



Representative Andrew Wenthe Statehouse News

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Capitol Comments

Wednesday afternoon featured a big moment for me. I had the opportunity to run my first bill on the floor of the Iowa House. Managing a bill on the floor is a large responsibility because you must educate the body on what the bill will do, take questions from any of the 99 other members and you need to have a thorough understanding of the bill because other Representatives can and do ask some tough questions.

The bill I floor managed creates the Generation Iowa Commission, which I have previously written about in this column. It was great to have this bill be my first experience as floor manager because I helped to craft the language and was one of the chief sponsors of the bill. Three amendments were offered; the body accepted one, resisted one, and one was ruled non-germane to the bill. The entire debate lasted about 20 minutes and resulted in passage by a 95-0 vote. I believe the end product was an even better bill than when we started. Now the bill will travel to the Senate for their consideration, and then hopefully on to the Governor for his signature.

The experience of running this bill gave me a further appreciation of the responsibility voters in District 18 gave to me by electing me in November. It is a true honor to call the Capitol my workplace, and I will continue to work to make you proud with my efforts in the Statehouse.



Andrew with Mike Orr of Elgin



Andrew with West Central 7th and 8th grade students.

Cigarette Tax Hike Will Save Lives

The House passed Senate File 128, increasing tobacco taxes, on a 58 to 40 bipartisan vote. It takes effect immediately following Governor Culver's signature, which happened this morning.

I am confident that this tax increase will save lives. The Iowa Department of Public Health projects that 272 lives will be saved in Bremer and Fayette Counties alone due to this tax increase, and an estimated 598 of our young people in these counties will not take up the habit of smoking due to passage of this legislation. I know personally three individuals back home who have already successfully quit smoking because they knew this increase was a possibility.

Operating the State of Iowa in a fiscally responsible manner is also important to me. Toward this end, I see the increase to the cigarette

tax as necessary. The state operates on a Medicaid budget that normally falls about \$150 million short annually. A tremendous amount of our citizens on Medicaid suffer from and are treated for smoking related illnesses. I believe a significant increase in the cigarette tax will prevent young people from smoking, provide incentive to addicted smokers to take steps toward quitting, and help our budget in both the short-term and long-term by allowing us to meet our current Medicaid needs while lowering health care costs for the state over time.

Starting July 1, 2007, all new revenues go into the Health Care Trust Fund. Senate File 128 limits spending from the trust fund to purposes related to health care, substance abuse treatment, and tobacco use prevention and control.

Iowa will be one of 23 states with a tax of one dollar or more. Tax

rates in nearby states are Illinois 98¢; Minnesota \$1.49; Missouri 17¢; Nebraska 64¢; South Dakota \$1.53; and Wisconsin 77¢. Illinois and Missouri also allow local option cigarette taxes. Chicago has the highest rate in the nation, at \$3.66 per pack.

State Toll Free Hotline: If you or one you love wants to quit or stay tobacco free, call 1-800-QUIT-NOW (1-800-784-8669) or 1-866-822-2857 for services for the hearing-impaired. Counselors are available from 8 a.m. to midnight, seven days a week to provide guidance and support on quitting, referrals to local services, information through the mail, and follow-up calls to assist your efforts to quit.

Business Owners Urged to Assess Disaster Losses

Iowa is pursuing the possibility of requesting a U.S. Small Business Administration (SBA) Economic Injury Disaster Declaration due to the recent winter storms. Iowa's Homeland Security and Emergency Management (HLSEM) Division is urging business owners who incurred losses due to the recent winter storms, and are in need of a low-interest loan, to submit an "Estimated Disaster Economic Injury Worksheet for Businesses" with the SBA.

In an agency press release, HLSEM said results of the assessment will determine if Iowa qualifies to request a SBA

Economic Injury Disaster Declaration. If pursued and granted, an SBA declaration would make low-interest business loans available to eligible businesses.

To qualify for the declaration, at least five qualifying businesses within Iowa must submit the worksheet prior to the request being submitted. Iowa must submit all requests to SBA by June 23, 2007.

To expedite the process and to help businesses in immediate need of assistance, an initial deadline of April 16, 2007, has been set for businesses to submit the worksheet to HLSEM.



Photo by Jim Moreland.
Found on DOT Website

For more information and a copy of the worksheet for businesses, please go to the SBA website:

http://www.sba.gov/localresources/disasteroffices/disaster_recov/basic/declarations.html. Alternatively, contact HLSEM at <http://www.iowahomelandsecurity.org/index.asp>.

Study to Improve Education System

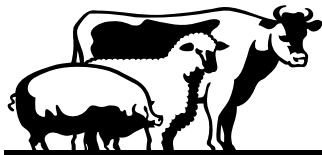
In an effort to improve Iowa's educational system, the House Education Committee approved a bill that will direct the department of education to study all levels of education. House File 539 convenes a task force to develop and coordinate a five year strategic plan to address alignment of the kindergarten through postsecondary education systems.

Due to the concern that children are not ready for college, education stakeholders are wondering where the problem is with the current educational structure. There have also been unsuccessful transitions from high school to college and from community college to four year institutions.

The department of education will work in conjunction with members from the community college system, and regent institutions to improve

collaboration, coordination and communication between the levels of education. The goal is to bring back recommendations to the Legislature on how to implement appropriate policy and reform actions.

In addition to this effort, the department of education will work



specifically with the University of Northern Iowa to study the feasibility of creating a research and development pre-kindergarten through grade twelve school. With the Price Lab School in Cedar Falls, there is a foundation for this study.

Truancy Study

With bi-partisan support, the House Education Committee has

approved a measure to study truancy in Iowa Schools. House File 415 establishes a task force to identify reasons students are not in school.

The department of education will oversee the task force and gather, publish or disseminate any relevant information on successful truancy intervention and prevention. School districts that wish to participate in the task force pilot project can apply to the department of education. The task force must consist of rural and urban districts as well as various enrollment sizes.

The bill is now in the House Appropriations Committee to examine potential funding for the task force.

Air and Water Quality Bill Passes Committee

The House Environmental Protection Committee passed House Study Bill 267, which is designed to strengthen the existing state air and water quality regulations for animal feeding operations. This includes increasing separation distances for confined animal feeding operations, adopting a new air modeling standard, and amending the master matrix.

The bill reduces the permit threshold, which will require more producers to obtain a permit before construction. It also bans anaerobic and aerobic lagoons on karst topography, swine earthen lagoons, and spray application of liquid manure from swine confinement operations.

Separation Distances

The bill will increase separation distances for any new

construction or expansion of an existing confinement facility to ¼ mile, ½ mile, or 1 mile, based on the size of the confinement feeding operation. In addition to current law, which states these operations need separation distances from residences, churches, schools, businesses or public use areas, these new distances will also apply to a city with a managed growth plan, a planned housing development, a tourist destination, and a swine farrowing operation.

Specifically, a new separation distance is created from a tourism destination, which will be one mile, or two miles if the tourism destination is also a high quality water resource. In addition, a two mile separation distance will be implemented for a city classified as a Great Place, which are designated by the State of Iowa. This bill also

establishes separation distances for manure application.

Air Modeling

Swine confinement feeding operations are given an alternative minimum separation distance based on an Iowa State University air quality model that analyzes the statistical probability of dispersions of odor emitted from the construction or expansion of the proposed swine confinement feeding operation. The Department of Natural Resources (DNR) still makes the final approval for a construction permit.

Master Matrix

The bill requires all counties to evaluate a construction permit using the master matrix. Furthermore, the Department of Natural Resources will conduct a study to reevaluate the master matrix and report its findings to the

Legislature and Governor. DNR must consider if the matrix provides a comprehensive assessment mechanism to produce a statistically verifiable basis of determining whether to approve or deny an application for

construction or expansion of a confinement feeding operation.

Proponents of the bill state that this will increase the quality of the air and water in Iowa while preserving the agricultural industry in the state. Opponents feel there

are too many restrictions and the agricultural industry will suffer as a result.

The bill is being referred to the House Agriculture Committee.

Help for Rural Business Development

The House Economic Growth Committee put in a little overtime late last week to make sure a bill made the deadline to get out of committee. House File 502 would create the Iowa Community Entrepreneurial Act that is designed to help rural business development.

Small businesses will be able to take advantage of loans and technical assistance. In counties with less than 25,000 people,

forgivable loans would be offered. There are 75 such counties in Iowa. This will assist rural communities in the creation of jobs.

Additional consideration for assistance would be given to companies that approved business plans through a Small Business Development Center, a Business Accelerator or has received services through the MyEnternet rural business development

program through the University of Northern Iowa.

The program requires the creation of at least two new jobs, and that the business has less than 50 employees. It also requires a wage be offered that is 100% of the county average wage. A county may also exempt property taxes on the land of which the business is located.

Nonresident Injured Veterans Included in Program

The House Veterans Affairs Committee approved House File 767, which expands eligibility of the Injured Veterans Grant Program to include persons who are a member of an Iowa National Guard unit but who are not residents of the state.

The Injured Veterans Grant Program provides grants up to

\$10,000 to veterans injured while in a combat zone. The grants are provided in increments of \$2,500 every 30 days, until reaching \$10,000, while the injured veteran is hospitalized or receiving medical care or rehabilitation services authorized by the military.

Under House File 767, injured veterans who are members of an

Iowa National Guard unit, but not residents of the state, would be eligible for the injured veteran grants unless they receive a similar grant from another state for that injury, and if discharged, the veteran was discharged under honorable conditions. The bill now goes to the floor of the house for consideration.

Omnibus DNR Recreation Bill Moves to Senate

By a vote of 91-6, the House adopted a bill that makes several changes to hunting, fishing, and boating laws in Iowa. Senate File 78 was requested by the Department of Natural Resources.

The bill requires jet ski operators to use their cut-off switch. Most jet skis have a lanyard that attaches the switch on the personal watercraft to the operator, either around the wrist or attached to the life jacket. If the operator falls off the machine, the

engine is stopped. Failure to use the lanyard would be a \$20 fine.

The bill allows boat owners to file their registration electronically. Boat damages caused by accidents would not have to be reported unless they are over \$2,000. In addition, the bill creates new criminal penalties for eluding or attempting to elude a law enforcement vessel.



Current law prohibits the discharge of a firearm or the shooting of a game animal within 200 yards of a building or feedlot unless the owner or tenant has given consent. The bill exempts owners or tenants if discharging on their own farm.

Finally, anyone born after January 1, 1972, has to satisfactorily complete a hunter safety and ethics education course

prior to obtaining a hunting license. Currently this date is 1967. The department said their current practice is to use the 1972 date because they do not have hunter

education records that go back to 1967.

The House amended the bill to enhance trespass violations when deer hunting, specifically when

shooting a deer on another person's property without permission. The Senate will have to approve this amendment before the bill goes to the Governor.

Iowa Department of Veterans Affairs

The House Veterans Affairs Committee approved a bill restructuring the Iowa Department of Veterans Affairs and the Commission of Veterans Affairs to better serve Iowa's veterans. House Study Bill 233, as amended by the committee, essentially has three areas it is trying to address - greater cooperation between the department director and the commission, expanded counseling services for veterans, and future planning to coordinate state and local efforts to better serve veterans.

Counseling Services

The bill directs the department to establish and administer a counseling program that will provide assistance to veterans and their families to reduce the incidence of alcohol and chemical dependency, suicide, and mental health concerns. The department is required to coordinate the development of the program with the U. S. Veterans Administration Hospitals, health care facilities and clinics in the state, and the Department of Public Health.

The program is required to include public education and awareness programs for veterans, health care professionals, and the public relative to recognizing and

responding to at-risk veterans. The program is required to also include referral services to identify appropriate counseling and treatment programs for at-risk veterans.

Department Changes

The bill adds the director of the Department of Veterans Affairs and the commandant of the Iowa Veterans Home as non-voting ex officio members of the Commission of Veterans Affairs.

The bill adds to the list of duties of the commission that they are to advise and make recommendations to the Department of Veterans Affairs, the General Assembly, and the Governor concerning issues involving and impacting veterans in the state. The bill eliminates rule making authority and prescribing the duties of the director of the Department of Veterans Affairs from the list of duties of the commission.

The bill adds to the list of duties of the director of the Department of Veterans Affairs. The director is required to maintain and disseminate information to veterans and the public regarding facilities, benefits, and services available to veterans and their

families and assist veterans and their families in obtaining such benefits and services. The director is also responsible for adopting administrative rules and establishing policy for the management and operation of the Department of Veterans Affairs.

Regional Service Study

The bill directs the Department of Veterans Affairs to conduct a study and develop a plan, in collaboration with the Department of Workforce Development, to provide regional coverage for Veterans Affairs services. The plan must include the co-location of Department of Veterans Affairs staff in each of the 15 Workforce Development regional offices. The plan is required to foster the development of county veterans affairs offices, yet ensure that the state provides coverage where county services are not readily available.

The plan is to include strategies to obtain a waiver on the use of federal workforce development funds to better serve veterans. The report and recommendations are to be submitted to the General Assembly by January 1, 2008.

Public Safety Budget Passed Subcommittee

The Joint Justice Systems Budget Subcommittee passed its 2008 Fiscal Year budget, including:

- Sex Offenders: A \$1.6 million and 16 person increase for monitoring sex offenders, including

through use of the real-time Global Positioning System (GPS).

- Domestic Abuse: A \$95,000 increase for shelter grants.
- Charity Fraud: A \$350,000 increase to the Attorney General, which includes funds to start a Charities Unit to enforce regulations regarding non-profit charities.
- Prison Security: A \$27.1 million increase to open a 178 bed special needs unit in Oakdale, to add 37 more guards at existing prisons and to hire a central security director to oversee security policies at all state prisons.
- Inmate Education: A \$1 million increase to ensure that more

inmates get a high school General Equivalency Diploma (GED) prior to being released.

- Homeland Security Division: A \$500,000 increase to maintain eight positions previously funded by the federal government.
- Division of Criminal Investigation: A \$1.9 million increase, including three more agents to expand the DCI Internet Crimes Against Children unit, and 10 new agents for gambling enforcement (costs reimbursed by casinos).
- State Patrol: A \$2.1 million increase, including an additional

trooper position, higher fuel costs, patrol car computer upgrades, and two officers to provide security for Governor and Mrs. Culver's two young children.

- Court System & Children: A \$736,664 increase for 11 new positions to implement the children's justice initiative. This is a "One Judge / One Child Model," to ensure the same judge will preside over all of one child's juvenile court proceedings.