



Representative Deborah L. Berry  
**Statehouse News**



February 15, 2007

## Greetings from the House!

We have entered into week seven in the Iowa House. The House approved a bill to increase state aid to public schools by 4%, which is about \$107.8 million, an increase of \$213 per children for the 2008/2009 school year. Just this week, Gov. Culver signed the Veterans bill putting an additional \$4 million in two veterans programs; \$2 million will re-open the Homeowners Assistance Program, which provides grants up to \$5,000 for a down-payment or closing costs for a home purchased by a veteran or active duty member serving since 9/11. The other \$2 million is for the Injured Veterans Grant Program, which provides grants to help veterans injured while in a combat zone.

For the first time in four years, I managed two bills! (The majority party determines who will floor manage bills). In Public Safety HF 79 Crime Victim's Compensation and in Commerce, HF 163 requiring suspension of real estate license upon conviction of a felony. The next step is running the bills on the floor.

With several public hearings slated, one of the first hearing was over the Right to Work/Fair Share issue. And what an emotional issue this is! The overriding question: should private or public sector employees be required to pay union dues? Opponents of HF 324 believe by requiring employees to pay union dues is repealing Iowa's right to work law, why supporters believe since all employees benefit from unionized businesses, all employees should representation and should simply paying their "fair share". One thing for sure, paying union dues does not mean you must be a member. Over 30 registered speakers spoke to the legislature. Tell me what you think about this issue by simply responding to this email.

In celebration of Black History month, Thursday in the House, House Resolution was adopted recognizing the accomplishments of many Iowa African Americans particularly Alpha Phi Alpha, founded in December of 1906 t Cornell. Alpha Phi Alpha has long stood at the forefront of the African-American community's fight for civil rights through leaders such as: W.E.B. DuBois, Adam Clayton Powell, Jr., Martin Luther King, Jr., Thurgood Marshall, Andrew Young, William Gray, Paul Robeson, and many others. Effie Burt sang her famous, "I'll Make Me a World in Iowa" and Ventra Boykin, Ms. Black Iowa, USA joined in the festivities. Enjoy the photos below!

So, back to the question of the week: *Do you support private or public employees who are protected by unions, paying union dues-even though they do not have to become a union member? Why or why not?*

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## House Passes Allowable Growth, Sent to Governor

With bi-partisan support, the House approved an additional \$107.8 million for schools this week. Senate File 109 increases the state per pupil aid funding, or allowable growth, by 4% for the 2008-2009 school year. That is an increase of \$213 dollars per pupil, which brings the total to \$5,546 per pupil.

The increased growth rate means school districts will receive a total of \$2.149 billion in state aid and \$1.117 billion in property tax generation. The allowable growth rate is set two years in advance to help school districts develop more accurate budgets.

Improving education to make sure Iowa kids are ready to compete in the 21<sup>st</sup> Century workplace is one of the top priorities of legislator's Plan for Prosperity. The bill passed by the House is just the first piece of education funding for Iowa schools and teachers.

The Culver/Judge administration has recommended an additional \$70 million dollars go directly to teacher salaries. The goal is to bring Iowa teacher salaries to the national median.

Additionally, there is a recommendation of \$20 million for pre-school programs. The goal is to give access to quality pre-school programs so that kids are ready for kindergarten.

The Senate passed Senate File 109 last week and now the bill is on its way to Governor Culver to sign into law.

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## Funding for Veterans Programs

Governor Culver signed Senate File 95, which appropriates \$4 million more for two programs to assist Iowa's veterans. The bill had received unanimous support in the House and Senate last week.

The bill provides a \$2 million increase in funding for the Injured Veterans Grant Program, which was created last year. The program provides grants up to \$10,000 to veterans injured while in a combat zone. The grants are provided in increments of \$2,500 every 30 days until reaching \$10,000 while the injured veteran is hospitalized or receiving medical care or rehabilitation services authorized by the military. The Legislature provided \$1 million for this program last year, and the funds are exhausted.

The bill also provides \$2 million for the Veterans Homeowner Assistance Program. This program is in the third year of funding, which provides grants up to \$5,000 to veterans to be used as matching grants for down payments and closing costs for 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. The Legislature provided \$2 million for this program last year, and the funds are exhausted.

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## Vietnam Conflict Bonuses Approved

The House Veterans Committee approved a bill that appropriates funds for Vietnam veteran bonuses. House File 124 takes care of some unfinished business as it relates to veterans of the Vietnam Conflict.

A Vietnam Conflict bonus was awarded only to those who had served until 1973. The recognized dates of the Vietnam Conflict are February 28, 1961, through May 7, 1975. Therefore, those serving beyond 1973, the date of the bonus payment, did not receive a bonus payment for dates served.

The bill creates a Vietnam Conflict Veterans Bonus Fund and appropriates \$500,000 from the general fund for fiscal year 2008. The Vietnam Conflict veterans' bonus is for persons who served on active duty in the United States armed forces from July 1, 1973, through May 31, 1975.

Eligible persons may receive \$17.50 for each month that the person was on active duty in the Vietnam service area, not to exceed a total sum of \$500. Persons who served on active duty during the specified period, but not in the Vietnam service area, may receive \$12.50 per month, not to exceed \$300. The bonus payments are exempt from taxation, levy, and sale on execution.

The bill received unanimous approval from the House Veterans Affairs Committee, and is anticipated to go to the House Appropriations Committee for further consideration.

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## Drunk Boating to .08

Iowa's drunk boating law will reflect a .08 blood alcohol level under a bill adopted by the House Natural Resources Committee. Iowa's .08 drunk driving law started on July 1, 2003. Senate File 49 lowers Iowa's .10 level for drunk boating to .08, the same as drunk driving, and it would go into effect on July 1, 2007.

Consuming alcohol on a boat is permissible in Iowa. It is the driver of the boat that cannot be under the influence of alcohol. A drunk boating offense does not apply to your driver's license.

The Department of Natural Resources (DNR) noted that currently, you can be legally under the alcohol limit on the water, but not in your car when you leave the lake. They are urging adoption of the legislation to reduce boating accidents, injuries, and fatalities caused by alcohol impaired boat operators.

The department noted that in 2004, 16% of all boating accidents involved alcohol and there were 26 boating while under the influence (BWI) arrests statewide. In 2006, 20% of all boating accidents involved alcohol and there were 42 BWI arrests statewide.

### **Penalties**

A first time offense is a serious misdemeanor, which can result in imprisonment in the county jail for at least 48 hours; a fine up to \$1,000; loss of boat operating privileges for one year; assignment to a substance abuse evaluation and treatment; and a course for drinking drivers.

A second offense is an aggravated misdemeanor, which can result in going to the county jail or community-based correctional facility for seven days; a \$1,500 to \$5,000 fine; and loss of boat operating privileges for two years. A third offense is a class "D" felony. You can get jail time for 30 days to one year, a fine of \$2,500 to \$7,500, and loss of boat operating privileges for six years.

Full-time DNR officers have full police powers and are certified by the Iowa Law Enforcement Academy in standardized field sobriety testing procedures.

The bill now goes to the full House for consideration.

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## House Holds Public Hearing on Fair Share

The Iowa House held a public hearing on House File 324, a bill that would allow fair share agreements to be considered in collective bargaining. Over 300 people attended the hearing and listened to over 80 presenters on both sides of the issue.

Supporters of the legislation, including nurses and police officers, said the legislation would improve safety and health care for Iowans. Supporters argue it is unfair that they have to shoulder the costs to provide services and representation to non-union employees for free.

Opponents of the legislation said the bill would hamper economic development efforts in Iowa.

Current law requires unions in Iowa to cover the costs of representation and negotiation of non-union employees along with their union members. The bill would only allow fair share agreements to be considered at the bargaining table. It must be agreed to by both the employer and employee before it would take effect. It does not force non-union members to pay dues or join a union.

The bill does not force anyone to give money for any political purpose. If adopted, non-union employees would only pay for the share of services and benefits they currently receive for free.

The bill would not affect almost 90% of Iowa employees because there is not union representation at their workplace. It would not force any non-union workplace to become unionized.

According to the US Bureau of Labor Statistics, only about 4% of Iowa workers would be affected if fair share was approved in the workplace.

Because this issue has generated much discussion in the media, as well as misinformation, the Chair of the House Labor Committee requested a public hearing to solicit input from the public.

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## Senate Passes Seat Belt Law for Kids Under 18

On February 8, the Senate passed a bill that will require all children under the age of 18 to use either a seat belt or a child restraint system, regardless if they are sitting in the front seat or back seat. Current law requires everyone to wear a seat belt in the front seat, and only requires children under the age of 11 to use either a seat belt or a child restraint system in the back seat. The bill, Senate File 34 would go into effect July 1, 2007.

### **Current Law**

Under current law, there are three different age categories that require either a seat belt or a restraint system.

If a child is under the age of one year and fewer than twenty pounds, they are required to be in a rear facing child restraint system.

If the child is between one year and six years of age, they are required to be in a child restraint system. It is usually in the middle of this age range that the child will use a booster seat.

If the child is between the ages of six and eleven years, they are required to use either a child restraint system (again, typically a booster seat), or a seat belt.

The bill does not change the exceptions to the child safety seat law, which includes school buses, motor homes, and motorcycles.

Many groups point to research showing that properly buckling up children of all ages saves lives. A violation of the current and proposed law is punishable by a scheduled fine of \$25.00.

The bill is currently in the House Transportation Committee.

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## Crime Victim Compensation Expanded

The House Public Safety Committee adopted a bill that provides additional benefits for victims of crime. The State has a crime victim compensation fund, which reimburses violent crime victims for out-of-pocket expenses incurred as a result of a crime. The fund is a payer of last resort.

House File 370 increases the payment limits to victims for medical care, counseling services, clothing held as evidence, loss of support for dependents of a murder victim or a victim disabled from work over 60 days, and clarifies the lost wages benefit is \$1,000 per parent or caretaker rather than \$1,000 per case. The bill creates new benefits, including child and dependent care reimbursement; replacement of locks, windows, and other security items; and transportation costs to medical, funeral, counseling, and criminal justice proceedings.

The bill expands which victims can be compensated to include victims of reckless boating, hit and run boating, and boating under the influence of drugs. Current law already applies to drunk boating.

The bill also authorizes Iowa's Crime Victim Assistance Division of the Attorney General's office to administer an automated victim notification system. This system is an automated phone or computer notice that is sent to registered crime victims, and their families, when there is any change in their offender's location or status. The victim may also call or look-up information at any time from any location.

The crime victim compensation fund is entirely funded with criminal fines and penalties paid into the fund. The bill was requested by the Iowa Attorney General's office.

## 86 Counties Agree to Master Matrix for 2007

This week, the Iowa Department of Natural Resources reported that 86 counties in Iowa adopted resolutions to use the master matrix to evaluate proposed sites of animal confinement operations. Supervisors of these counties may require producers to submit a completed master matrix application for the construction of permitted confinement operations.

The master matrix, created by the Legislature in 2002, is comprised of 45 different criteria. These requirements are in addition to the minimum standards for construction of permitted confinement operations.

Owners of permitted operations must obtain a 440 minimum overall score of the 880 possible points to pass the master matrix system. The minimum score is divided up between three separate subcategories: air, water, and community. No operation can pass the master matrix without obtaining a minimum score in each subcategory.

The number of counties voting to use the master matrix since 2003 has ranged from 85 to 87 counties. This is the first year Marshall County has adopted the resolution. For 2007, the following 13 counties did not adopt the master matrix: Boone, Decatur, Fremont, Iowa, Jasper, Lee, Mahaska, Plymouth, Shelby, Sioux, Wapello, Warren, and Washington.

Producers and citizens may obtain more information and view a map of participating counties at [www.iowadnr.com/afo/matrix.html](http://www.iowadnr.com/afo/matrix.html).

## Targeted Industries Recommendations Considered

Representatives of Iowa's targeted industries groups, made up of biotechnology, advanced manufacturing, and information solutions, presented their budget recommendations this week. This would be the next phase of the Battelle recommendations coming from the economic development report on targeted industries.

The recommendations will focus on the creation of a statewide commercialization entity, aggressively marketing the employment and economic opportunities of Iowa, and the development of a skilled labor pool.

The commercialization aspect intends to build and connect companies through a prototype development fund. It will also create a LEAN Manufacturing Institute to help streamline Iowa's manufacturing sector through advanced manufacturing.

The plan intends to educate Iowans through business success stories, entrepreneurial support services, and curriculums to build for the future. It will also attempt to recruit skilled talent for start-up companies.

Finally, the recommendations attempt to connect kids to careers, to help develop skilled talent-pool career awareness. It is recommended starting these programs at the 6<sup>th</sup> grade. It would also include high school teacher skill advancement, college internships and increase community college training and equipment funds.

## DOT Commission Approves Wide Variety of Grants

At their February 13 meeting, the Transportation Commissioners approved grants for trails, safe routes to schools, revitalizing Iowa, and other federally funded programs.

### **Recreational Trails**

A total of five recreational trails projects were awarded federal funding for a total of \$985,000. Awards were given for the Cedar River Valley Water Trail, the Jester Park Equestrian Trail, and the Maquoketa River Water Trail. Two projects were awarded to the Iowa Department of Natural Resources to purchase a snowmobile trail groomer, for maintenance equipment for off-highway trails, and handicapped accessible vault toilets for designated all-terrain vehicle parks.

### **Safe Routes to School**

This is a federal program that has appropriated money to each state for both infrastructure and non-infrastructure related projects that will, in some manner, assist students in walking or riding their bikes to and from school.

The commission approved a total of eleven non-infrastructure projects that totaled more than \$442,000, and ten infrastructure projects that totaled more than \$1 million. The non-infrastructure grants went to school districts, cities, and Iowa State University to do an online mapping and evaluation of barriers. The infrastructure grants went to both cities and school districts, and can be used for items such as sidewalks and bike racks.

**RISE**

The commission approved one Revitalize Iowa’s Sound Economy (RISE) grant to the city of Davenport for the grading and paving of 1,000 feet of new roadway located in the Eastern Iowa Industrial Center. This new roadway is necessary to provide access to Evolution Tools’ new facility, which will retain 14 existing jobs and create 36 new jobs. The grant amount was \$250,000.

**Other Federal Programs**

The commission approved close to \$4 million in federal funding for projects under the Transportation Enhancement Program. The goal of the program is to fund the enhancement or preservation activities associated with transportation-related projects. The activity areas include trail and bikeway, historic and archaeological, and scenic and environmental.

Under the federal Clean Air Attainment Program, the commission approved eleven grants which totaled close to \$5 million. Eligible projects or programs must help maintain clean air by reducing transportation-related emissions. Qualified projects or programs must be related to highway/street, transit, bicycle/pedestrian, and rail or freight projects.

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## New Cultural and Entertainment Districts Announced

The Iowa Department of Cultural Affairs announced Iowa’s newest Cultural and Entertainment Districts (CED’s). They will be located in Cedar Rapids, Elkader, Pella, Perry, and West Des Moines.

Now in its third year, the CED initiative is designed to boost economic development through arts, history and culture. A CED is a well-recognized, mixed-use area of a city anchored by a high concentration of cultural attractions.

The initiative encourages city and county governments to partner with local nonprofit or for-profit organizations, businesses, and individuals to enhance the quality of life for the people of Iowa. Benefits available to each CED could include tax credits for rehabilitation of historic structures and other incentives that create living and work space for cultural workers, and cultural and entertainment enterprises.

CED's attract a well-educated workforce, and visitors who support adjacent businesses such as restaurants, lodging, retail and entertainment. The presence of arts and cultural opportunities enhance property values, the profitability of surrounding businesses and the tax base of the region.

A variety of businesses and organizations can be found in a CED, ranging from museums and gourmet food stores to dance studios and arboretums. Iowa is the second state in the country to implement a plan to certify Cultural and Entertainment Districts. DCA has already certified CED’s in Ames, Cedar Falls, Charles City, Cherokee, Clinton, Davenport, Des Moines, Dubuque, Fairfield, Iowa City, Keokuk, Marion, Mason City, Muscatine, Sioux City, Spencer and Waterloo.

**Public Hearings**

**February 20<sup>th</sup>**, 7:00 a.m. – 9:00 a.m., Room 102  
Sponsored by the House Education Committee – SF 62

**February 21**, 7:00 a.m. – 9:00 a.m., Supreme Court Chamber  
Topic: Local Regulation of Smoking - HSB 89

**If you wish to testify call 515-281-5129**

## Pictures



Left : Governor Chet Culver signs the Veterans Bill with members of the armed services, legislators, and others present.

Pictured bottom left is Effie Burt singing “I’ll make me a world in Iowa” to open the session of the House Chamber on Feb. 15<sup>th</sup>, 2007. Below right is Effie with Representatives Berry, Abdul-Samad, Ford, and Miller.



Below left are members of the Des Moines chapter of the Alpha Phi Alpha fraternity and below left is Miss Black Iowa USA Ventra Boykin and Debra Carr with Representatives.



Left : Representative Berry’s friend, colleague, and neighbor in the House Chamber Representative Dawn Pettengill (D-HD39 Benton).