



Representative Andrew Wenthe

STATEHOUSE NEWS

“In the District”

Saturday, February 27, 8:30AM, Readlyn Community Library, 309 Main Street

Saturday, February 27, 10:00AM, Tripoli Public Library, 101 Forth Avenue Southwest

Saturday, February 27, 12:00PM, Oelwein Public Library, 201 East Charles Street

February 25, 2010

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Capitol Comments

Before I get into the work done in the Iowa House this week, I want to thank all of you who made it out to one of the five Listening Posts I held around the district last weekend. We had good crowds in Denver, Oelwein, Maynard, Westgate and Bennington Lutheran

with this emergence has come a growing number of erratic drivers who are distracted by these devices instead of giving the road their full attention. It’s a dangerous situation for all on the roadways, but especially for teenagers still learning the rules of the road. That’s why I voted in favor of a bill this week to prohibit text messaging, instant messaging, and e-mailing while driving a motor vehicle. Violators will be charged with a simple misdemeanor and a \$30 fine. If texting is the cause of an accident that

results in serious injury or death, penalties increase up to a \$1,000 fine and 180 day license suspension. If agreed to by the Senate and signed by the Governor, Iowans will have a one year grace period to adjust to the new law beginning on July 1, 2010, when only a warning will be given to violators. Overwhelmingly supported by Iowans, I believe this common sense bill will prevent accidents and save lives.

Health insurance costs have also been a hot topic of discussion, especially given Wellmark Blue Cross Blue Shield’s recent



Rep. Andrew Wenthe met with Danielle Hermann of OPN Architects during Architects Day on the Hill. The two discussed Senate File 2265 which deals with the importance of livable communities and also talked about smart planning.

Church and our conversation helped inform many of the decisions I made this week in the Legislature.

One piece of conversation that has come up at many of my community meetings is the subject of “texting while driving”. We have all seen the growing popularity of cell phones and “smart” phones. But



Representative Andrew Wenthe meets with East-Central Iowa Electric Cooperative members, from left to right, Steven Marlow (Manager, Operations/Engineering), Lloyd Bathen (Director), Harry Ruth (CEO), Steve Rau (Board President), Ryan Kress (Director), Don Shonka (Director).



Rep. Andrew Wenthe meets with Wartburg students Emily Johnson and Hilary Wieck as they visit the Capitol.

announcement that they will be increasing premiums by 18%. This week we will be hearing testimony and questioning Wellmark executives and the Iowa Insurance Commissioner regarding the rationale behind these huge increases. I will certainly have more information about this in next week's newsletter and I appreciate all the feedback I've received from you on this issue.

This session I have been working with several colleagues on the House Commerce Committee to hold insurance companies accountable while helping cancer patients. These efforts have been rewarded, as Governor Culver signed a bill this week to make sure insurance companies provide routine care for patients who are participating in cancer clinical trials. The goal is to make sure doctors and patients can decide on the best cancer treatment available without worrying about losing their health insurance. Given this issue is often a roadblock to getting people to participate in clinical trials that offer hope for many with cancer, the measure should help boost participation and cancer research. I am pleased that this bill is now law.

Another issue on the minds of constituents is the upcoming deployment, the largest since WWII, of Iowa's National Guard and Reserve troops, With nearly 4,000 Iowans on the verge of deployment later this year, we have been hard at work to ensure that those service members and their families are well supported. As Iowa members of the Guard and Reserve continue to play a key role in military operations overseas,

I've been working to help military families in education, health care, employment, custody issues, and voting. Because of all of our efforts, Iowa is on track to be the first state to address all ten of the Department of Defense's top quality of life issues for military families. This is a terrific accomplishment that we are all very proud to have achieved.

Education is always an area of focus in the Legislature, and we have been conscientiously acting to improve the level of education we provide to our children. Our proud commitment to education means that Iowans understand that good teachers are the key to boosting student achievement in the classroom. After watching Iowa's finest teachers leave the state for better pay in places like Texas and Illinois, the Legislature enacted a plan three years ago to make teacher salaries more competitive with other states and keep more young teachers in Iowa. According to a new report, our plan worked. In just three years, teacher pay in Iowa surged from 42nd to 26th in the nation.

With growing energy costs making these tough economic times even tougher, alternative and renewable energies are becoming more and more important, both as an economic alternative, but also an environmentally

friendly one. In another boost to our renewable energy efforts, a new study by the American Wind Energy Association has increased Iowa's potential for generating wind energy. Iowa now generates about 3,670 megawatts, which is second in the country, and the study has increased Iowa's potential to 370,000 megawatts, about four times greater than previously estimated. This places Iowa 7th in



State Representatives Andrew Wenthe and Roger Thomas meet with Deb Chensvold of Palmer Lutheran Health Center as she visited the Capitol on Iowa Health Association Day.

the country in potential. The main reason for the increased estimate is better technology. Improvements in wind technology, as wind turbines are much taller and able to tap stronger winds, have made turbines more productive.

With all of the important issues that have been debated these past few weeks, I have been thrilled to receive more emails, letters, and phone calls from my constituents providing me with their input and insights. Many of you have even made the trip to



Rep. Wenthe and Hy-vee Waverly Director Brian Larson at the Hy-vee Reception.

come see me here at the Capitol. This week members of the East-Central Iowa Electric Cooperative visited to discuss Iowa's energy needs. Sheila Bohr of the Iowa Association of RSVP Directors came to discuss the volunteer activities her organization supports and provides. Danielle Hermann of OPN Architects (and also a high school classmate of mine!) stopped by during Architects Day on the Hill to discuss Senate File 2265 which

deals with the importance of livable communities.

I was able to stop by the Iowa Farm Bureau Reception and meet with Farm Bureau members from Bremer, Black Hawk, and Fayette Counties. Larry Huinker, Plant Manager of Signode, stopped by to chat about the challenges and opportunities before one of West Union's great employers. Wartburg students Emily Johnson and Hilary Wieck came to discuss the Quality Rating System for Child Care Providers. Deb Chensvold of

Palmer Lutheran Health Care took time during Iowa Health Association Day to talk with me about legislation impacting Iowa's rural hospitals. I truly appreciated everyone who took the time this week to voice their opinion on the key issues that face our state. Please continue to voice your views, and as always I will look forward to seeing you here in the Capitol or at one of my listening posts in the district soon.

Texting While Driving Ban Passes House

In an effort to improve safety on Iowa's roadways and save lives, the House approved a ban on text messaging, instant messaging, and e-mailing while driving this week.

Numerous studies have shown that texting is one of the more serious distractions, even showing that a person who is texting is 23 times more likely to be in an



accident.

While the bill would become effective on July 1, law enforcement will only issue warnings for one year, until June 30, 2011. After that, law enforcement will issue \$30 citations, which are not considered moving violations.

The penalties are enhanced for drivers who text and are involved in an accident which causes seri-

ous injury or death. Persons are subject to a \$500 fine and up to a 90 day suspension of their license, and a \$1,000 fine and up to a 180 day suspension, respectively.

The bill, House File 2456, specifically exempts global positioning devices and navigation systems, as well as talking on a cell phone. The bill is ready for debate by the Senate.

Care of Animals Legislation Passes to Governor

In an effort to protect pets and pet owners, the state will be authorized to inspect federally licensed commercial establishments which breed and care for cats and dogs. The inspection cannot take place unless a complaint has been filed with the Iowa Department of Agriculture and Land Stewardship. This was one of the recommendations from a ten member interim committee that met last fall. Livestock is exempt from

these requirements.

Under House File 2280, establishments can be inspected by state inspectors concerning the welfare of the animals. These inspections can only take place if the state has received a complaint on that facility, and the person making the complaint must give their name, address, and telephone number. The complaints are to remain confidential, unless raised in a court case or unless the complaint was made by an organization and not

an individual.

All types of commercial animal facilities, from pounds and shelters to kennels and breeders, will see increases in fees. These increased fees will be used to pay for the needed inspectors and support staff.

House File 2280 has passed both the House and Senate and is awaiting a signature from the Governor.

Study Increases Iowa's Wind Power Potential

In another boost to Iowa's renewable energy efforts, a new study by the American Wind Energy Association has increased Iowa's potential for generating wind energy.

Iowa now has wind generation of about 3,670 megawatts, and the study has increased Iowa's potential to 370,000 megawatts, about four times greater than previously estimated. This

places Iowa 7th in the country in potential.

The main reason for the increased estimate is better technology. Improvements in wind technology, as wind turbines are much taller and able to tap stronger winds, have made turbines more productive.

New wind resource potentials are available at

www.windpoweringamerica.gov

According to the site, in the

United States today, wind energy installations produce enough electricity on a typical day to power the equivalent of more than 9.7 million homes.

Iowa is 2nd in the nation, only behind Texas, in actual wind power production. In addition, Iowa continues to be one of only two states in the nation to manufacture three main components of windmills.

Governor Signs Bill to Help Participants in Cancer Trials

Health insurance companies will be required to pay for routine care of cancer patients, while in clinical trials, under a bill signed by Governor Culver. House File 2075 will take effect on July 1, 2010.

Health insurers say they already cover these costs; but policies differ, disputes happen, and coverage is still denied. This leaves cancer patients confused and fearful that their insurer will drop them if they join a clinical trial.

Regrettably, this makes them

reluctant to participate in cancer trials and impedes research. This hurts all Iowans who stand to benefit from more cancer research.

House File 2075 will put cancer patients' minds at ease and make it easier to enroll them in clinical trials by assuring them that their insurer will cover routine care. The bill only applies to cancer trials approved by the National Institutes of Health and if the patient is referred by two oncology specialists.

The bill applies to both individual

and group insurance plans, but not necessarily to all Iowans. Many larger employers have self-funded health plans and the federal Employee Retirement Income Security Act (ERISA) exempts self-funded plans from state insurance regulations.

Those Iowans whose health care costs are paid by the federal Medicare or Medicaid programs or by the U. S. Veterans Administration already have similar coverage.

Job Training for Disabled Veterans

In an effort to assist disabled veterans attain job training, the Iowa House unanimously passed House File 2454. Under current law, the Department of Administrative Services (DAS) is required to develop programs to inform returning National Guard members and Reservists about job opportunities in state government.

The bill requires DAS, in consultation with the Iowa Department of Education, the Iowa Department of Workforce Development, the U.S. Department of Veterans Affairs, and the U.S. Department of Labor, to develop programs to inform disabled veterans of job training opportunities within state government.

In addition, DAS is to develop job

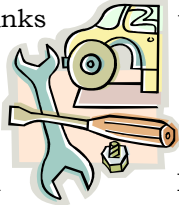
training programs for disabled veterans, and develop noncompetitive hiring programs for disabled veterans who complete the job training programs. All the job training programs will be federally funded.

The bill now goes to the Senate for consideration.

Governor Signs Bill to Stop 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 signed by Governor Culver. Senate File 2108 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 excep-

tion 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.

Power Fund Community Grant Applications Due

Applications for the Iowa Power Fund Community Grants program are due March 5, 2010. The grants are for community-based energy efficiency and renewable energy projects.

Through the program, cities, counties, and non-profit organizations are eligible to apply for up to \$50,000 to support community based programs. Some examples of qualified programs include promoting energy efficiency and renewable energy locally, training for or creating jobs in the energy arena, estab-

lishing a community energy efficiency plan, creating public awareness about energy issues, or helping community members understand how to identify and implement energy improvements.

Examples of previous community grants projects include:

- An energy study involving traffic patterns and the establishment of work hubs in Indianola.
- Renewable Fuels Education and Outreach for state wide impact.

- Whole Town Energy Efficiency evaluation, which will impact 17 or more small communities across the state.
- Job training in energy efficiency in Osage.
- K-12 education and renewable technology demonstration in Scott County.

Applications will be accepted by the Office of Energy Independence, c/o Jessica Turba, Program Planner, Wallace Building, 502 E 9th St., Des Moines, IA 50319.

Disaster Case Management to Be a Permanent Process

As Iowans worked to recover from the floods of 2008, they were faced with a number of federal and state assistance programs. For many seeking help, it was hard to know where to turn.

As a result, the state established a case management system to help Iowa families find the help they needed. The system used local organizations to work with disaster victims, helping them find the right programs to assist in their recovery. The system, although not perfect, was successful in helping tens of thousands of Iowans and caught

the eye of federal emergency management officials. As a result, the 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 response.

To make sure we have learned from the 2008 experience, the Iowa House and Senate approved House File 2422 this week to make the case management system a permanent 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 Security 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 on a similar system for small and large businesses affected by future disasters. This component was missing in 2008.

The bill now goes to Governor Culver for his signature.

Iowa Flood Outlook Grim

Last week, the National Weather Service issued its second flood outlook report. Unfortunately, the situation has become worse since the first outlook report in January. This is due to record snowfalls and lower than normal temperatures.

The report indicates the greatest concern is around the Des Moines and Raccoon River basins, along the Mississippi River and some tributaries in southeast Iowa, and the Little Sioux River in northwest Iowa. The Weather Service says some rivers they are concerned with will have a 99% chance of flooding this spring – a near certainty.

How bad the flooding may be will depend on how fast the snow melts. The keys may be any heavy snow or rainfalls in the spring, or a rapid warm-up. In some areas, the risk increases because of the possibility of ice jams.

Flood Awareness Month

Beginning March 1, a month long public information campaign will be undertaken by the Rebuild Iowa Office, the Iowa Insurance Division, the Iowa Department of Natural Resources, the Iowa Homeland Security and Emergency Management Division, and FEMA.

The goal is to explain the National Flood Insurance Program (NFIP) and the importance of flood insurance. Assessing your need for flood insurance is important in the spring when the flood risk is usually the greatest. Those at risk need to know that there is a 30-day waiting period between date of purchase and when coverage goes into effect.

Under NFIP, the average homeowner's flood insurance premium is a little more than \$500 a year. Coverage for homes outside the high-risk flood plains can be purchased for less. Premiums de-

pend upon risk level, and the amount and type of coverage needed.

There was a 40 percent increase in the purchase of flood insurance policies during the months after the 2008 disasters. At the end of May 2009, there were 15,363 policies compared to 10,962 at the beginning of June 2008.

As memories of the flood of 2008 fade, the number of policies has slipped slightly. This trend worries officials who hope to see the numbers increase.

Flood insurance can be purchased for a home or business directly from a property and casualty insurance agent if the community participates in the NFIP. To find out which communities participate, go to www.fema.gov/cis/IA.html. For more information about the National Flood Insurance Program, visit the NFIP website at www.floodsmart.gov.

Measures to Help Iowa's Pheasant Hunters

The House adopted two pieces of legislation this week designed to help Iowa's pheasant hunters. Iowa's upland game bird populations (pheasants, quail, and gray partridge) have declined over the past 40 years as Iowa's landscape, farming practices, and weather patterns have changed. Loss of suitable habitat, wetter spring weather in some regions, and the severe winter weather in recent years are all factors affecting the current counts.

House File 2310 allows the release of pen-reared pheasants in Iowa on a person's farm. The birds

have to come from a hatchery approved by the Department of Natural Resources.

The second bill, House File 2458, updates Iowa's ditch mowing regulations for both state and county roads. The purpose of the bill is to make sure we have nesting habitat for our pheasants and other upland game birds.

The bill prohibits mowing within the ditch prior to July 15, except within 200 yards of an inhabited dwelling (this 200 yards is the same regulation that says you cannot shoot a gun within 200 yards of an inhabited dwelling); within

one mile of city limits; to promote native species of vegetation or other long-lived and adaptable vegetation; to establish control of damaging insect populations, noxious weeds, and invasive plant species; for visibility and safety reasons; and within rest areas, weigh stations, and wayside parks. After July 15th, Iowans can mow as much of the ditch as they like.

There are no penalties attached to this law. It is to make Iowans aware that recreational mowing of ditches affects pheasant and other upland game bird nesting. Both bills are now before the Senate for consideration.



DNR Seeking New Slogan for Volunteer Program

The Iowa Department of Natural Resources is asking Iowans to help them re-name their volunteer program. They are holding a contest to pick a slogan that will be used to recruit new volunteers and retain their current ones. The current name of the program is called Keepers of the Land.

The department said slogans need to be two to five words and reflect what volunteering means to Iowa's natural resources. Slogans may be submitted via Twitter at [iowadnr](#); Facebook messaging to

Iowa DNR; or email at dnr.volunteer@dnr.iowa.gov. Include your name, email address, phone number, and indicate "KOL Slogan" with the entry.

The deadline to enter is March 1, 2010. The top three slogans will be placed on DNR's Facebook page on March 5 and the entry with the most votes by 4:30 p.m., March 15, will be declared the winner.

The person who submits the winning slogan will receive two free nights of camping in any Iowa state park, a 1 year subscription to

Iowa Outdoors magazine, an Iowa Sportsman's Atlas, and more.

The department says volunteers are a very important component to managing Iowa's natural resources, from helping to restore prairies, creating state parks friends groups, and more. In 2009, more than 93,000 hours were donated by more than 24,100 volunteers to enhance and preserve Iowa's natural resources.

Iowa Ranked Lowest for Speed-Related Fatalities

Recently, the National Highway Traffic and Safety Administration released information comparing states' 2008 speed-related fatalities. Iowa's fatality percentage was ranked the lowest. Iowa had just under 10% of speed-related fatalities, Missouri had 45%, Wis-

consin had 32%, and Minnesota had 29%.

Colonel Patrick Hoyer, Chief of the Iowa State Patrol, stated that law enforcement at all levels of government helped Iowa achieve this goal. He stated that it showed the involvement of all law en-

forcement in reducing speed on Iowa's roads, so that it wouldn't be a factor in an accident.

For more information on this study, please visit www-nrd.nhtsa.dot.gov/Pubs/811166.PDF.