resources we need to provide access to justice. If adequate resources are not available to support access to justice, then you must take other measures to help us improve the situation. Eliminate our statutory duties that have no bearing on the resolution of cases. Remove statutory restrictions that impede prudent improvements that would maximize the use of our scarce resources. Approve our ideas for statutory changes that will strengthen the delivery of justice. And finally, if you cannot find adequate resources to support access to justice, join us in explaining to Iowans, your constituents, why their access to the courts has been diminished.

You may think that rationing access to justice is not too much to ask of Iowans given the state's dire financial circumstances and the sacrifices being made by all Iowans during this recession. But think again. Iowans need court services now more than ever.

- Abused and neglected children depend on our courts for timely placements in safe and stable homes.
- Victims of violence depend on our courts for protective and no-contact orders to help shield them from further harm.
- Communities depend on our courts to address and stop juvenile delinquency, to try criminal charges, and to impose sentences on convicted criminal offenders.
- Business owners depend on our courts to resolve contractual disputes that undermine productivity and profits.
- Broken families depend on our courts to provide some measure of order to their lives.

Most importantly, all Iowans, whether they realize it or not, depend on our courts to uphold the rule of law, which guarantees an open, accountable, and predictable legal process that fosters a civil, stable society.

It is our common obligation, our first duty to society, to ensure that our citizens have access to justice, even in times of fiscal stress. As justice hangs in the balance, we can do nothing less.

Chief Justice Marsha K. Ternus 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.

The Senate returned to the Senate chamber.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:53 a.m. until 1:00 p.m.

APPENDIX—1

COMMUNICATION RECEIVED

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

DEPARTMENT OF CORRECTIONS

Report on Use of Paramedics in Correctional Institutions, pursuant to 2009 Iowa Acts, [SF 475](#). Report received on January 12, 2010.

REPORT OF COMMITTEE MEETING

EDUCATION

Convened: Tuesday, January 12, 2010, 4:05 p.m.

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

Members Absent: McKinley (excused).

Committee Business: Approved [SSB 3031](#).

Recessed: 4:10 p.m.

Reconvened: 4:30 p.m.

Adjourned: 5:30 p.m.

INTRODUCTION OF RESOLUTIONS

[Senate Concurrent Resolution 101](#), by committee on Rules and Administration, a concurrent resolution amending the joint rules of the Senate and House of Representatives relating to session timetable changes.

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

[Senate Resolution 103](#), by committee on Rules and Administration, a resolution amending the permanent rules of the Senate relating to the deadline for requesting the drafting of bills by members and session timetable changes.

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

INTRODUCTION OF BILLS

[Senate File 2034](#), by Dandekar, a bill for an act relating to the establishment of school district policies to prevent and address incidents of dating violence, and providing an effective date.

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

[Senate File 2035](#), by Dandekar and Olive, a bill for an act relating to the registration of antique motor vehicles and providing a fee.

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

[Senate File 2036](#), by Kettering, a bill for an act relating to the enforcement of weight limitations for vehicles with retractable axles.

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

[Senate File 2037](#), by Kettering, a bill for an act relating to unfair insurance trade practices involving losses requiring replacement items and providing penalties.

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

[Senate File 2038](#), by Dandekar, a bill for an act to require retail establishments to make restroom facilities available to certain members of the public, providing a penalty, and including effective date provisions.

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

[Senate File 2039](#), by Danielson, a bill for an act relating to the determination of city population for purposes of civil service commissions.

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

[Senate File 2040](#), by McKinley, a bill for an act relating to testing requirements for applicants for teacher licensure or endorsement.

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

[Senate File 2041](#), by Schmitz, a bill for an act relating to a restitution plan and a restitution plan of payment in a criminal proceeding.

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

SUBCOMMITTEE ASSIGNMENTS

[Senate File 18](#) (Reassigned)

TRANSPORTATION: Hancock, Chair; Heckroth and Reynolds

[Senate File 32](#) (Reassigned)

TRANSPORTATION: Rielly, Chair; Hahn and Warnstadt

[Senate File 33](#) (Reassigned)

TRANSPORTATION: Rielly, Chair; Hahn and McCoy

[Senate File 34](#) (Reassigned)

TRANSPORTATION: Rielly, Chair; Heckroth and Reynolds

[Senate File 59](#) (Reassigned)

TRANSPORTATION: Rielly, Chair; Hahn and Hancock

[Senate File 68](#) (Reassigned)

TRANSPORTATION: Rielly, Chair; Danielson and Noble

[Senate File 129](#) (Reassigned)

TRANSPORTATION: Hancock, Chair; Heckroth and Zaun

[Senate File 136](#) (Reassigned)

TRANSPORTATION: Hancock, Chair; Heckroth and Kapucian

[Senate File 138](#) (Reassigned)

TRANSPORTATION: Hancock, Chair; Hahn and Heckroth

[Senate File 228](#) (Reassigned)

TRANSPORTATION: Rielly, Chair; Dandekar and Zaun

[Senate File 272](#) (Reassigned)

TRANSPORTATION: Rielly, Chair; Beall and Kapucian

[Senate File 324](#) (Reassigned)

TRANSPORTATION: Hancock, Chair; Heckroth and Reynolds

[Senate File 349](#) (Reassigned)

TRANSPORTATION: Hancock, Chair; Heckroth and Zaun

[Senate File 418](#)

HUMAN RESOURCES: Schmitz, Chair; Hartsuch and Quirmbach

[Senate File 2040](#)

EDUCATION: Dvorsky, Chair; McKinley and Quirmbach

[SSB 3046](#)

HUMAN RESOURCES: Wilhelm, Chair; Hartsuch and Schmitz

[SSB 3047](#)

HUMAN RESOURCES: Schmitz, Chair; Kreiman and Seymour

[SSB 3048](#)

HUMAN RESOURCES: Wilhelm, Chair; Bartz and Schmitz

[SSB 3049](#)

HUMAN RESOURCES: Hatch, Chair; Boettger and Ragan

[SSB 3050](#)

HUMAN RESOURCES: Wilhelm, Chair; Dotzler and Hartsuch

[SSB 3051](#)

HUMAN RESOURCES: Ragan, Chair; Bartz and Bolkcom

[SSB 3052](#)

HUMAN RESOURCES: Dotzler, Chair; Bolkcom and Seymour

[SSB 3053](#)

HUMAN RESOURCES: Bolkcom, Chair; Boettger and Dotzler

[SSB 3054](#)

HUMAN RESOURCES: Quirnbach, Chair; Hartsuch and Wilhelm

[SSB 3055](#)

HUMAN RESOURCES: Dotzler, Chair; Schmitz and Seymour

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE CONCURRENT RESOLUTION 101](#), a concurrent resolution amending the joint rules of the Senate and House of Representatives relating to session timetable changes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gronstal, Kibbie, McKinley, Boettger, Courtney, Danielson, Dearden, Dvorsky, Kettering, Ragan, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 103](#), a resolution amending the permanent rules of the Senate relating to the deadline for requesting the drafting of bills by members and session timetable changes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gronstal, Kibbie, McKinley, Boettger, Courtney, Danielson, Dearden, Dvorsky, Kettering, Ragan, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RECONVENED

The Senate reconvened at 1:10 p.m., President Kibbie presiding.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 103](#).

[Senate Resolution 103](#)

On motion of Senator Gronstal, [Senate Resolution 103](#), a resolution amending the permanent rules of the Senate relating to the deadline for requesting the drafting of bills by members and session timetable changes, was taken up for consideration.

Senator Gronstal moved the adoption of [Senate Resolution 103](#), which motion prevailed by a voice vote.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Concurrent Resolution 101](#).

[Senate Concurrent Resolution 101](#)

On motion of Senator Gronstal, [Senate Concurrent Resolution 101](#), a concurrent resolution amending the joint rules of the Senate and House of Representatives relating to session timetable changes, was taken up for consideration.

Senator Gronstal moved the adoption of [Senate Concurrent Resolution 101](#), which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate Concurrent Resolution 101](#) be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:14 p.m. until 4:30 p.m.

RECONVENED

The Senate reconvened at 4:43 p.m., President Kibbie presiding.

The Senate stood at ease at 4:44 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 5:29 p.m., President Kibbie presiding.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2033](#).

[Senate File 2033](#)

On motion of Senator Schmitz, [Senate File 2033](#), a bill for an act relating to school improvement and the approval and revocation of charter schools, the establishment of innovation zone schools by consortia of school districts and area education agencies, and the implementation of interventions for persistently lowest-achieving schools, was taken up for consideration.

Senator Hamerlinck offered amendment [S-5004](#), filed by him from the floor to pages 1 and 14 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5004](#) be adopted?" ([S.F. 2033](#)), the vote was:

Yeas, 17:

Bartz	Hamerlinck	McKinley	Wieck
Behn	Hartsuch	Noble	Zaun

Boettger	Houser	Reynolds
Feenstra	Kapucian	Seymour
Hahn	Kettering	Ward

Nays, 32:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Jochum	Schmitz
Black	Fraise	Kibbie	Schoenjahn
Bolkcom	Gronstal	Kreiman	Seng
Courtney	Hancock	McCoy	Sodders
Dandekar	Hatch	Olive	Stewart
Danielson	Heckroth	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wilhelm

Absent, 1:

Johnson

Amendment [S-5004](#) lost.

Senator Reynolds offered amendment [S-5003](#), filed by her from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5003](#) be adopted?” ([S.F. 2033](#)), the vote was:

Yeas, 19:

Bartz	Hahn	Kapucian	Seymour
Behn	Hamerlinck	Kettering	Ward
Boettger	Hartsuch	McKinley	Wieck
Dandekar	Hogg	Noble	Zaun
Feenstra	Houser	Reynolds	

Nays, 30:

Appel	Dvorsky	Kibbie	Schoenjahn
Beall	Fraise	Kreiman	Seng
Black	Gronstal	McCoy	Sodders
Bolkcom	Hancock	Olive	Stewart
Courtney	Hatch	Quirnbach	Warnstadt
Danielson	Heckroth	Ragan	Wilhelm
Dearden	Horn	Rielly	
Dotzler	Jochum	Schmitz	

Absent, 1:

Johnson

Amendment [S-5003](#) lost.

Senator McKinley offered amendment [S-5002](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5002](#) be adopted?” ([S.F. 2033](#)), the vote was:

Yeas, 17:

Bartz	Hamerlinck	McKinley	Wieck
Behn	Hartsuch	Noble	Zaun
Boettger	Houser	Reynolds	
Feenstra	Kapucian	Seymour	
Hahn	Kettering	Ward	

Nays, 32:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Jochum	Schmitz
Black	Fraise	Kibbie	Schoenjahn
Bolkcom	Gronstal	Kreiman	Seng
Courtney	Hancock	McCoy	Sodders
Dandekar	Hatch	Olive	Stewart
Danielson	Heckroth	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wilhelm

Absent, 1:

Johnson

Amendment [S-5002](#) lost.

Senator Schmitz offered amendment [S-5001](#), filed by her from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-5001](#) was adopted by a voice vote.

Senator Boettger offered amendment [S-5005](#), filed by Senator Boettger, et al., from the floor to pages 2–14 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5005](#) be adopted?" ([S.F. 2033](#)), the vote was:

Yeas, 18:

Bartz	Hamerlinck	McKinley	Ward
Behn	Hartsuch	Noble	Wieck
Boettger	Houser	Reynolds	Zaun
Feenstra	Kapucian	Seng	
Hahn	Kettering	Seymour	

Nays, 31:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Jochum	Schmitz
Black	Fraise	Kibbie	Schoenjahn
Bolkcom	Gronstal	Kreiman	Sodders
Courtney	Hancock	McCoy	Stewart
Dandekar	Hatch	Olive	Warnstadt
Danielson	Heckroth	Quirnbach	Wilhelm
Dearden	Hogg	Ragan	

Absent, 1:

Johnson

Amendment [S-5005](#) lost.

The Senate stood at ease at 6:06 p.m. until the fall of the gavel.

The Senate resumed session at 7:30 p.m., President Kibbie presiding.

Senator Feenstra offered amendment [S-5006](#), filed by him from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5006](#) be adopted?" ([S.F. 2033](#)), the vote was:

Yeas, 17:

Bartz	Hamerlinck	McKinley	Wieck
Behn	Hartsuch	Noble	Zaun

Boettger	Houser	Reynolds
Feenstra	Kapucian	Seymour
Hahn	Kettering	Ward

Nays, 32:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Jochum	Schmitz
Black	Fraise	Kibbie	Schoenjahn
Bolkcom	Gronstal	Kreiman	Seng
Courtney	Hancock	McCoy	Sodders
Dandekar	Hatch	Olive	Stewart
Danielson	Heckroth	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wilhelm

Absent, 1:

Johnson

Amendment [S-5006](#) lost.

Senator Boettger offered amendment [S-5007](#), filed by her from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5007](#) be adopted?” ([S.F. 2033](#)), the vote was:

Yeas, 18:

Bartz	Hamerlinck	Kreiman	Ward
Behn	Hartsuch	McKinley	Wieck
Boettger	Houser	Noble	Zaun
Feenstra	Kapucian	Reynolds	
Hahn	Kettering	Seymour	

Nays, 31:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Jochum	Schoenjahn
Black	Fraise	Kibbie	Seng
Bolkcom	Gronstal	McCoy	Sodders
Courtney	Hancock	Olive	Stewart
Dandekar	Hatch	Quirnbach	Warnstadt
Danielson	Heckroth	Ragan	Wilhelm
Dearden	Hogg	Rielly	

Absent, 1:

Johnson

Amendment [S-5007](#) lost.

Senator Hartsuch offered amendment [S-5009](#), filed by him from the floor to pages 2 and 14 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5009](#) be adopted?" ([S.F. 2033](#)), the vote was:

Yeas, 17:

Bartz	Hamerlinck	McKinley	Wieck
Behn	Hartsuch	Noble	Zaun
Boettger	Houser	Reynolds	
Feenstra	Kapucian	Seymour	
Hahn	Kettering	Ward	

Nays, 32:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Jochum	Schmitz
Black	Fraise	Kibbie	Schoenjahn
Bolkcom	Gronstal	Kreiman	Seng
Courtney	Hancock	McCoy	Sodders
Dandekar	Hatch	Olive	Stewart
Danielson	Heckroth	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wilhelm

Absent, 1:

Johnson

Amendment [S-5009](#) lost.

Senator McKinley offered amendment [S-5008](#), filed by him from the floor to page 14 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5008](#) be adopted?” ([S.F. 2033](#)), the vote was:

Yeas, 17:

Bartz	Hamerlinck	McKinley	Wieck
Behn	Hartsuch	Noble	Zaun
Boettger	Houser	Reynolds	
Feenstra	Kapucian	Seymour	
Hahn	Kettering	Ward	

Nays, 32:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Jochum	Schmitz
Black	Fraise	Kibbie	Schoenjahn
Bolkcom	Gronstal	Kreiman	Seng
Courtney	Hancock	McCoy	Sodders
Dandekar	Hatch	Olive	Stewart
Danielson	Heckroth	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wilhelm

Absent, 1:

Johnson

Amendment [S-5008](#) lost.

Senator Schmitz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2033](#)), the vote was:

Yeas, 32:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Jochum	Schmitz
Black	Fraise	Kibbie	Schoenjahn
Bolkcom	Gronstal	Kreiman	Seng
Courtney	Hancock	McCoy	Sodders
Dandekar	Hatch	Olive	Stewart
Danielson	Heckroth	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wilhelm

Nays, 17:

Bartz	Hamerlinck	McKinley	Wieck
Behn	Hartsuch	Noble	Zaun
Boettger	Houser	Reynolds	

Feenstra
Hahn

Kapucian
Kettering

Seymour
Ward

Absent, 1:

Johnson

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 2033](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:20 p.m. until 8:45 a.m., Thursday, January 14, 2010.

APPENDIX—2

COMMUNICATION RECEIVED

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

DEPARTMENT OF NATURAL RESOURCES

Mercury Thermostat Recycling Program Report, pursuant to Iowa Code section 455D.16. Report received on January 13, 2010.

REPORT OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, January 13, 2010, 2:30 p.m.

Members Present: Schmitz, Chair; Schoenjahn, Vice Chair; Boettger, Ranking Member; Appel, Beall, Dvorsky, Feenstra, Hamerlinck, Heckroth, Kreiman, McKinley, Quirmbach, Soddors, and Wilhelm.

Members Absent: Johnson (excused).

Committee Business: Approved SSBs 3033, 3043, and 3060.

Recessed: 2:50 p.m.

Reconvened: 3:00 p.m.

Adjourned: 3:25 p.m.

INTRODUCTION OF BILLS

[Senate File 2042](#), by McKinley, a bill for an act relating to certain reporting requirements required of school districts, accredited nonpublic schools, and community colleges.

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

[Senate File 2043](#), by Olive, a bill for an act relating to uninsured and underinsured motor vehicle insurance coverage.

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

[Senate File 2044](#), by Olive and Stewart, a bill for an act relating to the requirements of businesses seeking financial assistance under the value-added agriculture component of the grow Iowa values financial assistance program and including applicability provisions.

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

[Senate File 2045](#), by the Committee on Education, a bill for an act delaying the establishment of the state percent of growth for the budget year beginning July 1, 2011, for purposes of the state school foundation program, and including effective date provisions.

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

[Senate File 2046](#), by the Committee on Education, a bill for an act delaying the establishment of the categorical state percent of growth for the budget year beginning July 1, 2011, for purposes of the state school foundation program, and including effective date provisions.

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

[Senate File 2047](#), by the Committee on Education, a bill for an act relating to the school budget review committee by modifying its membership and by modifying the committee's duties related to school district unusual financial circumstances and including effective date provisions.

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

STUDY BILLS RECEIVED

[SSB 3046](#) **Human Resources**

Creating the local public health governance Act, and providing penalties.

[SSB 3047](#) **Human Resources**

Relating to the organization and duties of the state board of health.

[SSB 3048](#) **Human Resources**

Relating to health-related activities and regulation by the department of public health, and making penalties applicable.

[SSB 3049](#) **Human Resources**

Making changes to the uniform controlled substances Act.

[SSB 3050](#) **Human Resources**

Relating to emergency medical care providers, emergency medical care service programs and emergency medical care services training programs, and providing penalties.

[SSB 3051](#) **Human Resources**

Authorizing the continuing expenditure of repayment receipts for lead training and certification collected by the department of public health and including effective date and applicability provisions.

SSB 3052 Human Resources

Requiring criminal history and abuse registry checks for certified nurse aide training program students and providing a penalty.

SSB 3053 Human Resources

Relating to transfer of assets provisions under the medical assistance program.

SSB 3054 Human Resources

Relating to the disclosure of disease information reported to a public health department.

SSB 3055 Human Resources

Relating to participation of chiropractors in certain limited provider network plans.

SSB 3056 Labor and Business Relations

Relating to choice of medical care by members of the municipal police and fire retirement system who are injured in the line of duty.

SSB 3057 Labor and Business Relations

Relating to employment practices and public safety programs administered by the division of labor services of the department of workforce development.

SSB 3058 Labor and Business Relations

Providing notification to the department of workforce development by the secretary of state when certain business entities apply for reinstatement after dissolution to ensure certain tax obligations have been fulfilled.

SSB 3059 Labor and Business Relations

Relating to unemployment insurance benefits for spouses who leave employment to accompany a spouse on a military assignment.

SSB 3060 Education

Relating to the school budget review committee by modifying its membership and by modifying the committee's duties related to school district unusual financial circumstances.

SSB 3061 Environment and Energy Independence

Relating to beautification grants to be awarded from the solid waste account of the groundwater protection fund.

SSB 3062 Economic Growth

Relating to economic development including changes to the administration of certain economic development programs and to the terms served by members of the economic development board and including effective date provisions.

SSB 3063 Economic Growth

Concerning fine arts projects in state buildings.

SSB 3064 Economic Growth

Establishing an Iowa innovation council in the department of economic development.

SSB 3065 Economic Growth

Reducing the amount of tax credits that may be issued for capital investment in the Iowa fund of funds.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 128](#)

TRANSPORTATION: Rielly, Chair; Hahn and Hancock

[Senate File 306](#)

TRANSPORTATION: Rielly, Chair; Hancock and Zaun

[Senate File 2019](#)

ECONOMIC GROWTH: Beall, Chair; Kapucian and Olive

[Senate File 2038](#)

STATE GOVERNMENT: Horn, Chair; Black and Hartsuch

[House File 734](#)

JUDICIARY: Jochum, Chair; Boettger and Kreiman

[SSB 3056](#)

LABOR AND BUSINESS RELATIONS: Courtney, Chair; Dearden and Ward

[SSB 3057](#)

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Hatch and Ward

[SSB 3058](#)

LABOR AND BUSINESS RELATIONS: Jochum, Chair; Dotzler and Wieck

[SSB 3059](#)

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Jochum and Ward

[SSB 3060](#)

EDUCATION: Schoenjahn, Chair; Soddors and Feenstra

[SSB 3061](#)

ENVIRONMENT AND ENERGY INDEPENDENCE: Hogg, Chair; Wilhelm and Ward

[SSB 3062](#)

ECONOMIC GROWTH: Stewart, Chair; Houser and Olive

SSB 3063

ECONOMIC GROWTH: Dotzler, Chair; Reynolds and Schmitz

SSB 3064

ECONOMIC GROWTH: Heckroth, Chair; Dandekar and Wieck

SSB 3065

ECONOMIC GROWTH: Stewart, Chair; Houser and Rielly

FINAL COMMITTEE REPORTS OF BILL ACTION**EDUCATION**

Bill Title: [SENATE FILE 2045 \(SSB 3043\)](#), a bill for an act delaying the establishment of the state percent of growth for the budget year beginning July 1, 2011, for purposes of the state school foundation program, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Schmitz, Schoenjahn, Boettger, Appel, Beall, Dvorsky, Feenstra, Hamerlinck, Heckroth, Kreiman, McKinley, Quirnbach, Sodders, and Wilhelm. Nays, none. Absent, 1: Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2046 \(SSB 3033\)](#), a bill for an act delaying the establishment of the categorical state percent of growth for the budget year beginning July 1, 2011, for purposes of the state school foundation program, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Schmitz, Schoenjahn, Boettger, Appel, Beall, Dvorsky, Feenstra, Hamerlinck, Heckroth, Kreiman, McKinley, Quirnbach, Sodders, and Wilhelm. Nays, none. Absent, 1: Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 2047](#), a bill for an act relating to the school budget review committee by modifying its membership and by modifying the committee's duties related to school district unusual financial circumstances and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Schmitz, Schoenjahn, Appel, Beall, Dvorsky, Heckroth, Kreiman, Quirnbach, Soddors, and Wilhelm. Nays, 3: Feenstra, Hamerlinck, and McKinley. Present, 1: Boettger. Absent, 1: Johnson.

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 Education Committee on [Senate File 2047](#), and they were attached to the committee report.

AMENDMENTS FILED

S-5001	S.F. 2033	Becky Schmitz
S-5002	S.F. 2033	Paul McKinley
S-5003	S.F. 2033	Kim Reynolds
S-5004	S.F. 2033	Shawn Hamerlinck
S-5005	S.F. 2033	Nancy J. Boettger
		Jerry Behn
		Brad Zaun
		James A. Seymour
		Larry Noble
		Tim L. Kapucian
		Pat Ward
		Kim Reynolds
		David L. Hartsuch
		James F. Hahn
		Steve Kettering
		Paul McKinley
		Shawn Hamerlinck
S-5006	S.F. 2033	Randy Feenstra
S-5007	S.F. 2033	Nancy J. Boettger
S-5008	S.F. 2033	Paul McKinley
S-5009	S.F. 2033	David L. Hartsuch