



# Representative Andrew Wenthe Statehouse News

April 12, 2007

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For additional information, check our web site at: [www.iowahouse.org](http://www.iowahouse.org) or [www.andrewwenthe.org](http://www.andrewwenthe.org)

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## Capitol Comments

The House today passed SF 463, legislation that I authored with Senator Bill Heckroth to assist Life Line Emergency Vehicles in Summer. In the time between my being elected to office and the beginning of the legislative session, Bill and I were contacted by Life Line because they were being adversely impacted by an administrative change within the Department of Transportation. Bill and I both introduced identical bills, known in legislative speak as “companion bills”, in our respective chambers.

Our legislation addressed Life Line’s concerns, and made technical but substantive changes to the Iowa Code that would allow Life Line to continue operating the same as they had for 21 years. I believed it was going to be “slam-dunk” legislation. However, my first year in the Iowa House has taught me that it is very rare to have legislation drafted that has absolutely no opposition whatsoever. A powerful association did in fact have legitimate and warranted concerns about our bill, and they were vigorously opposed to the bill as drafted. It appeared that our legislative fix for Life Line was in jeopardy.

Another problem emerged after our bill was released from the bill drafter’s office, and it taught me yet another valuable lesson about the lawmaking process. Several other members caught wind of our bill and realized that they had businesses in their community that could also benefit from changes to the section of the Iowa Code that governs vehicle-licensing issues. I

have found that when a bill opens a door, many try to get there pet projects squeezed through. Some of my colleagues’ ideas had merit. However, including all of these additions in our original bill changed the intent and scope of our legislation, complicating matters immensely and making the bill’s detractors even more firmly opposed.

Over the course of the next several weeks, Bill and I held multiple meetings with department liaisons, the concerned lobbying association, Life Line, and other legislators. It was not easy to find a compromise. However, after several meetings and much negotiation, all parties agreed to compromise language that eventually sailed through the Senate and today the House. It is my hope that Governor Culver will sign SF 463 into law very soon.

The journey we embarked on from this bill’s genesis to its passage in the House today was a sometimes arduous and frustrating one. However, it was well worth our efforts to get this bill passed. I enjoy bringing together groups who have different viewpoints on an issue and helping them to build consensus. This process also taught me some important lessons about how to get a bill passed. And finally, and most importantly, I became more familiar with Life Line. I had the opportunity to tour the facility and meet several employees. Life Line is a great small business and I was happy that Senator Heckroth and I were able to assist them with this bill.



On Thursday, I had the opportunity to meet Rod Cameron of Council Bluffs. Rod was visiting the Capitol to watch his daughter, Melissa, perform her duties as my clerk. Like me, Melissa is a graduate of the University of Northern Iowa and I have enjoyed and benefited greatly by having her serve as my legislative clerk.

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## Governor Signs Insurance Pool Bill

Governor Chet Culver signed legislation allowing trade associations to form small employer health insurance pools. House File 790 took effect when it was signed on April 10, 2007. This legislation was part of the “Plan for Prosperity” introduced by Democrats during the 2006 campaign.

An eligible association must be formed for reasons other than health insurance and be in existence for five years before issuing a policy. It must also let any business meeting its qualifications to join and cannot

have conditions based on employee health status.

An eligible small employer is one with from two to fifty full-time employees who normally work at least 30 hours per week.

The bill retains existing small business rate limits: annual changes based on experience or employee health cannot exceed 15%; index rates cannot vary by more than 20% among business classes; and rates within a class cannot vary from the index rate by more than 25%.

Wellness Initiatives: The bill also lets insurers offer incentives with any small employer policy, including premium credits or discounts to encourage employees, to participate in tobacco use cessation, and other wellness or disease management programs.

Since 88% of health insurance premiums pay actual claims, efficiencies from association pooling will only affect the remaining 12% of premium costs. Supporters of House File 790 believe that over the long run, expansion of wellness initiatives will reduce future health claims.

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## New Biorenewable Partnership Announced

Iowa State University (ISU) and ConocoPhillips will establish an eight-year, \$22.5 million research program at Iowa State University dedicated to developing technologies that produce biorenewable fuels. The program will create joint research programs with ISU to produce viable solutions to diversify America’s energy sources.

Supporters of the plan said that government and private businesses must work together to create new jobs and greater opportunities for our communities. This

public/private partnership is a key component to the development of Iowa’s bio-economy and Iowa’s energy independence.

Biorenewable fuels are produced from organic materials. They help reduce pollution and greenhouse gas emissions, while diversifying the energy supply. Conventional biorenewable fuels include ethanol made from corn starch and biodiesel from soybean oil. Advanced biofuels are expected to be made from fibrous

biomass, such as the stalks and leaves from corn plants and switch grass.



ConocoPhillips will make an initial \$1.5 million grant in 2007 to support Iowa State researchers, with additional grants of \$3 million per year for seven years. Studies will emphasize crop improvement and production; the harvesting and transportation of biomass; and the impacts of biofuels on economic policy.

Making Iowa the world leader in renewable energy was also a part

of the “Plan for Prosperity.”

## Emergency Communications to Improve

The Legislature 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. The bill is on its way to the Governor for his signature.

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. And, 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 if and 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.

## Hospitals Required to File with Insurance Companies

The House Judiciary Committee passed out Senate File 546, which requires a hospital to file a claim with an insurance company before filing a lien against a settlement awarded in a court case involving an injury accident.

In more than one case, an individual injured in an accident was treated at a hospital and then released. The injured party was not at fault. The hospital, instead of filing a claim with the injured party’s health insurance company, simply files a lien against the

injured party’s possible court case settlement. This allows the hospital to receive payment on the entire bill, rather than based on the rates they have negotiated with the health insurance company.

Supporters of the bill believe this is situation is unfair, arguing this is why people pay for health insurance. Senate File 546 requires the hospital to first file with the insurance company, if the patient provides proof of insurance within 30 days of being discharged. The insurance company is not allowed to deny payment for the reason that

a third party, or other insurance company, is responsible for the hospital charges.

At no time is a hospital prohibited from filing a lien against a settlement to recover amounts rightfully owed to the hospital. If the hospital does file a lien against a possible settlement, the bill requires the hospital to mail a copy of the notice of a lien to the injured party or their attorney.

The bill is now ready to be debated before the full House.

## Veterans’ Homeowner Assistance to Governor

The House approved the Veterans Homeowner Assistance Program, Senate File 407, sending the bill to the Governor. The bill places the Veterans Homeowners Assistance Program in the Iowa Code. The program has been in existence for three years.

The program provides grants up to \$5,000 to veterans to be used as matching grants for down payments and closing costs to home purchases. The grants are eligible to veterans who have served at least 90 days of active duty in the armed forces, beginning

September 11, 2001, and ending June 30, 2008. The grants are also eligible to the surviving spouse of a deceased veteran.

Early this year, the Legislature provided \$2 million for this program.

## Divorces Expedited in Domestic Abuse Cases

The House Judiciary Committee unanimously passed out Senate File 429, which allows a judge in a divorce proceeding to waive participation in conciliation efforts when domestic abuse is proven. Under current law, a board of supervisors and judges in that

judicial district may create a domestic relations division in that county. This division offers counseling and related services to persons seeking a divorce. Participation in these efforts is for a 60-day time period.

Language in SF 429 allows a judge to waive participation in the conciliation efforts if one of the parties can demonstrate that there is a history of domestic abuse. The bill passed unanimously out of the Senate and is now ready for debate by the full House.

## IPERS Low Costs, High Level of Service

CEM Benchmarking Inc. conducted an independent study of costs to manage retirement systems during fiscal year 2006. The study shows that Iowa Public Employees Retirement System (IPERS) manages the \$20 billion retirement system at half the median cost, making IPERS the lowest-cost provider in the comparison group.

	IPERS	Peer Median
Total Administration Cost*	\$36	\$69
Services Provided and Quality	75	83
Number of members served per staff person	3,199	1,625
Administration Staff	77	164
*Per active and retired member/beneficiary		

dependable retirement, IPERS also provides benefits to Iowa communities. "IPERS paid more than \$924 million in retirement benefits during the last fiscal year, and over 88 percent of those dollars stayed in Iowa. IPERS has more than 300,000 members. About 82,000 retirees and their beneficiaries receive benefits from IPERS.

CEM, a private company based in Canada, reviews performance and costs of public pension plans in the United States and abroad. They reviewed 56 pension organizations and compared IPERS to 16 from that group that are similar in membership.

According to Donna Mueller, CEO of IPERS, "Although retirement costs are going up as life spans increase, we are effectively managing costs that are within our control."

The table shows IPERS scores compared with median scores in the comparison group in the following categories.

Even though IPERS is best known for providing a safe and

## Budget Includes Assistance for Small Businesses

The Economic Development Budget moved to the House Floor this week on a partisan vote in the Appropriations Committee. Senate File 562 contains increases to programs geared to help small businesses.

### Main Street Program

With an increase of \$500,000, the Department of Economic

Development's Main Street program will be able to assist more communities on a yearly basis. They will also develop four pilot projects in urban commercial neighborhood districts. This has worked well in other states to help business development in these neighborhoods.

Finally, the funding will go to help with technical assistance for

small business development. Currently, they subcontract this service. With this funding they will be able to hire additional staff, at a smaller cost, to assist in a project.

### Development Centers

Senate File 562 also contains a \$250,000 increase to Small Business Development Centers

(SBDC). This will provide more resources to existing centers and allow for the reopening of the Sioux City Center (assuming there are no new federal cuts to the program).

The SBDCs conducts research, counsels, and trains business people in management, financing, and operating small businesses, and provides comprehensive information services and access to experts in a variety of fields. Each SBDC encourages unique local efforts, region to region, state to state, and community to community to meet small business needs in its area.

### MyEntreNet Expansion

The MyEntreNet program, under the University of Northern Iowa, provides comprehensive assistance and mentoring to entrepreneurs. This program will also receive an increase in funding next year.

According to the Center for the Study of Rural America, small, locally owned firms diversify a community's economic base and insulate the region from economic flux. Policymakers throughout the United States have identified principles to encourage entrepreneurial activity. These include building and strengthening

a community culture for entrepreneurs, improving the skill set of individual entrepreneurs, and creating entrepreneur networks.

MyEntreNet is a rural based business accelerator program which creates community-based support networks for entrepreneurship, provides startup and existing companies with advanced technical assistance and training, and connects entrepreneurs and resources in rural regions nationwide through technology. The program claims that 49 new and expanding businesses have been assisted through the program.

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## Iowa Is First State to Add Home Services to Medicaid

Iowa has been the first state to be granted federal approval by the U.S. Department of Health and Human Services to add Home and Community Based Services (HCBS) Waivers as a permanent feature of its state Medicaid Plan. This is a result of changes in federal law made with the Deficit Reduction Act of 2005 (DRA).

The DRA allows states to alter permanently their standard

Medicaid benefit package. This change eliminates the need to get previous statutory requirements "waived." These waivers were generally limited to three or five years, requiring states to ask for renewals. The waivers can take months to complete.

The HCBS waivers provide services to elderly and individuals with disabilities to help delay or avoid more costly institutional

stays or other high-cost out-of-home placement. The waivers that are available in Iowa are the Ill & Handicapped, AIDS-HIV, Elderly Waiver, Mental Retardation, Brain Injury, Physical Disability, and the Child Mental Health Waiver.

The HHS expects more states to follow Iowa's lead in providing more cost effective services to the people that need it the most.

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## Owner Liability for Livestock

The House passed Senate File 200 this week, sending it to the Governor. SF 200 establishes new owner liability for stray livestock.

Under current law, an owner is liable for livestock that strays outside of the fenced area onto another private property. Senate File 200 establishes liability for livestock that strays onto public

roads that are used for public travel.

The local authority can determine whether livestock is trespassing or straying and make a record of its findings. Once a habitual trespass occurs, three or more separate occasions, another landowner or local authority can request in writing that the livestock

owner maintain a fence to keep the livestock in.

A livestock owner has thirty days to erect or maintain a fence that will comply with current fence laws. If a livestock owner fails to do so, the local authority may erect or maintain the fence and hold the livestock owner accountable for the cost.

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## Bill Allows DNR to Regulate Deer Contraceptive Drug

Starting July 1<sup>st</sup>, the Department of Natural Resources is given the authority to regulate and

provide oversight on the use of any fertility drugs on free-roaming or non-captive wildlife. DNR asked

the legislature to adopt House File 740 because Iowa does not have a law clearly specifying who would

have the authority on drugs that could be administered to wildlife. Governor Culver signed the bill into law.

The department said they will restrict the use of drugs on non-captive wildlife to protect Iowa's natural resources and to make sure proper safeguards are in place to prevent misuse of the drugs.

Scientists at the U.S. Department of Agriculture's Wildlife Services' National Wildlife Research Center have developed a new hormone vaccine, GonaCon, which basically renders an animal sterile. The methods of

delivering the drugs are usually by remote injection, and some argue the delivery darts could pose safety issues for all mammals.

House File 740 does not prohibit a licensed veterinarian from treating sick or injured wildlife. It does not prohibit government employees, animal control officers, licensed animal shelters or licensed pounds from carrying out their duties related to public health, wildlife management, or wildlife removal.

The Department of Natural Resources said the intent of this proposed legislation is to *restrict*

*the use of such a product if and when it becomes available.* At no point would their wildlife biologists envision a day when such a product replaces the harvest of deer through hunting as the primary method of managing the herd.

The USDA Wildlife Services' fact sheet on GonaCon says this drug has not been approved by the Food and Drug Administration. Once registered, the drug will be under the authority of the U.S. Environmental Protection Agency.