



Representative Andrew Wenthe

STATEHOUSE NEWS

"In the District"

March 11, 2010

Sunday, March 14, 10:30am-12pm — Come have a great meal and watch Rep. Wenthe cook at Bremer County's 4-H Annual Omelet Breakfast — Waverly Fairgrounds

Inside this issue:

Capitol Comments



Rep. Andrew Wenthe congratulated Kirk Ferentz, coach of the University of Iowa's football team, on his success this season and in the Orange Bowl.

The session end is in sight as the focus really began to shift this week to debate on the floor and in the Appropriations Committee. Debate was at times heated, but in the end we worked to help serve the best interests of Iowans and continue to protect them in these tough economic times.

Tax credits have been an issue generating much controversy recently. One of the issues with tax credits over the last decade is that state spending on tax credits has ballooned significantly and abuses like the film tax credits have been uncovered. To bring more accountability and common sense to Iowa's tax credit spending, a group of

legislators released details of historic tax credit reform legislation this week. The tax credit reform plan will reduce Iowa's tax credit liability by more than \$115 million for Iowa taxpayers. It will end some tax credits, cut many remaining credits, and dramatically increase accountability for all tax credit spending.

One of the key provisions will shift dollars away from large Wall Street companies and move some of those dollars to support struggling Main Street businesses whose success will benefit more Iowans. The goal is to strengthen our support for small businesses in these tough economic times to help them expand and create jobs. The accountability provisions of the plan will make sure tax credit spending is no longer a secret to Iowa taxpayers and the tax credits produce the jobs and economic

impact promised. There will be an on-going oversight process which will regularly evaluate all tax credits for results to ensure credits which do not produce results will be fixed or eliminated.

For the first time, we will be treating tax credit spending just the same as the rest of the budget. As we give tax credit spending the same careful, regular, open examination as the rest of the budget, we will save money and make sure the dollars we do spend benefit Iowa's middle class families and small businesses.

Increased public safety should always be

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Rep. Wenthe visits with Susan Macken of Oelwein Public Library and Linda Adams of Fayette and Arlington Public Libraries at the Iowa Library Association Reception.



Rep. Wenthe and fellow legislators meet with John Weber, President of Iowa Pork Producers Association.



State Representative Andrew Wenthe met with Kim Fettkether of Dunkerton who was visiting the Capitol with Veridian Credit Union.

a primary goal of the General Assembly. After the shooting death of Aplington-Parkersburg football coach Ed Thomas last year, the House also took action this week to update procedures for notifying law enforcement of the release of individuals hospitalized for a serious mental impairment. This would occur only if there is an arrest warrant or pending charges. Senate File 2352 streamlines the process for law enforcement to be notified and addresses gaps in the system to assure law enforcement is notified.

In the case of Ed Thomas, Mark Becker was released from a Waterloo hospital with charges pending, but law enforcement was not notified. Becker drove from the hospital to Parkersburg and fatally shot Thomas the next day. Becker was found guilty of murder last week. This legislation is an effort to lessen the chance of a tragedy like this happening again in the future.

As always, it was a pleasure to see so many of you at the Capitol this week. Mark

Rosenbury of the Agribusiness Association of Iowa stopped by to talk about his organizations priorities this year. Pastor George Volkert of St. Paul and St. Johns Lutheran Church in Sumner was here on Tuesday to offer the prayer that began the day in the House. Dustin Sage and Randy Heitz of the Farm Bureau stopped by to talk about ways to improve our state government. Veridian Credit Union's Kim Fettkether of Dunkerton and Paul Farmer were here to advocate for Iowa's credit unions.

I was very pleased to see so many of you who had joined Senator Heckroth on his second annual bus tour, and am glad we got the chance to share a meal while discussing the issues important to Northeast Iowans. Susan Snively from West Union of Black Hills Energy visited the Capitol and took the time to discuss issues affecting her industry. Michael Allen of Readlyn came to talk to me about issues effecting hard-working Iowans, and Dennis Epley of Waverly-Shell Rock Community Schools took the time to voice his opinion about budget issues affecting our K-

12 schools. Finally, I was honored to get a chance to congratulate Kirk Ferentz, coach of the University of Iowa football team, on his team's success this season and in the Orange Bowl. Even a longtime Cyclone fan like me appreciates the great season the Hawkeyes had this year!

With only a few weeks left, I hope to see you voicing your concerns by visiting the Capitol, continuing to vote in the polls on my website, www.AndrewWenthe.org, sending me emails at Andrew.Wenthe@legis.state.ia.us, calling me here at the Capitol at (515) 281-7478, and finding me on Facebook. I hope to hear from you soon!



State Representative Andrew Wenthe met with Susan Snively from West Union of Black Hills Energy when she visited the Capitol.

Mental Health Notification Passes Judiciary

After the shooting death of Applington-Parkersburg football coach Ed Thomas last year, the House Judiciary Committee passed a bill to update procedures for notifying law enforcement of the release of individuals hospitalized for a serious mental impairment. This would occur only if there is an arrest warrant or pending charges. Senate File 2352 streamlines the process for law enforcement to be

notified and addresses gaps in the system to assure law enforcement is notified.

The bill clarifies that a law enforcement officer can request that any court order include a requirement that the law enforcement agency is notified when an individual hospitalized for a serious mental injury is discharged. In addition, the bill provides an administrative process for law enforcement to use so they will be

notified in this situation if a court order has not yet been completed. In the case of Ed Thomas, Mark Becker was released from a Waterloo hospital with charges pending, but law enforcement was not notified. Becker drove from the hospital to Parkersburg and fatally shot Thomas the next day. Becker was found guilty of murder last week.

Keeping Domestic Abuse Victims Safe

In an effort to protect women and men who are victims of domestic violence, federal law has prevented persons who are the subject of a protective order or convicted of domestic abuse from owning a gun.

Since most domestic violence cases are settled in the Iowa court system, Iowa judges and law enforcement officials requested the federal law be written into the Iowa code to make it easier to enforce.

The bill, Senate File 2357, passed the House this week. The Senate will have to accept the House's changes before the bill can be sent to the Governor for his signa-

ture.

The language states that if a judge approves a protective order, after a hearing where both parties have the opportunity to be present before the judge, the person who is the subject of the protective order must give up their guns while the protective order is in place.

At this point, a person has three options when required by a judge to relinquish their guns. They may hand the guns over to a person approved by the court, sell the guns, or turn the guns over to local law enforcement. The person is eligible to receive the weapons back upon expiration of the protective order.

The House adopted an amendment to clarify that if this person is employed as a law enforcement officer, they will still be able to use a gun but only as related to their employment.

If a person has been convicted of domestic abuse, which involved the use or attempted use of physical force or threatened use of a deadly weapon, they will not be able to obtain or own guns.

Under Iowa law, a person can be convicted of domestic abuse for verbal threats. Under the amendment, convictions based upon verbal threats would not disqualify a person from owning guns.

Iowa Innovation Council Bill Passes

In an effort to boost Iowa's high-tech industry and create jobs, the House and Senate have sent the Governor a bill that would establish an Iowa Innovation Council (ICC).

Under House File 2076, the council would include members of

Iowa's targeted industries of advanced manufacturing, life sciences, and biosciences. The ICC will help develop innovation and entrepreneurship in science, manufacturing, and technology driven businesses. They will also

help with mentoring and recruitment of management talent.

This nonpartisan and industry lead group would also be responsible for coordinating and executing state applications for federal funds related to science and technology. Another goal of the

Cigarette Consumption Drops over 50%

According to a new report, Iowa's cigarette consumption has dropped by half. The report shows that since 2006, cigarette consumption per capita has dropped from 112 to 54 in 2009. This is a 52% decrease in sales of cigarettes in just three years. From 2000 to 2006, cigarette sales were steady according to a

new report by the University of Northern Iowa's Center for Behavioral Research.

In 2008, the Legislature passed the Smoke Free Air Act, which bans smoking in most public places and workplaces. The study released last month also showed the Smoke Free Air Act has led to a 25% reduction in hospitalizations related to cardio-

vascular disease.

Quitline Iowa

In an effort to help Iowans quit smoking, the state established Quitline Iowa, which provides free counseling and support. For more information, Iowans can call (800) 784-8669 or go to www.quitlineiowa.org.

Mixed Martial Arts Bill Passes House

The House has sent a bill back to the Senate that would regulate amateur mixed martial arts (MMA) fights. Some professional MMA events escape regulation by claiming to be an amateur event, and enforcement mechanisms are weak in Iowa.

The sport has become increasingly popular and, over the past year, at least two incidents with amateur



fighters have raised concerns. Under Senate File 2286, a participant would now have to be 18 years old.

In 2009, a 17-year-old amateur MMA contestant in Iowa suffered a crushed eye socket and needed \$20,000 of medical care. The promoter did not provide emergency medical care at the site and did not transport the injured teenager to a

hospital. Also, this past year, a MMA contestant was paralyzed during a fight. This issue has been around the state capitol since 2002, in either the form of a ban, no regulations at all, or providing some type of regulations.

The House revised the definition of an event to mean the sale of merchandise and refreshments or the sale of tickets. Senate File 2286 now goes back to the Senate for consideration.

Alliant Energy Asks for Another Rate Increase

On Wednesday, March 10th, Alliant Energy applied to the Iowa Utilities Board (IUB) to allow its Interstate Power and Light subsidiary to increase electric rates by 13.8%, or \$163 million per year.

How will the new revenue be used?

Alliant says that 20% of the new revenue will allow it to recover the costs of building the \$468 million Whispering Willow Wind Farm in Franklin County in North Central Iowa.

Normally, a utility cannot charge customers for a new generating facility until it begins operation.

The 200-megawatt wind farm, which can supply the electricity needs of 150,000 homes, came online in December.

About 20% of the new revenue will allow recovery of the \$188 million cost to add pollution controls to its 270-megawatt Lansing Unit # 4 power plant. Alliant says the new controls are expected to remove more than 90% of Nitrogen Oxide and mercury emissions.

About 50% of new revenue will be used to recover the \$228 million cost of improving system reliability, including 2009-2010 investments in power plants, substations, poles and underground and overhead distribution.

Alliant plans to use 10% of new revenues to cover higher operating costs.

Last Increase Just One Year Ago

On March 17, 2009, Alliant asked the IUB for a 16.6% (\$171 million) rate increase. It was allowed to begin collecting a temporary 7% increase (\$84 million).

In January, the IUB approved the 7% increase to allow recovery of costs to repair disaster related damage. But the IUB denied the remainder of the request, including a request to offset lower power sales due to the recession.

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What Happens Next?

Alliant will be allowed to begin collecting a temporary increase of about 10% on March 20. If the IUB eventually rules that this is too much, it will order Alliant to refund a portion of the amount collected.

On average, this temporary increase will add \$10.62 (11.7%) per month to residential bills, to about \$101.36. If the IUB approves the entire request, residential bills will go up an additional 2% to 8%.

The IUB will soon schedule a series of public hearings to receive input from customers regarding Alliant's

request.

Consumers should also know that their interests will be represented by the Office of the Consumer Advocate, a Division of the Iowa Attorney General's office, whose statutory responsibility is to represent consumers and the general public before the IUB.

Is A Deal Available?

Alliant said that they are willing to settle with consumer groups for a 6% increase now, rising to 13.8% after three years, in order to avoid a full IUB hearing.

The increase would be reduced in

the first three years by using reserve accounts from the sale of the Duane Arnold Energy Center to NextEra Energy, and the sale of transmission assets to ITC Midwest.

If you are unable to attend a public hearing, written comments may also be mailed to: The Iowa Utilities Board, Executive Secretary, Docket number RPU-2010-0001, 350 Maple Street, Des Moines, Iowa 50309-0069.

One may also submit comments at the IUB web site: <http://www.state.ia.us>

Additional Disaster Assistance for Small Businesses

Modifications to two disaster programs created in 2009 will provide additional recovery help to small business owners. The changes will be funded with \$85 million in Community Development Block Grant (CDBG) funding from the U.S. Department of Housing and Urban Development. In all, Iowa received almost \$800 million in CDBG funds.

The modifications came after state officials met with city and community leaders in Cedar Rapids and heard of continued unmet needs caused by the 2008 floods. Modifications have been made to two programs.

Business Rental Assistance

This program is for businesses remaining in or locating in rental space that was physically damaged by the 2008 disasters. As

created, the program allowed business owners up to \$50,000 to help offset building rental lease payments for a maximum of six months. Recipients were also allowed to use the \$50,000 for replacing damaged machinery, office furniture, supplies, and other equipment. Now, businesses can use up to \$50,000 for rental assistance and receive reimbursement of 75% (or up to \$75,000) of the actual replacement costs for damaged equipment.

Loan Interest Expense

Many businesses that reopened after the flood are now in jeopardy of closing due to the debt they acquired to get up and running again. This program provides funds to business owners to pay for the interest on an SBA or private disaster recovery loan. Up to

\$50,000 will be provided to a business, for a maximum of three years. The date a business must close on their physical disaster loan has been extended from June 1, 2009, to June 30, 2010. The maximum reimbursable interest rate is set at 8%.

Funds are awarded on a first-come, first-served basis. Small business owners should apply or update their applications at their local Council of Government or Entitlement City.

For additional information or for a listing of area Council of Governments or Entitlement Cities, visit the Rebuild Iowa Office:

www.rio.iowa.gov/assets/disaster_program_contact_list.pdf or call (515) 242-5004.

Senate Sends Electricity Generation Bill to Governor

The Senate passed legislation intended to encourage utilities to plan for a low-carbon environment. The bill will now go to the Governor for his signature.

House File 2399 states that it is the intent of the General Assembly that future reliability of electricity generation requires that utilities

consider:

- ♦ Diversity of types of fuel used to generate power.
- ♦ Availability and reliability of various fuel supplies.
- ♦ Price volatility of various fuel supplies.
- ♦ Alteration of facilities to manage

emissions to facilitate transition to a carbon-constrained environment.

- ♦ Analysis of the possible construction of nuclear power facilities that would be beneficial in a carbon-constrained environment.

Even taking into account Iowa's aggressive construction of wind

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turbines and retrofitting of existing plants to reduce emissions, it is unlikely that Iowa utilities will be able to meet carbon reduction proposals being considered by the federal government without relying on nuclear energy to some extent.

House File 2399 specifically pro-

vides for MidAmerican Power to begin an analysis of the possibility of constructing a nuclear power plant.

MidAmerican will be allowed to recover its reasonable and prudent planning costs, as approved by the Iowa Utilities Board (IUB), over a 36-month period, with a rate increase not to exceed 0.5% of its 2009 billed revenue.

The IUB will conduct a regular rate making proceeding allowing for public comment on MidAmerican's proposal.

MidAmerican must submit its plan to the IUB before December 31, 2013. It must file such information as the IUB deems necessary, including annual reports identifying and explaining its expenditures.

Disaster Recovery Funding Hits \$3.8 Billion Mark

Since the floods and tornadoes of 2008, more than \$3.8 billion has been allocated in federal and state dollars for disaster recovery. These funds cover assistance to communities, businesses, individuals and the state. Although \$3 billion of those funds already have been approved for projects in Iowa, only \$1.1 billion has been spent. One reason for the difference is that many federal disaster programs operate on a reimbursement basis. This means that, although the funding has been approved for a project, the homeowner,

business, or community will not actually receive the money until the project is complete.

Another reason for the difference is that the buyout process for disaster-impacted homes is just starting. The process first requires planning by a community. Once the plan is approved by FEMA, then the buyouts can begin. The slowness in this process has been noted by Iowa officials and is one of the concerns they have expressed to federal disaster officials.

For those who are interested in more details, the Rebuild Iowa

Office released a booklet earlier this year explaining the various funding sources. It can be found at www.rio.iowa.gov/assets/funding_charts/funding_sources_booklet.pdf.

The Rebuild Iowa office says that almost 40,000 Iowans registered with FEMA for assistance and more than 35,000 Iowans visited FEMA Disaster Recovery Centers around the state. Of the 85 Iowa counties eligible for federal assistance, 77 are eligible for both individual assistance and public assistance.

New State Fire Marshal Announced

Jim Kenkel, the current State Fire Marshal, will retire from his position on March 12. The Department of Public Safety Commissioner Eugene Meyer announced that Raymond Reynolds will take Fire Marshal Kenkel's place. Reynolds currently holds the title

Special Agent in Charge, and has been with the Department of Public Safety (DPS) since 1996. While at the department, Reynolds has worked as a Fire Prevention Inspector and a Special Agent investigating fires. In conjunction with his employment with the DPS, Reynolds has also worked for five dif-

ferent volunteer fire departments and served 22 years in the National Guard.

State Fire Marshal Kenkel has served as Fire Marshal since 2002, and before that he worked as a fire inspector, investigator, and assistant state fire marshal.