



Representative Andrew Wenthe

STATEHOUSE NEWS

February 4, 2010

Capitol Comments

The fourth week of this shortened session has gone by in a flash, bringing with it plenty of time spent in subcommittee working to improve legislation and in committee deciding whether to send bills to the floor. Along with this committee work comes much discussion with constituents and issue advocates to gain a better understanding of how public policy being considered will impact Iowans. These conversations help to inform my decisions on the legislation I consider in my committees, which include Appropriations, Agriculture, Commerce, Economic Growth, and Transportation.

Due to the shortened session, the first funnel deadline has been pushed up to week five. This "funnel" intensifies and focuses our efforts only on bills that have passed out of a committee. As we consider bills during the next week, it will be essential to keep our focus on the priorities of the middle class – creating good paying jobs, providing quality education for our kids, ensuring public safety,

and passing a balanced budget that does not raise taxes.

In these tough economic times, Iowans expect us to put politics aside, work together and keep focused on our priorities. While it is an election year, I will resist attempts by some in the Legislature who want to use this session to build a campaign for November instead of helping middle class families. With so many struggling these days, we can't afford to get bogged down in divisive political debates that do nothing to create jobs, educate our kids or balance the state budget.

Part of that effort to save the hardworking taxpayers of Iowa money is being worked on this week. One of the keys to balancing our budget and preserving our priorities is the state government reorganization effort. This legislation will be considered later this week by the Appropriations Committee, on which I serve as Vice-Chair, before being considered by the House next week. Combined with an

early retirement package we approved this week, the massive reorganization plan to eliminate wasteful spending while delivering services to Iowans more efficiently will save the state about \$183 million next year and almost \$300 million over the next two years.

I was able to talk to several constituents this week about these important budgetary issues and their impact, as well as hearing from a good number of you about similar topics via email. Kathy Gilbert, Superintendent of Denver Schools, stopped in to talk with me about budgetary and other issues in education. As well, I got the chance to meet with Bremer County Sherriff Duane Hildebrandt and

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Advocates from Child Care Resource & Referral joined Rep. Wenthe in the Capitol to discuss the variety of quality services they offer to Northeast Iowa.

Black Hawk County Sheriff Tony Thompson who talked with me about public safety. Joyce Friederich and Julie Weidemann of Palmer Homecare Services in West Union were here to discuss the state reorganization bill and how it could affect hospitals.

Advocates from Child Care Resource & Referral were here on Wednesday to talk to me about the services their organization provides to help children. Not only do they work with children, but they also work with parents, employers, and the community to provide a variety of services to ensure quality child care. As a community based organization, they adapt their services to fit the needs of each unique situation. I was grateful to get the chance to talk to them about these issues and gain their expert point of views.

Another effort to help families save is the renewable energy industry in Iowa. Over the last few years, the Legislature has worked to foster this indus-

try and help middle class families save money by improving the energy efficiency of their home. After this year's extraordinary winter Iowans should know that help is still available.

The Low-Income Home Energy Assistance Program (LIHEAP) provides home heating assistance to families of all sizes, based on their annual income. The average LIHEAP award is \$400 and the payment is made directly to the utility company. Iowans who apply for LIHEAP assistance are also automatically eligible for weatherization assistance that can include insulation, furnace repair/replacement, and water heater replacement. To apply for LIHEAP assistance, Iowans should contact their local community action agency by calling "211" or logging on to www.dcaa.iowa.gov.

Another measure under consideration this year will ensure Iowans who use propane to heat their homes get the service they need during



State Representative Andrew Wenthe meets with Joyce Friederich and Julie Weidemann of Palmer Homecare Services in West Union at the capitol on Wednesday.

winter months. After a legislative hearing last month found 75 to 100 families who are propane customers were denied service this year, Senate File 2125 will prevent a fuel vendor from refusing sale or delivery during the winter months. State law already protects natural gas and electric customers from shut-offs between November 1 and April 1, but propane customers currently have no such protection.

Next week will be another busy week, working hard to guarantee that middle class families are supported through these tough economic times. I hope to continue to hear your thoughts and concerns, either through letters, email, votes in my poll, or by visiting me, either here in the Capitol or at one of my upcoming Listening Posts.

State Saves Millions in First Step of Reorganization

To help keep the state budget balanced, while maintaining key priorities in education and job creation, the House approved an early retirement plan that is estimated to save the state \$60 million next year.

Under the Early Retirement Incentive program, a state employee who is at least 55 years



old and files an application by April 15, 2010, is eligible to participate in the program. The employee must leave state employment by June 24, 2010. The employee cannot return to state employment if they leave under this plan.

Any employee participating in the program who has at least ten years of state service will receive a "years-of-service" benefit of \$1,000 per year

for up to 25 years of state employment.

Additionally, the eligible employee will receive a health insurance contribution benefit to pay the cost for state group health insurance for five years.

The House changed the date that the employee must leave state government from May 28 to June 24. Because of the change, the bill now goes back to the Senate for their approval before heading to the Governor for his signature.

Guaranteed Holiday for Veterans

The House Veterans Affairs Committee believes every veteran should be honored for their service. In an unanimous, bipartisan vote, the committee approved a bill that will give Iowa veterans Veteran's Day off. House File 2197 requires that a veteran, at least one month in ad-

vance, can request Veteran's Day off with their employer. In addition, the veteran must show proof of service. The employer has the discretion to determine if the holiday is paid or unpaid for the veteran. Due to public safety and potential staffing issues with some employers,

another day can be substituted for Veteran's Day. Each year, November 11th is designated as Veteran's Day. The date marks the anniversary of the Armistice that ended World War I. The bill now goes to the full House for debate.

Iowa Rails Receive Two Federal Grants

Iowa received close to \$18 million from the federal American Recovery and Reinvestment Act for rail projects. One of the grants totals \$1 million and is to be used for a planning study for service between Omaha and Chicago. Results from this planning study will put

Iowa in a better position to receive federal grants in the future. The second grant, which is close to \$17 million, is to be used for infrastructure improvements on the Burlington Northern Santa Fe line. This line currently runs across southern Iowa and is used by Amtrak. Infrastructure improvement

will improve track conditions, which will improve Amtrak's on-time performance. The Iowa Department of Transportation continues to work to bring more passenger rail to Iowa, and they said they will be just as aggressive the next time that federal grants become available.

Winter Officially a Disaster for 28 Counties

A blizzard, an ice storm, and more snow than anyone wants, has made most Iowans miserable. However, for 28 Iowa counties, it has become a disaster. Last week, Governor Culver asked President Obama to make it official. The Governor asked the President to declare 28 counties as Presidentially Declared Major Disasters following the January ice storms and the winter storms that have hit the state since December 23.

\$26 Million in Damages and Counting

Iowa's Homeland Security and Emergency Management Division has worked with FEMA to determine a damage assessment, the first step needed to get a Presidential disaster declaration. Based on preliminary work, it has been determined that there is at least \$26 million in damage statewide. If the President grants the design-

ation, those 28 counties will be eligible for funding through the federal Public Assistance program, which provides assistance to state and local governments and certain non-profit organizations. Counties included in the request for federal assistance for the January ice storm are Adair, Audubon, Calhoun, Carroll, Cass, Crawford, Guthrie, Harrison, Madison, Pottawattamie, Sac, and Shelby. Counties included in the request for federal assistance for the December storm are Adair, Audubon, Buena Vista, Calhoun, Carroll, Cass, Cherokee, Clay, Crawford, Emmet, Franklin, Fremont, Guthrie, Harrison, Ida, Lyon, Mills, Monona, Osceola, Page, Palo Alto, Pocahontas, Pottawattamie, Sac, Shelby, Sioux, and Woodbury.

Individual Assistance Available Now

Individuals affected by the January 19 ice storms in Adair, Audubon, Calhoun, Carroll, Cass, Crawford, Guthrie, Cherokee, Guthrie, Monona, Sac, and Shelby counties are eligible for help through Iowa's Individual Assistance Program. The program provides up to \$5,000 to reimburse victims for damages. You cannot receive reimbursement if insurance or other assistance has covered the cost of damages. The program covers households with income up to 200% of the federal poverty level. For one person this is \$20,800, and for a family of four it is \$42,400.

For more information, call the Iowa Department of Human Services at 1-877-937-3663 or go to their website at www.dhs.state.ia.us and click on Storm Help.

House Passes WARN Notice to Employees

In an effort to give middle class families more stability, the Iowa House approved a bill that will give workers more notice before layoffs occur.

Similar to federal law, House File 681 requires employers of 25 or more full-time people to notify employees, or their representatives, and the department of workforce development of business closings that result in a layoff of 25 or more full-time employees in a 30-day period.

The bill applies to public and private employers. The federal law right now only applies to private

employers. Among the exemptions in House File 681 are faltering companies or unforeseeable business circumstances, a natural disaster, or the layoff of strike replacement workers.

There are several employers in Iowa that have been able to circumvent federal law by running out the clock and laying off people over an extended period of time.

According to Iowa Workforce Development, the sooner an employee receives unemployment services, the more likely he or she is able to find new employment. There are cases where the department's rapid

response program has found that if they can get to a business before the layoff happens, the person ends up not even filing for unemployment, and goes directly to the new job after the current job is finished. They cannot do that without sufficient notice of the layoff.

If there is a short notice of a large layoff, say in a newspaper, the department has a difficult time finding these people later. Before the layoff happens, they know where they are and can give all employees information at the same time.

Protecting Iowans from Dishonest Auto Repair Shops

Dishonest auto repair shops will no longer be able to hold a customer's car, in order to coerce payment of a disputed bill, if legislation passed by the House Commerce Committee becomes law.

Under the current Artisan Lien Law, a person who repairs another's property has a lien on the property and may hold it until agreed upon, or reasonable, compensation is paid for the repair work.



For most items, this does not produce a major hardship on the customer. But when it involves the family auto the consumer is over a barrel because they need the car to get to work, go to school, and do all the other things a family needs to live.

Even if the repair shop carried out unauthorized repairs, or presents a bill much larger than the estimate, the customer is often forced to pay whatever the shop demands.

House Study Bill 525 creates an exception to the law. A car owner may complain to the Attorney General and, after a prompt investigation, if the Attorney General has reason to believe the repair shop has engaged in a deceptive act, the repair shop must return the car within one business day of being notified.

This will not prevent the repair shop from putting a lien on the vehicle or taking any other legal action to collect the bill. However, by returning the vehicle, it will give the average Iowan the ability to stand up to a dishonest auto repair shop.

Protecting Iowa's Children

With the goal of protecting Iowa's children and stopping the cycle of abuse, the House Human Resources Committee approved a bill to expand the definition of child abuse.

Senate File 393 bans the practice of knowingly showing or allowing access of obscene materials to a child. This action is added to the

definition of child abuse and a person found guilty of this action will be subject to the child abuse registry provisions.

In addition, the bill includes these actions as part of qualifications for the Child In Need of Assistance (CINA) adjudications. This will assist in addressing issues where a child is imminently likely to suf-

fer harmful effects from a parent, guardian or custodian, or person responsible for the care of the child. A child who is adjudicated a CINA is subject to the least disruptive order to protect the child.

Senate File 393 is now eligible for consideration by the Iowa House.