

Legislative E-Update ~ 2.25.11

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Parts of these articles were excerpted from various news sources state media outlets.

1. [House Approves Senate Revisions To De-Appropriation Bill; Senate 's Release Budget](#)

Senate revisions to save preschool, smoking cessation programs and other services were approved by the House early this week, but Republicans say that doesn't mean those programs will ultimately survive.

The issue surrounds House File 45, a government efficiency bill known as the Taxpayers First Act that was passed by House Republicans in January.

The original bill would have ended Iowa's statewide preschool program, eliminated stop-smoking programs, canceled state university sabbaticals for 1½ years and cut off state money to help establish passenger rail service from Chicago to Iowa City. The Senate, which has a narrow Democratic majority, last week revised the bill to save all or portions of each of those programs.

The original House version was expected to save roughly \$500 million over three years while the revised version would save roughly \$10 million in a three-year time frame.

House Republicans said the vote is to move ahead in areas of savings where both the Senate and House can agree, such as requiring the sale or lease of the Iowa Communications Network. While House File 45 no longer eliminates the programs, it also doesn't allocate money to them. That will be done in a budget bill presented later this year. It's likely that Republicans will advocate the cuts by starving the programs of cash.

"We'll definitely see discussion on those items as we move forward with the budget," said Rep. Nick Wagner, R-Marion.

Iowa is expected to have more than \$900 million in reserves and so-called "rainy day" accounts at the end of this fiscal year.

"I think the final version that we'll end up here is really a result of good bipartisan discussion between the parties, between chambers and coming to a conclusion I think we all can accept," said Rep. Tyler Olson, D-Cedar Rapids.

The bill was approved on a 95-0 vote. It now heads to Gov. Terry Branstad for a signature.

Democrats' budget keeps preschool

Majority Democrats in the Iowa Senate this week proposed a budget with \$6.14 billion in general fund spending. They said that's \$16.2 million less than Republican Gov. Terry Branstad's proposed budget.

Democrats said their budget plan includes a \$199 million in tax cuts that would help low-income working Iowans, large and small businesses and others.

Unlike the budget plan proposed by majority Republicans in the House, it would not eliminate free preschool for all 4-year-olds, close any Iowa Workforce Development centers across Iowa or create a new tax relief fund.

House Republicans on Feb. 10 proposed spending \$5.9 billion in general fund money and \$100 million in Health Care Trust Fund dollars. They said their plan would spend \$162 million less than Branstad's proposal for the next budget year, fiscal year 2012.

2. Labor Bill Advances At Crack Of Dawn

2/25/11 Des Moines Register

House Democrats hectoring their Republican counterparts all night Thursday and until nearly dawn Friday morning over proposed limits on public-employee unions' bargaining power.

The Democrats spent a total of 15 hours objecting to House Study Bill 117, which would block public unions' ability to negotiate over health insurance issues and layoff procedures.

Democrats offered 48 amendments during the meeting of the House Labor Committee, which started work on the bill Thursday afternoon. None of the amendments had a shot at passing, but the discussions lasted nearly until dawn.

Both sides acknowledged that the bill is unlikely to become law, because it probably won't be debated in the Democrat-controlled Senate. But the House Democrats said they wanted to take a minority stand against what they see as a union-busting proposal, similar to the one roiling Wisconsin.

"We're willing to go all night here, tomorrow, through the weekend, however long it takes," Rep. Kirsten Running-Marquardt, D-Cedar Rapids, said Thursday evening.

In an interview during a break, Committee Chairman Lance Horbach called the Democrats' tactics "politics as usual."

Horbach, R-Tama, said his side was willing to make concessions, including possibly deleting a section of the bill that would allow public employees to declare themselves "free agents," who would not be represented by a union. But he said Republicans were determined to keep the ban on negotiating over insurance coverage because public employers need more flexibility to deal with that costly issue.

"I think the taxpayers and the people of Iowa will see that we're actually trying to do something and not just make a political headline," Horbach said.

Read full story here: <http://is.gd/oQ6Fgd>

3. [Proposal Would Legalize, Regulate On-Line Poker](#) *2/25/11 Des Moines Register*

A controversial gambling bill before the Iowa Legislature would make sweeping changes — most dramatically by opening the doors for Iowans to legally play poker online.

It would also settle a long-running dispute between the state's horse breeders and the Altoona racetrack over how purse money should be divided up, and would let casinos off the hook for referendum votes, according to a copy of the freshly drafted bill obtained Thursday.

It would be "a win-win" for Iowans who gamble and for those who don't, with a mix of gambling policy that has merit, said state Sen. Jeff Danielson, D-Waterloo, chairman of the Senate committee that will closely examine the bill.

But because gambling inspires fierce passions in Iowa, debate over the bill is bound to get contentious and entangled in other political issues.

The most avant-garde piece would allow state-regulated casinos to allow Iowans ages 21 and older to play online poker on their personal computers. Approved gamblers would put cash into special accounts, set maximum limits for bets and length of play, then log on to a password-protected website to play cards at a virtual poker table.

Internet gambling is illegal, untaxed and unregulated in the United States, but federal law permits states to legalize and regulate it as long as the gambling takes place only within that state's borders.

No state currently allows online gambling, but a bill approved by New Jersey legislators is sitting on the governor's desk awaiting his signature, and bills are being considered in Florida and California.

Gaming lobbyists making a heavy push in the Iowa Legislature said online poker on overseas-based websites is already rampant. Legalizing it here would assure Iowans they're participating in an honest game - and allow the state to take a cut.

Read full story here: <http://is.gd/iCAxP9>

4. [Other News: Legislative Briefs](#)

Local officials protest property tax cut

Local government officials warned legislators this week that they can't withstand a sudden drop in commercial property tax revenue.

Gov. Terry Branstad has proposed cutting such taxes by declaring that only 60 percent

of a business' value would be subject to property taxes. State law already limits the percentages of residential and agricultural property subject to taxes, which business owners have long complained is unfair.

Representatives of counties, cities and school districts told lawmakers they agree the disparity should be fixed, but not by suddenly limiting taxes on commercial properties. The comments came before a House subcommittee considering House Study Bill 129.

Alan Kemp, executive director of the Iowa League of Cities, called the measure "too blunt of an instrument." The bill would declare that all new commercial properties could only be taxed on 60 percent of their value. Taxable valuations of existing businesses would be cut to 60 percent over several years.

Branstad names Supreme Court choices

Iowa Gov. Terry Branstad this week appointed two judges and an attorney to the Iowa Supreme Court. They are: Judge Edward Mansfield of Des Moines; Attorney Thomas Waterman of Pleasant Valley; and Judge Bruce Zager of Waterloo.

By law, the judges have 30 days from their appointments to begin their tenures on the high court. The court is scheduled to hear oral arguments for six cases on March 24, which likely will include the new justices, officials said. The cases include disputes over a wrongful termination, sentencing on drug charges, ineffective counsel and wrongful convictions.

The new justices will face a retention vote in November 2012. If retained, the justices will serve another eight years before facing another vote. Justice David Wiggins will also be up for a retention vote in 2012.

The selection is yet another milestone in an historic Iowa period that began with the landmark 2009 Supreme Court ruling that legalized same-sex marriage in Iowa. The state's voters, many of whom opposed the unanimous 2009 ruling, opted in November not to retain Supreme Court Chief Justice Marsha Ternus and Justices David Baker and Michael Streit.

Their removal marked the first time an Iowa Supreme Court justice has not been retained since 1962, when the merit selection and retention system for judges was adopted.

History making continued in January when the 15-member Iowa Judicial Nominating Commission held its interviews with the 60 applicants for the three Supreme Court seats in open. The interviews were also livestreamed on the Internet.

Branstad said Waterman, 51, brings private sector experience to the Supreme Court.

Amendment sets out legislative term limits

Iowa's legislators would be limited to serving no more than 16 years under a joint resolution that advanced Tuesday in the House.

Joint Resolution 10 would begin the process to amend Iowa's constitution to prohibit

senators from serving more than four consecutive four-year terms and a representative from serving more than eight consecutive two-year terms.

Amending the Iowa Constitution requires both the House and the Senate to approve the resolution in two consecutive general assemblies. General assemblies last two years, so the soonest an issue could be voted upon by residents is 2013.

Advocates have said term limits could help prevent career politicians who are often blamed for bending toward powerful special interest groups. Opponents have said voters already have the ability to initiate term limits through their choices at the polls.

Gay marriage bill stalls in House

The leaders of both political parties predicted a bleak future this week for a measure that would order county officials in Iowa to refuse to issue marriage licenses to same-sex couples.

Top Republicans told the Associated Press they had no plans to debate the bill in the House, which they control. The Democrats who run the Senate said they believe the bill is unconstitutional and in direct violation of a 2009 Iowa Supreme Court decision striking down a state law defining marriage as being between one man and one woman.

The measure has been sitting in a subcommittee of the House Judiciary Committee and appears destined to stay there. The House has approved a resolution calling for a statewide election to amend the constitution by defining marriage as between one man and one woman. With that, many lawmakers seemed ready to move to other issues.

5. [Bill Tracking](#)

The following [legislative action](#) took place this week in the Iowa House and Senate. For full details of the legislation, please visit www.legis.iowa.gov

[Issue related legislation:](#)

COMMITTEE ACTION

Senate Labor & Business Relations Committee: Voted Out

SSB 1037 ASBESTOS REMOVAL

Requires that a business which removes asbestos file a \$25,000 surety bond. Requires that air samplers for asbestos projects be licensed and establishes qualifications.

PASSED 11-0

House State Government Committee: Voted Out

HF 42 PLUMBING REPEAL

Repeals the statewide licensing for plumbers, mechanical professional and contractors. Requires fees to be refunded on a prorated basis. **AMENDED & PASSED** 17-5; (*A Strike & Replace*: Keeps statewide licensing but reduces fees. Extends the licensing-period to 3 years. Authorizes \$3 million in refunds.)

House Local Government Committee: Voted Out

HF 132 URBAN RENEWAL PLANS

Requires the division of revenue for an urban renewal plan, the time of public hearings and the plats if the plan is approved to be filed with the auditor of each county. **PASSED**
21-0

General business legislation:

FLOOR ACTION

Bills to the Governor:

HF 45 TAXPAYER ACT

H-1091 by the **Senate** - - *A Strike & Replace: Highlights include:* **Health:** States that health Care benefits for legislators and legislative employees will not be more lucrative than those for executive branch employees. **Office supply freeze:** Reduces expenditures for office supplies, equipment purchases, printing, binding and marketing by 50% of the unencumbered appropriation for FY 2011. **Travel:** Prohibits out of state travel by department employees except through Executive Council waivers. **Marketing:** Requires the appropriation committees to recommend legislation on a statewide master marketing contract. **Adults:** Denies any state benefits to any adults not lawfully present in the state. **Legislative Liaisons:** Prohibits state agencies from employing a person whose position is primarily to pass or defeat legislation. **Fleet:** Directs the Administration & Regulation budget sub to make recommendations on selling or outsourcing the state fleet. Prohibits the purchase of new general use vehicles through FY 2011. **Office:** Prohibits DAS from paying penalties for early termination of leases. **Eliminations/Limits:** Limits state library acquisitions through FY 2011. Eliminates the Generation Iowa Commission. Prohibits membership in the North America Super Corridor Coalition. Limits sabbaticals at the state universities. Requires IDA to reduce the number of Area Agencies on Aging. Limits DNR in planting wildflowers. Reduces funding for the Capitol shuttle. **Other:** Makes corrections. Includes other provisions. **Database:** Adds provisions on a searchable database. Includes spending and tax credits. **ICN:** Includes provisions on the sale/lease of the ICN.

The **House CONCURRED** in H-1091 and **PASSED** the bill 95-0; it goes to the **Governor**

COMMITTEE ACTION

Senate Labor & Business Relations Committee: Voted

SF 116 EMPLOYEE RIGHTS

Gives the employer the burden of proof in establishing that a deduction from an employee's wage is lawful. Requires written authorization in advance. Strikes a requirement that an employer be notified by the Division of Labor Services before being responsible for giving certain wage information to employees. Creates a rebuttable presumption that an employer did not pay the minimum wage if the employer did not keep appropriate records. Requires employers to mail a statement of wages and hours to an employee or give the statement to the employee during business hours or give electronic access to those records. Makes liquidated damages equal to twice the amount of unpaid wages. Makes an employer liable for unpaid wages, liquidated damages, court costs and attorney fees for actions to recover wage. Includes other persons in sections prohibiting retaliatory actions and establishes a rebuttable presumption that actions against the employee or others in a 90-day period are

retaliatory. Allows civil actions against retaliation in any court of proper jurisdiction by the Labor Commissioner or an injured party. Sets damages at a minimum of \$150 a day. Prohibits requiring a person to be a current employee to be paid an earned commission. **AMENDED & PASSED** 7-4; (Strikes provisions on liquidated damages)

SSB 1122 EMERGENCY UNEMPLOYMENT

Makes alternate definitions for extended unemployment benefits funded by the federal government. Establishes new criteria for weekly “on” and “off” indicators. Defines a “high unemployment period.” Includes in an individual’s eligibility period for extended unemployment a week which begins after the individual exhausts emergency unemployment and during an extended benefit period. Effective the first Sunday 30 days after enactment. **PASSED** 10-0

House Appropriations Committee: Voted Out

SF 209 FEDERAL TAX UPDATES

Incorporates changes in the federal tax code from 2008 - 2010, including increasing Section 179 expensing for business to \$500,000, striking the exclusion from income for health care coverage from a non-qualified dependent under 25, updating the Iowa research tax credit to match the federal credit, decoupling from accelerated depreciation and other changes. Adds bonus depreciation and increases the earned income tax credit for next year. **Appropriations:** Makes supplemental appropriations: (DOE \$5.9 million; DOC \$14.2 million; \$18.6 million State Public Defender & Indigent Defense Fund; DPS \$2.9 million). Authorizes the use of certain unused funds for a debt coordinator to process tax refunds. Authorizes the ITTC to enter into a contract for a federal grant for broadband technology. **AMENDED & PASSED** 24-0

House Ways & Means Committee: Voted Out

SF 209 FEDERAL TAX UPDATES

Incorporates changes in the federal tax code from 2008 - 2010, including increasing Section 179 expensing for business to \$500,000, striking the exclusion from income for health care coverage from a non-qualified dependent under 25, updating the Iowa research tax credit to match the federal credit, decoupling from accelerated depreciation, and other changes. Adds bonus depreciation and increases the earned income tax credit for next year. **Appropriations:** Makes supplemental appropriations. **AMENDED & PASSED** (Strikes the Earned Income Credit increase. Strikes the one-year delay of bonus depreciation.)

House Environmental Protection Committee

HSB 48 EPC & NRC RULEMAKING

Transfers the rulemaking authority of the NRC and the EPC to the director of the DNR. **AMENDED & PASSED** 13-8

HSB 75 CLEAN AIR FEES

Prohibits using fees assessed for regulation under the federal Clean Air Act for anything other than the costs for developing and administering the program. Prohibits the use of these fees for other programs, such as general ambient air quality programs or for monitoring. Makes the Title V fee under the Clean Air Act no more than \$56 per ton for each regulated pollutant. Prohibits fees from being collected related to greenhouse gases. Establishes reporting requirements for the DNR on the benefits of Title V fee programs. **AMENDED & PASSED** 15-8 (Specifies that fees assessed under this

subsection for administrative costs by January 2012. Strikes some reporting requirements and makes other changes. Requires the costs to be documented by the agencies.)

House Labor Committee: Voted Out

HSB 40 INJURY EXCLUSIONS

Excludes an injury on an employer's premises from coverage under Worker's comp if the injury happened to a worker who was there during non-work hours and on a personal errand. **PASSED** 11-6

HSB 91 PUBLIC BIDS

Prohibits a public owner from requiring proof of meeting bidder qualification standards from a bidder on a public improvement so long as the bidder can meet pay and performance bond requirements in state law. Prohibits the use of criteria, such as whether a bidder's employees are union-members or similar requirements, to consider the qualifications of a bidder. **Iowa Preference:** Requires the Labor Commissioner to enforce Code provisions giving preference to Iowa bidders. Includes reciprocity provisions on hiring non-resident laborers. Gives the Labor Commissioner the power to investigate non-resident bidders and allows for payments on public improvement contracts to be withheld if a contractor does not file certain records with the Commissioner. Contains related provisions. **PASSED** 11-6

The following legislation was introduced this past week in the Iowa House and Senate. For full details of the legislation, please visit www.legis.iowa.gov

Issue related legislation:

HF 351 MANUFACTURED HOME CONTRACTS

Increases the penalty to \$500 for a manufactured home retailer who buys a used home and does not apply for a title within 30 days. Establishes a new disclosure statement, prescribed by the AG, with information on the property tax status, mortgages and liens, schedules of payments and other matters. Exempts certain financial institutions, lenders, insurance companies and real estate brokers from the requirements on the disclosure statement. Allows a buyer to seek rescission of a sale if the seller doesn't deliver a certificate of title within 30 days of the sale. Makes the failure to give a disclosure statement grounds to revoke the license of a retailer, manufacturer or distributor. **Leases:** Makes a mobile home space agreement at least one year and requires good cause for terminating a lease. Defines good cause. Requires written disclosures on rights.

HF 370 SOLAR REBATES

Appropriates \$10 million annually for solar installation rebates. Sets aside 60% of the funds for commercial installations and 40% for residential. Allows for rebates of 30% of the costs, with a \$15,000 cap for businesses and a \$3,000 cap for homes. Requires that an energy audit be done, that the installation be done by licensed installers and that it qualify for an Energy Star rating.

HF 381 CONSTRUCTION CONTRACTS

Creates the Iowa Fairness in Private Construction Contracts Act. Requires a party to a contract to make the payments associated with the contract. Voids various provisions in

private contracts, including waivers of litigation, but allows requirements for arbitration. Voids provisions related to *quo warranto* rights, and provisions regarding the subrogation for losses or claims covered or paid by liability or workers' comp. Does not allow a provision in a contract which makes a subcontractor payment contingent on the contractor receiving a payment to be a defense against a mechanic's lien. Establishes provisions on the timeliness of payments and on interest for late payments. Requires contractors to pay subcontractors within seven days of receiving payment. Limits the amount of payments that can be retained. Creates an Iowa Fairness in Public Construction Contracts Act with similar provisions.

HF 388 URBAN RENEWAL PROJECTS

Prohibits adopting new ordinances or designating increased amounts of sales tax for urban renewal projects. Effective on enactment.

HF 392 PLUMBING LICENSES (*Successor to HF 42*)

Establishes license fees: apprentice & journeyman license (\$50); master (\$125). Makes the fee for a license after the initial master license 1/2 the cost. Makes licenses for 3 years and requires that the application be no more than 2 pages. Requires the licensing board to rebate \$3 million in licenses. Allows the owner of a property, and an unpaid helper, to work on that property without being licensed if the property is not income producing. Eliminates a requirement that a journeyperson have 4 years experience as an apprentice and that a master meet certain educational and experience requirements. Makes definitions.

HF 411 CONSTRUCTION REGISTRY/LIENS

Establishes a state construction registry. Changes contractor references in regards to these liens to General Contractor and adds a category for Owner-Builder. Requires that a lien include the address of the property of a description of the location. Requires a general contractor to give notice to an owner that subcontractors may file liens. Requires a general contractor or owner-builder to notify IFA on the commencement of work. Requires subcontractors to make various submissions. Establishes deadlines for subcontractors to file liens due to non-payment by a general contractor. Contains other related provisions.

HSB 138 CONDO NOTICES

Requires that condominium board meetings be open to all condo owners, except in the case of pending litigation. Requires notice to be mailed out 7 days in advance. Invalidates actions taken at a meeting that does not meet the notice requirements. Allows for an aggrieved condo owner to seek judicial review and gives the condo association the burden of proving that notice was sent out properly.

SF 276 IOWA PREFERENCE FOR BIDDERS

Requires the Labor Commissioner to enforce Code provisions giving preference to Iowa bidders. Includes reciprocity provisions on hiring non-resident laborers. Gives the Labor Commissioner the power to investigate non-resident bidders and allows for payments on public improvement contracts to be withheld if a contractor does not file certain records with the Commissioner. Contains related provisions.

SF 290 ASBESTOS REMOVAL (Successor to SSB 1037)

Requires that a business which remove asbestos file a \$25,000 surety bond. Requires that air samplers for asbestos projects be licensed and establishes qualifications.

SF 297 CONDO NOTICES

Requires that condominium board meetings be open to all condo owners, except in the case of pending litigation and attorney-client privilege. Requires notice to be mailed out 7 days in advance. Allows a board to refuse to copy portions of records with personal information, on a unanimous vote of the board. Makes definitions. Gives the condo association the burden of proving that notice was sent out properly. Applies to meetings as of July 8, 2011.

SF 306 COMMERCIAL PROPERTY TAX ROLLBACK

Lowers the assessment limit increase for residential, agricultural, commercial, and industrial property 2 %. Ties commercial property into the rollback, except for new commercial property. Limits the assessment increases for industrial property. Requires that new commercial property be assessed at 60% of the value. Defines new commercial property as real estate without buildings where construction started in 2012 on commercial buildings. Excludes buildings in urban renewal areas.

General business legislation:

HF 340 WORKERS COMP CARE

Registry: Requires the Workers Comp Commissioner to establish a registry of who doctors who treat work-related injuries. Authorizes the Commissioner to set minimum training requirements to be on the registry and to set a registry fee. Requires a doctor to be on the registry to perform independent medical evaluations and issue impairment ratings. Authorizes the Commissioner to hire a medical director to help in Worker's Comp, paid from registry fees. Creates a fund for the fees. **Board:** Creates a Worker's Comp Advisory Board with employer and union members.

HF 341 CLIMATE CHANGE ADVISORY COUNCIL (Successor to HF 99)

Moves up the repeal date for the Climate Change Advisory Council to the effective date of the bill.

HF 346 SECOND INJURIES

Gives a worker who sustains a scheduled injury and who returns to employment at lower pay compensation for the reduction in earning capacity. Entitles an employee who lost a body part and then becomes permanently disabled due to a second injury compensation from the second injury fund as long as the second injury alone did not cause the permanent disability.

HF 347 WORKERS COMP BENEFITS

Requires that overtime and premium pay be included when calculating a worker's wages for worker's comp. Requires that payments for permanent disability be increased annually by the same COLA for Social Security disability payments.

HF 357 CITY BOARDS OF ADJUSTMENT Allows a board of adjustment to issue a variance only when it would not be counter to the public interest, and if it would better carry out the comprehensive plan and zoning ordinance. Allows a variance in regards to height, bulk and area restrictions if compliance would result in practical difficulties and one where strict compliance with the ordinance would create a substantial injustice.

HF 361 RED TAPE COMMISSION Establishes a 20-member Red Tape Commission to review state law and determine whether the burdens on small businesses and employees outweigh the benefits. Requires three public hearings and a report.

HF 401 INJURY EXCLUSIONS (*Successor to HSB 40*) Excludes an injury on an employer's premises from coverage under Worker's comp if the injury happened to a worker who was there during non-work hours and on a personal errand.

HF 402 CLEAN AIR FEES (*Successor to HSB 75*) Prohibits using fees assessed for regulation under the federal Clean Air Act for anything other than the costs for developing and administering the program. Prohibits the use of these fees for other programs, such as general ambient air quality programs or for monitoring. Makes the Title V fee under the Clean Air Act no more than \$56 per ton for each regulated pollutant. Prohibits fees from being collected related to greenhouse gases. Establishes reporting requirements for the DNR. Requires costs to be documented by agencies. (Specifies that fees assessed under this subsection for administrative costs by January 2012. Strikes some reporting requirements and makes other changes. Requires the costs to be documented by the agencies.)

HF 413 VACANT PROPERTY EXEMPTION Establishes an exemption from property taxes for commercial property in a revitalization area that has been vacant for more than six months. Adds conditions that the value of the property has declined and that it regularly attract certain nuisances. Establishes a fifteen-year exemption schedule and an alternate five-year exemption schedule. Establishes a ten-year schedule for properties if the improvements meet the LEED gold rating standard.

HSB 129 COMMERCIAL PROPERTY ASSESSMENT Assesses newly-built commercial property at 60% of value between 2012 and 2016. Requires that the property be undeveloped without structures as of July 2010 and that the construction started after July 2011.

HSB 159 HEALTH INSURANCE EXCHANGES Authorizes the establishment of Iowa Health Insurance Exchanges to help facilitate the sale of qualified plans. Establishes duties and other matters for the exchanges and for the Insurance Commissioner. Includes implementing provisions. Makes the effective date contingent on federal legislation and repeals the provisions if the federal health care reform is repealed or ruled invalid.

HSB 166 CORPORATE SERVICE & NAMES Allows for service against a foreign corporation which does not have a certificate to do business in the state by certified mail to the foreign corporation's secretary at its principal office. Allows a professional LLC to be referred to as "professional limited company" or abbreviations of that name. No subcommittee available

SF 262 WORKERS COMP PAYMENT DELAYS

Deems an employer or insurer who shows that an employee failed to cooperate with a reasonable investigation as having satisfied a criteria for an excuse delaying or denying a Worker's Comp payment.

SF 282 FEDERAL UPDATES

Updates the Iowa tax code to the federal tax code.

SF 303 EMERGENCY UNEMPLOYMENT *(Successor to SSB 1122)*

Makes alternate definitions for extended unemployment benefits funded by the federal government. Establishes new criteria for weekly "on" and "off" indicators. Defines a "high unemployment period." Includes in an individual's eligibility period for extended unemployment a week that begins after the individual exhausts emergency unemployment and during an extended benefit period. Effective the first Sunday 30 days after enactment.

SF 306 COMMERCIAL PROPERTY TAX ROLLBACK

Lowers the assessment limit increase for residential, agricultural, commercial, and industrial property 2 %. Ties commercial property into the rollback, except for new commercial property. Limits the assessment increases for industrial property. Requires that new commercial property be assessed at 60% of the value. Defines new commercial property as real estate without buildings where construction started in 2012 on commercial buildings. Excludes buildings in urban renewal areas.

SF 311 EMPLOYEE RIGHTS *(Successor to SF 116)*

Gives the employer the burden of proof in establishing that a deduction from an employee's wage is lawful. Requires written authorization in advance. Strikes a requirement that an employer be notified by the Division of Labor Services before being responsible for giving certain wage information to employees. Creates a rebuttable presumption that an employer did not pay the minimum wage if the employer did not keep appropriate records. Requires employers to mail a statement of wages and hours to an employee or give the statement to the employee during business hours or give electronic access to those records. Makes an employer liable for unpaid wages, liquidated damages, court costs and attorney fees for actions to recover wage. Includes other persons in sections prohibiting retaliatory actions and establishes a rebuttable presumption that actions against the employee or others in a 90-day period are retaliatory. Allows civil actions against retaliation in any court of proper jurisdiction by the Labor Commissioner or an injured party. Sets damages at a minimum of \$150 a day. Prohibits requiring a person to be a current employee to be paid an earned commission.

SSB 1140 WORKERS COMP BENEFITS

Requires that overtime and premium pay be included when calculating a worker's wages for worker's comp. Requires that payments for permanent disability be increased annually by the same COLA for Social Security disability payments.

SSB 1141 SECOND INJURIES

Gives a worker who sustains a scheduled injury and who returns to employment at lower pay compensation for the reduction in earning capacity. Entitles an employee who lost a

body part and then becomes permanently disabled due to a second injury compensation from the second injury fund as long as the second injury alone did not cause the permanent disability.

SSB 1155 EMPLOYER RETALIATION

Prohibits an employer from firing or discriminating against an employee for pursuing a claim to compensation for work injuries. (*Springer v Weeks & Leo Co*, 429 NW2d 558 34 (Iowa 1988)) or for testifying for another employee on a Worker's Comp claim (See *Ballalatak v All Iowa Agriculture Association*, 781 NW2d 272 (Iowa 2010)). Gives the employee a cause for action against the employer for damages.

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