

Substitutes for SF 30  
2/6/01 (P. 243)

JAN 24 2001

Place On Calendar

HOUSE FILE 103

BY COMMITTEE ON LABOR and  
INDUSTRIAL RELATIONS

(SUCCESSOR TO HF 3)

(P. 246) Passed House, Date 1-31-01 (P. 247) Passed Senate, Date 2/6/01  
Vote: Ayes 55 Nays 45 Vote: Ayes 29 Nays 30  
Approved 2/14/01  
*Vetoed*

**A BILL FOR**

1 An Act relating to information included in written promotional  
2 materials distributed by the department of economic  
3 development.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 103

1 Section 1. NEW SECTION. 15.106A WRITTEN PROMOTIONAL  
2 MATERIALS.

3 Any written material, including web sites, designed,  
4 produced, or distributed by the department for purposes of  
5 promoting the state in an attempt to recruit new businesses  
6 shall include a clear and conspicuous statement regarding the  
7 right-to-work law contained in section 731.1.

8 EXPLANATION

9 This bill provides that any written material, including web  
10 sites, designed, produced, or distributed by the department  
11 for purposes of promoting the state in an attempt to recruit  
12 new businesses shall include a clear and conspicuous statement  
13 regarding the right-to-work law contained in Code section  
14 731.1. The right-to-work law states that a person shall not  
15 be deprived of the right to work at the person's chosen  
16 occupation for any employer because of membership in,  
17 affiliation with, withdrawal or expulsion from, or refusal to  
18 join, any labor union, organization, or association.

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**HOUSE FILE 103****1030**

Amend House File 103 as follows:

1. Page 1, by inserting after line 7 the following:

"The statement shall include that the right-to-work means that unions and management cannot negotiate a union security clause in their collective bargaining agreement, that a union must represent all employees in a bargaining unit whether or not they are a member of the union, and that a failure to do so constitutes a breach of the union's duty of fair representation and subjects the union to suits for breach of duty and substantial potential liability for damages. Thus, in a right-to-work state, nonmembers are required by law to get all the benefits of union representation, but pay none of the costs.

The statement shall include that the right-to-work law was never meant to ensure a person could keep a job; rather, it was designed to weaken and destroy unions and the principle of collective bargaining. The statement shall include that the right-to-work law represents a state-sanctioned policy of union suppression.

The statement shall include that the right-to-work law allows government interference in the ability of management and labor to negotiate contracts. The statement shall include that the right-to-work law is not about a person's right to have a job; rather, it is a collective bargaining issue. The statement shall include that the right-to-work law takes away the ability of unions and management to bargain over whether workers should have the right to pay for the services they receive from the union. The statement shall include that the right-to-work law allows employees at union shops to opt out of the union, and thus receive the wages and benefits negotiated by their coworkers without paying the dues."

By CONNORS of Polk

H-1030 FILED JANUARY 26, 2001

*lost 1/31/01*

**HOUSE FILE 103****H-1027**

Amend House File 103 as follows:

1. Page 1, line 6, by striking the words "clear and conspicuous".

By DOTZLER of Black Hawk

H-1027 FILED JANUARY 26, 2001

*lost 1/31/01 (p.243)*

## HOUSE FILE 103

## H-1031

1 Amend House File 103 as follows:

2 1. Page 1, by inserting after line 7 the  
3 following:

4 "Sec. \_\_\_\_ . Section 15A.1, Code 2001, is amended by  
5 adding the following new subsection:

6 NEW SUBSECTION. 5. In addition to the  
7 requirements of subsections 2 and 3, a state agency  
8 shall not provide a grant, loan, or other financial  
9 assistance to a private person or on behalf of a  
10 private person unless the business for whose benefit  
11 the financial assistance is to be provided pays at  
12 minimum a living wage to its employees. For purposes  
13 of this subsection, "living wage" means an hourly wage  
14 of no less than the annualized federal poverty level  
15 for a family of four, as defined by the most recently  
16 revised poverty income guidelines as published by the  
17 United States department of health and human services,  
18 divided by two thousand eighty. If any provision of  
19 this subsection, which relates to a living wage paid  
20 by a business applying for or receiving state  
21 financial assistance, is inconsistent or conflicts  
22 with other provisions of chapter 15 or this chapter,  
23 the provision that specifies the higher wage rate  
24 prevails."

25 2. Title page, line 3, by inserting after the  
26 word "development" the following: "and state  
27 department financial assistance".

28 3. By renumbering as necessary.

By T. TAYLOR of Linn

H-1031 FILED JANUARY 26, 2001

*Not Hermone*

*1-31-01*

*Motion to Suspend - Lost P. 246*

**HOUSE FILE 103****S-3023**

1 Amend House File 103, as passed by the House, as  
 2 follows:  
 3 1. Page 1, by striking lines 6 and 7 and  
 4 inserting the following: "shall clearly and  
 5 conspicuously include the statement, "Iowa is the  
 6 state with the highest literacy rate in the nation.  
 7 Ninety percent of Iowa's schools score above the  
 8 fiftieth percentile on basic skills tests each year.  
 9 Each year, Iowa's students achieve top scores on  
 10 college entrance exams. The State of Iowa has and  
 11 will maintain extensive worker training programs to  
 12 prepare the current workforce and the workforce of  
 13 tomorrow. Current worker training programs in the  
 14 state train over twenty thousand workers each year.  
 15 According to statistics compiled by the Morgan Quitno  
 16 Press and the Kennedy School of Government at Harvard  
 17 University, Iowa has the second highest livability  
 18 rating among all states.""

**By** MICHAEL E. GRONSTAL  
 ROBERT E. DVORSKY  
 MATT MCCOY  
 JOHN P. KIBBIE  
 JACK HOLVECK  
 MARK SHEARER  
 THOMAS FIEGEN  
 PATRICK J. DELUHERY

MIKE CONNOLLY  
 BILL FINK  
 JOE BOLKCOM  
 PATRICIA HARPER  
 BETTY A. SOUKUP  
 JOHNIE HAMMOND  
 DICK L. DEARDEN  
 EUGENE S. FRAISE

**S-3023** FILED FEBRUARY 6, 2001  
 LOST *2/6/01*

**HOUSE FILE 103****S-3020**

1 Amend House File 103, as passed by the House, as  
 2 follows:  
 3 1. Page 1, by striking lines 6 and 7 and  
 4 inserting the following: "shall clearly and  
 5 conspicuously include the statement, "Iowa is a right-  
 6 to-work and right-to-organize state.""

**By** STEVEN D. HANSEN

**S-3020** FILED FEBRUARY 5, 2001

*Lost 2/6/01*

## HOUSE FILE 103

## S-3024

1 Amend House File 103, as passed by the House, as  
2 follows:

3 1. Page 1, by inserting after line 7 the  
4 following:

5 "Sec. \_\_\_\_ . Section 91D.1, subsection 1, paragraphs  
6 a and d, Code 2001, are amended to read as follows:

7 a. The hourly wage stated in the federal minimum  
8 wage law, pursuant to 29 U.S.C. § 206, shall be  
9 increased to ~~-\$3.85~~ \$5.65 on January 1, ~~of 1990, 2002,~~  
10 ~~-\$4.25 on January 1 of 1991,~~ and ~~-\$4.65~~ \$6.15 on  
11 January 1, ~~of 1992~~ 2003.

12 d. An employer is not required to pay an employee  
13 the applicable minimum wage provided in paragraph "a"  
14 until the employee has completed ninety calendar days  
15 of employment with the employer. An employee who has  
16 completed ninety calendar days of employment with the  
17 employer prior to January 1, ~~of 1990 2002, 1991,~~ or  
18 ~~1992~~ January 1, 2003, shall earn the applicable hourly  
19 minimum wage. An employer shall pay an employee who  
20 has not completed ninety calendar days of employment  
21 with the employer an hourly wage of at least ~~-\$3.35~~  
22 \$5.15 as of January 1, ~~of 1990 2002, -\$3.85 as of~~  
23 ~~January 1 of 1991,~~ and ~~-\$4.25~~ \$5.65 as of January 1, ~~of~~  
24 ~~1992~~ 2003.

25 Sec. \_\_\_\_ . Section 91D.1, subsection 2, Code 2001,  
26 is amended by striking the subsection."

27 2. Title page, line 3, by inserting after the  
28 word "development" the following: "and state-mandated  
29 wage rates".

30 3. By renumbering as necessary.

**By** MARK SHEARER

ROBERT E. DVORSKY

MATT MCCOY

JOHN P. KIBBIE

JACK HOLVECK

THOMAS FIEGEN

TOM FLYNN

DICK L. DEARDEN

JOHNIE HAMMOND

PATRICK J. DELUHERY

MIKE CONNOLLY

BILL FINK

JOE BOLKCOM

PATRICIA HARPER

BETTY A. SOUKUP

EUGENE S. FRAISE

**S-3024** FILED FEBRUARY 6, 2001

RULED OUT OF ORDER

*2/6/01*

## HOUSE FILE 103

S-3025

1 Amend House File 103, as passed by the House, as  
2 follows:  
3 1. Page 1, by inserting after line 7 the  
4 following:  
5 "Sec. \_\_\_\_ Section 15A.1, Code 2001, is amended by  
6 adding the following new subsection:  
7 NEW SUBSECTION. 4. In addition to the  
8 requirements of subsections 2 and 3, a state agency  
9 shall not provide a grant, loan, or other financial  
10 assistance to a private person or on behalf of a  
11 private person unless the business for whose benefit  
12 the financial assistance is to be provided pays at  
13 minimum a living wage to its employees. For purposes  
14 of this subsection, "living wage" means an hourly wage  
15 of no less than the annualized federal poverty level  
16 for a family of four, as defined by the most recently  
17 revised poverty income guidelines as published by the  
18 United States department of health and human services,  
19 divided by two thousand eighty. If any provision of  
20 this subsection, which relates to a living wage paid  
21 by a business applying for or receiving state  
22 financial assistance, is inconsistent or conflicts  
23 with other provisions of chapter 15 or this chapter,  
24 the provision that specifies the higher wage rate  
25 prevails."  
26 2. Title page, line 3, by inserting after the  
27 word "development" the following: "and state  
28 department financial assistance".  
29 3. By renumbering as necessary.

By MATT McCOY  
JOHNIE HAMMOND  
BETTY A. SOUKUP  
PATRICIA HARPER  
JOE BOLKCOM

MIKE CONNOLLY  
PATRICK J. DELUHERY  
TOM FLYNN  
DICK L. DEARDEN  
EUGENE S. FRAISE

S-3025 FILED FEBRUARY 6, 2001  
RULED OUT OF ORDER

2/6/01



**OFFICE OF THE GOVERNOR**

STATE CAPITOL  
DES MOINES, IOWA 50319  
515 281-5211  
FAX 515-281-6611

THOMAS J. VILSACK  
GOVERNOR

SALLY J. PEDERSON  
LT. GOVERNOR

February 14, 2001

The Honorable Brent Siegrist  
Speaker of the House  
State Capitol Building  
LOCAL

RECEIVED  
FEB 15 2001  
LEGISLATIVE SERVICE  
DIVISION

Dear Speaker Siegrist:

I hereby transmit:

**House File 103**, an Act relating to information included in written promotional materials distributed by the Department of Economic Development.

I am unable to approve House File 103 and hereby transmit it to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

I am profoundly disappointed that the legislature has chosen to invest valuable state resources to draft, debate, and pass this bill. The people of Iowa continue to wait for the Iowa Legislature to begin addressing the issues important to Iowa's families.

One Republican lawmaker referred to this bill as part of their "political agenda." Now that this political issue has been put aside, it is time for the members of the Legislature to now focus their attention on the important issues of teacher compensation/student achievement, reducing abuse, and supporting efforts to raise the incomes of all Iowans.

The legislation would require that all written materials used by the Iowa Department of Economic Development to recruit businesses highlight Iowa as a "Right-to-Work" state. Many people feel the "Right-to-Work" language is synonymous with a 'cheap wage' sign on the state. This is why I felt this legislation needed to be coupled with an increase in Iowa's minimum wage.

I am disappointed that Republican lawmakers have refused to pass legislation that will raise the minimum wage for the more than 100,000 Iowans who work for \$5.15 an hour. The bipartisan Governor's Strategic Planning Council recognized and recommended that we work together to increase wages and incomes of all Iowans – including raising Iowa's minimum wage.



This inaction by Republican lawmakers is especially curious and disappointing since they passed legislation this week that raises the wages of their high school student pages from minimum wage to \$7.17 an hour. Being a page in the legislature provides high school students with an educational opportunity to learn about government first hand. While pages deserve a raise in wages, I believe all people who earn the minimum wage deserve a raise. I am profoundly disappointed that Republican lawmakers are ignoring my proposal for increasing the state's minimum wage from \$5.15 an hour to \$6.15 an hour over the next two years.

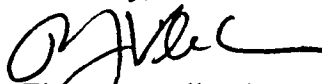
I am disappointed the Legislature appears to be unwilling to set a living wage threshold for employers that obtain financial assistance from the State. This initiative would require that employers receiving economic development assistance from the state must pay a "living wage" to their workers. A "living wage" would support a family of four with only one full-time worker above the federal poverty level. In Iowa, the "living wage" today is \$8.20 per hour – an annual wage of \$17,056.

For Iowa to grow and expand economically, Iowa must set itself apart from other states. We need to promote the quality of life Iowa has to offer. We need to promote the hard working, conscientious people that employers can hire. We need to promote Iowa's excellent educational system and Iowa's worker training opportunities. This is what makes Iowa special. This is why Iowa is a smart place for business.

With the disposition of this bill, the Lt. Governor and I are hopeful that Republican lawmakers will stop their focus on partisan issues and turn their attention to serious matter of meeting the needs of Iowa's families. With an increasingly tight state budget, it is time to start working together in a bipartisan manner to improve learning opportunities for children by recruiting, retaining, and respecting quality teachers. We also need to focus on protecting our most vulnerable Iowans from abuse, and supporting efforts to raise the incomes of all Iowans.

For the above reasons, I hereby respectfully disapprove House File 103.

Sincerely,



Thomas J. Vilsack  
Governor

Cc: Secretary of State  
Chief Clerk of the Senate

AN ACT

RELATING TO INFORMATION INCLUDED IN WRITTEN PROMOTIONAL MATERIALS DISTRIBUTED BY THE DEPARTMENT OF ECONOMIC DEVELOPMENT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 15.106A WRITTEN PROMOTIONAL MATERIALS.

Any written material, including web sites, designed, produced, or distributed by the department for purposes of promoting the state in an attempt to recruit new businesses shall include a clear and conspicuous statement regarding the right-to-work law contained in section 731.1.

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BRENT SIEGRIST  
Speaker of the House

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MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 103, Seventy-ninth General Assembly.

*W. Wood*  
Approved 2/14, 2001

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MARGARET THOMSON  
Chief Clerk of the House

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THOMAS J. VILSACK  
Governor