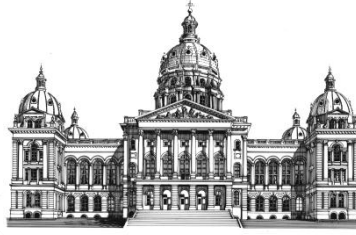


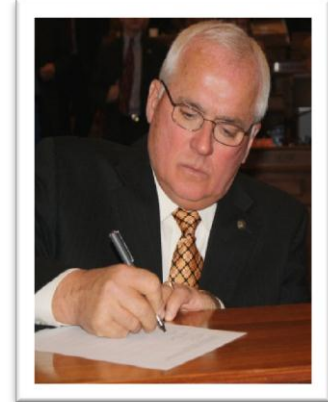
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Public Safety



**House of Representatives**  
State of Iowa  
*Eighty-Fourth General Assembly*  
STATEHOUSE  
Des Moines, Iowa 50319



## OLSON'S OBSERVATIONS

New restrictions for traffic cameras (HF 549) were approved by the House on Wednesday. Cities that have installed the cameras to ticket those running red lights would have that fine capped at \$50, nearly half of what most of these cities charge. Speeding violations will be left as is depending on the infraction. This bill will also prevent the city from charging court costs on either type of ticket.

SF 367 will require the distribution of risks, signs, and symptoms of concussions. Parents and students will also be required to sign and return a sheet on concussion risk before participating in any extracurricular activity (more than just sports). Students will be pulled from participation if they exhibit signs of a concussion and cannot return until evaluated by licensed health care provider.

**"THE COST OF POWER IS ALWAYS GOING UP, NO MATTER WHAT HAPPENS AND WE ARE GOING TO HAVE TO FIND OTHER WAYS TO GENERATE POWER. "**

The nuclear legislation, HF 561, does not direct MidAmerican Energy to build a new power plant. This bill has been getting some heat and I wanted to clear up a couple of things. Safety is the utmost concern of this legislature and we are re-examining the feasibility of a next-generation plant here in Iowa. The earthquake in Japan (a 9.0) did no

structural damage to the nuclear plant. The reason there is trouble is the 31 foot wall of water that shut down the backup generators. Still, why nuclear energy? Coal is being phased out [eleven coal fire plants will close across the country], solar power is too expensive [33 cents per kwh], wind is too unreliable [only produces 30% of the time], and natural gas would serve us better for heating our homes, not for the production of electricity. The cost of power is always going up, no matter what happens and we are going to have to find other ways to generate power. This bill just gives the utilities board an option to consider.

The redistricting maps came out this morning and it appears that the House district that I represent didn't change much but that isn't the case across the rest of the state. Make sure to take a look at who represents you.

Always feel free to contact me on any issue before the Iowa Legislature. I can be reached at 515/281-6055 during the week or by e-mail at ([steven.olson@legis.state.ia.us](mailto:steven.olson@legis.state.ia.us)) or visit my web page for information at ([www.iowahouserepublicans.com/members/steven-olson](http://www.iowahouserepublicans.com/members/steven-olson)).

## Appropriations

### **House Republicans Unveil Conservative Spending Outline for FY 2013, Focuses on Fulfilling Commitments**

During the campaign Governor Branstad promised to push for a biennial budget. House Republicans have heard that call and this week unveiled an austere budget for FY 2013.

Since FY 2013 is still 15 months out, House Republicans are taking a conservative approach. The increase to the budget subcommittee areas is only 0.78 percent compared to the House Republican budget targets for FY 2012. If the December 2011 REC estimate allows for additional spending, it will allow for increases in priority areas during the 2012 session.

In addition, instead of using the bulk of the new revenue for new expenditures, the blueprint will fulfill commitments to the property taxpayers and fix budget problems left by the previous administration.

Of the total increase in expenditures, \$60 million is used to shift notwithstanding from the Rebuild Iowa Infrastructure Fund (RIIF) to the general fund. The big ticket items are tuition replacement (\$25 million), technology funding (\$17.5 million), lake dredging (\$8.6 million) and flood prevention (\$3.3 million).

The targets also account for an additional \$65 million to fully fund the property tax credits, which is dollar-for-dollar property tax relief. The credits – homestead, agriculture land and family farm, military and elderly disabled – haven't been fully funded for over a decade. This will increase the total funding of the credits from \$145 million to \$210 million for FY 2013.

The last component is a built-in increase for Medicaid. Since Medicaid is a federal entitlement program, it must be funded at a certain level. The average increase for Medicaid (not counting the use of one-time funds or other funding sources) is about \$45 million per year. The House budget targets build in \$45 million for the FY 2013 increase with the knowledge that the number may need to be adjusted in 2012.

In total, general fund expenditures for FY 2013 will increase by \$222.6 million compared to the House Republican FY 2012 budget targets, an increase of 3.77 percent. This conservative rate of growth will be criticized as not nearly enough. However, it represents the House Republican philosophy that a certain rate of growth is government is needed for priorities and the rest should be returned to the taxpayers.

House Republicans believe that the taxpayers should finally have a seat at the table and ongoing spending must be aligned with ongoing revenue to ensure that the budget is sustainable in the future.

*(Contact: Lon Anderson, 1-5184)*

## Agriculture

### **DNR Compelled to Pay Lake Drainage Assessments**

On Wednesday, March 23, 2011, the House Agriculture Committee passed Senate File 428 by a unanimous vote. The measure adds language to a Code section dealing with situations when state owned property is benefitted from levee and drainage improvements. The bill addresses a recent district Court ruling that relieved the Iowa Department of Natural Resources from paying drainage district assessed benefits for down-stream improvements of a ditch draining a lake in North Central Iowa. The bill explicitly states the drainage district commissioners shall ascertain the benefits realized from removing excess water from a lake, but not hypothetical benefits if a state owned lake or wetland were completely drained and converted to other uses. The bill also amends the Code chapter's presumption and construction of law section additionally adds—"including state-owned lakes and wetlands," because the court had rules that these bodies did not fit into the existing definition of "other lands". The Senate previously considered and passed SF 428 on March 9, 2011, by a unanimous 50-0 vote.

*(Contact: Lew Olson, 1-3096)*

## Commerce

### **Study Finds Abandoned Power Projects Cost Iowa \$10.2 Billion of Investment, Thousands of Jobs**

As Iowans discuss the possibility of additional power generation being constructed in the state, a new national report shows the impact on state economies when power projects are not built.

The United States Chamber of Commerce last week released "Progress Denied: A Study on the Potential Economic Impact of Permitting Challenges Facing Proposed Energy Projects". Their study found that over the past decade, 351 different energy-related projects had been stopped by issues related to receiving permitting approval by state and federal regulators.

For Iowa, the Chamber's identified four different projects proposed for construction in Iowa that did not occur due to regulatory road blocks. The best known of these would be the proposed Alliant power generation facility that was slated to be constructed outside of Marshalltown. This project, which was proposed to replace an existing coal-fired fire plant in the area, was shelved in 2009 when state regulators continued to impose new requirements on the company in order to proceed.

One of the other uncompleted projects was LS Power's proposal for a 750 megawatt generation facility outside of Waterloo. This project was proposed in 2007, but immediately ran into regulatory barriers imposed at the state and local level. In 2009, LS Power announced its intention to abandon the project. The other power projects identified in the report were the Big River Resources Ethanol plant proposed for Grinnell and the Green River Express transmission lines that were to move electrical power from South Dakota to Chicago.

Constructing these four projects would have brought 19,300 jobs to Iowa and an investment of \$10.2 billion dollars. The annual economic output of just these four projects would have been \$1.1 billion, with \$200 million of that going out in salaries and benefits to the 5,400 permanent jobs that would have been created if they had been able to be built.

On a national level, the study found that the construction of the 351 proposed projects would have generated \$1.1 trillion in economic activity and 1.9 million construction jobs. Once in operation, 791,000 Americans would have been needed to keep the facilities operating.

The report clearly shows that meeting the power needs of American businesses and consumers has tremendous impact on the economy. As federal policy moves to limit the options for power generation, meeting these needs has the potential to be a major driver in the economic recovery of Iowa and the nation.

*(Contact: Brad Trow, 1-3471)*

## **Economic Growth**

### **House Passes Department of Economic Development Reorganization**

On Monday, the House passed HF 590. The bill, referred to as IPEP (Iowa Partnership for Economic Progress), reorganizes the Department of Economic Development into a new public Authority (Economic Development Authority), a private non-profit Corporation (Economic Development Corporation), and a vision board (Partnership for Economic Progress).

HF 590 went through a number of different forms, and was heavily worked on in subcommittee, committee, and all the way up until it was debated on the floor. Twenty six amendments were offered on the floor from both Republicans and Democrats, and a number of them were accepted. The lengthy discussion of the bill resulted in a bipartisan effort of 66 voting in favor of the bill and 33 voting against it. The bill changes the status quo in regards to state economic development efforts.

The bill puts in place a number of safeguards, which include:

- mandating that the Authority Board have two individuals from each Congressional district
- requiring that members of the Authority Board and the Partnership Board receive Senate confirmation
- adding four legislative ex officio members to the Authority Board
- prohibiting the Director of the Authority to receive any money or valuable thing outside of his/her salary

- requiring a report of all gifts or grants that the Authority receives
- prohibits an individual from concurrently being employed by the Authority and the Corporation
- providing for a two year cooling off period in which an individual working for the Authority cannot work for the Corporation for two years, and vice versa
- requiring an annual report of the Corporation be prepared to present to the Authority
- requiring an annual financial audit of the Corporation
- requiring an annual report of the Corporation be submitted to the Governor, General Assembly, and Auditor of State
- requiring an annual report of the Authority be submitted by the Director to the Authority
- requiring that deliberation or meetings of the Corporation board of director be conducted in accordance with Open Records and Open Meetings laws when the topics pertain to the performance of functions delegated by the Authority
- prohibiting dual representation of a company/corporation from being represented on both the Corporation Board and the Authority Board
- adding language at the request of the Treasurer, the Attorney General, and the Governor's transparency advisor
- adding a requirement for the new Authority to adopt rules that prevent favoritism and pay-to-play tactics
- providing for a legislative review of the Authority in 2014 and a report of findings and recommendations in 2015
- adding the requirement that the Corporation submit its 990 form to the General Assembly

The bill was one of the Governor's top priorities and was necessary, he said, to reach his goal of creating 200,000 jobs in five years. The new makeup of the economic development arm of government will allow for a more timely and flexible approaches to economic trends in Iowa.

*(Contact: Louis Vander Streek, 1-3626)*

## Education

### Education Committee Moves Several Senate Bills

The House Education Committee kept several Senate bills alive through funnel. Over the past few weeks the following bills received committee approval:

**SF 120** – This bill prohibits an applicant for a license from the Board of Ed Examiners from receiving a license, and is grounds for revoking a license from an already licensed individual if they are guilty of enticing a minor or human trafficking. Passed Senate 48-0 and Ed Committee 23-0.

**SF 122** – This bill is a clean-up bill for the College Student Aid Commission. Passed Senate 49-0 and Ed Committee 22-0.

**SF 123** – Another Board of Ed Examiners bill, this one provides civil liability protection for board employees and complainants. Board employees are not liable for their good faith actions on the board. Others are not liable for filing a complaint or participating in a proceeding of the board. They are protected from termination by their employer for those same reasons. Passed Senate 49-0 and Ed Committee 21-0.

**SF 424** – This bill establishes a pilot project to occur between several school districts and a community college. It addresses a specific joint project that has already occurred with Hawkeye Community College. It allows for non-contiguous districts to partner together. Passed Senate 49-0 and Ed Committee 15-7.

**SF 445** – Senate File 445 has the General Assembly encourage the development and updating of recommendations concerned with early intervention, early childhood, and the education of deaf or hard-of-hearing students to ensure their needs are fully addressed. Passed Senate 50-0 and Ed Committee 13-0.

**SF 453** – This bill allows for a student not in high school to receive credit towards high school graduation if they complete a high-school level class. Passed Senate 50-0 and Ed Committee 23-0.

*(Contact: Jason Chapman, 1-3015)*

## Environmental Protection

### House Panel Amends Senate Measure to Codify Disadvantaged Community Sewer Waiver

On Thursday, March 24, 2011, the House Environmental Protection Committee passed Senate File 407 by a unanimous vote. SF 407 as it passed the Senate proposed to give County Boards of Supervisors mandatory authority to issue permits, conduct inspection, and adopt standards in relation to delegated authority from the Iowa Department of Natural Resources concerning the regulation and enforcement of construction permits of semi-public waste water treatment disposal systems.

The bill additionally provided counties with a new ability to assess and keep civil penalties involving regulation of semi-public sewage disposal systems in amounts consistent with, but not exceeding amounts

established for DNR is Code chapter 455B clean water division (\$5,000 per day per violation, but no more than \$10,000).

The bill was amended in committee with two different amendments. The first was unanimously adopted by a voice vote to change where civil penalties assessed by counties for violations of delegated semi-public sewage system regulation are deposited. The penalties are shifted from a county's general fund to the Iowa Finance Authority unsewered community revolving loan fund.

The second amendment was adopted on a partisan roll-call 13-aye to 8-nay vote. This latter amendment expands existing DNR Code language dealing with the ability of the agency to waive water quality standards for communities if they are disadvantaged and requiring them to install treatment systems that would meet the standards would—"... create substantial and widespread economic and social impact..."

The existing waiver provision has been part of the Iowa Code since 2006 and is part of the Federal Clean Water Act. DNR has been exceeding slow to devise rules to implement it however. The new language in the amendment adds new verbiage that DNR must consider the ability of the regulated entity (community) to pay for a projected sewer project based on a ratio of total annual project cost per household to median household income of the area, the unemployment rate of the county where the community is located, and if the anticipated compliance cost is more than 1% of the community's median household income.

This legislation eases the spreading regulatory burden affecting a growing number of rural, elderly and poor communities that are facing additional sewer costs increases of \$30-50 more per month than what citizens pay now. Furthermore, in a lot of these cities, or housing areas, which may have once been cities, but have dis-incorporated, the estimated debt financing of the new system exceeds the assessed property in those communities and taking on this debt may accelerate the communities demise as homeowners walk away from their homes rather than commit to pay substantial new sewer cost for the next several decades.

*(Contact: Lew Olson, 1-3096)*

## Government Oversight

### Oversight Bills Moved to Floor

Three bills passed Government Oversight Committee last Wednesday and now move to the floor.

#### **HF 656- Reporting of Waivers Granted From Abortion Notification Requirements for Pregnant Minors**

HF 656 requires a juvenile court that grants a waiver from the abortion notification requirements for pregnant minors to report the total number of waivers granted to the department of public health on an annual basis. The bill directs the Supreme Court to prescribe rules regarding the reporting. The bill also requires a health care provider who submits a termination of pregnancy report to the department of public health to include in the report whether the patient was granted a waiver.

The bill passed 5-4 in committee.

#### **HF 657- Late Term Abortion Ban**

HF 657 prohibits abortion of an unborn child that has reached the post fertilization age of 20 weeks. A physician who performed one of these abortions would be charged with a class C felony and a medical facility that allowed the prohibited abortion to be performed could lose its licensure and eligibility for state funding. The bill includes an exception to the ban when a medical emergency exists. This is defined as being necessary to prevent the death of the mother or substantial and irreversible physical impairment of a major bodily function. The bill includes language clearly stating the provision does not create a right to an abortion, nor does it establish that life begins at 20 weeks after fertilization. Instead, the bill recognizes that life begins at conception.

The bill passed by a vote of 5-4 in committee.

### ***HSB 659- Administration of Prison Industries Established and Maintained by the Iowa Department of Corrections***

HSB 659 requires the state director of Iowa state industries to report semiannually to the standing committees on government oversight regarding the operations of Iowa state industries. The state director is also required in the bill to provide a report on a quarterly and annual basis to the industries board, the governor, the auditor of state, and the general assembly containing a full and complete statement of Iowa state industries revenues and expenses for the preceding quarter, and with respect to the annual report, for the preceding year. The bill provides that no capital expenditure shall be made from the Iowa state industries revolving fund in excess of \$250,000 without authorization by a constitutional majority of each house of the general assembly, or approval by the legislative council if the general assembly is not in session.

The bill passed by a vote of 6-3.

*(Contact: Jill Jennings, 1-3440)*

## **Human Resources**

### **BRINGING IOWA'S DISABILITY SERVICES SYSTEM INTO THE 21st CENTURY**

Reforming Iowa's mental health system picked up steam last week as House Republicans working on the issue unveiled an initial proposal for improving the system. Beginning in FY 2013, the state would assume responsibility for services to adults with mental illness, children with serious emotional disturbances, and children and adults who have co-occurring mental health and substance abuse disorders.

Under the House Republican proposal, DHS would be the agency in charge of overseeing the services. They would contract with lead agencies in six regions around the state to provide the services. Lead agencies would work with the community mental health centers in the state. The regions would be based on the current catchment areas for the Comprehensive Substance Abuse Treatment program. This would help promote the need for interaction and cooperation between mental health and substance abuse providers in treating those with co-occurring disorders.

Each region would have at least one CMHC, and under the proposal any CMHC or other mental health provider that meets the criteria set by the state would be eligible to provide mental health services covered

by the program. Lead agencies would be prohibited from preventing Iowans from selecting to receive services from any willing provider in their region. To ensure people are getting the proper level of service, an agency independent of the lead agency would be responsible for performing a functional assessment on Iowans seeking services.

Selection of the lead agency would be done through an RFP process that would occur in FY 2012. A transition committee of stakeholders in the process is established at the same time to address issues that come up as the Department and providers prepare for this change. For the intellectual disability system, the Legislature and other parties would continue to work on transitioning the system in the 2012 legislative session.

Two important steps are taken in the House proposal to address funding issues for the system. First, the proposal establishes a Disability Services System Redesign Savings Fund to capture savings generated by steps taken during this process. These funds are reinvested back into the system to provide funding service improvements.

Secondly, the proposal calls for the state to increase the funding it provides through the property tax relief fund by \$125 million over the next three years. Beginning in FY 2014, counties would no longer levy for mental health services.

The House Republican proposal also recognizes that the state of Iowa currently does not have a coordinated system of mental health services for children. To address this, the proposal begins the process of developing a system of mental health services for Iowa's children. The proposal calls for the creation of multiple levels of care that Iowa's Psychiatric Medical Institutes for Children (PMIC's) would be allowed to provide. This step would allow the state to bring home children and young adults who have been sent to other states for treatment and services not currently available in Iowa.

*(Contact: Brad Trow, 1-3471)*

## Judiciary

### **Juveniles in Prison and the 8th Amendment**

Should a juvenile, convicted of a serious crime be sentenced to life in prison without the possibility of parole? That was the question the Iowa House addressed on Tuesday during a debate on House File 607.

In 2010, the Iowa Supreme Court ruled that a juvenile, who has been convicted of a non-homicide felony, cannot be sentenced to life in prison without the possibility of parole. This ruling was consistent with a previous U.S. Supreme Court ruling that found these sentences to be in violation of the 8th Amendment which protects against cruel and unusual punishment. Both the U.S. and Iowa Supreme Court found that juveniles are less culpable for their actions and should be given a meaningful chance at parole.

Once the Iowa Supreme Court decision was handed down, those who had been sentenced as juveniles had their sentences changed to life with the possibility of parole. Currently there are only 4 people

incarcerated who would be effected by the ruling. The courts left it up to the legislature to set new standards for parole.

Representative Julian Garrett led the floor debate on HF 607. The house file does not remove the life sentence but it does require that a juvenile sentenced to life serve between 30 and 45 years before being eligible for parole. Representative Garrett also introduced an amendment to help clarify that a juvenile who has been convicted of second degree murder and either first degree kidnapping or first degree sexual abuse, will not be eligible under this bill and must serve their sentence.

Some House Democrats were opposed to the length of the sentence that must be served before a parole opportunity. However, as Representative Garrett and others in the House pointed out, these prisoners have not been convicted of minor crimes. Currently, all those who are eligible for parole under the court ruling have been convicted of kidnapping in the first degree. Under Iowa Code, a person can only be convicted of first degree kidnapping if the victim suffers serious injury or is intentionally subjected to torture or sexual abuse during the kidnapping. Clearly, this is not the typical crime committed by a teenager and therefore the sentence is not typical for a juvenile.

If House Republicans had failed to act and bring HF 607 to the floor, any juvenile convicted of these terrible crimes could be set free very shortly after receiving their sentence. The U.S. Supreme Court and the Iowa Supreme Court left it to the legislature to take action to balance the rights of the juvenile, society and the rights of the victims. HF 607 ensures that those who committed these crimes serve their time within the limits of the constitution.

*(Contact: Amanda Freel, 1-5230)*

## Labor

### Iowa Unemployment Rate Holds Steady

According to numbers released by Iowa Workforce Development, Iowa's unemployment rate remained at 6.1% for the month of February. This is the same level that the state was at in January. However, the total number of nonfarm employment rose for the second straight month, and reflects an overall trend that demonstrates a continued uptick in Iowa's economy. The national unemployment rate is at 8.9%, which was down one tenth of a percentage point from the previous month.

The number for first time claims for unemployment insurance fell by 31% between January and February and the number of overall claimants decreased by 9%.

*(Contact: Louis Vander Streek, 1-3626)*

## Local Government

## **Senate Bills Move Out of Local Government**

The House Local Government Committee kept a few bills alive through funnel. Over the past two weeks the following bills were voted out of committee:

**SF 315** – This is an emergency management clean-up bill. There are no operational changes in the bill, just some minor technical changes. It adds consistency by referring to “local” emergency areas instead of “county.” It changes the title of the emergency plan to be consistent with federal requirements, and rolls emergency plans into a single plan. Passed Senate 50-0 and Local Government 19-0.

**SF 393** – This bill addresses communication problems between drainage and levee districts and state and local government bodies. It specifies to whom written communication can be delivered when it is required. It passed the Senate 49-0 and Local Government 19-0.

**SF 434** – The Treasurer’s Bill, this makes several minor changes related to property taxes, lien certification, and delinquency notification. It specifies that a lien cannot be placed on a property after it has been sold or transferred, if the delinquent charges are from prior to the sale. Requires a receipt be given upon payment of taxes if the payment was in cash. If payment was made by other means a receipt is given upon request. It changes delinquency notification date by treasurer from February 1 to November 1 of the year in which the amounts are due. Finally, it changes the delinquency date for late payments on drainage or levee district assessments when the last day of September is a weekend from October 1, to the second business day in October. The Senate passed it 50-0 and Local Government passed it 19-0.

*(Contact: Jason Chapman, 1-3015)*

### **Natural Resources**

## **Mourning Dove Hunting Passes the Senate and House –Signed into law by Governor Branstad**

On March 22, the Senate passed Senate File 464 which allows the Natural Resource Commission to establish a hunting season for mourning doves. The measure passed with a bipartisan vote of 30-18.

On March 23, the House substituted Senate File 130 (An Act Relating to Raccoon Hunting) by amending it with the Senate’s mourning dove language. After a vigorous two hour debate, the House voted 58-39 to allow a mourning dove season to be established.

On March 24, Governor Branstad signed the bill into law. If the Natural Resource Commission establishes a mourning dove season, Iowa will join every other state west of the Mississippi in allowing the hunting of mourning doves. This issue has been around for a long time, as Governor Branstad

commented during the signing that this issue was around in the early 1970's when he was first elected to the House of Representatives.

*(Contact: Dustin Blythe, 1-3452)*

## Public Safety

### Stopping Contraband Cell Phones in Prisons

Corrections officers are facing a new challenge in keeping contraband out of prisons. Cell phones are being smuggled into the prison system at an alarming rate. According to the California Department of Corrections and Rehabilitation, in 2010 there were 10,760 cell phones found in correctional facilities around the state. In December, Charles Manson was even found to have a phone under his mattress. With such troubling statistics, it's only a matter of time before Iowa is facing this issue on a large scale. House File 615 and Senate File 124 were written to include penalties for those who provide prisoners with cell phones and for prisoners who possess the contraband while incarcerated.

A cell phone in prison is more than simple contact to the outside world. Cell phones have been used to intimidate witnesses, conduct drug deals and in one case a prisoner ordered the murder of a witness from his prison cell. Prisoners have also used text messaging and internet capabilities on phones to plan riots and escapes, some of the escapes have been successful. Phones have become so valuable that, in California, prisoners are willing to pay between \$100 and \$400 for access to one. They are now more valuable than drugs and in some cases even money.

Fortunately, in Iowa there was only one reported case of a cell phone found as contraband in the Department of Corrections for 2010. Unfortunately, judging by trends seen in California and Texas, the numbers won't stay low for long. The House adopted senate file 124 (which is identical to house file 615) because it will help the DOC battle contraband cell phones with the full force of law. Under SF 124, a person who helps smuggle a cell phone into a correctional facility or who possesses a cell phone while in a correctional facility commits a class "D" felony. A class "D" felony is punishable by up to five years in prison and a fine between \$750 and \$7,500. If a person fails to report that someone in the holding facility possesses a cell phone they can be charged with an aggravated misdemeanor. This prevents guards from overlooking cell phone possession and keeps visitors from handing over their cell phone to friends or family who have been incarcerated.

While some opposed the bill for various reasons, the majority of the House took a stance on criminal contraband in holding facilities and passed SF 124 with bipartisan support. This legislation provides correctional officers with the support they need to keep jails and prisons safe and secure.

*(Contact: Amanda Freel, 1-5230)*

## State Government

## **Open Meetings, Open Records Policy Changes Move to House Floor**

Senate File 289 received unanimous support in the Senate and is well on its way to the same in the House. It passed House State Government this week unanimously and is ready for full consideration. The bill is not a comprehensive policy overhaul of Chapters 21 (open records) and Chapter 22 (open meetings), but it does make some significant changes and updates to the laws.

The bill requires that township trustees provide notice of open meetings (previously excepted). It also requires that notice is given of reconvened meetings. It does provide for an exception to the posting requirement if a meeting is reconvened within four hours and was announced at the original meeting or if the meeting is of a subunit of a parent government body and was announced at the parent body meeting.

The bill adds that a governmental body may go into closed session to discuss the sale (previously only a purchase) of real estate if holding the meeting in open session would reasonably reduce the price the government body would receive. It also makes appraisal information concerning the sale or purchase of real or personal property for public purposes confidential until a sales contract or offer is made.

The bill adds that if someone knowingly violates the requirements of Chapter 21 or Chapter 22, damages shall be between \$1,000 and \$2,500. Currently, a violation (knowingly or not) carries a fine of between \$100—\$500. It also adds reasonable reliance on an oral opinion from the government body's attorney (memorialized in the meeting minutes), a written opinion from the attorney for the government body, or an advisory opinion from the attorney general's office as a defense to violations. The bill strikes the criminal penalties from Chapter 22 (open meetings).

The bill also amends the exemption from public records for some personal information in confidential personnel records of the government. It keeps the exemption, but makes the following information public:

- Name and compensation (includes benefits)
- Dates employed
- Positions held
- Educational institutions attended and degrees earned
- Previous employers and positions
- The fact that the individual was discharged as the result of a final disciplinary action up on the exhaustion of all contractual, legal, and statutory remedies

Another interesting section of the bill strikes the section that makes only a summary of settlements made by the government public (but keeps the actual settlements confidential). The bill then makes government settlement agreements public. The bill received unanimous support from the House State Government committee and will now move to the floor.

*(Contact: Kristi Kielhorn, 2-5290)*

## **Elimination of Business Trade Truck Plate, Addition of Civil War Plate**

Likely the final bill to be voted out of House Transportation this session was Senate File 312—a bill that dealt mostly with license plates on business trade trucks. The bill received unanimous support and is ready to move to the House floor.

The bill sought to remedy a problem of which owners of business trade and specialty trucks were complaining. These people wanted to retain their specialty plates while still registering their vehicle as a business trade or specialty truck. The bill simply states that it is the intent of the legislature that owners of these trucks have the same access to specialty plates (fire -fighters, Iowa State, DNR, Drake, etc...) that other Iowans do. It states that by January 1, 2012 the DOT will discontinue the use of the separate business trade and specialty truck plates and instead issue regular ones (with some kind of sticker emblem). The current requirements and fees will remain the same. Business trade and specialty truck owners who have the old plates can continue using them until the vehicle changes ownership or the DOT issues a new series of plates. They can also elect to get a specialty plate (and adhere the sticker) if they wish.

While Senate File 312 eliminated a license plate, House File 651 created a new one. That bill provides for the issuance of a special license plate honoring the sesquicentennial of the civil war. It directs the Department of Transportation and the Iowa Civil War sesquicentennial advisory committee to design the new plate. The fees collected from the sale of the plates are the same as they are for all other specialty plates (\$25 initial cost and \$5 annual renewal). As with other registration fees, the civil war plate fees are deposited in the Road Use Tax Fund. House File 651 then directs that \$25 from each plate fee and \$5 from each renewal fee be transferred (monthly) to the Department of Cultural Affairs. The Department of Cultural Affairs will then use the money for purposes of the Iowa battle flag project.

*(Contact: Kristi Kielhorn, 2-5290)*

### **Veterans Affairs**

#### **FAVA**

Family Alliance for Veterans of America (FAVA) is a program that provides information, education, advocacy, and support to families of veterans and veterans. The program was started by, Rhonda Jordal, of Forest City, Iowa. Rhonda's son, Steven Jordal, a two-tour Iraq war veteran who suffers from PTSD (Post Traumatic Stress Disorder) and TBI (Traumatic Brain Injury) was arrested in 2008 on charges related to manufacturing explosives and spent 635 days in jail. Jordal, who also help start Midwest Moms, a support group for anyone wanting to give support to military troops and their families, decided she would start a program to help veterans after seeing her own son suffer the aftermath of war and knowing other families could use the resources as well.

FAVA helps veterans and their families in a variety of ways...

- Information -- Resources for families of veterans and veteran men and women both state-to-state and nationally.
- FAVA is creating a national 800# call center for families of veterans and veterans themselves to help find and connect resources that help fill needs. The call center will be manned by veteran families -- families that have “been there, done that” and truly understand.
- Networks families with other families, across the country, who are going through the same things.
- Advocates for and supporting families of veterans and veterans.
- Provides education and information to families of veterans, to veterans, to communities, to organizations and to other interested entities.
- Midwest Moms is meets at 7 p.m. on the 2nd and 4th Tuesdays of each month at the Forest City American Legion.
- Service dogs- The program uses a variety of dogs to help veterans adjust back to civilian life. The dogs are from a company called Paws & Effect, which trains therapy and service dogs, focusing on combat veterans in Iowa who have disabilities or who have been diagnosed with post-traumatic stress disorder.

Rhonda Jordal will be speaking at the Iowa National Guard on April 16<sup>th</sup> and can be reached @ [jordal@wctatel.net](mailto:jordal@wctatel.net) or 641-585-5995.

Nicole Shumate owner Paws & Effect @ [nicoleshumate@yahoo.com](mailto:nicoleshumate@yahoo.com)

Midwest Moms @ [midwestmoms@wctatel.net](mailto:midwestmoms@wctatel.net) or 641-585-2791 or 641-585-3172

*(Contact: Jill Jennings, 1-3440)*

## Ways and Means

### Venture Capital moves through Ways and Means

House Study Bill 222 – increases the tax credits that can be redeemed under the Fund of Funds program to \$125 million. In 2010, the maximum aggregate amount was reduced from \$100 million to \$60 million.

The “Iowa Fund of Funds” is organized for the purpose of soliciting investments from individual and institutional investors. The Iowa Fund will use these funds to invest in certain venture capital funds which will promote economic growth in the State of Iowa.

If the investments fail to generate sufficient returns, this does not create an obligation or liability on the part of the Iowa Fund, it is only used to determine whether tax credits can be redeemed. While the state has provided incentives to invest, the state is not guaranteeing the payment of someone else’s debt or liability because there is no debt owed or liability to the investors of the Iowa Fund if it fails to generate sufficient revenue to make payments.

At the time of their investment, all investors will receive tax credits from the State. The tax credits will be allocated to investors by a State Board which will issue a certificate with each tax credit specifying the

terms upon which redemption can occur. While the venture capital program issues tax credits to all investors, it restricts the redemption of tax credits to investors who fail to realize their scheduled redemption or rate of return on their investments.

To date, the Fund of Funds has helped create over 300 jobs with \$15 million in payroll with no State dollars.

The bill passed the full Ways and Means Committee with a vote of 17-8 and now moves to the House Floor.

*(Contact: Dustin Blythe, 1-3452)*