



Capitol Comments

Newsletter from your
Iowa State Representative
Richard Anderson

State Capitol
April 25, 2009

THE FINAL PUSH

It is late - 3:00 a.m. Saturday morning. You are sleeping. I am listening to debate and writing this newsletter. The final push to close this place down is bearing down upon us. All of us want to get out of here. I suspect many of you feel the same. Recently we have done some good bi-partisan work with respect to protecting Iowans. It is hard work, it takes time, but it pays off. We see nearly unanimous voting in support of the legislation. I set out a few examples below. I wish I could say the same with respect to building the budget, incurring state debt and spending your money.

PROTECTING IOWANS

Overseeing Boarding Houses

You may recall the grim news stories about the mentally disabled men who worked at an eastern Iowa meatpacking plant and lived in an old schoolhouse. These poorly cared for and under nourished men were removed from the dilapidated boarding house earlier this year. The Iowa legislature responded. Now boarding homes must register with the state and submit occupancy reports disclosing assistance being provided to the residents. The new law requires a coordinated response to complaints. The response team will include among others, professionals from the Department of Human Services, the State Fire Marshall, and the Division of Criminal Investigation. Appropriate action will be taken and final investigation findings will be made available to the public. It is hoped that unfortunate situations like the Atalissa boarding house will not happen again.

Improving the Criminal Sex Offender Law

Several years ago the Iowa legislature passed a law that banned criminal sex offenders from living within 2000 feet of schools and child care centers. This law pushed offenders out of areas where they received services and proved difficult for law enforcement. The improvements to this law were strongly supported by county prosecutors, state law enforcement officials and victims' groups.

The new law adds “exclusionary zones” around schools, libraries, child care centers, arcades, parks, pools and other places primarily intended for the use of children. Criminal sex offenders cannot be present in those areas without authority or loiter within 300 feet of such areas. Violators will face an additional sentence of up to two years in prison for a first offense.

The most serious offenders still have to comply with the current law banning them from living within 2,000 feet of a school or child care center. Anyone convicted of a sexual crime against a minor cannot work in these places where children are present.

Criminal sex offenders have to register and disclose where they work or go to school. Those convicted of the most serious sexual crimes have to go to the local sheriff every three months to update this information. Some offenders have to register for life. The new law still allows electronic monitoring of selected offenders.

Creating a Consumer Fraud Legal Remedy

Iowa was the only state without a private citizen consumer fraud law. Only the Attorney General could bring a legal action for consumer fraud. Iowa's new law allows a consumer to seek actual economic loss they suffer. A sound bi-partisan compromise produced a law that provides responsible protection for Iowa consumers without allowing the egregious lawsuits that have made national headlines, like the \$54 million lawsuit brought a few years ago against a dry cleaner.

This law allows consumers to hold bad actor businesses that engage in fraud or misrepresentation while at the same time protecting the thousands of responsible Iowa businesses from frivolous litigation. The bill now goes to the Governor for his signature.

IGNORING IOWANS

Going into Debt

We are engaged in a vigorous debate about borrowing \$545 million for watershed projects, soil projects, sewer projects, housing projects, and bridge projects, and other construction projects. Most of these are worthy projects. Many are a response to the flooding in eastern Iowa last summer. Earlier this evening the decision to borrow \$115 million for our state universities was made. We have more indebtedness to vote on later today (Saturday) when we are in a weary fog after spending most of the night in the House chamber.

In spite of having the past 16 weeks available for public sub-committee work, the details of this massive state borrowing program have been banged out in the past few days in secret meetings and debated between 10:00 p.m. and 4:00 a.m. while you were all asleep. By the time we have finished these two days we will have borrowed a total of \$765 million in principal, with interest and costs of \$899 million for a total of \$1.664 billion. That is a new debt equal to 26% of our annual revenue. By the way, six million dollars will be paid to bond attorneys. Won't they be happy?

The state borrows money by issuing bonds. According The Des Moines Register, 71 percent of Iowans oppose the bonding proposals. Yet the Governor and legislative majority leadership push on saddling our children and grandchildren with interest payments for 30 years.

Why are we borrowing this money? Over the last two years, the majority has used the existing Rebuild Iowa Infrastructure Fund for non-infrastructure (non-construction)

spending. Over \$200 million has been spent on regular state operations. If we used this money for what it was set up for, namely special one-time building projects, not expanding general state operations, we could be using a pay-as-we-go approach instead of borrowing money and paying all that interest. According to the State Auditor, if we used this existing fund for its specified purpose, in just 3 years we could pay for this construction with cash and save \$899 million in interest and costs. Oh, that the decision to borrow was made in the difficult bi-partisan fashion like the legislation mentioned above designed to protect lowans. I wish we would work as hard to protect your pocketbook ... and your grandkids' pocketbook.