



Representative Andrew Wenthe Statehouse News

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Capitol Comments

When I head back home to Hawkeye every weekend, one of the questions I am asked most is where I live during the legislative session in Des Moines. So, I wanted to take this opportunity to tell you a little bit about my home away from home.

Like nearly 20 of my fellow legislators, I stay about 15 blocks from the State Capitol at an apartment complex that offers furnished efficiency apartments on a flexible lease. My apartment isn't much to brag about, and I admittedly have not done much to dress it up. But it has a bed, a chair, and a closet to hang my clothes in,

and that is pretty much all I need. I haven't even bothered to hook up a TV because most of my time is spent at the Capitol trying to dig through the piles of work on my desk!

The House focused on floor action this week, and as you will read below we passed several pieces of legislation on a wide range of subjects. I spoke with several people from back home as we debated these bills, and as always I am grateful to get this feedback and input. I hope you will continue to take the time to comment on bills that the legislature is working on.

UPCOMING LISTENING POSTS FRIDAY, MARCH 30TH

- Oelwein – 9:30am**
Oelwein Public Library

Maynard – 10:30am
Maynard Public Library

West Union – 1:30pm
West Union Community Library

Clermont – 3:00pm
Larrabee Building

For additional information, check our web site at: www.iowahouse.org or www.andrewwenthe.org

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Emergency Communications

This week, the Iowa House took the first step to help improve emergency communications between law enforcement, fire, emergency medical services, and other public and private first responders. House File 353

develops a structure to analyze Iowa's current emergency communications systems and develop an implementation plan for interoperability.

Emergency responder communications is no longer as simple as a radio. Today's responders use radio, data, video, and 911 systems to respond to all types of natural and man-made emergencies.

An example can be made that parallels cell phones. Everyone has a choice on what cell phone company they want to do business with. All these cell phones can talk with one another. This is the concept for emergency communications – allow local jurisdictions their choice of communication system, but make sure they will be able to talk with other jurisdictions. They do not have to be the same equipment.

The bill creates a 15 member Statewide Interoperable

Communications Board to develop and implement a statewide integrated public safety communications interoperability system. The board will coordinate efforts at the local, state and federal level as well as make suggestions for future legislation, identify funding resources, and develop state standards.

The board meets federal requirements and will assure Iowa will qualify for any future federal funding on interoperable communications.

House File 353 does not mandate that emergency response agencies expend funds to buy interoperable communications equipment. Instead, the bill will use an approach of developing technological standards to ensure

that, when emergency response agencies decide to invest in technology, they will know which communications systems and equipment will be compatible with statewide standards for interoperability. This bill will help ensure that wise investments in communications technology will be made.

The bill defines "interoperability" as the ability of public safety and public services personnel to communicate and to share data on an immediate basis, on demand, when needed, and when authorized.

The bill now goes to the Senate.

Election Day Voter Registration

The House of Representatives approved a bill allowing voters to register to vote and actually vote at the polls on Election Day, making it easier for more people to exercise their Constitutional right to vote.

House File 653 is modeled after the Minnesota law allowing voters to register and to vote on Election Day at their polling place. Voters registering to vote at the polls on Election Day will be required to prove identity and residency. They will also be required to sign an oath testifying that they have not already voted in any other precinct in the election.

Identification Required

Along with a photo ID, identification must be presented at the polls that show the person's name and address to prove residency in the precinct. Types of identification that can be presented at the polls, in addition to the photo ID, include the following.

- Iowa's driver's license with current address;
- Iowa non-driver's identification card with current address;
- Residential lease;
- Tax bill or utility bill;
- Bank statement;
- Current paycheck;
- Government check;
- Any other government document with full name and current address;
- Passport;
- Student ID with photo;
- Military identification card; or
- Identification card issued by an employer.

Lacking the above items, an alternative is an oath signed by a registered voters attesting to the fact that the person does live in the precinct.

Precinct officials need only check the voter's photo identification and other documentation proving residency, ask the voter to fill out the proper forms, and the voter may cast a ballot.

Penalties are provided in the bill both for the person who vouches for the identity of a person registering to vote and for falsely signing an oath.

Minnesota has had Election Day Registration for thirty-three years. Other states with Election Day registration include Wisconsin, Idaho, Wyoming, New Hampshire, Montana and Maine. All of these states have found fraud to be virtually non-existent.

The bill now goes to the Senate for their approval. If passed in the Senate, it must be signed into law by the Governor.

Preschool Bill Moves Forward

The House Appropriations Committee passed House File 527, a bill that creates a preschool program for four year old children. The goal is to increase access to these programs so that 90% of all pre-school children will have access to quality programs by the end of the four year phase-in.

Currently, Iowa does not have a comprehensive preschool plan, and as a result, there are a number of programs in place to help provide access to preschools in different ways. Approximately half of families below 185% of federal poverty guidelines participate in public preschool programs. However, many families seeking

availability of programs are finding it difficult to access quality programs.

House File 527 allows school districts to seek approval from the department of education to oversee or provide a preschool program within district boundaries. The programs must meet specific requirements, as set forth by the department, to insure that they are quality programs and taught by a teacher with early childhood education.

This program will insure parents of four-year olds will be able to find preschool programs taught by qualified personnel. Attendance is still voluntary, and

will serve those families that have four-year olds that want to attend preschool. Preschools are not required to use certified teachers. However, parents will now know which pre-schools have certified teachers and which ones do not.

The House Appropriations Committee has approved providing \$15 million for the 2007-2008 school year. In future years, a Preschool Allowable Growth formula will be used to increase funding, based on the previous year's preschool enrollment.

The bill now moves to the House Floor for consideration.

Bill Limiting Car Title Loans Goes to Governor

The Iowa Senate approved a 21% interest rate limit on car title loans on a bipartisan 32 to 16 vote. House File 5 now goes to Governor Culver for his signature.

Currently, the Iowa Consumer Credit Code sets a maximum 21% interest rate on vehicle loans made by a bank, S&L, or credit union and on all consumer loans. A consumer loan is \$25,000 or less, primarily for personal or family use.

The 21% interest limit does not apply to "open end" credit, such as a credit card. Iowa once had an

open end credit limit, but federal law pre-empted states from regulating bank credit cards issued from another state.

South Dakota repealed their open end credit limits to lure City Bank's credit card operations to move from New York to Sioux Falls. Therefore, Iowa repealed its open end credit limits to keep Norwest Bank (now Wells Fargo) from moving its credit card operations to South Dakota.

In time, the vehicle title loan industry realized it could create a loophole by structuring loans as

open end credit. They let customers borrow incrementally against a vehicle's value, \$300 today, \$200 next month, etc., which is technically an open-end credit arrangement exempt from the 21% interest cap. Iowa vehicle title loan companies currently charge 360% interest.

The legislature never intended to allow unlimited interest on a loans secured by a vehicle title. House File 5 will close this loophole. The bill must now be signed by Governor Culver to become law.

Registration of Beer Kegs

A bill to require that all kegs of beer be registered and have a sticker applied to them containing an identification number received bipartisan approval from the House of Representatives.

As approved, House File 650 requires that an identification sticker be put on each keg of beer prior to sale for off-premise

consumption. A keg is defined as a disposable container with a liquid capacity of five gallons or more.

Each seller of a keg is required to keep a record of the name and address of the purchaser and the number of the purchaser's driver's license, non-operators identification car, or military identification card.

Twenty-seven Iowa communities have already adopted their own local ordinance. If this legislation is signed by the Governor, the local ordinances would be pre-empted by the new state law providing uniformity in requirements and enforcement across the state.

Supporters of the bill argue the new law will give authorities a way

to identify adults who buy kegs for underage drinkers.

The bill now goes to the Senate for consideration.

Iowans Continue to Smoke Less

This week, the Iowa Department of Public Health (IDPH) released the 2006 Adult Tobacco Survey, conducted by the Center for Social and Behavioral Research at the University of Northern Iowa. The report contends that, in 2006, only 18% of adults in Iowa smoked. This number is down from 20.3% in 2004.

The decrease in the number of adult smokers is in contrast with the national average. According to the Centers for Disease Control and Prevention, the national adult

smoking rate has remained at 20.9% since 2004.

Despite these decreasing numbers for adults, the survey did find two other trends. The smoking rate, in 2006, for young adults (18-24) was at 38%, nearly two times the rate for adults. Additionally, individuals living below the poverty line were 2½ times more likely to be smokers than adults with a higher income were.

This week also, the director of Quitline Iowa, Dr. John Lowe, stated that the number of calls have

more than doubled since Governor Chet Culver signed the bill to raise the tax on cigarettes by \$1 per pack. Dr. Lowe continued to say that this legislation could do more for the prevention of cancer than any other passed by the Legislature in the last five years.

Quitline Iowa offers smoking cessation techniques over the phone. Trained counselors from the Iowa Tobacco Research Center staff this service seven days a week. The phone number for Quitline Iowa is 866-U-CAN-TRY or 866-822-6879.

Tobacco Use Prohibited on Any School Property

The House Education Committee approved a measure that would further restrict tobacco use in schools, on school grounds, in school vehicles, and at off-campus school-related indoor events.

House File 754 requires school districts, public and nonpublic, to

develop rules that prohibit a person from using a cigarette or a tobacco product, at any time while in or on school property. This would include property that is owned, rented or leased by the school district.

Many districts have these policies currently in place.

However, approximately eighty districts do not currently have a district-wide anti-tobacco use policy.



The bill is on the House Calendar for full consideration.

Military and EMS Specialized License Plates

This week, the House passed House File 749, which allocates the fees collected from military and emergency medical services plates to the veterans license plate fee fund and the emergency medical services fund, respectively. Under current law, fees for a Veteran, National Guard, Pearl Harbor, Purple Heart, Retired U.S. Armed Forces, and the Silver Star and Bronze Star license plates are deposited into the road use tax fund.

Moneys deposited into the road use tax fund are used for road construction projects. Moneys



deposited into the veterans license fee fund are appropriated to the veterans affair commission.

Language in the bill also allows for surviving spouses to continue to use, or apply for and use, a specialized plate. The surviving spouse will need to pay the annual \$5.00 registration fee in addition to the annual registration fee of the vehicle. If the surviving

spouse remarries, they are required to return the special plates to the DOT and the department will issue regular license plates.

New Military Plates

An amendment was adopted, which creates new specialized license plates for persons who have been awarded, by the U.S. government, a distinguished service cross, a navy cross, an air force cross, a soldier's medal, a sailor's medal, a navy and marine corps medal, or an airman's medal. As with the previously mentioned military plates, the moneys

collected will be deposited into the veterans license plate fee fund, and surviving spouses will be able to retain the plates.

EMS Plates

The bill also redirects the issuance fee for Emergency Medical Services plates from the road use tax fund to the emergency

medical services fund. This fund is used to assist counties, on a dollar-for-dollar match, on the acquisition of equipment, and to provide grants to counties for education and training.

The Department of Public Health maintains control of this fund under their emergency

medical services division. This license plate is different than the veterans' plates because the EMS plate has only an issuance fee.

House File 749 is now in the Senate Veterans Affairs Committee.

Grow Iowa Values Fund

The Department of Economic Development (DED) has released an official statement regarding the State Auditor's report on the Grow Iowa Values Fund. The Auditor's report found no evidence of wrong doing in administering the fund, and acknowledged that funds were distributed fairly. However, he did raise some questions about data collection.

Interim DED Director Michael Tramontina said that they will likely implement some changes based on the Auditor's recommendations on contracted jobs, project files, database management and on-site monitoring.

The Auditor's report was released a couple weeks ago at the

request of Ed Fallon, a candidate for Governor in 2006. The report recommends the list of projects be sorted differently, but the bottom line remains the same: 30,732 jobs are projected to be created or retained in Iowa through the Grow Iowa Values Fund, which was created in 2003.

The department will implement the following changes based on the Auditor's report:

- Streamline the reporting process on various economic development programs and make it available on-line.
- Complete and expand the work being done to integrate the departmental database.

• Differentiate the federal funds that started the program in 2003, versus the state funds that started the 10-year program in 2005.

• Change the way jobs creation is stated in the reports as being under contract instead of being pledged.

• Consolidate certain compliance activities. This staff will be responsible for all post-award activities for state-funded business projects such as contracting, monitoring, reporting, closing contracts, collections and the Grow Iowa Values Fund report to the Legislature.

Bill Bans Internet Hunting

The House adopted a bill this week that bans internet hunting. If House File 671 is signed into law, Iowa would join 25 states that have laws banning the practice. It was reported that this practice is not currently being done in Iowa, so this bill is a pre-emptive move. It will protect the true meaning of hunting.

The issue started in the State of Texas, which has already banned the practice, because a rancher said he was going to start offering an Internet hunting service where visitors to his website could bag a

deer, antelope, or wild pigs with their computer mouse by using a remote controlled .22 caliber rifle with a webcam mounted on it at his game farm. The internet hunter's trophy animal would then be mounted and shipped for display.

The bill prohibits the use of a computer or other electronic device, equipment, or software to remotely control the aiming or discharge of a firearm or other weapon, which would allow a person who is not physically present to kill a wild animal.

First time violators would be guilty of a serious misdemeanor, which is up to one year in jail and a maximum fine of \$1,875. Second and subsequent violations are a class D felony, which is up to five years in jail and a maximum fine of \$7,500. In addition to the criminal penalties, the violator is subject to a maximum \$10,000 civil penalty for each violation.

The bill now goes to the Senate for consideration.

State Entomologist will Inspect for Beetle

The House unanimously passed a bill that gives the State Entomologist the authority to inspect plants for the emerald ash borer. House File 801 will put the entomologist, who is under the Department of Agriculture and Land Stewardship, in federal compliance.

Recent reports have shown the beetle as close as 60 miles away from the eastern Iowa border. Although there are no known emerald ash borers in Iowa yet, there is great concern since we

have approximately 80 million ash trees this could affect.

The State is trying to be proactive in its efforts. In 2004, the Iowa Nursery and Landscape Association joined the Department of Natural Resources (DNR) and the Department of Agriculture and Land Stewardship (DALs) in a voluntary moratorium on buying ash nursery stock raised east of the Mississippi River.

As an added measure, the State Entomologist's office approached the Legislature about expanding their scope of duties due to the



concern that the beetle could very easily make its way into Iowa given its close proximity. The emerald ash borer has already damaged millions of trees in Midwestern and Eastern states.

The bill will move to the Senate Agriculture Committee for consideration.

House Passes Department of Transportation Budget

By a unanimous vote, the House approved the Department of Transportation's budget bill, House File 752, for fiscal year 2008. Fiscal year 2008 runs from July 1, 2007, through June 30, 2008. The bill does not appropriate any money from the general fund, only from the road use tax fund and the primary road fund.

The road use tax fund is mainly made up of money from the motor vehicle use tax (sales tax), motor vehicle fuel taxes, motor vehicle registration and titling fees, and driver's licenses fees. All monies collected, except the use

tax, are required by the Iowa Constitution to be spent for the construction, maintenance, and supervision of the state's public highways. The primary road fund is an allocation from the road use tax fund, and the money from this fund is to be spent on items that relate to state-owned roads.

FY 2008 Appropriations

The bill appropriates a total of \$316 million, which is an increase of \$1.6 million from the previous fiscal year. Almost \$1 million of that increase is due to the increased costs associated with purchasing of fuel and salt.

The department is saving \$400,000 due to the department's move from its current Des Moines site at Park Fair Mall to the newly built Ankeny facility. This move is expected to happen at the beginning of June.

There is a \$2.3 million appropriation for a new garage in Clarinda, and a new \$100,000 appropriation for maintenance at various scale areas. The bill is now sent to the Senate for approval before going to Governor Culver for his signature.

House Approves Federal Block Grant Bill

The House approved the Federal Block Grant bill. House File 787 establishes the mechanism for the state to receive \$4.4 billion in federal funds for fiscal year 2008, which is estimated to be \$23.8 million less than the state received in fiscal year 2007. Approximately \$156.3 million of the federal funds received are in the form of federal block grant funds. The other \$4.3 billion the state

receives in federal funds are in the form of categorical grants.

The bill directs the Governor to prorate the funds to the various programs on the same percentage basis, as specified in this bill, if funding received from the federal government is less than the amount appropriated. If the funds received exceed the amount appropriated, the excess is also to be prorated to these programs.

The bill now goes to the Senate for consideration. Highlights of the federal block grant funding are as follows:

- \$13.5 million to the Department of Public Health for the Substance Abuse Block Grant, a decrease of \$139,005 compared to last year.
- \$3.6 million to the Department of Human Services for

the Community Mental Health Services Block Grant, a decrease of \$68,727 compared to last year.

- \$6.6 million to the Department of Public Health for the Maternal and Child Health Services Block Grant, a decrease of \$158,284 compared to last year.
- \$1.1 million to the Department of Public Health for the Preventive Health and Health Services Block Grant, a decrease of \$262,126 compared to last year.
- \$1.5 million to the Department of Justice for the Stop Violence Against Women Grant Program, an increase of \$50,334 from last year.
- \$87,514 to the Governor's Office of Drug Control Policy for the Federal Residential Substance Abuse Treatment of State Prisoners

Formula Grant Program, a decrease of \$12,486 compared to last year.

- \$1.9 million from the Edward Byrne Memorial Formula Grant Program appropriation, which was merged with the Local Law Enforcement Block Grant, to provide the Federal Local Law Enforcement Block Grant appropriation to the Governor's Office of Drug Control Policy. This represents a decrease of \$118,377 compared to last year.
- \$6.8 million to the Department of Human Rights for the Community Services Block Grant, a decrease of \$68,702 compared to last year.
- \$26.5 million to the Department of Economic Development for the Community Development Block Grant, a

decrease of \$2.8 million compared to last year.

- \$36.3 million to the Department of Human Rights for the Low-Income Energy Assistance Block Grant, an increase of \$1.8 million compared to last year.
- \$16.9 million to the Department of Human Services for the Social Services Block Grant, no change compared to last year.
- \$41.6 million to the Department of Human Services for the Child Care and Development Block Grant, an increase of \$1.1 million compared to last year.