

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, JANUARY 10, 2024

Produced daily by the State of Iowa during the sessions of the General Assembly.
(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Third Calendar Day - Third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 10, 2024

The House met pursuant to adjournment at 8:38 a.m., Speaker Grassley in the chair.

Prayer was offered by Minority Leader Konfrst of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ava and Lola Friedrichsen. They were the guests of Konfrst of Polk.

The Journal of Tuesday, January 9, 2024, was approved.

INTRODUCTION OF BILLS

[House File 2018](#), by Carlson, a bill for an act requiring the department of health and human services to reimburse a county for the temporary holding of, or confinement of, a sexually violent predator who commits a public offense while subject to an order of civil commitment.

Read first time and referred to committee on **Health and Human Services**.

[House File 2019](#), by Wessel-Kroeschell, a bill for an act relating to minimum nurse-to-patient ratios in hospitals.

Read first time and referred to committee on **Health and Human Services**.

[House File 2020](#), by Wills, a bill for an act providing for standing appropriations for the annual operations of state government, and including effective date and applicability provisions.

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

[House File 2021](#), by Wills, a bill for an act providing for repeal of the Iowa Code every ten years over a ten-year period and procedures for legislative review and reenactment.

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

[House File 2022](#), by Latham, Ingels, and Young, a bill for an act relating to the double up food bucks program and making an appropriation.

Read first time and referred to committee on **Appropriations**.

[House File 2023](#), by Latham, a bill for an act establishing the United States army reserve service scholarship program within the college student aid commission.

Read first time and referred to committee on **Education**.

[House File 2024](#), by Stone, a bill for an act relating to payment by the state of adoption expenses incurred by a foster parent in adopting a foster child.

Read first time and referred to committee on **Health and Human Services**.

[House File 2025](#), by Bagniewski, a bill for an act relating to the victim compensation fund.

Read first time and referred to committee on **Judiciary**.

[House File 2026](#), by Fry and Lundgren, a bill for an act relating to persons authorized to refuse to accept and pay the refund value of an empty beverage container, and making penalties applicable.

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

[House File 2027](#), by Bagniewski, a bill for an act relating to disclosures on property tax statements concerning school district funding reductions and individual taxpayer payments to the education savings account program.

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

[House File 2028](#), by Stone, a bill for an act relating to homestead tax credits for certain persons sixty-five years of age or older.

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

[House File 2029](#), by Wessel-Kroeschell, Wilburn, Levin, and Steckman, a bill for an act relating to surface water quality by requiring the establishment and maintenance of riparian protection measures, providing for financing, and providing penalties.

Read first time and referred to committee on **Environmental Protection**.

SUPPLEMENTAL REPORT OF THE
COMMITTEE ON ADMINISTRATION AND RULES

January 8, 2024

To: Administration & Rules Committee
From: Meghan Nelson, Chief Clerk

Pursuant to [Senate Concurrent Resolution 6](#), duly adopted during the 89th General Assembly, the following is a list of changes for officers and employees of the House:

<u>Position</u>	<u>Name</u>	<u>Grade- Step</u>	<u>Class of Appoint- ment</u>	<u>Effective Date</u>
Dep. Caucus Staff Director	Brian E. Guillaume	36-2 to 36-3	P-FT	06-23-23
Chief Clerk of the House	Meghan J.V.W. Nelson	44-7 to 44-8	P-FT	06-23-23
Sr. Admin. Assist. to Spkr. I	Cord M. Overton	38-8 to 41-7	P-FT	08-04-23
Sr. Admin. Assist. to Spkr. II				
Sr. Assistant Chief Clerk	Jason M. Chapman	41-5 to 41-6	P-FT	09-01-23
Admin. Services Officer III	Molly M. Dolan	32-5 to 35-4	P-FT	09-01-23
Sr. Admin. Services Officer				
Sr. Finance Officer I	Phyllis J. Pierce	31-6 to 31-7	P-FT	09-01-23
Executive Sec. to Speaker	Natalie R. Payne	24-1	P-PT	09-18-23
Sr. Admin. Assist. to Ldr. II	Mackenzie J. Swanson	41-6 to 41-7	P-FT	10-13-23
Admin. Assist. II to Spkr.	Melissa M. Saitz	32-6 to 32-7	P-FT	11-10-23
Admin. Services Officer	Joseph M. Brown	23-2	P-FT	11-13-23

<u>Position</u>	<u>Name</u>	<u>Grade- Step</u>	<u>Class of Appoint- ment</u>	<u>Effective Date</u>
Legis. Res. Analyst III	Natalie B. Ginty	35-7 to 35-8	P-FT	11-24-23
Executive Sec. to Speaker	Natalie R. Payne	24-1	P-PT to P-FT	11-24-23
Sr. Legis. Res. Analyst	Amanda J. Wille	38-7 to 38-8	P-FT	12-08-23
Admin. Assist. to Ldr.	Haylee J. Welter	27-1	S-O	12-11-23
Legis. Res. Analyst II	Jason A. Covey	32-5 to 32-6	P-FT	12-22-23
Sr. Admin. Services Officer	Jamie L. Croatt	35-5 to 35-6+1	P-FT	01-05-24
Switchboard Operator	Riley K. Hayes	14-6	S-O	01-08-24
Legislative Secretary	Elijah S. Alsop	15-1	S-O	01-08-24
Legislative Secretary	Reese R. Anderson	16-1	S-O	01-08-24
Legis. Comm. Secretary	Kaitlyn M. Arnold	17-1	S-O	01-08-24
Legis. Comm. Secretary	Paul D. Attema	18-8	S-O	01-08-24
Legis. Secretary	Jessica L. Avianeda Blanco	15-1	S-O	01-08-24
Legis. Secretary	Will T. Blevins	16-1	S-O	01-08-24
Legis. Comm. Secretary	Garrett A. Bond	17-1	S-O	01-08-24
Legis. Secretary	Madeline G. Crawford	15-1	S-O	01-08-24
Legis. Comm. Secretary	Megan L. Decker	18-7	S-O	01-08-24
Legis. Secretary	Megan M. Dieken	16-1	S-O	01-08-24
Legis. Secretary	Anna R. Dittmer	16-1	S-O	01-08-24
Legis. Secretary	Ashley N. Dyson	16-1	S-O	01-08-24
Legis. Secretary	Patti M. Evans	16-1	S-O	01-08-24
Legis. Secretary	Michelle D. Garcia	16-1	S-O	01-08-24
Legis. Secretary	Gabriel T. Grimm	17-7	S-O	01-08-24
Legis. Secretary	Josiah L. Guilford	15-1	S-O	01-08-24
Legis. Comm. Secretary	Cole L. Heim	17-1	S-O	01-08-24
Legis. Secretary	Gavin J. Hoedl	16-1	S-O	01-08-24
Legis. Secretary	Raya E. Hoppe	16-1	S-O	01-08-24
Legis. Comm. Secretary	Adam D. Knoblock	17-1	S-O	01-08-24
Legis. Secretary	Riley J. Konrad	17-7	S-O	01-08-24
Legis. Secretary	Madeline M. Mills	18-1	S-O	01-08-24
Legis. Secretary	Kylie R. Muecke	16-1	S-O	01-08-24
Legis. Secretary	Harrison J. Murray	16-1	S-O	01-08-24
Legis. Secretary	Jared C. Poortinga	15-1	S-O	01-08-24
Legis. Secretary	Brenda Ramirez	16-1	S-O	01-08-24
Legis. Secretary	Rayna L. Royer	16-1	S-O	01-08-24
Legis. Comm. Secretary	Jack A. Sayers	18-7	S-O	01-08-24
Legis. Secretary	Samuel E. Schoening	16-1 to 17-7	S-O	01-08-24
Legis. Secretary	Kaibrea M. Schoning	16-1	S-O	01-08-24
Legis. Comm. Secretary	Jamie A. Spangler	17-2 to 18-8	S-O	01-08-24
Legis. Secretary	Ella J. Stafford	16-1 to 18-7	S-O	01-08-24
Legis. Secretary	Maddux R. Stout	15-1	S-O	01-08-24
Legis. Comm. Secretary	Joselyn N. Thompson	17-1	S-O	01-08-24

<u>Position</u>	<u>Name</u>	<u>Grade- Step</u>	<u>Class of Appoint- ment</u>	<u>Effective Date</u>
Legis. Comm. Secretary	Trey M. Voeller	17-1	S-O	01-08-24
Legis. Secretary	Trey P. Wellman	16-1 to 18-7	S-O	01-08-24
Legis. Comm. Secretary				
Legis. Secretary	Kendal R. Zylstra	16-1	S-O	01-08-24
Doorkeeper	Robert M. Bartholomay	11-1	S-O	01-08-24
Doorkeeper	Linda B. Flaherty	11-2	S-O	01-08-24
Doorkeeper	Jack C. Miller	11-2	S-O	01-08-24

PAGES

Speaker's Page	Reece M. Kinsella	9-1	S-O	01-08-24
Page	Emilia F. Broich	9-1	S-O	01-08-24
Page	Cory J. Cox	9-1	S-O	01-08-24
Page	Eva G. Fipps	9-1	S-O	01-08-24
Page	Benjamin T. Green	9-1	S-O	01-08-24
Page	Benjamin F. Hurley	9-1	S-O	01-08-24
Page	Cora G. Killpack	9-1	S-O	01-08-24
Page	Dennis M. May	9-1	S-O	01-08-24
Page	Rebekah K. Schurz	9-1	S-O	01-08-24
Page	Naomi L. Templeman	9-1	S-O	01-08-24
Page	Charles E. Timm	9-1	S-O	01-08-24
Page	Adrienne A.J. Wiley	9-1	S-O	01-08-24

The following are resignations from the officers and employees of the House:

Admin. Services Officer I	Michelle A. Halverson-Haupts	06-02-23
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Siegrist of Pottawattamie moved that the supplemental report of the committee on Administration and Rules be adopted.

The motion prevailed and the supplemental report was adopted.

COMMITTEE TO NOTIFY THE SENATE

Young of Dallas moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in Joint Convention.

The motion prevailed and the Speaker appointed as such committee Young of Dallas, Chair; Bloomingdale of Worth and Steckman of Cerro Gordo.

The House stood at ease at 8:44 a.m., until the fall of the gavel.

The House resumed session at 9:53 a.m., Speaker Grassley in the chair.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Young of Dallas, Chair of the committee to notify the Senate that the House was ready to receive it in Joint Convention, reported that it had performed its duty.

The report was accepted and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the Honorable members of the Senate.

The Senate President was escorted to the Speaker's station, the Secretary to the Chief Clerk's desk and the members of the Senate were seated in the House chamber.

JOINT CONVENTION

In accordance with law and [House Concurrent Resolution 102](#), duly adopted, the Joint Convention was called to order at 9:54 a.m., Senate President Sinclair presiding.

Senator Whitver of Polk 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.

Senate President Sinclair announced a quorum present and the Joint Convention duly organized.

Senator Whitver of Polk moved that a committee of six consisting of three members from the Senate and three members from the House of Representatives be appointed to escort Governor Kim Reynolds to the House chamber for the Condition of the Judicial Branch Message.

The motion prevailed and the Senate President appointed as such committee Senators Edler of Marshall, Westrich of Wapello and Winckler of Scott on the part of the Senate, and Representatives Wulf of Black Hawk, Kniff McCulla of Marion and Amos Jr. of Black Hawk, on the part of the House.

Senator Whitver of Polk moved that a committee of six consisting of three members from the Senate and three members from the House of Representatives be appointed to notify Chief Justice Susan Christensen that the Joint Convention was ready to receive her.

The motion prevailed and the Senate President appointed as such committee Senators Garrett of Warren, Schultz of Crawford and Boulton of Polk on the part of the Senate, and Representatives Thomson of Floyd, Osmundson of Clayton and Scheetz of Linn, on the part of the House.

Secretary of Agriculture, Mike Naig; Auditor of State, Rob Sand; Treasurer of State, Roby Smith; and Attorney General, Brenna Bird, were escorted into the House chamber.

The Justices of the Supreme Court, the Chief Judge and Judges of the Court of Appeals and the Chief Judges of the state's judicial districts were escorted into the House chamber.

The Chief Justice's family was escorted into the House chamber.

Lieutenant Governor Adam Gregg was escorted into the House chamber.

The committee previously appointed waited upon Governor Kim Reynolds and escorted her into the House chamber.

The committee previously appointed waited upon Chief Justice Susan Christensen and escorted her to the Speaker's station.

Senate President Sinclair then presented Chief Justice Susan Christensen who delivered the following Condition of the Judicial Branch Message:

CONDITION OF THE JUDICIAL BRANCH MESSAGE

Madame President, Mr. Speaker, Members of the General Assembly, Governor Reynolds, Lieutenant Governor Gregg, state officials, colleagues, family, friends and all Iowans.

Thank you for the opportunity to address this joint convention of the 90th General Assembly on the condition of the judiciary.

As introduced, I am Suzy Christensen, and I am honored to stand before you today as your chief justice. I continue to live in Harlan with Jay, my husband of 42 years. He is

here today along with our five children and their spouses. And when Grammy has an open mic, our eight grandchildren expect a shoutout. My brothers join me today as well as my mom, sitting up front like moms do. Dad is with me in spirit—I am once again wearing his robe for this special day.

Thank you to members of Iowa’s Court of Appeals as well as the chief judges from our eight judicial districts across the state who are in attendance today.

As I’ve said before, I am only one of seven justices on the Iowa Supreme Court. I would like to introduce the other six members: Justices Tom Waterman, Ed Mansfield, Christopher McDonald, Dana Oxley, Matt McDermott and Dave May. I want to thank each of you for entrusting me with the extraordinary responsibility of serving as chief justice.

It is truly an honor to serve with these distinguished jurists who are not only my colleagues but also my friends. As justices, we spend a lot of time reviewing trial records and appellate briefs, participating in oral arguments, conferencing all cases before us, and setting policy for the judicial branch. But we also make time to break bread together and learn a little bit more about our families and non-judge lives. And for the first time since I’ve been standing up here, I am not the only justice who has grandchildren to brag about. Within the past few months, Justices Waterman and McDonald each welcomed a new grandson into the world. I may not be their Grammy, but I’m giving them a shout out. It’s been said, “The reason grandchildren and grandparents get along so well is that they have a common enemy.” You’re gonna love it.

Today’s speech is my fourth condition of the judiciary. Each year I choose a theme. My first theme was hope. At that time, we were not yet one year into the pandemic, and I wanted the people of Iowa to know that the judiciary did not succumb to COVID-19 and that we remained open for business to ensure continued access to justice. My second theme was peace. Because we were still in the midst of a pandemic, I wanted the people of Iowa to know that the judicial branch was blocking out all the chaos and staying laser focused on our commitment to provide Iowans with meaningful access to justice.

Last year, my theme was listening. With Director Kelly Garcia of the Department of Health and Human Services, I toured the state, visiting eleven communities to learn how the department and judicial branch could work together to improve the lives of Iowa’s most vulnerable children and their families.

As you may recall from last year’s speech, we created a Juvenile Justice Task Force with some very noble goals:

- Improve outcomes for youth and families;
- Increase public safety;
- Decrease recidivism;
- Be fiscally responsible; and
- Reduce disproportionality & overrepresentation of youth of color in our system.

In early 2023, that task force, which was composed of all the relevant stakeholders including several legislators, came up with 55 recommendations. I am really excited about one particular recommendation that is already being implemented, the diversion program. The intent of diversion is to provide low level juvenile offenders with

opportunities to address negative behaviors and become productive members of society, without the barriers the juvenile justice system may unintentionally create. Since implementation of the statewide diversion policy on June 5 of last year, Juvenile Court Services has already diverted nearly 2,500 youth from formal processing. We are confident that diversion will help us meet many of the goals the task force set out to address.

I could spend an entire speech on this topic but instead I will direct you to our annual report released just today for an in-depth discussion of the Juvenile Justice Task Force recommendations and the many other great things going on with the judicial branch.

Fast forward another year. My colleagues and I continue to listen and learn better ways to administer justice more efficiently for the sake of all Iowans. One thing we know for sure: Judges, court staff and lawyers cannot do it alone. We need your help.

At this very moment, I am standing before 150 people (actually 151 people with the Governor) who, hands down, have the most direct line of communication to Iowans. I have no doubt that you, Iowans elected by Iowans, have a mighty interest in upholding the public's trust and confidence in the judicial branch.

- When new laws are enacted by you, or
- when one neighbor sues another neighbor, or
- when an officer charges someone with a violent crime,

it is your judicial branch who applies those laws, determines the outcomes of legal disagreements, and sends convicted criminals to prison to ensure community safety.

I am no Pollyanna. I respect that you may not agree with every opinion issued by the Iowa Supreme Court or decision handed down by one of our trial court judges or magistrates. Heck, I don't agree with every opinion issued by the supreme court. And when I was practicing law, I remember a few cases where the trial court judge or appellate court got it dead wrong (in my opinion). But from the bottom of my heart, I believe that every judge in this state is trying his or her best to apply the law to the facts of a case and make a thoughtful decision.

So, exactly how am I asking for your help today? If your constituents tell you a judge got something wrong, or maybe you tell your constituents the same thing, that is your right to hold such a belief. I may even agree with you. But what I'm asking you to do is to take that opportunity to explain that, even when you believe a judge is dead wrong, they are public servants—just like you—and they are committed to the rule of law—just as you would want them to be.

That leads me to my theme for this year, building connections. Connections are so important in state government. All three branches work for a common constituency—each and every Iowan. And all three branches are held together by the same framework—our great constitution. Government has often been compared to a three-legged stool with one leg for executive, one leg for legislative and one leg for judiciary. We owe it to the people of Iowa to work together and ensure that the three-legged stool remains rock solid.

Another form of support that I am asking for today will come as no surprise: financial. We rely on you, our legislature, to provide us with adequate funding and this year we are asking for a 4.3% increase in funding.

What makes up that 4.3%? In the judicial branch, salaries and benefits account for 95% of our budget. That isn't just a piece of the pie—it's pretty darn near the whole pie. Just like every other employer, public or private, we need to competitively pay our employees and judges. These people have an incredibly important responsibility: making sure all Iowans have meaningful access to justice.

I would like to talk a little bit about judicial pay. Salaries for judges are set by statute. In the last 15 years, judges have received only five increases. That means they have been told "no pay increase" 10 out of 15 years. When we take inflation into consideration, the purchasing power of judges' pay has actually decreased 17.2% in the past 12 years.

Our judges feel the impact of their salaries not even keeping pace with the cost of living. It is discouraging to know that they are paid less than judges in every state bordering Iowa. For example, Iowa judges make \$16,000 less per year than South Dakota judges, and they make \$38,000 less per year than Nebraska district court judges.

It's no wonder that the average number of applicants per district court judge vacancy in Iowa has decreased 62% in the past 20 years. In 2003 there was an average of about 17 applicants per vacancy but in 2023 it was down to an average of 6.5 applicants per vacancy. This dramatic decrease in applicants is deeply distressing; being appointed by the Governor to the bench should be the pinnacle of an attorney's career, not a deep financial sacrifice.

While judicial pay may be unpredictable and considered a barrier when soliciting qualified attorneys to apply for judgeships, we have always been able to minimize that bit of a stick by waving a carrot—a predictable pension plan.

For those of you who have listened to my prior speeches, I have never broached the topic of either pay or pension for our judges. I talk about these things one-on-one with you during our session meetings, but I have never used the state of the judiciary as a soapbox to relay that message. This year is different. I feel compelled to publicly speak from this platform, in front of our general assembly, as the voice of all judges in our state. Throughout the past year or so, the judicial pension has faced a real problem.

Let me back up a bit for those of you who may not know about Iowa's judicial pension. Iowa judges do not participate in IPERS, the retirement plan offered to most public employees in Iowa. Instead, we are members of the Judicial Retirement System. The Iowa Constitution guarantees judges "adequate retirement compensation" which is further specified in Iowa Code section 602.9104. Until recently, judges paid a fixed contribution rate into their retirement system. For those of you who have IPERS, which also has its own fixed contribution rate, this may sound familiar.

Anyway, that same code section includes a trigger for the judicial pension: once the system reaches "fully funded status," the contribution rates for judges and the state change from fixed to variable. That happened for the first time at the start of fiscal year 2022 when the judicial pension became fully funded—it rang the bell. But if that balance dips below fully funded status again, which it has already done since the bell was rung, the statute makes no provision for reverting back to a fixed contribution rate.

As a result, beginning in fiscal year 2023 and each year after, the rates judges pay into their pension system is no longer consistent and now fluctuates every year. What does that look like so far? Judges are paying more of their salaries into their pension. When you combine stagnate salaries with increasing pension rates, we end up with every single

judge in the state experiencing a net pay decrease. For current judges, that's a hard pill to swallow. For those we are trying to persuade to join the judicial ranks, the unpredictability of the pension makes it less useful as a carrot.

We are asking you to fix this problem so that we can recruit and retain talented judges. The Judicial Branch has filed a bill to return the Judicial Retirement System to a fixed contribution rate like originally set by our legislature. We believe it is in the best interests of the judges, and state, to have certainty in budget predictions. And this can be accomplished with a fixed contribution rate structure, like it used to be, and similar to what IPERS still has.

Enough about money. I'd like to talk to you about other ways the judicial branch would like to build connections. As I stated a few minutes ago, all three branches work for a common constituency—each and every Iowan. As constitutional partners, it makes sense that we work together to help the public understand our respective roles and duties.

Every September, in celebration of Constitution Day, the University of Pennsylvania releases results of its civics knowledge survey. In 2023, it reported that only 66% of adults in the United States could rattle off the three branches of government—executive, legislative and judicial. A staggering 17% of those surveyed could not name one branch of government. That is beyond disappointing.

Just last month, I was honored to attend the funeral of Justice Sandra Day O'Connor. Justice O'Connor was eulogized by some famous people, but the most moving tribute, in my opinion, was by her son, Jay. While his mother may be best known for making history by being the first woman to be appointed to the United States Supreme Court in 1981, Jay wants us to remember that her rich legacy of public service cannot be understated.

For example, in 2009, after retirement, Justice O'Connor founded the iCivics program aimed at teaching democracy to the next generation. In her own words, "The practice of democracy is not passed down through the gene pool. It must be taught and learned by each new generation." The judicial branch is supportive of our schools incorporating programs such as Justice O'Connor's iCivics, which I understand is already being used by many schools in our state.

Something else we are doing to help the public understand our respective roles and duties goes back to 2011, when we started something called Court on the Road. The name is perfect. We hit the road and hold court in various Iowa communities in an effort to interact with adults, students and local legislators about real cases on our docket. This has allowed us to provide the public with a better understanding of what the judicial branch does beyond the headlines of high-profile cases. Since its inception, we've held court in 35 communities and visited 228 schools. I am confident that the experience has been a smashing success. If you think your community would like to have the Iowa Supreme Court come to town, please let me know!

I have a new idea to share with you for building connections, something called Trial Court Show & Tell. On behalf of the judicial branch, I am extending a personal invitation to you, our legislators, to visit your local courthouse when court is in session so you can observe a typical day in the life of a trial court judge. To kick off this new idea, the judicial branch intends to invite legislators to participate in staggered times throughout the year, starting with leadership and members of the House and Senate Judiciary Committees.

I can't wait to see this idea unfold. No doubt you will walk away from Trial Court Show & Tell with a better understanding of what we do, and a deep respect for all the folks who keep the wheels of justice turning.

I have spent quite a bit of time talking about how we, as leaders of Iowa's three branches of government, can work together to keep the three-legged stool rock solid. Iowans will also benefit when we build and nurture connections with other partnerships, individuals and entities we fondly refer to as our bar family.

The Iowa County Attorneys Association, the Iowa Defense Counsel Association and the State Public Defender are all part of that bar family among other groups. I would be remiss if I didn't discuss with you another very important topic from last year, and that is indigent defense. According to the 6th Amendment of the United States Constitution and Article 1, section 10 of our state constitution, criminal defendants have a right to counsel. This is constitutionally crystal clear.

In that speech, I started my remarks with a bold statement: the statewide contract attorney shortage is threatening to bring criminal proceedings to a screeching halt. Unfortunately, that is still true. Talk to your county attorney...talk to a judge...talk to a local criminal defense attorney, and you will undoubtedly get an earful.

A whopping 95% of Iowa's nearly 10,000 licensed attorneys are not signed up to accept court appointments to represent juveniles and indigent defendants. What can be done to get more licensed attorneys to sign up? The judicial branch is working with the State Public Defender, Jeff Wright, and the Iowa State Bar Association to figure out solutions. But we need your help.

Over and over again, from across the state, I continue to hear from judges and lawyers that Iowa needs to substantially increase the pay for attorneys doing indigent defense work. Like the judge pay issue, every state that touches Iowa pays more for this work. We are seeing this most acutely in eastern Iowa where attorneys are choosing to work in Illinois over Iowa because Illinois recently revised its hourly rate to be approximately twice as much as Iowa. We have got to do better.

My battle cry this year is the same as last year. The state must fulfill its constitutional duty to provide criminal defendants with the right to counsel. To increase the number of licensed attorneys who will sign up, the judicial branch continues to support your efforts to increase funding for indigent defense and thank you for what you have done thus far. Justice is in jeopardy by the lack of contract attorneys. And based on what we're being told, the current pay structure is simply too low.

While higher pay would certainly help ease the pain, it won't entirely fix the problem. More broadly, and like many other states, we need more attorneys in rural Iowa. We need creative solutions to attract attorneys to practice in rural areas. Something we're doing right now to address the need for rural attorneys is increasing the implementation of a tool that became necessary during the pandemic—remote proceedings. We cannot expect our lawyers to be in two places at one time, yet that is the position we are putting them in when the number of criminal cases far exceeds the number of available attorneys. That's why we have revised our court rules to direct judges to conduct more remote proceedings when the circumstances are appropriate.

In addition to using remote proceedings to alleviate the problem, we are looking into how we can incentivize young attorneys to hang out a shingle in rural areas. Some of the ideas that seem promising are student-loan forgiveness, stipends and tax breaks. Those

things are very familiar in the medical profession—doesn't it make sense to look into similar opportunities for the legal profession to help Iowans access justice? Ultimately, these are policy decisions best left in your hands, but we encourage you to explore ways we can increase the number of rural attorneys. And we stand ready to partner with you to ensure these policies are promoted and ultimately successful.

I'd like to share with you a connection recently made that resulted in a positive outcome for many Iowans. Once upon a time, several years ago, I was presiding over a jury trial in Fremont County. It is a quaint community but, as many of you know, no one has to use blinkers in a small town because everyone knows where you're going. Anyway, it was becoming abundantly clear that we might not be able to seat a jury of 12 people who didn't have a close relationship or conflict with one of the players. We were down to the last juror who could be considered for jury duty. If she was dismissed, I warned the local sheriff that I would have to send him out to the town square and start snagging potential jurors.

This potential juror was willing to serve on the jury but had a newborn child at home and needed frequent breaks and privacy for pumping. As the presiding judge, I could ensure frequent breaks, but what about a private setting for her? We quickly worked with the Fremont County officials to find an old closet that could be locked from the inside, and a handwritten sign that said "PRIVATE" was taped on the door. That woman not only served as a juror but was the foreperson.

Recently, we called upon Iowa State Association of Counties [ISAC] to help implement a federal law that requires employers to provide basic accommodations, such as time and space, for breastfeeding mothers at work. They didn't hesitate to help and immediately reached out to its members. I am excited to report that Pottawattamie County was the first to notify us that it created a very nice and welcoming lactation room which I was pleased to tour in October. It sure beats an old closet lit with a single bulb, and helps jurors, court staff, attorneys and litigants participate in the legal system with dignity.

I applaud the counties who either already had lactation rooms in their courthouses or who are implementing them now. On behalf of women and babies everywhere, thank you!

As chief justice, I represent 1529 employees and 261 judges who serve in the judicial branch. These public servants are special. They get it. They understand that what may be a typical day at work for them is perhaps the most difficult day for the person they see engaging in our judicial system.

Iowans rely on these public servants to delicately handle:

- Divorces
- child custody and support
- adoptions
- personal injury and wrongful death
- administration of estates
- criminal matters ranging from seatbelt violations to murder, and
- cases involving children who have been neglected or abused.

Our staff and judges handle these cases with the solemnity and care they deserve. Like I said, these are special people, and I am so very proud of them. But, like many

employers, we need more employees to help us fulfil our duty to provide Iowans with access to justice.

The work of a public servant is deeply rewarding, and I encourage Iowans to consider a career in Iowa's Judicial Branch. If you're interested, please take a look at our website where you can learn more about specific job postings, salary and benefits.

One job in the judicial branch that warrants additional comment is that of court reporting. Last year, I reported on the court reporter shortage crisis. Although we are still severely short-staffed in that area, I want to share some good news that will hopefully move the needle.

Iowa's official form of court reporting has been stenotype. With a small machine that has very few keys, court reporters softly take down every single word during a trial. Their notes look like gibberish, but court reporters can magically turn gibberish into beautiful transcripts.

The Supreme Court recently expanded the definition of official court reporting to include not only stenotype but stenomask reporting, also called voice writers. They are professionals who use a handheld mask, which has a microphone inside, to repeat what is said in a court proceeding, verbatim. That audio is then transformed into text in near real time through the use of a transcription system. Surprisingly, the stenomask is soundproof and allows the reporter to do his or her work without disturbing others.

Broadening the definition of court reporting to include stenomask opens up the door to more people filling these positions in the judicial branch. Because the military has been exclusively using stenomask reporters for over 50 years, we can now recruit and hire a previously untapped pool of potential court reporters—veterans.

To make sure Iowans and soon-to-be Iowans are aware of this opportunity, we are also connecting with Home Base Iowa and Workforce Development. Recently, the Governor and I had a great conversation about this topic, and she offered her administration's assistance to pursue potential court reporter training opportunities for high school students.

One time I was making small talk with a court reporter and asked, "What made you decide to be a court reporter?" I have never forgotten her answer, and I believe it illustrates the importance of making connections. When Dixie was only 15 years old, she was returning home from a family vacation with her family when her dad parked the popup camper at a campground for the night. Everyone but Dixie headed to the bathhouse. When Dixie's mom returned to the camper and asked, "Where's Grandma?" Dixie told her she should have been at the bathhouse too. The family began looking for her in the dark, unfamiliar campground. Sadly, they found Dixie's grandma floating in the campground swimming pool. There were no lights or fencing around the pool.

In a room full of lots of lawyers and judges, it will come as no surprise that a lawsuit was filed. Dixie was an important witness for the case because she was the last person to see her grandmother alive. Dixie doesn't remember a lot about the trial, but she does remember that the court reporter was kind, and she showed her how the machine works and why it's important to have a record of what people are saying in court.

A seed was planted. A connection was made. Dixie reflects upon that interaction with a court reporter as the catalyst for her becoming an official reporter herself. She reported for 41 years, with the last 27 years as an official reporter with the Iowa Judicial Branch.

I want to do more to connect with you, our elected leaders. It's a lot easier to talk about our budget and other things on the judicial branch's wish list when I know the person sitting across the table.

That's why I'm taking this opportunity to remind you of my office hours at the capitol during session. Starting January 22 and going through March 11, I'll be in the Old Supreme Court chambers from 10 to noon. On those Mondays, I'll stick around and eat lunch on the ground floor. Please stop in. I'd love to get to know you better and hear what's on your mind. If you can't make one of those Mondays work, please reach out and we can find another time to connect. If something pops up and I can't make it work, I have six other justices who I know would be more than happy to scoot across the street and take my spot.

As I'm preparing for this speech every year, I am often asked, "How's Shawn doing?" I have no doubt that Shawn's journey from methamphetamine addiction to recovery continues to provide encouragement to others who may be struggling with any kind of addiction.

When I checked in with Shawn, I asked him my standard question from our old days in STEPS Family Treatment Court: "Shawn, how many days of sobriety?" He still keeps track, every single day. And his answer is stunning. It's 2,123 days. That's 5 years and 8 months. On his five-year anniversary, he went skydiving and sent me a picture to prove it. Rylan joined his dad on the phone with me the other night. He is turning into a fine young man and will celebrate his 12th birthday in three days.

Of all the things Shawn shared with me about this past year, I was most overjoyed that he and his friend, Jason, are now the proud co-founders of a new AA in their hometown of Anita. Meetings are held every Thursday night from 6:45 to 7:45 in the basement of the Congregational Church. And the name of their group is pretty darn catchy: "I Need A Meeting." Say it fast. "I Need A Meeting." Sounds just like "Anita Meeting." Great marketing.

As always, thank you Shawn, for allowing me to keep Iowans updated on your story of how Iowa's judicial branch provided a path for your enduring sobriety. You continue to be an inspiration to many, and always to me.

This chamber holds a lot of tradition...tradition I must relearn every January when we are invited to be guests in your home for the condition of the judiciary. Many of you may not have noticed something out of the ordinary during my speech—something from the judiciary. I asked Jodi, my court reporter, to be at my right side like she was for nearly 12 years. I cannot think of a better way to memorialize my commitment to building connections than to make an official record with one of Iowa's finest certified shorthand reporters.

In closing, I would like to invite everyone to join us shortly downstairs in the historic courtroom for coffee and cookies.

I also want to thank the many silent heroes who stand ready to protect us at today's public event. They risk their own safety in order to protect and serve our communities. I know that I speak for everyone in this room—thank you for serving, for doing a job that puts others first, and for preserving law and order.

I'd also like to acknowledge Captain Mark Miller who agreed to be here today at what may be his last official duty before retirement and provide security for an old friend. Mark and I built a connection over 30 years ago when he started trooping and I was an assistant county attorney.

I also want to thank my colleagues for their commitment to our work and to the legislature for its support of our work and for giving me this opportunity to speak with you today.

As chief of the Iowa Supreme Court, I promise to work hard towards building meaningful connections. Like I said, we owe it to the people of Iowa to work together and ensure that the three-legged stool remains rock solid.

Thank you.

Chief Justice Susan Christensen was escorted from the House chamber by the committee previously appointed.

Governor Kim Reynolds was escorted from the House chamber by the committee previously appointed.

On motion by Windschitl of Harrison, the Joint Convention was dissolved at 10:50 a.m.

Speaker Grassley in the chair at 10:51 a.m.

STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 539 Commerce

Relating to the use of genetic information provided to an insurer that offers health insurance, disability insurance, life insurance, or long-term care insurance.

H.S.B. 540 Commerce

Relating to prohibited conduct of a brewer with regard to wholesaler agreements.

H.S.B. 541 Judiciary

Relating to the costs of litigation in administrative hearings or court proceedings involving the collection of tax penalties and interest by the department of revenue.

H.S.B. 542 Education

Relating to education, including modifying provisions related to the number of area education agencies in this state, the duties and powers of area education agencies, area education agency boards of directors, the department of administrative services, the director of the department of education, the division of special education within the department of education, the services provided by area education agencies, area education agency funding, the calculation of the teacher salary supplement district cost per pupil, and minimum teacher salaries, and including transition, effective date, and applicability provisions.

H.S.B. 543 Ways and Means

Relating to state taxation and appropriations by combining special purpose funds, modifying individual income tax rates, placing assessment limitations for property tax purposes on commercial child care facilities, and modifying unemployment benefits, and including effective date and retroactive applicability provisions.

H.S.B. 544 Public Safety

Relating to controlled substances, including certain controlled substances schedules and precursor substances reporting requirements, making penalties applicable, and including effective date provisions.

H.S.B. 545 Public Safety

Relating to false reports to or communications with public safety entities, and providing penalties.

H.S.B. 546 Public Safety

Relating to previous law enforcement certification by other states.

H.S.B. 547 Public Safety

Relating to insurance companies acting as surety for bail bonds, including licensure requirements to act as a bail enforcement agent or business.

H.S.B. 548 Public Safety

Relating to short course law enforcement training requirements.

H.S.B. 549 Public Safety

Relating to disaster aid including the disaster aid individual assistance grant fund and program and the disaster case advocacy grant fund and program.

H.S.B. 550 Public Safety

Relating to the revocation or suspension of the certification of a law enforcement officer.

H.S.B. 551 Public Safety

Relating to a proclamation of disaster emergency and the disaster aid contingent fund.

H.S.B. 552 Judiciary

Prohibiting counties and cities from providing guaranteed income programs, and including effective date provisions.

H.S.B. 553 Transportation

Providing an alternative to filing a bond as a condition of registering and titling certain motor vehicles.

SUBCOMMITTEE ASSIGNMENTS**House File 134**

Education: P. Thompson, Chair; Collins and Staed.

House File 409

Local Government: Gehlbach, Chair; Gaines and Henderson.

House File 464

Education: Gustoff, Chair; Cahill and Fry.

[House File 470](#)

State Government: Kaufmann, Chair; Nielsen and Young.

[House File 488](#)

Public Safety: P. Thompson, Chair; Amos Jr. and Meggers.

[House File 495](#)

State Government: Siegrist, Chair; Collins and Srinivas.

[House File 496](#)

State Government: Collins, Chair; Gjerde and Golding.

[House File 498](#)

State Government: Bossman, Chair; Matson and Sexton.

[House File 529](#)

Transportation: Dunwell, Chair; Bagniewski and Gerhold

[House File 539](#)

Local Government: Rinker, Chair; Cooling and Henderson.

[House File 582](#)

Veterans Affairs: Carlson, Chair; Jeneary and Turek.

[House File 606](#)

Education: Gustoff, Chair; Cahill and Osmundson.

[House File 624](#)

Public Safety: Meggers, Chair; Gustoff and B. Meyer.

[House File 633](#)

State Government: Wulf, Chair; Harris and Nielsen.

[House File 638](#)

State Government: Harris, Chair; Bloomingdale and Nielsen.

[Senate File 455](#)

Local Government: Dunwell, Chair; Amos Jr. and Stoltenberg.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 539](#)

Commerce: Wilz, Chair; Srinivas and Wills.

[House Study Bill 540](#)

Commerce: Nordman, Chair; Bagniewski and Sorensen.

[House Study Bill 541](#)

Judiciary: Jones, Chair; Nordman and Scheetz.

[House Study Bill 542](#)

Education: Wheeler, Chair; Collins and Steckman.

[House Study Bill 543](#)

Ways and Means: Kaufmann, Chair; Bloomingdale, Jacoby, Johnson and Wilson.

[House Study Bill 544](#)

Public Safety: Rinker, Chair; Henderson and Wessel-Kroeschell.

[House Study Bill 545](#)

Public Safety: Dieken, Chair; Fisher and B. Meyer.

[House Study Bill 546](#)

Public Safety: Vondran, Chair; Dieken and Olson.

[House Study Bill 547](#)

Public Safety: Fisher, Chair; Meggers and Scheetz.

[House Study Bill 548](#)

Public Safety: Meggers, Chair; Dieken and Scheetz.

[House Study Bill 549](#)

Public Safety: Henderson, Chair; Fisher and Kurth.

[House Study Bill 550](#)

Public Safety: Rinker, Chair; Abdul-Samad and Meggers.

[House Study Bill 551](#)

Public Safety: Fisher, Chair; Henderson and Kurth.

[House Study Bill 552](#)

Judiciary: Holt, Chair; Wessel-Kroeschell and Wheeler.

[House Study Bill 553](#)

Transportation: Meggers, Chair; Wilson and Wulf.

On motion by Windschitl of Harrison, the House adjourned at 10:52 a.m., until 8:30 a.m., Thursday, January 11, 2024.