

## Iowa Politics Roundup: Nearly 150 State Laws Take Effect

Written by Lynn Campbell  
Friday, 02 July 2010 12:09

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All children under 18 riding in a car must be buckled up in a seat belt even when in the back seat; texting while driving will no longer be allowed; and more than 200 traffic fines will increase under three of the approximately 144 state laws that took effect Thursday, the first day of 2011 fiscal year.

Nearly three-fourths of the 196 bills approved by the 2010 legislature had a July 1 enactment date. Here's a closer look at some of the changes.

**Seat-belt requirement:** The law now requires all children under 18 to wear a seat belt or safety seat in a motor vehicle, even when in the back seat. The legislation didn't survive on its own but saw final passage as part of the transportation budget bill. Responsibility is placed on the violator rather than the driver if the person is 14 or older.

**Ban on texting while driving:** Iowa joins 28 other states with a ban on texting while driving. Adult drivers are restricted from reading, writing, and sending text messages. Teens with an instruction permit, restricted license, or intermediate license are banned from all use of cell phones and other electronic devices while driving. The bill includes exceptions for global positioning systems and for trucking and transit companies that use digital dispatch systems, as well as for public-safety and health-care professionals. The law took effect Thursday but allows a one-year education period during which violators will be given warnings. After that, violators will be guilty of a simple misdemeanor and could be fined \$30. Penalties are harsher if an accident occurs and causes serious injury or death.

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**Traffic fines:** More than 200 Iowa traffic fines increased Thursday, aimed at raising an additional \$9.7 million for the state, of which the judicial branch is expected to receive about \$5.3 million. The fine for all speeding tickets will increase, and some of them will double. Fines are also increased for operating while intoxicated, open container, failure to obey a traffic-control device, failure to maintain control, driving on the wrong side of a two-lane highway, defective windshield wipers, failure to wear a seat belt, window tinting, and other traffic violations. See a list of the increases at [RCReader.com/y/fines](http://RCReader.com/y/fines) .

**Health care:** Iowa's 2010 health-care-reform bill, which creates an online clearinghouse of information on public and private health-care options and allows IowaCare members to go to hospitals closer to home, took effect Thursday. Democrats touted that they "made it easier for rural residents to access health care and for rural hospitals to be paid for the care they provide." But this year's legislation was watered down from its original intent. Senate File 2356 initially would have created an IowaCare Plus program, which would have provided Iowans who have income between 200 percent and 300 percent of the federal poverty level with health-care-premium assistance. A separate law clarifies that Iowa-regulated insurance plans will provide coverage of services and drugs for Iowans participating in cancer clinical trials.

**School nutrition standards:** Nutritional standards for K-12 were approved during the 2008 legislative session but didn't take effect until Thursday. New rules restrict how much sugar, fat, and salt can be in school vending machines and school cafeteria items. The cardiovascular-exercise part of the law took effect a year ago, requiring 30 minutes of physical activity each day for kids through fifth grade and 120 minutes of physical activity each week for kids in grades six through 12.

**No guns for domestic abusers:** State law now prohibits a person who has been convicted of domestic abuse or who is subject to a permanent civil protective order from possessing firearms, other offensive weapons, or ammunition. Attorney General Tom Miller was a key backer of the legislation. Since 1995, guns have been involved in 114 of the 205 domestic-abuse murders in the state. "This bill gives her a chance," said Laurie Schipper, executive director of the Iowa Coalition Against Domestic Violence. "A chance to flee, a chance to survive her attack, a chance to fight back. A chance to live." It's been federal law to forbid domestic abusers from having firearms since 1995, but there are not enough federal agents for enforcement.

**Ed Thomas bill:** This law allows law enforcement to be notified when a suspect with a serious mental impairment is released from the hospital. It was named after Ed Thomas, the nationally known football coach who was killed by Mark Becker a day after Becker was released from a

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Waterloo hospital's psychiatric ward. Police who had taken Becker there weren't notified of his release. Becker was convicted of first-degree murder in the shooting death of the Aplington-Parkersburg coach in the school's weight room. Members of the Thomas family, who went to the Capitol earlier this year to testify in favor of the legislation, were at the Iowa Hall of Pride when the bill was signed into law. Aaron Thomas said his late father, a high-school government teacher, would be proud.

**Veterans and Military Families:** A package of laws was approved this year for veterans, including one that requires employers in the state to provide veterans a holiday for Veterans Day. Another requires state-regulated insurance companies to cover mental-health and substance-abuse treatment for veterans who are employed. The provision only applies to businesses with more than 50 employees. Yet another law allows unemployment benefits for an individual who left employment because of the relocation of a spouse due to a military assignment in another area. Benefits would be paid out of the Unemployment Trust Fund.

**Tax credits:** For many tax credits that were capped or repealed by the legislature this year, the effective date was Thursday. Senate File 2380 repeals the Venture Capital Fund, the Value Added Ag Products investment tax credit, and the Economic Development Revolving Loan Program. It suspends the Film Tax Credit Program until July 1, 2013. It reduces the supplemental Research Activities Credit for companies that make more than \$20 million per year, and increases the credit for companies making less than \$20 million per year. It also reduces the cap on five tax-credit programs, and cuts several tax-credit programs by 10 percent.

### School Cuts Spur Property-Tax Increases

The nonpartisan Legislative Services Agency (LSA) confirmed this week that Iowans on average will see a property-tax increase because of cuts in state aid to schools.

According to LSA, school-district general-fund levies for Fiscal Year 2011 increased \$133.3 million (8.8 percent) from Fiscal Year 2010. School-district cash-reserve levies increased \$104.2 million (54 percent), likely due to state aid reductions in fiscal years 2009 and 2010 and anticipation of a state-aid shortfall for Fiscal Year 2011.

### State Government Ends Fiscal Year with Surplus

The Iowa Department of Management estimated Thursday that the state general fund will have an ending balance of approximately \$275 million for FY 2010, which is \$175 million more than originally projected.

Department of Management figures are more conservative than a revenue estimate of \$365 million released Thursday by the Legislative Services Agency. The books for Fiscal Year 2010, which ended Wednesday, won't officially close until the end of September.

A monthly revenue memo released Thursday by the Legislative Services Agency showed that the \$5.5 billion in total net receipts the state collected in Fiscal Year 2010 is a decrease of \$234.7 million (4.1 percent) from Fiscal Year 2009.

Personal-income tax was down \$94.8 million (2.8 percent), the sales and use tax was down \$34.4 million (1.5 percent), the corporate tax was down \$27.2 million (6.5 percent), tax refunds had a negative \$6.9-million impact on revenues, and school-infrastructure sales/use tax refunds had a negative \$17.8-million impact.

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### Reynolds Narrowly Wins Lieutenant Governor Nomination Over Vander Plaats

Former Republican gubernatorial candidate Bob Vander Plaats came close to becoming gubernatorial nominee Terry Branstad's running mate at the state GOP convention last weekend in Des Moines, but Branstad's pick of state Senator Kim Reynolds narrowly won approval from delegates to be on the Republican ticket.

Reynolds received 749 votes (55.6 percent), while Vander Plaats received 579 votes (44 percent). Former Republican gubernatorial candidate Rod Roberts was also nominated but declined to participate, instead endorsing a Branstad/Reynolds ticket.

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"I understand what happened on June 8, and I fully understand and respect Governor Branstad's ability to recommend to you who his lieutenant governor should be, and I respect that," Vander Plaats said in brief remarks to delegates in accepting the nomination. "But ladies and gentlemen, it would be disingenuous of me to go around the state and champion what I believe are our constitutional ideas of 'of the people, by the people, for the people' and then ignore the voice of the people."

Vander Plaats said the reason he got into the gubernatorial race was to unite the Republican Party. However, he has yet to endorse Branstad or rule out a third-party run for the governor's office.

In his first public comments since the primary election, Vander Plaats also said during an appearance on the Steve Deace show on WHO radio that he's considering running as an independent candidate for governor in November.

Branstad and Reynolds did not directly address the final push for Vander Plaats to be a part of the Republican ticket, but Branstad, in his speech at the state Republican convention, asked for the party to come together.

"Election campaigns are about choices, and we have some excellent candidates that ran," Branstad said. "And I know some people are disappointed that their choice didn't win the nomination. But in the end we are all Republicans; we need to come together because the future of this state is at stake."

U.S. Representative Steve King (R-Kiron) also urged party unity during his remarks at the convention: "When you have infighting in the family, you've got to resolve those issues and move forward and pull together as a family, and I'm here to ask us all to do that."

Republican Party of Iowa Chair Matt Strawn said all the campaigns knew that anyone nominated from the floor would be considered in good faith, and added that he felt it was important to let delegates have their say and not try to do anything from the chair to disrupt that.

"That's part of the healing process," Strawn said. "I think if you didn't have that, more delegates would feel that they didn't have their say, and that would make it even more difficult to heal any of those wounds that are still open after the primary."

### **Branstad, Culver Campaigns Continue Trading Attacks**

The campaign of Governor Chet Culver on Wednesday levied abuse-of-power charges at former Governor Terry Branstad, with the Culver campaign saying it has compiled more than 400 pages of evidence to support its claim.

Culver Campaign Manager Donn Stanley said a search of Branstad's files at the state archives shows that Branstad and his staff used the governor's office and its official letterhead for political fundraising; used state resources to conduct opposition research and recruit candidates for office; and used state resources to help run other Republican political campaigns.

Stanley stressed that legal action is not the goal of bringing the documents to light, and that this is something that will be decided in the court of public opinion.

"To be clear, we're not advocating that someone be charged with something from 25, 26 years ago," said Stanley, who took a leave from the attorney general's office to manage Culver's campaign. "I'm a lawyer and prosecutor; I understand the standards of evidence. I think we're looking at this from an ethical standpoint."

Republican Party of Iowa Executive Director Jim Anderson called Culver's abuse-of-power charges against Branstad an "attempt to distract from his own dismal record as governor. The Culver campaign's attempt to pass thank-you notes off as scandal is a desperate distraction from Culver's own failures as governor. Just today, media reports confirmed what Republicans forecasted last year: Governor Culver's budget mismanagement raised Iowans' property taxes by \$136 million. Iowans don't want to hear childish attacks from their governor. They want to hear how this state can get back on track, and Terry Branstad is the only candidate providing those much-needed solutions."

The allegations from the Culver campaign come after the Branstad campaign released a new TV ad called "Rally," which focused on perceived scandals in Culver's office and said that electing Branstad would be a return to "scandal-free government."

### **Unemployment-Extension and Wall Street Bills Clear U.S. House; Votes Unclear in U.S. Senate**

The U.S. House on Thursday passed an extension of federal unemployment-insurance benefits for those who have been out of work for long stretches, placing the issue again before the U.S. Senate as Congress left for a week-long break for the Independence Day holiday.

The U.S. Senate rejected the extension Wednesday night by one vote. One Democrat, Senator Ben Nelson of Nebraska, voted against the extension bill. Two Republican senators, Olympia Snowe and Susan Collins of Maine, voted for the extension.

"The families of these long-term unemployed are hanging by a thread," said U.S. Senator Harkin (D-Iowa). "Their savings are exhausted, and unemployment benefits are the lifeline that helps them pay the rent and put food on the table. I have heard from Iowans who are struggling with unemployment, and their stories are heartbreaking. These are people trying their hardest, doing everything they can to find work, but the jobs just aren't there. While these families suffer, a short-term extension of unemployment insurance is being needlessly -- I would even say cruelly -- obstructed by Senate Republicans."

But U.S. Representative Tom Latham (R-Iowa) said concern about adding \$33.9 billion to the federal deficit is the reason the U.S. House on Tuesday initially rejected a bill that would have extended weekly unemployment benefits to those who have been out of work for more than half a year and have already collected the standard six months of benefits.

"I voted against the bill not because I'm unsympathetic to Americans who are struggling with long-term unemployment but because we must get a handle on spending and debt in order to create jobs and jump-start a long-term recovery," Latham said. "Instead of adding to the deficit, we should reach back and find ineffective and wasteful spending under the failed trillion-dollar

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stimulus bill to pay for extended unemployment benefits."

Meanwhile, Iowa congressmen voted 3-2 along party lines Wednesday for a sweeping 2,000-page Wall Street regulation bill approved by the full U.S. House on a 237-192 vote; the bill now moves to the Senate, where it's unclear whether there are enough votes to pass it.

Democratic U.S. Representatives Leonard Boswell, Bruce Braley, and Dave Loebsack voted in favor of the bill, while Republican U.S. Representatives Steve King and Tom Latham voted against it.

"After reckless Wall Street speculators devastated our economy and wiped out retirement funds on Main Street, I'm proud to have taken this important vote to pass the strongest financial reforms since the 1930s," Braley said.

AARP Iowa on Wednesday was among those that applauded House passage of financial-reform legislation, which it said brings consumer and investor protections one step closer to becoming a reality for Americans who have been hurt by the recent financial crisis.

*This weekly summary comes from [IowaPolitics.com](http://IowaPolitics.com), an online government and politics news service. Reporter Andrew Duffelmeyer and other correspondents contributed to this report.*