



Representative Andrew Wenthe

STATEHOUSE NEWS

“In the District”

Saturday, February 13, 9am Clermont Listening Post, Brick City

Saturday, February 13, 10:30am West Union Listening Post, Tap’t Out

February 11, 2010

Inside this issue:

Families Can Apply for Tax Refund; Free Tax Filing 3

Texting Ban Passes Committee 3

Protecting Iowans from Dishonest Auto Repair Shops 4

Protecting Iowa’s Auto Dealers 4

Iowa’s Disaster Case Management System a National Model 4

Protecting Older Iowans Rights 5

Capitol Comments

The fifth week of the session brought about a flurry of action as committees worked overtime to ensure that things were ready for the first legislative funnel. All legislation has to be passed out of a House committee by close of business Friday in order to be eligible for debate on the House floor. The funnel always creates long nights and this year has been no different as I haven’t left the Capitol before 8 o’clock yet this week. Our funnel week efforts have focused on bills that will help boost Iowa’s economy and balance the budget without raising taxes.

In fact, one piece of legislation worked on this week is a tax break for middle class families. Thousands of hard-working, middle class families are struggling to pay their bills in these tough economic times and many do not realize they are eligible for a refundable tax credit when they file their 2009 federal and state income taxes. The Earned Income Tax



As Vice Chair of the Appropriations Committee, Representative Andrew Wenthe, seen here with Appropriations Chair Representative Jo Oldson, has been hard at work on the budget since well before session began.

Credit (EITC) is the largest federal and state cash benefit to low-income workers.

Iowa recently expanded eligibility for the EITC on state taxes and made the credit refundable to more Iowa families. This additional \$10 million tax cut expanded the credit to another 66,000 Iowa families in addition to the 100,000 families who were already eligible for a refund. According to the Inter-

nal Revenue Service, about 25% of eligible workers don’t claim the credit. For more information or assistance on the EITC, call 1-800-829-8482 to find your local tax as-



Sarah Olson of the United Ways of Iowa visited with Rep. Wenthe on Thursday, February 11

sistance site or log on to www.irs.gov.

Iowans should also be aware that the Free File Alliance, which is a public-private partnership, is offering middle class families who meet certain income guidelines free online tax assistance and filing. Iowans should take advantage of this free service because even if you don't owe any state income tax, they may be eligible for a refund because of the earned income tax credit. The program is made possible through a partnership between the IRS and the Free File Alliance. To learn more, visit www.freefile.irs.gov.

We have also been hard at work to create a leaner, more efficient, more transparent government to save Iowa's taxpayers money as well as make state government more accessible to all citizens. The goal is to create more accountability for how taxpayer dollars are used and to eliminate wasteful spending. Our efforts have focused on consolidating agencies and

delivering services to Iowans more efficiently. With recommendations first developed over the summer by a Legislative committee and an executive branch study, we will approve a host of initiatives to streamline state government and save money.

Last fall, Governor Culver used his executive authority to implement \$88 million in cost saving measures and on Wednesday he signed an early retirement package for state employees into law that saved an additional \$60 million. The massive reorganization plan, aimed at eliminating wasteful spending while delivering services to Iowans more efficiently, will save the state an additional \$107 million next year. The total savings from reorganization efforts will be approximately \$250 million.

The bill is one of the largest initiatives in state history at 350 pages and contains over 50 different ideas, both large and small. It eliminates 14 different boards and commis-



Iowa Arts Council Administrator Mary Sundet Jones presents Representative Andrew Wenthe of Hawkeye with a "check" for \$800. The check represents the amount of money Wenthe's district received in grant funds from the Iowa Arts Council in Fiscal Year 2009. The presentation was made during the Department of Cultural Affairs' Annual Legislative Reception.

sions, reduces energy costs, combines state purchasing, cuts down on middle management to keep front line workers in their jobs, and consolidates information technology. Savings made through this reorganization will help us craft a better budget for the next fiscal year.

I welcomed visits from the Cedar Falls Credit Union this week, here to discuss initiatives designed to support working families. It was nice to see Chad Kaepfel as part of this delegation, an old friend of mine from Hawkeye. Rich Bishop of Randalia was also a visitor to the Capitol this week. Rich stopped by during Iowa Agribusiness Day at the Capitol on a day that we passed two bills in the House Agriculture Committee that benefit farmers. I was also happy to welcome an old friend of mine, Greg Pavelka, to the Capitol. Greg visited as a part of the Professional Developers of Iowa delegation.

I know the weather has continued to make it difficult for some folks from back home to get to the Capitol to see me. I hope that those who missed me at the Capitol this week will consider stopping by one of my Listening Posts this weekend or next weekend across District 18. Hope to see you there!



Rep. Wenthe met with members of Cedar Falls Credit Union.

Families Can Apply for Tax Refund; Free Tax Filing

Thousands of hard-working, middle class families are struggling to pay their bills in these tough economic times and many do not realize they are eligible for a refundable tax credit when they file their 2009 federal and state income taxes.

The Earned Income Tax Credit (EITC) is the largest federal cash benefit to low-income workers. For the federal income tax, workers with one child and earning less than \$35,463 in 2009 are eligible for a tax credit up to \$3,043. Workers raising more



than one child with income less than \$40,295 can get up to a \$5,028 credit. Working individuals between the ages of 25 and 64, who are not raising children in their home, and had income less than \$13,440 are eligible for a \$457 tax credit.

Iowa recently expanded eligibility for the EITC on state taxes and made the credit refundable to more Iowa families. This additional \$10 million tax cut expanded the credit to another 66,000 Iowa families in addition to the 100,000 families who were already eligible for a refund.

According to the Internal Revenue Service, about 25% of eligible

workers don't claim the credit. For more information or assistance on the EITC, call 1-800-829-8482 to find your local tax assistance site or log on to www.irs.gov.

In addition, a public-private partnership, the Free File Alliance, is offering middle class families who meet certain income guidelines a fast, free, and safe way to do their taxes online.

Iowans should take advantage of this free service because even if you don't owe any state income tax, you may have the opportunity to receive a refund.

The program is made possible through a partnership between the IRS and the Free File Alliance. To learn more, visit www.freefile.irs.gov.

Texting Ban Passes Committee

Under separate bills that passed out of committee, texting while driving a motor vehicle would be illegal and young drivers in the graduated driver's license program would only be able to have one unrelated person in the vehicle.

These bills were done in response to studies showing the increased likelihood of accidents when persons are texting, and the likelihood of accidents among young drivers due to inexperience and distractions in the vehicle.

Texting Ban

Violators of the texting ban will be fined \$30, but the fines will not begin to be issued until July 1, 2011. For a one-year period, beginning this July, only warnings will be issued.

HF 2021, as amended by the House Transportation Committee, does exempt the use of global positioning

systems, navigational systems, and using cell phones to make phone calls.

A person who is texting and gets into an accident that results in serious injury will be fined \$500 and could lose their license for up to 90 days. If the accident results in death, the person is fined \$1,000 and could lose their license for up to 180 days.

Graduated Driver's License

Beginning drivers go through Iowa's graduated driver's license program before they turn 18 and are eligible to receive an unrestricted license. This program begins with the instruction permit. The House bill, House Study Bill 616, increases the amount of time that a person must have the instruction permit from six months to 12 months. This allows the permit drivers to obtain more driving experience before moving on

to the intermediate license.

Under the bill, drivers with an intermediate license would be restricted to one unrelated minor passenger, instead of just limiting the passengers to the number of seat belts in the vehicle. Siblings and children living in the same household would not fall under this restriction. This passenger restriction would also apply to kids holding a school license. This license allows them to drive to and from school.

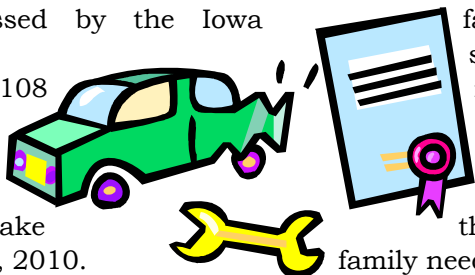
Intermediate license holders would not be allowed to drive between the hours of 11pm and 5am unless they have a signed waiver stating that they are traveling to or from work or a school related activity. Under current law, this restriction applies between 12:30am and 5am. Both bills are ready for debate by the full House.

Protecting Iowans from Dishonest Auto Repair Shops

Dishonest auto repair shops will no longer be able to hold a customer's car ransom, in order to coerce payment of a disputed bill, thanks to legislation passed by the Iowa House.

Senate File 2108 will now go to the Governor. If he signs the bill, it will take effect on May 1, 2010.

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.

Senate File 2108 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 Auto Dealers

After last summer's closing of some dealerships by certain automakers and unfair requirements placed on some dealers, legislation has been brought forward to protect these dealers from unfair practices.

The legislation will not allow laws from other jurisdictions, such as Michigan's laws governing dealerships, to be used against Iowa's

dealerships. The legislation also states that a franchise agreement cannot prohibit or restrict dealerships from selling new motor vehicles from two different lines. It is very common for dealerships in non-metropolitan areas to offer two different lines of new motor vehicles.

Language in the bill also protects

customer lists from being transferred to the franchise, except under certain circumstances such as warranty parts and recalls.

House Study Bill 614 is now ready to be debated by the full House.

Iowa's Disaster Case Management System a National Model

In order to help Iowans work their way through the maize of federal and state disaster recovery programs, a case management system was developed following the 2008 weather-related disasters. Now, that system has become a national model and there are even discussions at the federal level to incorporate the case management system into the federal disaster re-

sponse. The case management system used local organizations to work with disaster victims, helping them find the right federal and state programs to assist in their recovery. Since this was a first time effort, everyone acknowledges that it had its problems. However, for thousands of Iowans, it helped eliminate red tape and cut through the

bureaucracy. Although no one wants to see another disaster like the one Iowa experienced in 2008, the fact is that another flood is always a possibility. To make sure we have learned from the 2008 experience, the House Rebuild Iowa Committee approved legislation this week to make the case management system a perma-

ment process available in the future.

The current Rebuild Iowa Office, which is to sunset in 2011, will lead the effort to set up the framework for the system working with the Department of Human Services (DHS) and the Iowa Homeland Se-

curity and Emergency Management Division. Once the framework is in place, DHS will be in charge if another disaster should occur.

Business Case Management

The legislation also creates a task force to work with business leaders

to create a similar system for small and large businesses affected by future disasters. This component was missing in 2008. House Study Bill 576 must now be considered by the full House and Senate before heading to the Governor for his signature

Protecting Older Iowans Rights

With the intent of protecting Iowans' rights, the House Human Resources Committee passed legislation to establish the Office of Long-Term Care Resident's Advocate.

The state long-term care resident advocate, along with the local long-term care resident advocates, will investigate and help resolve complaints regarding administrative actions and



the health, safety, welfare, and rights of residents. The new office would oversee residents and tenants of long-term care facilities, assisted living programs, and elder group homes.

If an advocate suspects abuse, neglect, or exploitation of a resident or tenant, the advocate is required to contact the proper state agency, including the local authorities, to investigate the matter.

In addition, the office will make

recommendations annually to the Governor and the Legislature for improving the health, safety, welfare, and rights of residents and tenants of long-term care facilities, assisted living programs, and elder group homes. The office will be overseen by the Iowa Department on Aging. House File 2328, which unanimously passed out of committee, is now ready for consideration by the Iowa House.