



“Be sure you put your feet in the right place, then stand firm.”

- Abraham Lincoln

November 18th, 2011

Appropriations

(Contact Lon Anderson at 1-5184.)

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Inside this issue:

Work Begins on the RFP for Sale or Lease of the ICN

On March 7, 2011, the Governor signed House File 45, the Taxpayers First Act. One of the provisions required the Iowa Telecommunications and Technology Commission (ITTC) to develop a request for proposal to sell or lease the Iowa Communications Network (ICN).

The legislation requires that the RFP be completed by July 1, 2012. In order to receive buy-in for the RFP, the ITTC created the RFP Implementation Team. The team consists of representatives of the ICN, ITTC, Governor’s office, Attorney General’s office, Auditor’s office, public safety, health care, education and the four legislative caucuses. Representative Rogers is the House Republicans’ appointee to the team.

An organizational meeting for the implementation team was held in Des Moines on Monday, November 14. The representatives on the team were present as well as representatives from the telecommunications companies from around the state and other interested members of the public.

Dave Lingren, the Executive Director of the ICN, gave an overview of the legislation, the ICN itself and what he hoped the implementation team would achieve. The highest priority is what he called “assumption proofing” the RFP. This means making sure that the RFP covers every assumption that a prospective bidder would need to contemplate prior to making a bid to buy or lease the network.

William Walling, the Director of Network Engineering, gave a presentation on the assets owned and leased by the ICN. The ICN has miles of fiber in the ground, otherwise known as the backbone of the network, as well as the equipment at the end points. It totals nearly 8000 pieces of equipment, not counting the phone and

data systems in the capitol complex. The ICN received a \$16.2 million federal grant to enhance the network. The question was asked about how this impacts a potential sale and the answer is that it does not.

David Lunemann and Rob Smith, both vice presidents of the Fiberutilities Group, discussed the timeline for creating the assumption proof RFP. Several meetings will be needed in order to solicit input from a broad range of stakeholders to be used in the creation of the assumptions that will form the basis of the RFP. A list of 29 potential assumptions was presented to the team for its consideration.

House Republicans support the concept of a sale or lease of the ICN and that is why it was approved as part of the Taxpayers First Act. The goal should be to maximize return on investment for taxpayers while still providing telecommunications services to public safety, health care and education.

The next meeting of the implementation team is Monday, November 21 in Des Moines.

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## Agriculture

(Contact Lew Olson at 1-3096.)

### Governor's Extends Proclamation on Overweight Loads for Harvest Season

On Monday, November 14, 2011, Gov. Terry Branstad extended a proclamation to allow the transportation of overweight loads of soybeans, corn, hay, straw and stover. The proclamation took effect November 14, 2011, and expires after 14 days.

This proclamation applies to loads transported on all highways within Iowa, excluding the interstate system, and which do not

exceed a maximum of 90,000 pounds gross weight, do not exceed the maximum axle weight limit determined under the non-primary highway maximum gross weight table in Iowa Code section 321.463 paragraph "5.b", by more than twelve and one-half percent (12.5%), do not exceed the legal maximum axle weight limit of 20,000 pounds, and comply with posted limits on roads and bridges. This action is intended

to allow vehicles transporting soybeans, corn, hay, straw, and stover to be overweight, not exceeding 90,000 pounds gross weight, without a permit, but only for the duration of this proclamation.

### FDA Presents Award to IDALS

On Monday, November 7, 2011, the Iowa Department of Agriculture and Land Stewardship (IDALS) announced that the U.S. Food and Drug Administration (FDA) Kansas City District Office has presented the IDALS's Feed and Fertilizer Bureau with the 2011 Partnership/Collaboration Award. Iowa was nominated for the support they provided the FDA's Kansas City office during the outbreak of salmonella enteritidis in August and September of 2010. Gerald Bromley, Director of the Investigations Branch for the FDA's Kansas City office, nominated Iowa for the award. In the nomination he cited the works of officials in Iowa, Missouri and Nebraska in supporting the FDA as approximately 85 percent of the federal agency's resources in the region were being spent responding to the salmonella outbreak.

Specifically, the Iowa and other state agencies on the FDA's behalf conducted 35 recall audit checks, inspected 10 animal feed

manufactures, and collected/analyzed feed product samples. In closing, the nomination said, "These remarkable deeds were achieved during times of State budget crises and clearly illustrate the highly motivated and dedicated characteristics expected in all those who are tasked to protecting the American public health."

The IDALS employees cited in the award nomination were:

- Kevin Klommhaus, Feed and Fertilizer Bureau Chief, from Diagonal
- John Whipple, Division Director, from Indianola
- Jeff Eichenberger, Inspector, from New Hampton
- Brad Hanna, Inspector, from Sioux City

- Gerald VandeVorde, Inspector, from Hazelton
- Lloyd Krutzfeldt, Inspector, from Dysart
- David Sterling, Inspector, from Batavia
- Neal Vaughn, Inspector, from Anamosa
- Kevin H. Wiemers, Inspector, from Burt
- Ed McCreary, Inspector, from Mt. Ayr
- Jeff Verzal, Inspector, from Westfield
- Barry Wills, Inspector, from Woodward

### 2011 Another Successful Year for Iowa Farmers Markets

On Thursday, November 10, 2011, the Iowa Department of Agriculture and Land Stewardship (IDALS) issued a press release in which Iowa Secretary of Agriculture Bill Northey thanked Iowa farmers and customers for making 2011 another successful year for Iowa farmers markets. Iowa's farmers market managers reported another strong year of sales and attendance at Iowa's 237 markets across the state.

Iowa's farmers markets have seen strong growth in recent years, and that trend appears to be continuing. In an Iowa farmers market survey completed for the Iowa Department of Agriculture and Land Stewardship last year showed that market sales have increased an average of 18 percent per year from 2004 to 2009. It also showed

that Iowa markets had \$38.4 million in direct sales in 2009 and a \$71 million impact on Iowa's economy.

**"\$71 million impact on Iowa's economy..."**

Most of Iowa was spared from any late spring freezes which got the growing season off to an early start. Heavy rains slowed fruit and vegetable development and delayed a number of crops including strawberries and sweet corn. After a slow start, sweet corn sales picked up quickly and remained vigorous throughout an extended season from July through October.

An exceptionally mild fall kept both customer attendance and vendor offerings at high levels all the way through the end of October. Peaches and apples were both reported as excellent crops this year and after a meager crop last year, pumpkins were large and plentiful in 2011. The Farmers Market Nutrition Program also continues to serve low-income seniors, women and children in Iowa with vouchers so they can also take advantage of the nutritious, locally grown fruits and vegetables found at Iowa markets. This year vouchers were provided to more than 51,000 Iowans so they could enjoy the farmers market experience.

## Commerce

(Contact Brad Trow at 1-3471.)

### Next Time, You May Want to Start Reading Websites' Terms of Services; Justice Department wants to Expand Law that Criminalizes Violating TOS Agreements

It's one of those pesky things about the internet – terms of service agreements. When you download a new version of iTunes or sign up for a website service, a screen pops up with the terms of service for that particular program. To download the program or open the website, you must click a box that says you have read the terms and agree to operate within them. Most just scroll down to the box and click it without ever reading the terms. Computer users may want to start paying closer attention, as the White House is pushing to expand a law that actually criminalizes terms of service violations.

The law in question is the Computer Fraud and Abuse Act. This was used several years ago against a woman who had created a fake MySpace account to verbally abuse a 13 year old to the point that the child committed suicide. She was convicted of violating the CFAA because MySpace's terms of service prohibited her from impersonating a person. The conviction was later thrown out.

The language that federal prosecutors used from the CFAA is a basic prohibition on any

computer-based act that "exceeds authorized access". And to the Department of Justice, authorized access is defined by a site's terms of service. These agreements, usually difficult to read for even lawyers, set the rules under which a person is supposed to use a website. But since most people simply check the box without reading the terms, many Americans may be violating the CFAA without even knowing it.

The most likely problem would be when people view copyrighted material on a website like YouTube. It doesn't matter if what you clicked on is a grainy videotape transfer of Journey's "Separate Ways" video (which is not available for purchase on iTunes). You are violating copyright law, and thus violating the CFAA. And one legal expert in the field told CNET.com that a person uploading two copyrighted music videos to YouTube could be viewed as engaging in "a pattern of racketeering" and thus subject to enhanced criminal penalties.

The Justice Department's interpretation of the CFAA allows for the potential prosecution of a wide range of potential violations. Google's terms of service says a person

cannot use the website "if you are not of legal age to form a binding contract". This could be a problem for school kids across America who use the site every day to do research for projects, or even at the direction of their teacher. And even singles could be in trouble, as Match.com's terms of service say it is a violation to not correctly state one's age.

Opposition to the use of the CFAA in this manner and the Obama administration's push to expand its application is widespread. Groups ranging from the American Civil Liberties Union to Americans for Tax Reform are urging Congress to clarify the application of the law. Action on the matter may occur sometime later this year, with the possibility it could be combined with an internet piracy bill that is being considered on both sides of Capitol Hill. Until that happens, computer-users may be wise to take a few minutes and read the next time a terms of service agreement pops up on the screen.

## Economic Growth

(Contact Louis Vander Streek 1-3626.)

### Examination of State Tax Credits Begin

The state's tax credit incentive programs have begun to be scrutinized by the Legislative Tax Expenditure Committee. The Committee was created as a result of legislation passed in 2010 that created a ten-person joint committee of the Senate and the House. Three Democrats and two Republicans from the Senate joined Three Republicans and two Democrats from the House to examine tax credits within the tax code. Specifically, the legislation called for a regular review of all tax credit, withholding credit, and revenue division programs in order to facilitate the reauthorization of successful programs and to do so at a cost that can be accommodated by the state's annual budget.

For purposes of this article, we will look at the programs that the Economic Development Authority and the Department of Cultural Affairs administer. The Department of Cultural Affairs administers the Historic Preservation Tax Credit, which is capped at \$50 million per year. The Economic Development Authority administers eight separate programs that are currently part of code and the Authority has a total cap of \$120 million in tax credits that it may allocate throughout its programs with certain restrictions. These programs include: High Quality Job Creation, Enterprise Zone, Film Television and Video Project (currently administered by the Attorney General's office after having been put on hiatus), Corporate Tax Research, Assistive Device Tax Credit, Community Based Seed Capital, Innovation

Fund Investment, and the Brownfield/Grayfield Program. All of these programs exist, but all are not funded in any given fiscal year. The allocations for FY12 are as follows:

- High Quality Job Creation Program: \$90 million
- Enterprise Zone Program: \$15 million
- Community Based Seed Capital: \$2 million
- Innovation Fund Investment: \$8 million

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- Brownfield/Grayfield Program: \$5 million
- Film Television and Video Project: \$0
- Corporate Tax Research: \$0
- Assistive Device Tax Credit: \$0

Any program from the list of eight that does not have an amount means it did not receive an allocation of the \$120 million in the current fiscal year. Despite being allowed to utilize up to \$120 million in credits per year,

the Authority has not always actually awarded that amount, nor do all of the credits that are awarded always end up being claimed. For instance, in fiscal year 2011, the Authority was working under its \$120 million cap, but only ended up making awards totaling \$68.6 million worth of tax credits.

Recent news stories have called into question the effectiveness of such tax credit programs citing the lack of a method to effectively demonstrate a return on investment. That is one of the tasks that the Department of Revenue and the Economic Development Authority was given. So far, only one model has been created. The Economic Development Authority developed a Fiscal Impact Ratio for the High Quality Jobs Pro-

gram (the only IEDA credit looked at at the review committee). The Authority says that the ratio provides a single, quantifiable measure of the overall value to the State of a proposed project. It is composed by dividing Projected Revenues by Incentive Cost. At the tax expenditure committee meeting, the Authority presented that the program returned two dollars in increased revenue for every state dollar spent and also leveraged \$19.26 in capital investment for every state dollar spent.

The Tax Expenditure Committee plans to look at all of the remaining tax credits over the course of the next four years through 2015.

## Education

(Contact Jason Chapman at 1-3015.)

### Changes to the Education Reform Blueprint

Since the Governor unveiled his vision for education reform on October 3, he has been on the road getting input from Iowans and sharing information about the plan. He, along with the Director of the Department of Education, Jason Glass, and the Governor's Special Assistant to Education, Linda Fandel, have held nearly 30 town halls all over Iowa. After receiving feedback, a few things in the plan have changed.

The largest change occurred this week, when Dir. Glass told the Des Moines Register that the proposed career ladder and teacher pay plan has been put on hold. The subject of the largest amount of scrutiny in the plan, the teacher pay scale and career ladder, raised many questions and much skepticism. It was the central point of the plan to get an excellent teacher in every classroom.

What was shared regarding this portion of the plan was that teachers would be paid more and a new career ladder would establish new positions called Mentor and Master Teachers. Beginning teacher pay would be raised from about \$28K a year to around \$40K a year. Pay would then scale up through 4 steps on a career ladder: Apprentice, Career, Mentor, and Master. Mentor and Master Teachers would be chosen

by the principal and would spend a portion of the day mentoring, coaching, and evaluating other teachers.

Concerns, however, surrounded the lack of details. How could we pull the best teachers out of the classroom for even a part of the day? How would these teachers mentor teachers in other subjects? How would smaller schools handle converting someone to a master role? How much is the new plan going to cost? Where is the money going to come from?

Amid those questions and concerns, a few answers emerged, but it largely went undetailed. And perhaps because it was proving detrimental to the Governor's overall plan, they announced this week they would put that portion on hold and instead encourage the legislature to put together a study committee to study the issue and provide recommendations that can be discussed and passed in the 2013 session.

Another change that is brewing surrounds the school year. The Governor has noted that the single most asked question they have received while on the road has to do with the length of the school year and how much learning time is essential for our kids.

No details have yet emerged regarding how

they expect to address this, but they intend to propose something given the number of parents, teacher, and community members who have expressed interest in the issue.

The current model has weaknesses in student learning when it comes to knowledge lost over the 3 month summer break, and the lack of learning that occurs in the first several weeks of school and the last several weeks of school. Whether the new proposal actually increases the number of days, currently at 180, that a student is in school or whether it breaks up the 3 month summer break into 3 smaller breaks, for example, are conversations that still need to occur.

So expect those changes to the plan as we move closer to session in January. One positive thing we have seen during the past several months is that the Governor and other architects of the plan are keeping an open ear and making changes accordingly.

## School Choice for Bullying Victims

While almost all states have an anti-bullying and anti-harassment law in place, they all vary from mere suggestions to full-out policies with actions and consequences proscribed. Iowa put its anti-bullying law into effect in 2007 and leaves much of the policy crafting at the local level. A policy in Texas came through the email vines last week that caught some attention.

The question that prompted the email was "how many states have open enrollment policies that allow students who have been bullied to transfer to another district?" The answer is, Texas requires, and California permits victims of bullying to transfer districts after a bullying victim's parent requests such a transfer, while both Texas and Georgia have provisions related to the transfer of bullies into other classrooms, districts or programs.

Iowa's anti-bullying law, 280.28 in statute, leaves anti-bullying policy development to the local school board. In its policy, which must "declar[e] harassment and bullying in schools...against state and school policy," the "consequences and appropriate remedi-

al action for a person who violates the anti-harassment and anti-bullying policy" is addressed, but nothing is stated about what should or could be done for the victim.

Additionally, Iowa's Open Enrollment law, 282.18 in statute, leaves open the possibility for school transfers for the victim of harassment, but it is by no means a guarantee or an easy process. Open Enrollment requests must be made by March 1 and any made after March 1 must meet "good cause." "Good cause" does not include harassment or bullying, and open enrollment requests not meeting "good cause" must be approved by both the sending and receiving school boards. If an application is put in for "repeated acts of harassment" and is denied, the family can appeal that decision, by affidavit, to the state board of education.

By contrast, Texas statute specifies that, upon parental request, a student who has been bullied must be transferred to:

1. Another classroom at the campus to which the victim was assigned at the time

the bullying occurred; or

2. A campus in the school district other than the campus to which the victim was assigned at the time the bullying occurred.

In addition, Texas also allows a board of trustees to transfer the bully to another classroom or another campus as well, in consultation with the bullying student's parents.

California permits two or more district boards to enter into inter-district transfer agreements. A student who has been a victim of bullying and who attends a district that has established a transfer agreement must be given priority for inter-district attendance.

In Georgia, a student in grades 6-12 found to have engaged in bullying 3 times in a school year must be transferred to an alternative school. As in Texas, the district is not responsible for transportation for a student sent to an alternative school under these circumstances.

## Environmental Protection

(Contact Lew Olson at 1-3096.)

### DNR Seeks Public Input on Air Quality Rules

On Tuesday, November 16, 2011 the Iowa Department of Natural Resources (DNR) issued a press release noting that an upcoming rulemaking process on the compliance sampling manual, emissions test methods, and portable plant notifications and that it was requesting public input on that upcoming rule making effort. The purpose of the proposed amendments is to:

- Reduce the regulatory burden by eliminating state-only emissions testing procedures (the Compliance Sampling Manual) and adopting federal methods for emissions testing;
- Increase transparency and consistency in conducting emissions testing by placing into rule the specific procedures for conducting testing;
- Offer uniform regulations by updating the definition of particulate matter and

other air quality definitions to be consistent with federal regulations;

- Provide additional flexibility for regulated portable plants by reducing the notification time and allowing electronic submittals; and
- Update an appendix in the Title V "Periodic Monitoring Guidance" to reflect current federal emissions test methods.

The DNR will collect suggestions or comments from the public regarding the proposed rulemaking until Monday, November 28, 2011, by 4:30 p.m. The public may review the proposed rulemaking documents on the DNR's website on the Air Quality Public Input page. Please scroll down to the Air Quality-specific items to view the information. To provide written comments or suggestions on the proposed rulemaking, or

to inquire about the rulemaking activities, please contact:

Christine Paulson

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Phone: 515-242-5154 Fax: 515-242-5094

The DNR is requesting public input on this rule making effort prior to beginning the formal rulemaking process and before presenting the proposal for information to the Environmental Protection Commission (EPC). If the DNR receives approval to proceed, there will be further opportunities for the public to provide input. Additionally, the DNR will provide a formal public comment period of at least 30 days upon publi-

## Human Resources

(Contact Brad Trow at 1-3471.)

### Supreme Court to Hear Challenge to Health Care Reform Law

The decision, which was one of the first major rulings to be handed down by the court under Chief Justice William Rehnquist, established a four part test for determining if conditions on federal funding were constitutional. Those conditions are:

- 1.The condition must be unambiguous;
- 2.The condition must promote "the general welfare";
- 3.The condition should relate "to the federal interest in particular national projects or programs"; and
- 4.Other constitutional provisions may provide an independent bar to the conditional grant of federal funds.

In **South Dakota v. Dole**, the first 3 conditions were clearly met. It was in the fourth condition that the controversy lie. Chief Justice Rehnquist and the majority found that the 5 percent penalty for failure to raise the drinking age was not a violation of the Tenth Amendment because it was "pressure" being applied to the states to

change policy, not an act to compel action. Not everyone agreed with this rationale. One of those dissenting was Justice O'Connor, who raised a strong defense of state authority in these matters.

The issue being raised in the challenge to the health care reform law is over Congress's actions in relation to Medicaid. The law has a maintenance of effort requirement that prevents states from making any substantive changes to their Medicaid programs, or lose **all** federal funding. This prohibition on changes applies to adults for 5 years and 10 years for children's services.

The states are contending that the maintenance of effort provision is coercing state action on Medicaid, and thus violates the ruling in **South Dakota v. Dole** and the Tenth Amendment. Because the appellate courts had all essentially ignored this argument in their rulings, most legal scholars expected that the Supreme Court would follow suit. The decision to hear the case means the Court is prepared to have an argument over one of the cornerstones of

the American political system – federalism. This has many advocates of federal power very scared.

It is important to note that on two of the matters authorized for argument, there is no dispute between the parties. The Court will be appointing outside attorneys to handle these issues and this has the potential to slow down the pace for oral arguments. Most Court watchers expect the case to be heard in March, but with outside counsel having to come in, that could be pushed back.

Additionally, due to the scope of the issue and the unprecedented amount of time being provided for oral argument, **C-SPAN** has asked the Court to permit it to broadcast hearing. While it is unlikely the Court will consent to this, there is a possibility that the justices may take another step for openness of its proceedings. That happened in 2000 during the Bush v. Gore case, when Chief Justice Rehnquist made the recording of that hearing available to the public upon the conclusion of the argument.

## Judiciary

(Contact: Amanda Freel, 1-5230)

### Supreme Court Hears Case on GPS Tracking

When you pull out of your drive way and head to work in the morning should you expect the police to be following your every move? Should Police Officers be able to track suspects without a warrant using GPS technology? On November 8<sup>th</sup>, the United States Supreme Court heard arguments addressing this issue, in the case of U.S. v. Jones.

In 2005, FBI agents placed a GPS tracker on a vehicle registered to Antoine Jones. The GPS allowed officers to know every place the vehicle went. Without a warrant, Jones was tracked for 28 days, while officers recorded his location and time spent at every stop. Through the tracking officers determined where Jones was hiding a stash

of drugs and arrested him. A majority of the evidence was considered inadmissible in court, but Jones was eventually convicted of conspiring to distribute cocaine. His attorney appealed the conviction and argued that using a GPS device, without a warrant, to track Jones' whereabouts was a violation of his Fourth Amendment protection against unreasonable search and seizure.

**"...unchecked monitoring by the Government.."**

During oral arguments in front of the Supreme Court, the deputy solicitor general argued that a GPS device attached to a car is no different from a police officer following someone who is unaware they are being followed. In a written brief submitted to the Court, the government argues that since the GPS monitoring does not tell who is driving the car, what occupants are doing in the vehicle and what happens once they arrive at their location, there is little privacy interest for the individual being tracked.

Attorneys for Jones' position argued the Fourth Amendment was designed to protect citizens from unchecked invasions of priva-

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cy. GPS tracking with a warrant ensures that a neutral third party (a judge) has reviewed the situation and determined if the invasion of privacy is acceptable. A brief filed by the ACLU argues; "without judicial oversight, the police could track unlimited numbers of people for days, weeks, or months at a time. Americans could never be confident that they were free from round-the-clock surveillance of their activities."

Justices asked questions of both parties during the hearing in order to determine

what protection both sides believe the Fourth Amendment offers Americans. Several Justices were concerned with round the clock unlimited and unchecked monitoring by the Government and asked the government lawyers what prevents monitoring of every movement every American makes 24 hours a day. However, Justices also pushed for clarification on the difference between a police officer following someone for 12 hours without a warrant or monitoring their vehicle with a GPS device for 12 hours. None of the answers to the Justices questions were easy and many lead to more questions, some that couldn't be fully

answered.

Some legal experts have speculated the court will provide only a narrow ruling on whether the government overstepped its bounds by attaching a GPS device to a vehicle without a warrant. There's a chance the court may leave the large question of tracking to the legislature, but whatever their decision it will have a large impact on how police conduct tracking of suspects and could change how the Fourth Amendment is viewed by law enforcement. The Court is expected to rule in this case by the end of the term in June of 2012.

## Labor

(Contact Louis Vander Streek 1-3626.)

### Governor Extols New Workforce Development Delivery Model

At last week's press conference, Governor Branstad spoke highly of the new delivery model being implemented by Iowa Workforce Development to provide services and aid to Iowans. The new program called for the closing of over 30 physical buildings that had a presence in many communities across the state, leaving 16 regional one-stop offices, 3 satellite offices open as well as hundreds of virtual access points newly added across the state. The new system was even praised by the National Governor's Association Center for Best Practices in August and was noted

There are now 370 locations that provide virtual access points to those seeking ser-

vices from Workforce Development. The Governor specifically lauded the expanded

***"...praised by the National Governor's Association..."***

access that the new system provides. There are hundreds of Iowa towns that previously had no direct connection to Workforce Development services that now have an access point, and some communities have an increase to hours where services are available. A press release from the Governor's office stated that communities like Boone, Emmetsburg, Estherville, Iowa Falls, Perry

and Washington have seen hours of access increased from less than 20 hours to 64 hours a week, an increase of more than 300%. Further, services are also available now on Saturday, which was not the case under the old model. The press release stated that this Saturday usage encompassed over 25% of the services provided during extended hours. Governor Branstad was quoted in the release as saying, "Iowa Workforce Development has succeeded in developing a delivery system that serves Iowans locally and more efficiently while still providing professional workforce staff connections through the use of technology."

## Local Government

(Contact Jason Chapman at 1-3015.)

### League of Cities Legislative Priorities

The Iowa League of Cities listed their legislative priorities for the 2012 session in their latest newsletter, Cityscape. Topping the list is Responsible Property Tax Reform, but reform for pensions, removal of unfunded mandates, increased transportation/infrastructure funding, and protecting economic development tools round out the rest.

#### Responsible Property Tax Reform

The League is looking to increase transparency in the system and creating a property tax plan that addresses commercial property tax relief without inhibiting local govern-

ments' ability to provide essential services to the community. They recognize that cities need to partner with businesses to spur economic development which helps cities thrive and creates more jobs.

#### Reform and Maintain Strong Pension Systems

The League believes no new employee benefits can be considered at a time when pension costs are increasing for cities. A large portion of city costs go towards benefits like pensions and with the economic downturn in the country, the Municipal Fire

and Police Retirement System of Iowa (MFPRSI) and IPERS are being negatively impacted. There are built-in unsustainable inequities in the system that are driving city costs higher and higher.

#### Remove Unfunded Mandates

Examining actual costs to cities, the League is working to identify mandates that are putting undue additional strains on their budgets amid rising pension costs and

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looming property tax reforms. Things like mandatory newspaper publication costs, requirements for certain boards and commissions, requirements to provide services to tax-exempt properties and high-cost environmental regulations increase costs and take away flexibility at the local level.

**Increase Transportation Infrastructure Funding**

The League supports recommendations

coming out of the Governor's Transportation 2020 Citizen Advisory Commission which examined funding sources for the TIME-21 fund. In order to support the \$215 million annual cost of road maintenance, the League wants new sources for road funding to ensure that our infrastructure is safe and reliable for citizens and to attract and retain businesses.

**Protect Economic Development Tools**

The League knows that economic development helps a community thrive, so they

support Vision Iowa, Main Street Iowa, tax credits such as the State Historic Tax Credit Program, and Tax Increment Financing (TIF). The support the maintenance of these and similar programs.

**Natural Resources**

(Contact Dustin Blythe 1-3452.)

**The river otter season has a quota of 650 otters and is open statewide. The season limit is three otters per licensed furharvester.**

The river otter season has a quota of 650 otters and is open statewide. The season limit is three otters per licensed furharvester.

The bobcat season is open in the southern three tiers of counties, plus Woodbury, Monona, Harrison and Guthrie counties. The quota for bobcats is 350.

The most recent updated information from the Department of Natural Resources

shows that 372 otters and 114 bobcats have been harvested as of November 15. Once the quota is reached, trappers may keep any otter or bobcat captured within the 48 hour grace period.

The Iowa DNR updates the quota numbers regularly. The season limit is one bobcat per license fur harvester and three otters per licensed fur harvester.

***"...bobcat season is open..."***

**Transportation**

(Contact: Kristi Kielhorn, 2-5290.)

**Despite the recommendations of the Governor's Transportation 2020 Citizen's**

increase combined with the increase in fuel tax would raise about \$280 million annually to fund road repairs.

Despite the recommendations of the Governor's Transportation 2020 Citizen's Advisory Commission, submitted to the Department of Transportation, Governor Branstad has publically stated that he will not seek an increase in the gas tax in the 2012 legislative session. The commission was comprised of county and city representatives, the former director of the Department of Transportation, and several non-voting legislators. The commission's charge was to find ways to increase funds for public roadways. It is estimated that the critical funding shortfall is about \$215 annually.

The Governor's Transportation 2020 Citizen's Advisory Committee full report can be found at <http://www.iowadot.gov/transportation2020/>.

***"...timing for a tax increase was not right ..."***

Last week, Governor Branstad told the press that because so many lowans are in difficult financial situations, the timing for a tax increase was not right. Instead, the Governor has asked Department of Transportation Director Paul Trombino to find \$50 million in savings next year within the agency to alleviate some of the immediate road repair needs. This amount would represent the amount of money a two cent gas tax increase would bring in.



## Hospice of Central Iowa-Veterans Helping Veterans

Earlier this year, Hospice of Central Iowa Care Services was one of five community hospices chosen nationally to receive a Reaching Out grant from the National Hospice and Palliative Care Organization. Funded through a contract with the Department of Veterans Affairs, the Reaching Out grants were created to support innovative programs committed to increasing access to hospice and palliative care for rural and homeless Veterans with life-limiting illnesses.

The grantees were:

- **Hospice of Central Iowa – West Des Moines**
  - **Mercy Hospice – Roseburg, Oregon**
  - **Mountain Hospice – Belington, West Virginia**
- A portion of the grant funds for Hospice of Central Iowa were used to build the organization's new Veteran-to-Veteran volunteer program, which matches volunteers with military experience with hospice patients who are also veterans. Veteran-to-Veteran volunteers provide companionship while talking, reading and sitting with patients.
- Col. Jim Luder, a retired Brig. General and spiritual care counselor for the program, has spent time recruiting volunteers for the program and educating community and veteran-affiliated groups on the need to support veterans at end of life. He has add-

ed 14 new volunteers to the program in the last six months.

HCI Hospice Care Services is a Partner Level Three of-We Honor Veterans, pioneering campaign from NHPKO and the Department of Veterans Affairs to help hospice professionals to meet the unique needs of these specific veterans. The program teaches respectful inquiry, compassionate listening and grateful acknowledgment to comfort patients with a history of military service and possibly physical or psychological trauma.

Veterans interested in volunteering for HCI Care Services' new Veteran-to-Veteran volunteer program are encouraged to contact Col. Jim Luder at veterans@hciareservices.org or (319) 931-3147.

## Ways and Means

### Illinois: An Example of What Not To Do

Last year, on the last day of a lame-duck session, lawmakers in Illinois approved a 67 percent increase in the state's personal income tax and a 46 percent increase in the corporate income tax. Without hesitation, Governor Pat Quinn (D) signed those tax increases into law.

One would think these drastic increases in taxes would have solved the budget troubles that are ailing Illinois, but that's not the case. Rising pension obligations for government workers and a large backlog of unpaid bills are the culprit. One fiscal watchdog group estimates that the state could end the budget year more than \$8 billion in the red – despite raising taxes by \$7 billion.

The budget process in Illinois has been broken for a long time, and the taxpayers of Illinois are starting to feel the effects. Illinois has underfunded its pension plans for years, using monies that should have been credited to pensions to pay for spending. In 2002, the debt of Illinois stood at \$9 billion – this year it will top out at \$30 billion.

In spite of raising taxes, Illinois is actually losing ground. In FY 12, almost 17 percent of the \$33 billion General Fund will go to pension related payments, \$464 million more than one year earlier.

With Illinois taxing itself into oblivion and refusing to enact meaningful budget and pension reforms, Iowa could benefit by con-

tinuing the budget reforms and spending reductions made last year and while continuing to push for tax reform for all classes of property.

What lawmakers in Illinois did by increasing taxes failing to fix the budget is exactly what taxpayers have rejected across the nation. Instead taxpayers want government spending corralled and tax incentives examined before any discussion of increasing taxes is begun.