



Representative Andrew Wenthe

# STATEHOUSE NEWS

## Capitol Comments

January 15, 2009

*I was honored this week to be sworn in to my second term as the State Representative for House District 18, serving parts of Fayette, Bremer and Black Hawk Counties. It is always with a great sense of pride that I walk up the steps of the Capitol to serve as your State Rep. I know that I owe it to all of my constituents to work hard to serve them in the best way possible and I am committed to do all that I can to improve the lives of northeast Iowans through my work in your State Capitol.*

*My committee assignments have changed slightly this year. I am now the Vice-Chair of the Appropriations Committee, which is charged with allocating state resources. We have a big challenge ahead of our committee this year given the current economic recession leading to decreased state revenues, but I am confident we will pass a responsible and balanced state budget.*

*I will continue to serve on the Economic Growth and Agriculture Committees as well as add Transportation to my committee list. I will also serve again on the Education Budget Subcommittee.*

*This first week of the 83<sup>rd</sup> General Assembly featured Governor Culver's Condition of the State address and the Condition of the Judiciary address from Chief Justice Marsha Ternus. Both the Governor and Chief Justice laid out plans for the initiatives they deem most critical for Iowa. It will be our responsibility in the legislature to determine if and how it is possible to move forward with these recommendations. You can read more about these addresses in the newsletter articles below.*

*Given that we are completing just the first couple days of our scheduled 110 day session, I think it is fair to consider almost any proposal as "on the table". This includes Governor Culver's proposal to*

*bond for a \$700 million investment package financed using state gaming revenues to address critical unmet infrastructure needs like rail, trails, public buildings, water and sewer treatment facilities, the utility grid and telecommunications.*

*While I certainly have questions about this proposal that need to be answered in the weeks ahead and before I consider casting a yes or no vote, I believe any idea with the goal to improve Iowa's infrastructure should be discussed. I welcome your input on Governor Culver's proposal.*

*The Rebuild Iowa Committee met for the first time this week. It is a new committee created this year by the Speaker to ensure the Iowa House has one experienced team of representatives coordinating all our recovery efforts, including short-term*

*Continued on Page 2*



### Inside this issue:

Iowa Legislature Opens 2009 Session	2
Governor 's Condition of the State Address	2
Small Businesses Aided in Disaster Recovery	3
Chief Justice Calls for Help for Needy; Fiscal Needs of Court	3
School Districts See Changes in Student Enrollment	4
Medicaid Forecast Shows Need for Supplemental Funding	5
Water Quality Grants Available	5
Iowa National Guard Troops to Support Inauguration	5
Iowa Independent Film Festival to be in Clear Lake	6
Transportation Commission Awards Funding	6
DOT Warns of Black Ice	6
Commercial Vehicles Reminded to do Inspections	7
Governor Proposes Additional Help for Communities	7
Governor Proposes New Jobs and Infrastructure	7

recovery assistance and long-term disaster planning. Their top priority is to build consensus on the Governor's request for \$43 million in immediate assistance. We know we must act quickly, but we will work diligently to ensure taxpayer dollars are used effectively and efficiently. It is my hope that

the Senate, House and Governor's Office can agree to legislation that can be signed into law quickly.

As always, I truly appreciate seeing folks from back home while I'm at the Capitol. This week I was happy to greet Roger and Cheryl Arthur and Sarah Lopez as part of a delegation representing Rural Electric

Cooperatives. Also visiting were President Ben Allen of the University of Northern Iowa, representatives from Iowa's Centers for Independent Living, and advocates for the American Cancer Association. I hope to see you at the Capitol soon!

## Iowa Legislature Opens 2009 Session

The 83<sup>rd</sup> General Assembly opened the 2009 legislative session at the State Capitol on Monday, January 12<sup>th</sup>, with a focus on helping Iowans recover from the natural disasters last summer and the difficult economic times.

Of the 46 states currently facing economic hardship, Iowa is in a better position than almost any other state to weather this economic storm. We are one of only a

few states that are now net exporters of energy – our investments in ethanol and wind development are beginning to bear fruit and these investments will continue to bring jobs to our state.

Last fall, House Democrats outlined a Plan to Secure Iowa's Economic Future to guide their work during the 2009 legislative session. The goal is to help middle class families and Iowa businesses succeed in

today's global economy. The plan includes making Iowa an energy independent "green" state, creating new jobs, expanding job training, reducing commercial property taxes, and providing a quality and affordable education for students.

## Governor's Condition of the State Address

On Tuesday, January 13<sup>th</sup>, Governor Chet Culver addressed a joint session of the Iowa Legislature to provide the Condition of the State of Iowa. He said that despite some setbacks, he is both optimistic and confident about what the future holds for our state. The condition of our state is strong because the people of Iowa are strong.

Governor Culver said 2008 was a year we will never forget with the tornados and historic floods that raged through most of the state. He remarked that at the same time we saw Iowans working together helping each other no matter if they were old or young, rich or poor, Democrat or Republican. He asked lawmakers to carry on that lesson this year, as a team, to rebuild Iowa.

He asked the Legislature, as their first order of business, to rebuild this state that we all love so much. He has three key areas he wants the Legislature to address:

- ♦ Pass a \$43 million rebuild Iowa recovery assistance package, funded from the state's rainy day fund.
- ♦ Act on the 12 key recommendations outlined in the Rebuild Iowa Advisory Commission report, including modern flood plain mapping, levee mitigation, watershed management, and first responder and emergency management training.
- ♦ Create a Rebuild Iowa Infrastructure Authority that will issue up to \$700 million of bonds over the next several years. This is designed to stimulate economic growth in Iowa, create good private sector jobs, and address unmet infrastructure needs.

And finally, Governor Culver asked lawmakers to protect the investments

we've already made. This includes the Iowa Power Fund, which has helped create green collar jobs and is making Iowa the renewable energy capitol of the United States; keeping Iowa a national leader in education; working to make health care more accessible and affordable; and maintaining our commitments to public safety.



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## Small Businesses Aided in Disaster Recovery

*The Small Business Development Centers (SBDC's) assisted over 2,000 businesses and individuals with disaster relief recovery from June through September, 2008. This was in addition to their regular technical services that they provide to assist small businesses.*

*Shortly into recovery, it became clear that the demands made on SBDC's would exhaust their resources, and the Small Business Administration (SBA) increased the organizations allocation. In the 90 counties recognized as disaster areas by the SBA, there are over 123,000 small businesses*

*employing 1.2 million people. Many Iowa businesses did not suffer physical damage this summer, but are just now recognizing their damage economically from the disasters. They are now seeking the SBDC's free counseling services, education programs and community outreach to new and existing businesses.*

*Besides the flood and tornado recovery, the SBDC's have co-sponsored a pilot program called the Emerging 200 initiative. It provides intensive training in marketing and finance to inner-city business owners in Des Moines. In the spring of 2009, the SBDC's will*

*introduce a partnership with the Iowa Farm Bureau for a revamped business succession and transition program. It provides strategies for selling and transitioning businesses to a next generation owner.*

*In a report to the Legislature, the SBDC's also provided the following facts on SBDC's:*

- ♦ *Held 8 training sessions attended by 76 people.*
- ♦ *Responded to 1,868 requests for information.*
- ♦ *Provided services with a cost benefit ratio of \$5.41 for every \$1 spent.*

## Chief Justice Calls for Help for Needy; Fiscal Needs of Court

*Chief Justice Marsha Ternus delivered the annual State of the Judiciary to a joint session of the Iowa House and Senate. The Chief Justice stressed the need for expanded services for the state's neediest individuals in the justice system and the fiscal restraints on the court system.*

### **Equal Justice**

*Chief Justice Ternus first stated that one of the greatest dilemmas facing courts today, both in Iowa and the nation, is helping the neediest users of the judicial system. Increasingly individuals cannot access the courts or cannot use these services effectively because they cannot afford an attorney.*

*The Chief Justice noted that there is no single response to this issue. Instead she called for providing financial support to legal service organizations, providing*

*better resources to self-represented litigants, and creating new strategies for civil litigants to get justice through a comprehensive study of all options.*

*Chief Justice Ternus indicated there is an increasing issue with court interpreters. The Chief Justice stressed that federal law requires all agencies and courts that receive federal funds must provide access for limited English proficient persons to important services. To meet this growing need the Chief Justice proposed a statewide language interpreting center to pool and coordinate resources*

*Chief Justice Ternus next focused on juvenile offenders. The Chief Justice stated that new federal requirements require juvenile court officers to visit juveniles in out-of-home situations, and that this new procedure has placed additional strains on the judicial officer net-*

*work. To alleviate this issue, the Chief Justice requested additional staff to comply with the federal mandate. In the same vein, the Chief Justice noted that the judicial system would like to expand drug courts, but without federal funding this was not possible.*

### **Fiscal Restraints**

*Chief Justice Ternus stated the judiciary will do its part to meet the current fiscal reductions, but that nearly any cuts to the judiciary budget are likely to result in furloughs.*

*The Chief Justice stated that while new resources are out of the question, the court will continue to try to find new revenue sources and cost savings. The court will find these new sources and cost savings through "updating, innovating, and re-allocating." Chief Justice Ternus*

stated that the judiciary will update the court structure and procedures for maximum efficiency, will use technology to lower the cost of doing the court's business, and the court can shift existing resources to meet new challenges.

Chief Justice Ternus did state that none of her proposals include consolidation, be it of clerks of offices, trial courts or judicial districts. The Chief Justice stressed that the judiciary does not have an opinion on the validity of any con-

solidation, only that the political reality is that consolidation is unlikely so the judiciary will not spend resources on the concept.

## School Districts See Changes in Student Enrollment

The Iowa Department of Education has released certified enrollment numbers for Iowa's 362 school districts. According to the report, 249 districts, or 69 percent of Iowa's school districts saw a decline in enrollment as of the fall of 2008.

The decrease follows the trend that some school districts have been experiencing. Over three-quarters of Iowa school districts have reported a decline in enrollment since the 2003-2004 school year.

### Districts reporting a decrease in enrollment

Five school districts reporting the largest percentage decreases over the five-year period include:

- ♦ Seymour School District, a decrease of 32.7 percent;
- ♦ Riceville School District, a decrease of 30.9 percent,
- ♦ Olin Consolidated, a decrease of 31.1 percent;
- ♦ Orient-Macksburg, a decrease of 29.7 percent;
- ♦ South Page, a decrease of 28.8 percent.

The following districts reported the largest decrease in the numbers of students:

- ♦ Des Moines, a decrease of 1,356 students;
- ♦ Davenport, a decrease of 768 students;
- ♦ Sioux City, a decrease of 670 students;

- ♦ Council Bluffs, a decrease of 608 students;
- ♦ Mason City, a decrease of 349 students.

### Some schools saw increases in enrollment

One hundred twelve school districts reported an increase in enrollment over the past five years. Those experiencing the largest percentage of increase include:

- ♦ Waukee, an increase of 67.5 percent;
  - ♦ Johnston, an increase 25.2 percent;
  - ♦ Bondurant-Farrar, an increase of 24.8 percent;
  - ♦ North Polk, an increase of 23.9 percent;
  - ♦ Ankeny, an increase of 23.3 percent.
- The following districts showed the greatest increase in the number of students enrolled:
- ♦ Waukee, an increase of 2,405 students;
  - ♦ Ankeny, an increase of 1,502 students;
  - ♦ Johnston, an increase of 1,163 students;
  - ♦ Southeast Polk, an increase of 1,098 students;
  - ♦ Linn-Mar, an increase of 1,078.

### Total certified enrollment count

Total certified enrollment count for this school year is 477,019. This is a decline of 3,590 students and is the 11<sup>th</sup> consecutive year that

school districts have reported a decline in certified enrollment. This number is important to school districts. The state provides funding to local school districts on a per pupil basis. The number of students enrolled in a district on October 1 impacts state aid to school districts for the next school year. The actual enrollment is used in calculating the school district's budget and the amount of state aid.



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## Medicaid Forecast Shows Need for Supplemental Funding

*The Medicaid forecasting group agreed that total Medicaid expenditures will require supplemental funding of \$32 million to \$62 million with a midpoint of a \$47 million supplemental need. The range includes the 1.5% across-the-board cuts from the Governor. When the Legislature adjourned in 2008, they expected Medicaid to be fully funded for Fiscal Year 2009. However, due to the tornadoes and the floods, enrollment has increased. In addition, for Fiscal Year 2010,*

*the Medicaid forecasting group agreed Medicaid will require an increase of \$62 to \$110 million, with a midpoint of \$86 million compared to the FY 2009 after the 1.5% cuts.*

*The estimates are made by staff members from the Department of Management, the Department of Human Services, and the Fiscal Services Division of the non-partisan Legislative Service Agency. The forecasting group meets monthly to discuss esti-*

*mated expenditures and to agree on a range for the current and upcoming fiscal years. Currently, President-Elect Obama is working on a stimulus plan that will include additional federal funding for Medicaid. Medicaid is funded with state and federal dollars. The Legislature is closely following what the incoming administration is working on and will continue to work to ensure all Iowans needs are met.*

## Water Quality Grants Available

*Both the Iowa Department of Natural Resources (DNR) and the Iowa Department of Agriculture and Land Stewardship (IDALS) are encouraging groups across the state to apply for grant funding to help improve Iowa's water quality.*

*The grants from DNR and IDALS allow groups, such as Iowa's 100 Soil and Water Conservation Districts and other organizations, to further their local water quality improvement efforts. Watershed and water quality projects help individual Iowans make changes on the land in order to improve the quality of water entering our*

*rivers, streams and lakes. The deadline for applications is April 1, 2009.*

*The DNR is able to provide these grants annually through funding from the U.S. Environmental Protection Agency. The grants, made possible through Section 319 of the federal Clean Water Act, are often called "Section 319 Grants" and currently fund about 50 projects in Iowa, focusing on impaired waters. The IDALS is able to provide grants annually through funding from the state's Resource Enhancement and Protection (REAP) program and the Environment First Fund. Currently, 70 watershed and water quality*

*projects in 65 Soil and Water Conservation Districts are supported by these funds. Groups considering applying for a grant can contact Steve Hopkins, DNR watershed improvement coordinator, at (515) 281-6402 with questions and for one-on-one assistance. Those with questions about IDALS funding can contact Jim Gillespie, Field Services Bureau Chief, at (515) 281-7043. More information on grants and watershed improvement is available on the DNR's website at <http://watershed.iowadnr.gov> or the IDALS website at [www.iowaagriculture.gov/](http://www.iowaagriculture.gov/)*

## Iowa National Guard Troops to Support Inauguration

*Approximately 1,000 Soldiers and Airmen from the Iowa National Guard were requested by the National Guard Bureau, Washington, D.C., to assist federal, state, and local agencies with support missions for the presidential inauguration of President-Elect Obama on Janu-*

*ary 20. The request was made as a result of increased operational requirements and the expected large crowds.*

*Iowa will activate Soldiers from 2nd Brigade Combat Team, 34<sup>th</sup> Infantry Division, Iowa Army National Guard, and Airmen from the 185<sup>th</sup>*

*Air Refueling Wing and 132<sup>nd</sup> Fighter Wing, Iowa Air National Guard, in mid-January. The Soldiers and Airmen will serve in support of the inauguration for approximately 10 days, which includes personnel readiness processing and travel. Duties will include transportation*

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and attendee management, traffic control, event ingress/egress, personnel support, and transportation. A total of approximately

7,000 National Guard Soldiers and Airmen from at least eight states will supplement security, communications, medical evacuation, and

other support during the presidential inauguration period.

## Iowa Independent Film Festival to be in Clear Lake

The 2009 Iowa Independent Film Festival (IIFF) is moving from Mason City to nearby Clear Lake where it will take place on July 17, 18, and 19. The festival's main venue will be the Clear Lake Art Center, which is located in the downtown, and films will also be shown at the historic Lake Thea-

tre less than a block away. In 2008, the festival featured over 50 films from around the U.S. as well as a number of filmmakers from as far away as New York and Los Angeles.

The festival is now open to submissions in each of its five catego-

ries: feature films, short features, feature length documentaries, short documentaries, and student films.

Complete information about the IIFF and the submission process may be found at its website at [www.iowaindie.org](http://www.iowaindie.org).

## Transportation Commission Awards Funding

At their January 13 meeting, the Department of Transportation Commissioners approved funding for the Safe Routes to Schools Program and the Transportation Enhancement Program. Each program receives funding from the federal government, and entities receiving an award in an Enhancement Program must put forth a 30% match.

### Safe Routes to School Program

The Safe Routes to School Pro-

gram was designed to help local entities create safe routes for children to walk and/or ride their bicycles to and from school. The DOT (Department of Transportation) Commission approved over \$450,000 in noninfrastructure funding for items such as bicycle rider education, and bicycle and pedestrian routes. Over \$1 million dollars was approved for infrastructure items such as sidewalk and trail improvements and bicycle racks.

### Statewide Transportation Enhancement Program

The Statewide Transportation Enhancement Program funds enhancement or preservation activities associated with transportation-related projects. Trail and bikeway, historic and archaeological, and scenic and environmental are the three activity areas.

## DOT Warns of Black Ice

The Iowa Department of Transportation (DOT) is warning drivers to be aware of the black ice on Iowa roadways. Black ice most commonly forms on roads near water, such as lakes and rivers, in rural areas, and on bridges and overpasses. It can also form on heavily traveled roads when blowing snow sticks on warm vehicle tire

tracks. Black ice can form on gravel roads and hard-surface roads and can form unexpectedly on any road surface. Black ice is a thin and transparent layer of ice. The ice allows the pavement to show through, making the road appear to be wet or even clear and dry.

Road salt loses effectiveness on snow and ice when temperatures drop below 25 degrees Fahrenheit. The temperature threshold for the effectiveness of road salt is 15 to 20 degrees Fahrenheit. Updated Iowa road conditions can be found online at 511ia.org or by calling 511 in Iowa or 1-800-288-1047 outside of the state.

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## Commercial Vehicles Reminded to do Inspections

The Iowa Department of Transportation (DOT) reminded commercial vehicle operators, including truck drivers, to perform pre-trip inspections.

In particular, air brake systems

need additional attention in cold weather. Frozen air brake lines and defects and failures of brake lines, filters, brake chambers, pushrods, valves and seals are more likely in cold weather.

The DOT has a complete list of pre-trip inspection requirements available on the DOT website. The Complete Driver's License Manual can be found online at <http://www.iowadot.gov/Mvd/>

## Governor Proposes Additional Help for Communities

The Governor's condition of the State address included a review of progress being made in rebuilding Iowa's communities ravaged by floods and tornadoes. The Governor's speech included a video segment that brought highlights of the disaster back before the legislators. More than \$520 million in federal money has been committed to support more than 5,400 projects in 513 cities, counties and school districts throughout the state. This will help us rebuild our public infrastructure: everything from roads to schools, from senior centers, to water treatment plants. In addition, more than \$260 million in both state and fed-

eral funds are helping 24,000 Iowans repair or replace their homes damaged by last summer's storms. Nearly 1,000 small businesses are receiving over \$135 million dollars in state and federal money to re-open their doors. And, over 2,200 Iowans who lost their jobs because of the storms are getting a helping hand from \$6.5 million in Disaster Unemployment Assistance. Another \$4 million is being used to provide crisis counseling and mental health services to literally tens of thousands of Iowa families impacted by the storms. And, \$500,000 in Iowa College Aid has helped more than 400 flood-affected students to stay in school and pay their tuition.

The Governor called on the Legislature to act quickly to approve a \$43 million Rebuild Iowa bill, which takes the money from the Economic Emergency Fund, one of the state's rainy day funds, to help struggling communities. This will help cities like Cedar Rapids pay their bills, assist non-profits and cultural organizations, and provide much needed financial assistance for individuals and families still facing challenges.

It will also provide additional funding to address unmet rental housing and small business needs, which are currently not eligible for federal funds.

## Governor Proposes New Jobs and Infrastructure Initiative

Governor Culver is proposing an investment in bricks and mortar in Iowa – to create jobs and keep our economy going. It is now up to the Legislature to consider the proposal.

Governor Culver wants the creation of a Rebuild Iowa Infrastructure Authority, to issue \$700 million in 20-year tax-exempt state revenue bonds. These bonds would be secured with approxi-

mately \$56 million annually from gaming tax revenues.

Culver said this proposal makes use of near-historic low tax-exempt interest rates and avoids future increases in construction costs for ready-to-go projects across Iowa. He also noted that this proposal will allow us to build upon any additional federal stimulus or flood recovery funds Iowa may receive in the future. Governor Culver stressed the

need to continue rebuilding Iowa following last summer's floods and tornadoes. He said his proposal creates new jobs by addressing the state's infrastructure needs and balances the budget without raising taxes on working Iowans. The Governor's infrastructure proposal is more than just bridges and roads. It also includes rail, trails, public buildings, water and sewer treatment facilities, the utility grid and telecommunications.