

## REPORTS RECEIVED SUBSEQUENT TO ADJOURNMENT

The following is a record of Senate reports received after the close of the 2007 Regular Session.

### HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 29, 2007, **adopted** the following resolution in which the concurrence of the House was asked:

[Senate Concurrent Resolution 8](#), a concurrent resolution to provide for adjournment sine die.

ALSO: That the House has on April 29, 2007, **concurred in the Senate amendment to the House amendment, and passed** the following bill in which the concurrence of the House was asked:

[Senate File 601](#), a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for tax credits, providing for fees and penalties, and providing for properly related matters, and including effective date provisions.

### BILLS REFERRED TO COMMITTEE FROM CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 4, the following bills remaining on the Senate Calendar upon adjournment of the 2007 session will be removed from the calendar and referred back to the committee to which they were originally assigned:

<u><a href="#">S.F. 307</a></u>	Ways and Means
<u><a href="#">S.F. 399</a></u>	State Government
<u><a href="#">S.F. 440</a></u>	Local Government
<u><a href="#">S.F. 455</a></u>	Judiciary
<u><a href="#">S.F. 491</a></u>	Judiciary
<u><a href="#">S.F. 495</a></u>	Natural Resources and Environment
<u><a href="#">S.F. 550</a></u>	Judiciary
<u><a href="#">S.F. 565</a></u>	Ways and Means
<u><a href="#">S.F. 568</a></u>	Ways and Means

<a href="#">S.F. 571</a>	Ways and Means
<a href="#">S.F. 577</a>	Government Oversight
<a href="#">S.F. 582</a>	Ways and Means
<a href="#">S.F. 583</a>	Ways and Means
<a href="#">S.F. 589</a>	Ways and Means
<a href="#">S.F. 594</a>	Government Oversight
<a href="#">S.F. 595</a>	Ways and Means
<a href="#">S.F. 598</a>	Appropriations
<a href="#">S.F. 602</a>	Appropriations
<a href="#">S.F. 605</a>	Government Oversight

MICHAEL E. MARSHALL  
Secretary of the Senate

### BILL ASSIGNED TO COMMITTEE

President Kibbie assigned [House File 344](#) to the committee on **State Government**. ([House File 344](#) was attached to companion [Senate File 399](#) on the Senate Calendar).

### FINAL DISPOSITION OF MOTION TO RECONSIDER

Pursuant to Senate Rule 24, the following motion to reconsider, which remained on the Senate Calendar upon the adjournment of the 2007 Regular Session of the Eighty-second General Assembly, was determined to have **failed**:

[Senate File 519](#), a bill for an act providing for energy performance-based contracts for certain public entities. (Senate failed to pass the bill on April 3, 2007. Motion to reconsider filed by Senator Connolly on April 3, 2007.)

## REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 499](#), the following corrections were made:

1. Page 4, line 12: Change “Environmental Protection Agency” to “environmental protection agency”.
2. Page 4, line 14: Delete space between U.S.C. and reference.
3. Page 5, line 30: Space needed between “certification.” and “An”.
4. Page 5, line 32: Space needed between “resources.” and “The”.

ALSO:

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 551](#), the following corrections were made:

1. Page 1, line 16: Add zero to FTEs to read “444.60”.
2. Page 8, line 26: “storm water” is two words.

ALSO:

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 562](#), the following correction was made:

1. Page 6, line 15: “main street” made into one word “mainstreet”.

ALSO:

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 588](#), the following correction was made:

1. Page 11, line 26: Changed “14.” to “13.” and renumbered through end of sec. 6.

ALSO:

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 601](#), the following corrections were made:

1. Page 59, line 13: Designate the new subparagraph as “(11)”.
2. Page 59, line 35: Designate the new paragraph as “1.” a lowercase “L”.
3. Page 60, lines 26 and 27: Move “Notwithstanding” paragraph to follow “EXCEPTION.” as a run-in sentence.
4. Page 65, line 13: Make the word “subsection” plural to account for the four subsections being amended.
5. Page 100, line 6: Close up the spacing between “SECTION.” and “137F.11A”.
6. Page 106, line 9: Insert a necessary space between “ballot.” and “The”.

MICHAEL E. MARSHALL  
Secretary of the Senate

**BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR**

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following resolutions and bills and have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 29th day of April, 2007:

Senate Joint Resolutions 4, 5, and 6, and Senate Files 90, 212, 254, 263, 265, 278, 304, 333, 336, 340, 344, 346, 360, 369, 403, 421, 427, 430, 435, 447, 457, 469, 472, 499, 503, 510, 512, 518, 530, 538, 539, 540, 543, 546, 551, 554, 557, 558, 559, 562, 563, 564, 566, 575, 578, 579, 580, 586, 588, 590, 592, 593, and 601.

MICHAEL E. MARSHALL  
Secretary of the Senate

**SENATE BILLS APPROVED, ITEM VETOED, AND  
VETOED SUBSEQUENT TO ADJOURNMENT**

The following is a record of action by the Governor transmitted to the Secretary of State after the close of the 2007 Regular Session:

**SENATE BILLS APPROVED**

[Senate Joint Resolution 4](#) – Authorizing the temporary use and consumption of wine in the State Capitol, and the temporary display of ceremonial banners, in conjunction with the awards ceremony of the World Food Prize Foundation. Approved May 24, 2007.

[Senate Joint Resolution 5](#) – Authorizing the temporary use and consumption of alcoholic beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date. Approved May 24, 2007.

[Senate Joint Resolution 6](#) – Approving the permanent acknowledgement of elementary and secondary schools and individual citizens of this state for their contributions of foliage and items to be permanently located on the west capitol terrace and other capitol grounds and providing an effective date. Approved May 24, 2007.

[Senate File 90](#) – Concerning local emergency management commission communications. Approved May 11, 2007.

[Senate File 212](#) – Relating to county offices, by protecting certain identity information contained in documents recorded with the county recorder and by increasing salary limits for certain deputy officers and providing an applicability date. Approved May 9, 2007.

[Senate File 254](#) – Revising family investment program requirements. Approved May 9, 2007.

[Senate File 263](#) – Concerning gambling games on gambling structures. Approved May 25, 2007.

[Senate File 265](#) – Relating to asbestos removal and encapsulation regulations as enforced by the labor commissioner. Approved May 9, 2007.

[Senate File 278](#) – Relating to changes in the utility replacement tax law by redefining a new electric power generating plant, extending the life of the utility replacement tax task force, and requiring notification by the taxpayer to the department of revenue and local taxing district upon transfer of utility property. Approved May 11, 2007.

[Senate File 304](#) – Relating to the exercise of regulatory authority by the department of natural resources and the natural resource commission within the boundaries of the Sac and Fox tribe settlement in Tama county, and providing for applicability and effective dates. Approved May 25, 2007.

[Senate File 333](#) – Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions. Approved May 9, 2007.

[Senate File 336](#) – Allowing certain cities to appoint additional civil service commissioners. Approved May 9, 2007.

[Senate File 340](#) – Relating to the consideration of inherited or gifted property in dissolution-of-marriage property division proceedings and including an effective date and an applicability provision. Approved May 21, 2007.

[Senate File 344](#) – Relating to enforcement of certain solid waste disposal requirements and providing civil penalties. Approved May 11, 2007.

[Senate File 346](#) – Providing for the development of a uniform health insurance application form for use by small employers. Approved May 24, 2007.

[Senate File 360](#) – Relating to the regulatory duties of the division of banking of the department of commerce regarding banking, debt management, mortgage banking, industrial loan companies, and professional licensing. Approved May 24, 2007.

[Senate File 369](#) – Relating to voting machines and optical scan voting systems. Approved May 24, 2007.

[Senate File 421](#) – Relating to workers' compensation laws by regulating insurance policy exclusions and debt collection practices. Approved May 9, 2007.

[Senate File 427](#) – Relating to the Iowa civil rights Act and discrimination based upon a person's sexual orientation or gender identity. Approved May 25, 2007.

[Senate File 430](#) – Relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision. Approved May 25, 2007.

[Senate File 435](#) – Relating to youth deer hunting licenses. Approved May 9, 2007.

[Senate File 447](#) – Relating to incentives for school district reorganizations and shared operational functions, and making an appropriation. Approved May 9, 2007.

[Senate File 457](#) – Relating to the rights of peace officers and public safety and emergency personnel. Approved May 15, 2007.

[Senate File 469](#) – Concerning financial and regulatory matters, including by providing for the sale of motor homes by a manufacturer at a camping rally sponsored and conducted by the manufacturer and providing for applicability to a pilot project, and providing an effective date. Approved May 9, 2007.

[Senate File 472](#) – Requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty. Approved May 21, 2007.

[Senate File 499](#) – Relating to regulation of underground storage tanks by the department of natural resources, making appropriations, and providing contingent effective date provisions. Approved May 24, 2007.

[Senate File 503](#) – Relating to regulation of children’s services by the department of human services by increasing the age for certain children receiving child care regulated by the department and revising child welfare and juvenile justice service provisions. Approved May 24, 2007.

[Senate File 510](#) – Concerning electrical and mechanical amusement devices and providing penalties. Approved May 24, 2007.

[Senate File 512](#) – Relating to the regulation of pharmacy benefits managers and making penalties applicable, and providing an effective date. Approved May 25, 2007.

[Senate File 518](#) – Reorganizing Code chapter provisions relating to the authority to engage in the business of insurance other than life insurance by transferring provisions, eliminating outdated provisions, and amending corresponding provisions, as necessary. Approved May 11, 2007.

[Senate File 530](#) – Relating to prohibited business practices by a real estate broker or salesperson. Approved May 11, 2007.

[Senate File 538](#) – Relating to a parent’s cause of action for the recovery of expenses and actual loss of services, companionship, and society resulting from the injury to or death of a child and including an applicability date provision. Approved May 9, 2007.

[Senate File 539](#) – Establishing uniform finance procedures for obligations issued by the state. Approved May 9, 2007.

[Senate File 540](#) – Relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions. Approved May 9, 2007.

[Senate File 546](#) – Relating to a hospital lien. Approved May 11, 2007.

[Senate File 554](#) – Relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date. Approved May 29, 2007.

[Senate File 557](#) – Relating to the regulation of credit unions by revising and reorganizing the Iowa credit union Act, making conforming changes, and providing for taxes, fees, and penalties. Approved May 24, 2007.

[Senate File 558](#) – Providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program. Approved May 25, 2007.

[Senate File 559](#) – Relating to cemetery and funeral merchandise, funeral services, and cemeteries and providing fees and penalties. Approved May 24, 2007.

[Senate File 563](#) – Relating to and making appropriations to the judicial branch. Approved May 24, 2007.

[Senate File 564](#) – Regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties. Approved May 25, 2007.

[Senate File 566](#) – Relating to historic preservation and cultural and entertainment district tax credits, and providing applicability date provisions. Approved May 21, 2007.

[Senate File 578](#) – Creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, providing a tax exemption and a penalty, and including a retroactive applicability provision. Approved May 24, 2007.

[Senate File 579](#) – Relating to a pharmaceutical collection and disposal pilot project and including an effective date provision. Approved May 11, 2007.

[Senate File 580](#) – Relating to a tax amnesty program, making appropriations, and including an effective date provision. Approved May 24, 2007.

[Senate File 586](#) – Creating a special gold star motor vehicle registration plate and providing fees and an effective date. Approved May 24, 2007.

[Senate File 590](#) – Relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions. Approved May 15, 2007.

[Senate File 592](#) – Relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of revenue, including administration of sales and use taxes, and providing an effective date. Approved May 24, 2007.

[Senate File 593](#) – Relating to court procedures including conciliation proceedings and civil and criminal fees, penalties, and protective orders. Approved May 24, 2007.

## GOVERNOR'S ITEM VETO MESSAGES

May 21, 2007

The Honorable Michael Mauro  
Secretary of State  
State Capitol Building  
L O C A L

Dear Mr. Secretary:

I hereby transmit [Senate File 403](#), an Act addressing financial and regulatory matters by making and revising appropriations, providing for properly related matters, and providing effective dates. [Senate File 403](#) is approved on this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 26 in its entirety, which provides a standing limited General Fund appropriation of \$160,000 to fund the operational expenses of the Real Estate Education Program at the University of Northern Iowa. Funding the day-to-day expenses of this program with a standing appropriation effectively removes this function from annual oversight by the Governor, the Board of Regents, and the Legislature. I recommend that the Board of Regents or the presidents of the Iowa community colleges provide funding for this program from the General Fund appropriations for their operating budgets if the Real Estate Education Fund is insufficient to cover the expansion of this program contained in other sections of Division VII of [Senate File 403](#) and if the program fits within the mission of the respective institution.

Finally, I am unable to approve the item designated as Division VIII in its entirety, including Sections 30, 31, 32, 33, 34, 35, 36, 37, and 38. This division deals with the Executive Branch's authority to dispose of real property with a fair market value of at least \$5,000,000 and imposes an additional requirement that such transactions must be approved by not only the Governor but also by a majority of each House of the General Assembly. It imposes an unnecessary legislative requirement on the Executive Branch's authority to manage state property in the best interests of the State and could, for instance, adversely affect the timing of certain transactions for the Department of Transportation and the Department of Natural Resources. For this reason, these sections of this division are unacceptable.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16, of the Constitution of the State of Iowa. All other items in [Senate File 403](#) are hereby approved this date.

Sincerely,  
CHESTER J. CULVER  
Governor

May 29, 2007

The Honorable Michael Mauro  
Secretary of State  
State Capitol Building  
L O C A L

Dear Mr. Secretary:

I hereby transmit [Senate File 551](#), an Act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection. [Senate File 551](#) is approved on this date, with the exception noted below, which I hereby disapprove.

I am unable to approve the item designated as Division XII, Section 50, in its entirety. This provision requires the director of a department or state agency included in [Senate File 551](#) to examine employee telecommuting options, develop a telecommuter employment policy, and implement a plan designed to increase the number of telecommuting employees. Many departments maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 50 directing a department or state agency to conduct an assessment of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove of the designated item in accordance with Article III, Section 16, of the Constitution of the State of Iowa. All other items in [Senate File 551](#) are hereby approved this date.

Sincerely,  
CHESTER J. CULVER  
Governor

May 29, 2007

The Honorable Michael Mauro  
Secretary of State  
State Capitol Building  
L O C A L

Dear Mr. Secretary:

I hereby transmit [Senate File 562](#), an Act relating to and making appropriations to the Department of Cultural Affairs, the Department of Economic Development, certain Board of Regents Institutions, the Department of Workforce Development, the Iowa Finance Authority, and the Public Employment Relations Board and related matters. [Senate File 562](#) is approved on this date, with the exception noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 26 in its entirety. This provision requires the directors of a department or state agency included in [Senate File 562](#) to examine employee telecommuting options, develop telecommuter employment policies, and implement plans designed to increase the number of telecommuting employees. Many departments maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 26 directing a department or state agency to conduct an assessment of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove the designated item in accordance with Article III, Section 16, of the Constitution of the State of Iowa. All other items in [Senate File 562](#) are hereby approved this date.

Sincerely,  
CHESTER J. CULVER  
Governor

May 29, 2007

The Honorable Michael Mauro  
Secretary of State  
State Capitol Building  
L O C A L

Dear Mr. Secretary:

I hereby transmit [Senate File 575](#), an Act relating to and making appropriations to the justice system. [Senate File 575](#) is approved on this date, with the exception noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 20 in its entirety. This provision requires the director of a department or a state agency included in [Senate File 575](#) to examine employee telecommuting options, develop a telecommuter employment policy, and implement a plan designed to increase the number of telecommuting employees. Many departments maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 20 directing a department or state agency to conduct an assessment of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove of the designated item in accordance with Article III, Section 16, of the Constitution of the State of Iowa. All other items in [Senate File 575](#) are hereby approved this date.

Sincerely,  
CHESTER J. CULVER  
Governor

May 29, 2007

The Honorable Michael Mauro  
Secretary of State  
State Capitol Building  
L O C A L

Dear Mr. Secretary:

I hereby transmit [Senate File 588](#), an Act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters concerning the Iowa learning technology commission, providing for a related matter concerning participation in an instructional support program by school districts, and providing effective dates. [Senate File 588](#) is approved on this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 5 in its entirety. Iowa Code section 261.20 states that the moneys in the Scholarship and Grant Reserve Fund shall only be used to alleviate a current fiscal year shortfall in appropriations for scholarship or tuition grant programs that have the same nature as the programs for which the moneys were originally appropriated. There is not a state student-aid program that serves barber schools and schools of cosmetology arts. Therefore, an allocation from the reserve fund for this purpose does not meet the requirements as defined in Iowa Code section 261.20.

I am unable to approve the item designated as Section 15 in its entirety. This provision requires the director of a department or state agency included in [Senate File 588](#) to examine employee telecommuting options, develop telecommuter employment policies, and implement plans designed to increase the number of telecommuting employees. Many departments and agencies maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 15 directing a department or state agency to conduct assessments of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16, of the Constitution of the State of Iowa. All other items in [Senate File 588](#) are hereby approved this date.

Sincerely,  
CHESTER J. CULVER  
Governor

May 29, 2007

The Honorable Michael Mauro  
Secretary of State  
State Capitol Building  
L O C A L

Dear Mr. Secretary:

I hereby transmit [Senate File 601](#), an Act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for tax credits, providing for fees and penalties, and providing for properly related matters, and including effective date provisions. [Senate File 601](#) is approved this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 28 in its entirety. I am unable to approve this item because it requires the Supreme Court to submit a detailed listing of requested increases in salaries of all judges and magistrates annually before December 1. This designated language runs counter to budget guidelines which ask that departments or agencies not include salary increases in their budget requests. Furthermore, this provision could impact the collective-bargaining process by requiring the Supreme Court to submit salary changes prior to the completion of collective bargaining.

I am unable to approve the item designated as Section 42 in its entirety. This provision appropriates \$150,000 from the General Fund for a Fiscal Year 2007 supplemental appropriation to the Department of Natural Resources for a feasibility study on the use of plasma arc technology for the disposal of solid waste. I recommend that an application for funds for such a study be made through the Iowa Power Fund because it is important to determine the feasibility of plasma arc technology. The Iowa Power Fund Board needs to provide the proper due diligence to review this and other technologies to fulfill its mission to expand sources of alternative energy.

I am unable to approve the item designated as Section 43 in its entirety. This provision requires the director of a department or state agency who is subject to a requirement to develop a telecommuter employment policy to also develop such a policy and plans in conjunction with representatives of the collective bargaining units of the affected employees. Departmental telecommuting policies and procedures have been in place for several years and are well established. I will direct the Department of Administrative Services and the Department of Management to review the current

state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

I am unable to approve the item designated as Section 48 in its entirety. This provision increases the Department of Transportation's operations budget by \$16,800. This additional funding is no longer needed by the Department of Transportation.

I am unable to approve the item designated as Section 49 in its entirety. This provision increases the appropriation for the Department of Transportation's operations budget by \$103,200. This additional funding is no longer needed by the Department of Transportation.

I am unable to approve the item designated as Section 56 in its entirety. This provision creates a standing appropriation for the World Food Prize of \$1,000,000 annually. While I strongly support the World Food Prize, I do not believe this appropriation should be a standing appropriation not subject to annual review. This appropriation should be reviewed annually during the budgetary process. Further, I would encourage greater private sector contributions for this program.

I am unable to approve the item designated as Section 57 in its entirety. This provision statutorily creates the World Food Prize Youth Institute. While I strongly support this program, it is already in existence and does not need to receive statutory commitment.

I am unable to approve the item designated as Section 59 in its entirety. This designated provision expands the Community Attraction and Tourism program from Fiscal Year 2011 through Fiscal Year 2013 and raises the maximum multiyear commitment to an applicant from \$4 million to \$6 million. Despite this designated language, the Community Attraction and Tourism program is still authorized for another three years with a total remaining appropriation of \$36 million. I strongly support attracting tourism to our state and want to work with community and business leaders and the Legislature to develop improvements to this program or create a new program before the current program expires in Fiscal Year 2010. I am unable to support a new commitment for additional out-year spending until I have been able to evaluate this program more fully. Furthermore, I do not believe the maximum multiyear commitment to an applicant should be increased because it would reduce the number of projects and communities that can participate in this program.

I am unable to approve the item designated as Section 80 in its entirety. This provision specifies that the reimbursement rate for use of personal vehicles while on state business must fall within a range of not less than 90 percent or more than 110 percent of the maximum allowable under the federal Internal Revenue Service rules. I believe the authority to determine this rate should remain with the director of the Department of Administrative Services, and this language would establish a large unfunded mandate on state agencies. I also do not want to set the precedent of making a statutory tie to federal rates and remove this matter from the discretion of the Department of Administrative Services. I recognize the impact that rising fuel costs have on state government employees, and I will direct the director of the Department of Administrative Services to develop more effective policies to encourage state government employees to use fuel-efficient state vehicles more frequently.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16, of the Constitution of the State of Iowa. All other items in [Senate File 601](#) are hereby approved this date.

Sincerely,  
CHESTER J. CULVER  
Governor

### GOVERNOR'S VETO MESSAGE

May 29, 2007

The Honorable Michael Mauro  
Secretary of State  
State Capitol Building  
L O C A L

Dear Mr. Secretary:

I hereby disapprove and transmit to you [Senate File 543](#), without my signature, in accordance with Article III, Section 16, of the Constitution of the State of Iowa. [Senate File 543](#), an Act relating to the state Interagency Missouri River Authority (Authority), amends provisions of Iowa Code section 28L.1, so as to alter the means by which the authority would be governed.

There is no question that our state needs an effective Authority if we are to coordinate the important work that must be done to assure that the economic and environmental potentials of the Missouri River basin are viably and legally managed. I appreciate the efforts of the General Assembly to achieve that end. However, I believe the changes to the Authority's governance structure, as set forth in [Senate File 543](#), would reduce our government's effectiveness in managing this vital natural resource.

As presently constituted, the governor or the governor's designee serves as the Authority's chairperson. The director of the Department of Natural Resources is responsible for coordinating the Authority's activities and serves as chairperson in the absence of the governor. Other members of the Authority—including our Secretary of Agriculture, the chairperson of the Iowa Utilities Board, and the directors of the Department of Economic Development and the Department of Transportation—add their valuable expertise to allow the Authority to arrive at policy decisions that serve the long-term best interests of our state.

Under [Senate File 543](#), if enacted into law, this structure and process of governance would be fundamentally and, in my view, adversely affected. The bill provides for the appointment of a vice chairperson, a position that would rotate on a yearly basis, thereby depriving the Authority of a stability and efficiency of administration that have served it well over a period of years.

Further, [Senate File 543](#) imposes an express unanimity requirement upon the Authority, thereby allowing potential political deadlock and thereby impeding the State of Iowa's ability to participate meaningfully in interstate organizations that have

been created to assure better management of the Missouri River's economic and environmental potentials.

For example, former Governor Thomas J. Vilsack, in June 2006, directed the Authority's members to join the newly-created Missouri River Association of States and Tribes (MoRAST), an organization established to assist states and tribes that border the Missouri River to address commonly shared ecosystem concerns. Under that arrangement, the State of Iowa appoints two department representatives from the Authority to MoRAST's Board of Directors.

[Senate File 543](#) proscribes a "split" vote by Iowa's representatives on such bodies. It is anticipated that, in most instances, Iowa's departmental representatives will agree on matters of policy and practice. However, it is also true that we are governed most effectively when our distinguished departmental directors are allowed to present their view openly and to cast their votes, in good faith, with the best interests of our state as their only polestars, and not with statutory provisions that would threaten policy gridlock.

Members of the Iowa General Assembly can be assured that the Culver-Judge administration is committed to developing and implementing a balanced approach to the Missouri River, taking into account all interests, including environmental, recreational, agricultural, and economic. To that end, I have directed Lieutenant Governor Judge to convene a summit of interested stakeholders and state government agencies to consider future policies and practices with respect to how the vast resources of the Missouri River basin can be most effectively utilized in the interest of all Iowans.

Further, it should be noted that if our administration concludes that Iowa's best interests are not being represented by actions taken by MoRAST, or any other interstate agency focused on Missouri River issues, we will reserve the right to withdraw from such organizations.

Achieving our goals with respect to the Missouri River does not require—in fact, may be impeded by—the amendments to Iowa Code chapter 28L.1 that are set forth in [Senate File 543](#). Accordingly, I hereby forward that bill to you, without my signature.

Sincerely,  
CHESTER J. CULVER  
Governor