



# **2011 Legislative Session** **in Review**

**Prepared by the Senate Democratic Staff**

# Bipartisan Accomplishments

*The highlights of the 2011 session of the Iowa Legislature include initiatives to improve our quality of life and create more opportunities for our children and grandchildren. The highlights include:*



- **Balancing the budget without raising taxes:** The state budget has an ending balance of \$264 million and we put \$594 million in our savings accounts. This means Iowa has a total of \$858 million in its savings accounts.
- **Maintaining educational opportunity:** Educating our students and helping workers gain top-notch skills is one of the best investments we can make in Iowa's future. That's why Iowans reacted strongly against the deep cuts to education demanded by Republican legislators. Fortunately, we were able to fight for a compromise that maintains Iowan's commitment to our children.
  - **Saving preschool:** We rejected Republicans' efforts to completely eliminate our state's successful public-private preschool partnership. Closing preschools would only hurt middle-class families already struggling in today's tough economy. Instead, we reached a bipartisan compromise ([SF 533](#)) that reduces the program's funding but maintains the integrity of the program and keeps preschools open.
  - **No two-year starvation diet for schools:** Funding for education should not be a partisan issue, but for the first time ever House Republicans and the Governor proposed no new money for K-12 schools for two years in a row. Although Senate Democrats were forced to accept no growth this year, we successfully fought to secure 2 percent growth in funding next year.
  - **Increasing student achievement:** The Iowa Core Curriculum is key to improving student achievement and giving all Iowa children high-quality educational opportunities. It is strongly supported by Iowa's local school officials, parents, and teachers. The Governor and House Republicans sought to abandon the Core Curriculum, but Senate Democrats brokered a compromise on [HF 645](#) to keep the program at an adequate funding level to continue this important work.
  - **Preparing workers for 21<sup>st</sup> century jobs:** Iowa's nationally-recognized community colleges helped unemployed and underemployed workers improve their skills and provide a better future for their families. They also work closely with local businesses to fill shortages of skilled workers and help Iowa's economy grow. [HF 645](#) and [HF 648](#), our compromise education and infrastructure bills, include stable funding for community colleges and job training programs.
- **Economic development:** The Legislature adopted several measures to improve economic development in Iowa. Unfortunately, you'll find the vast majority of our job creation proposals in the "Missed Opportunities" section because the House failed to act on a number of Senate-approved small business job creation proposals.
  - **Job creation:** One of the most important jobs of the Legislature is to invest in long-range economic development to ensure future growth across our state. With the passage of [HF 648](#), the Legislature maintained its commitment to the Iowa Values Fund, the state's highly successful job-creation

initiative.

- **State universities as engines for growth:** In [HF 648](#) and [SF 517](#), the Legislature maintained its commitment to economic development efforts spearheaded by the State Universities. The universities work with businesses on technology commercialization, marketing, entrepreneurship, and business growth.
- **Public-private economic development partnership:** [HF 590](#) encourages the creation and retention of high-quality jobs through reforms to state economic development efforts. The new Iowa Partnership for Economic Progress will replace the Iowa Department of Economic Development with a public-private partnership. Senate Democrats fought to include transparency measures to ensure accountability to the taxpayers.
- **Helping innovative businesses grow:** [SF 517](#) creates a new tax credit for investments in early-stage, innovative businesses. This new tax credit program will help startup businesses grow and move Iowa's economy forward.
- **Clean energy incentives:** [SF 531](#) extends the current biodiesel tax credit for an additional six years, increases the ethanol promotion tax credit and the E85 promotion tax credit, creates a new E15 tax credit, and provides \$3 million for the development of clean energy infrastructure.
- **Returning surpluses to the taxpayers:** [SF 209](#) prevents state government from spending more than it takes in by establishing a Taxpayers Trust Fund to capture surplus revenues and return them to the taxpayers through tax credits.
- **Bringing businesses to Iowa:** [SF 260](#) removes penalties on certain businesses seeking to incorporate in Iowa.
- **Restoring Main Streets:** [SF 521](#) increases the availability of Historic Preservation Tax Credits so that communities have more flexibility to pursue restoration projects.
- **Expanding markets for family farmers:** [SF 509](#) establishes a local foods program that will connect local farmers with nearby people and institutions like schools who want to buy their products. The program will expand the market for smaller farmers selling Iowa grown produce and meat.
- **Revitalization of blight:** [SF 514](#) provides \$5 million in tax credits to help communities clean-up and revitalize their business districts and industrial parks.
- **Encouraging privately-funded community improvements:** [SF 302](#) provides an additional \$800,000 for Endow Iowa tax credits, which allow a private citizen or business to make a tax-deductible donation to a community foundation. These donations fund projects, including building improvements, playground equipment, public safety improvements, nature centers, and trail development.

- **Increasing transparency and accountability:** The Legislature approved several pieces of legislation designed to hold our elected officials accountable and to make sure taxpayer dollars aren't wasted, including:
- **Online lobbyist disclosures:** [HF 126](#) creates an online, searchable database of lobbyists' positions on bills and their client reports.
  - **Online budgeting:** [HF 45](#) establishes a single, searchable online database that will make it easier for Iowans to see how their tax dollars are spent. The Web site will also allow Iowans to review all Iowa tax rates and learn about state tax credits and who receives those credits.
  - **Strengthening sunshine laws:** [SF 289](#) increases the penalty for an open meetings/open records violation to a maximum of \$2,500, a five-fold increase. The bill ensures that public officials will think twice before knowingly hiding information from taxpayers.
  - **Strengthening checks and balances:** [HF 148](#) limits the ability of a governor to transfer funds when the Legislature is not in session. Currently, Iowa governors have some of the most liberal transfer authority in the nation, potentially undermining the Legislature's constitutional duty to write the state budget. This reform legislation passed unanimously and is supported by Governor Branstad.
  - **Requiring felons to repay undeserved income:** [HF 493](#) requires public employees put on administrative leave because they were charged with a felony to pay back wages if they are convicted.
  - **Legislative redistricting:** On April 19, Governor Branstad signed into law [HF 682](#), the statewide redistricting plan proposed by the non-partisan Legislative Services Agency and approved by the Legislature. The new maps are designed to give every Iowan equal political representation without regard to political parties or where elected officials live. Iowa is a model state for redistricting and other states are now considering adopting our process.
- **Health Care:** The Legislature moved ahead this year with several initiatives to improve the quality of health care in Iowa:
- **Mental health redesign:** [SF 525](#) establishes an interim legislative committee to provide recommendations for mental health and disability services. The goal is to reorganize Iowa's system mental health and disability services to provide higher-quality, more accessible care to Iowans more efficiently.
  - **Improving treatment for Alzheimer's and epilepsy:** With the passage of [HF 390](#) and [HF 322](#), the Legislature created task forces to study the best ways to treat Iowans suffering from Alzheimer's and epilepsy.
  - **Protecting seniors from abuse:** Senate Democrats amended [House File 646](#) to ensure quality oversight of nursing care facilities by re-establishing 10 long-term care inspectors, three inspectors for Residential Care Facilities, and one staff attorney position to the Iowa Department of Inspections and Appeals.
  - **Preventing brain injuries:** Under [SF 367](#), student athletes suspected of sustaining a concussion in a game will be removed from competition until they've been examined by a licensed

healthcare provider. The National Football League and the Brain Injury Association of Iowa pushed for this new legislation to prevent and properly respond to sports-related concussions and other brain injuries in Iowa's youth sports programs.

- **Safer communities:** The Legislature approved these measures designed to make Iowa communities safer:
- **Preventing alcohol-related deaths:** The Legislature passed [HF 617](#), which bans the sale of high-alcohol beer containing added caffeine or other stimulants, also known as “blackout in a can”. These cheap drinks come in fruit flavors and are popular among college students and teenagers, resulting in thousands of hospitalizations, permanent damage to livers and hearts, and deaths.  
The Legislature also approved [SF 7](#), a bill to improve the safety of Iowa's waterways by lowering the blood alcohol content limit for boating from .10 to .08. Since 2007, 236 people suspected of boating while intoxicated turned out to have a blood alcohol content between .08 and .099. These people would not be able to drive on our roads, but they were still allowed to boat on our waterways.
  - **Banning designer drugs:** With the passage of [SF 510](#), the Legislature made it illegal to possess, manufacture, or distribute three types of hallucinogenic drugs that have resulted in serious complications requiring visits to emergency rooms for many users. Law enforcement personnel came to the Legislature with the request to criminalize the recreational drugs known as K2 (synthetic marijuana), salvia divinorum, and bath salts. The Legislature agreed that these drugs are dangerous and need to be outlawed in Iowa.
  - **Safer prisons:** [SF 124](#) makes it a criminal offense to knowingly supply cell phones and other electronic contraband to a prison inmate. Prisoners have been using contraband cell phones to reach outside the prison walls to call and threaten witnesses or conduct drug deals.
  - **Keeping guns away from the mentally ill:** The Legislature passed [SF 456](#) to ensure persons with serious mental health issues will be prohibited from purchasing and carrying guns.
  - **Fallen officer license plates:** [HF 651](#) establishes new Iowa license plates honoring fallen peace officers. Proceeds benefit organizations like COPS that help victims' families rebuild after tragedy strikes.
- **Honoring veterans:** With 3,500 Iowa military men and women currently serving in Iowa's largest single overseas deployment of Iowa National Guard troops since World War II, we're determined to show not just our gratitude but our dedicated support. The Legislature approved several measures to help veterans and active military receive their benefits:
- **No state taxes on military pay:** The Legislature approved [HF 652](#), making tax-exempt all income from the federal government for military service while on active duty in the armed forces, military reserve or National Guard. This tax exemption is retroactive to January 1 of this year.
  - **Preventing “stolen valor”:** The Legislature approved [SF 397](#) to protect those who've answered the call to military service from theft of the honor they've earned. The bill makes it a serious misdemeanor to impersonate a decorated military veteran with the intent to receive monetary gain, such as a job, promotion, or political office.

- **Protecting veterans from unnecessary fees:** The Legislature unanimously approved legislation to protect veterans from paying unnecessary fees. Under [SF 399](#), any company or individual that charges a fee to help veterans file benefit appeals would be required to clearly disclose that these services are provided for free at local veterans' affairs offices.
  - **College tuition for Iowa National Guard members:** [SF 389](#) ensures funding for the National Guard Education Assistance program, which helps our soldiers attend Iowa colleges and universities.
  - **Divestment from Iran:** We must stop Iowa tax dollars from being invested in a country that is supporting the enemies of the American military. It's a national security issue, a veterans' issue, an American issue, and an Iowa issue. That's why the Legislature approved [HF 484](#), a bill to divest public funds from companies doing business in Iran.
  - **Purple Heart Day:** August 7 will now officially be "Purple Heart Day" here in Iowa. Under [HF 474](#), unanimously approved by the Legislature, state and local governments—and ALL Iowans—are encouraged to observe Purple Heart Day in a way that honors the sacrifice of our military men and women killed or wounded in enemy action.
  - **Injured Veterans Grant program:** [SF 402](#) allows a veteran who previously received an injured veterans grant to be eligible for an additional grant for a subsequent serious injury received in the line of duty. The Legislation was proposed after a soldier who had received a grant was re-deployed and received another serious injury in the line of duty during that deployment.
  - **Posthumously conceived children:** When a service member is deployed to a war zone or when a person becomes seriously ill, injuries or treatments could prevent that person from conceiving a child. That's why a person's genetic material is sometimes saved by military families for later use. [HF 245](#) ensures that children who are conceived using the genetic material of a parent who has died will be considered a legitimate child.
  - **Veterans license plates:** [HF 651](#) establishes new Iowa license plates honoring recipients of the Combat Infantryman Badge, Combat Action Badge, Combat Action Ribbon, Air Force Combat Action Medal and Combat Medical Badge. Proceeds benefit the Iowa Commission on Veterans Affairs.
- **Quality of Life:** Recreational opportunities and a high quality of life are a big part of what makes Iowa a great place to live and raise a family, a major factor in attracting businesses to the state. The Legislature took several steps to improve the quality of life in Iowa:
- **Great Places:** [HF 648](#) reaffirmed our commitment to the "Great Places" initiative by approving \$1 million for "Great Places" communities. The Great Places initiative helps Iowa communities, regions, and neighborhoods cultivate the unique qualities that make them attractive to tourism.
  - **Mortgage Foreclosure Hotline:** [SF 510](#) extends the notice requirements for the Iowa Attorney General's Mortgage Foreclosure Hotline. Banks and other entities that are foreclosing on home mortgages will continue to be required to notify homeowners that they can receive mortgage mediation assistance from the Attorney General's office. By keeping the hotline up and running, the Attorney General's office will be able to continue helping thousands of Iowans stay in their homes.
  - **Preserving and promoting the Iowa State Fair:** [SF 361](#) created an endowment trust fund called the Iowa State Fairgrounds Trust Fund. Moneys in the fund are for the maintenance and

improvement of the Iowa State Fairgrounds. The fund is composed of gifts and is not part of the state treasury.

- **Library reorganization:** [HF 645](#) merges the State Library and its six Library Service Areas to streamline services and save money. The Legislature will continue to monitor the reorganization's impact on rural libraries.



## Missed Opportunities for Main Street Job Creation

*Senate Democrats approved numerous job creation initiatives targeted to help Main Street small businesses, but Republicans failed to act on these proposals. We vow to keep fighting for job creation in the 2012 session.*

- **Commercial property tax relief for small businesses:** [SF 522](#) would have provided \$200 million annually in commercial property tax relief without shifting the burden to homeowners. Four out of five businesses would have done better under the Senate plan because it targeted the greatest benefit to Iowa's small businesses. (House Republicans failed to take up the bill.)
- **Affordable health insurance for small businesses:** [SF 506](#) would have benefitted 60,000 Iowa businesses with 10 or fewer employees by providing a tax credit to defray the cost of employee health insurance. (House Republicans failed to take up the bill.)
- **Eliminating bureaucratic red tape:** [SF 471](#) would have provided a formal review of state red tape affecting small businesses and workers, making sure the benefits of rules and regulations outweigh the costs. (House Republicans failed to take up the bill.)
- **Low-interest loans for small business:** [SF 301](#), an expansion of the "Save Our Small Business" loan fund, would have provided credit to small businesses struggling to recover from the national recession. (House Republicans failed to take up the bill.)
- **Skilled worker training:** [SF 328](#) would have helped Iowans earn industry-approved job training certificates to prepare them for 21<sup>st</sup> century jobs. (House Republicans failed to take up the bill.)
- **Clean energy incentives:** [SF 516](#) would have jumpstarted Iowa's clean energy industry through consumer rebates for home and business small solar or small wind projects. (House Republicans failed to take up the bill.)
- **Working families tax cut:** [SF 533](#) included a job creation tax cut that would increase the Earned Income Tax Credit, putting more money in the pockets of working Iowa families with incomes less than \$45,000. (Governor Branstad vetoed the legislation.)

### Other missed opportunities from the 2011 session include:

- **Extending unemployment benefits for 7,150 struggling Iowans:** Republicans rejected federal dollars that would have helped put food on the table of Iowans struggling to recover from the national economic recession.
- **Saving Workforce Development offices:** We shouldn't create more barriers between Iowa workers looking for jobs and businesses looking to hire, but Governor Branstad proposed closing 39 Workforce Development offices across the state, mostly in rural areas. Senate Democrats worked with the House Republicans to pass [SF 517](#), bipartisan legislation prohibiting the Governor from closing these offices that

help out-of-work Iowans get back on their feet. Unfortunately, Governor Branstad defied the Legislature's wishes and vetoed the requirement to keep the offices open. Under Governor Branstad's administration, workforce offices will close and services for the unemployed will be lost. (Governor Branstad vetoed the legislation.)

➤ **Making sure Iowa workers get paid:** Failing to enforce wage laws and follow minimum standards cheats legal workers, drives down wages and is unfair to Iowa businesses that play by the rules. The Senate passed [SF 311](#) which was aimed at cracking down on unscrupulous employers stealing wages from their workers. In addition, the bill provided for better whistle blower protection. (House Republicans failed to take up the bill).

➤ **Punishing domestic abusers:** Republicans turned their backs on victims of domestic violence when they refused to even consider [SF 93](#), a bill enhancing punishment for abusers who choke their victims. Choking is one of the most common forms of domestic abuse and yet abusers often get just a slap on the wrist because of the lack of obvious physical injury. Choking can quickly lead to death and should be punished appropriately. (House Republicans failed to take up the bill.)

➤ **Ending the sale of "get out of jail" passes:** House Republicans refused to even consider [SF 121](#), which would have prohibited a criminal defendant from making a donation in lieu of performing their community service. The rich should not be able to buy their way out of punishment for a crime they committed. The bill passed the Senate unanimously. (House Republicans failed to take up the bill.)

➤ **Protecting teen drivers:** According to the Insurance Institute for Highway Safety, 16-year-old drivers are 2.5 times more likely to be involved in a crash than drivers ages 20 to 24. That's why everyone benefits when we do more to ensure teen drivers are prepared to get behind the wheel. [SF 184](#) would have required teen drivers to get experience in all weather conditions before advancing to an intermediate license, and it would have limited the number of passengers during a teen's first six months with the intermediate license. (House Republicans failed to take up the bill.)

➤ **Consumer protection for mobile home owners:** Owners of manufactured homes would have more rights if legislation approved by a Senate committee became law. [SF 252](#) was introduced in response to the deplorable living conditions at a group of Iowa mobile home parks run by an out-of-state company. (Bill failed in the Senate 23-25.)

➤ **Transparency for education funds:** [HF 645](#) would increase transparency and accountability at education-related, taxpayer-funded organizations like the Iowa Association of School Boards. Such organizations would be required to comply with open meetings and open records laws and would be subject to regular audits and whistleblower protections. In addition, school districts would need to show taxpayers how much they spend on services through these organizations. (Governor Branstad vetoed the legislation.)

➤ **Community Attraction and Tourism:** The Legislature did continue funding to the state's popular Community Attraction and Tourism Program despite Governor Branstad's proposed budget which provide zero funding. Unfortunately, the Governor vetoed a \$10 million increase in [HF 648](#). The program will only receive \$5 million for the next fiscal year which means fewer economic development projects will be funded. The Community Attraction and Tourism Program promotes local recreational, cultural, educational, or entertainment attractions. This program promotes public-private partnerships, leveraging financial resources and supporting local leadership across Iowa. (Governor Branstad vetoed the legislation.)

# The Graveyard of Bad Ideas



*Some of the best news of the 2011 session was that several dreadful proposals died because of opposition by Iowans across the state and by Democrats in the Legislature. A short list of those dead bills includes:*

- **Wisconsin comes to Iowa:** Republicans tried to eliminate collective bargaining rights in [HF 525](#), just like Governor Walker did in Wisconsin. A second union busting bill would have allowed schools to unilaterally void teacher contracts without any warning or appeals process.
- **Kicking 26,100 kids off health insurance rolls:** Republicans wanted to slash eligibility for Hawk-I, the program that provides affordable health care to Iowa kids living in poverty. [SF 111](#) would have prevented 26,100 children from seeing a doctor when they get sick.
- **“Give a gun to a schizophrenic” bill:** Republicans introduced [HSB 219](#), which would repeal all concealed weapons permits. The bill was so out there that the Republican Speaker Pro Tem of the House dubbed it the “give a gun to a schizophrenic bill.” Another Republican-sponsored gun bill, [HSB 36](#), would have given every Iowan the right to shoot someone they believe to be trespassing at any location, not just their own property.
- **Fiscally irresponsible tax cuts for the rich:** Republicans introduced [HF 194](#), which would cut personal income taxes for all income levels, including millionaires, by 20%. The tax cut would have cost \$205 million in the first year and \$738 million in the second year.
- **Helping Walmart and raising residential property taxes:** Republicans proposed a large corporate tax break that would give millions to large out-of-state corporations, create the largest property tax hike for homeowners in the state’s history, and eliminate job-creation efforts in many Iowa communities.
- **Poor budgeting practices:** The Republican budget proposals ignored the fact that some state programs receive matching federal dollars, meaning state dollars leverage much larger sums from the federal government. For example, Republicans proposed cutting \$130,000 in state funding for the school lunch program, which would have cost Iowa an additional \$11.5 million in federal matching dollars. This type of shoddy budgeting would have shifted the burden of paying for services onto the backs of middle-class Iowans.
- **Politicizing the courts:** Republicans introduced dozens of bills to roll back the clock on marriage equality and politicize the judicial system. They even proposed eliminating straight couples’ domestic partnerships. Republicans also introduced [SJR 13](#) requiring justices to be elected, making them partisan political figures who must raise money and campaign for office.
- **Stoking the “birther” sideshow:** Republicans borrowed a page from Donald Trump’s playbook and introduced [SF 368](#) to require all presidential and vice presidential candidates to present their birth certificates. The bill was a divisive distraction at a time when the Legislature should be focused on job creation.
- **Making it harder to vote:** [HF 95](#) would have required voters to show ID at the polls, presenting a significant obstacle for poor and working-class voters. There have been no prosecutions for voter fraud in Iowa

and a bipartisan group of county elections officials opposed the bill, suggesting that it was in fact just an attempt to disenfranchise Democratic-leaning voters.

➤ **Eliminating help for special needs students:** Republican-sponsored [SF 51](#) would eliminate Area Education Associations (AEAs), which are regional service agencies that provide special education support services to both private and public schools. AEAs also provide media and technology services, instructional services, professional development and leadership to help improve student achievement.

➤ **Not paying the state's bills:** With the Legislature's approval of [SF 209](#), the State will finally pay more than \$3 million in overdue bills to nearly 1,000 attorneys, court reporters, investigators, and others who've done constitutionally required work for the State. Republicans had previously refused to pay for services already rendered.

➤ **Eliminating a woman's right to choose and banning contraceptives:** Republicans introduced a dozen bills limiting reproductive freedom, including a ban on contraceptives and a ban on all abortions, even in cases of rape, incest, or severe deformation of the fetus.

➤ **Returning to the gold standard:** Republicans introduced [SF 347](#), legislation requiring Iowans to pay their taxes and court fines using silver and gold coins.

➤ **Making kids fatter:** With [HF 74](#), Republicans attempted to eliminate the Healthy Kids Act, which establishes Physical Education and nutrition standards for schools.