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[REPRESENTATIVE\_WINDSCHITL] Words From Windschitl

1 message

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House of Representatives

State of Iowa

Eighty-Seventh General Assembly

STATEHOUSE

Des Moines, Iowa 50319

SPEAKER PRO TEMPORE

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Freedom Amendment

This week in the House I had the privilege of running a proposal that I and many of my colleagues have been working on for over six years now. This proposal is aimed at enshrining in our state constitution modern day recognition and protections of our right to keep and bear arms. You see, Iowa is one of only six states in the country that has no specific protections for our Second Amendment rights in its constitution. Back in 2012 I ran a similar proposal through the House but it was never brought up in the Democrat-controlled Senate. The need for this type of proposal is rather simple really. If a future legislature or perhaps a runaway judiciary were to try and enact arbitrary restrictions on your right to keep and bear arms, Iowans would be left with limited options to try and get those restrictions removed.

Over the past ten years we have made many advancements on further recognizing and protecting Second Amendment freedoms in Iowa, most notably the firearms omnibus bill which I authored last year. The omnibus was roughly 15 different firearms related issues wrapped into one bill. While it was not easy to get this large of a package through the process, we were ultimately successful and the freedom-enhancing bill was signed into law last April. All it would take to have many of these freedoms stripped from us would be a future legislature repealing or altering Iowa Code. Hence the need to have in our state constitution strong protections of our individual fundamental right to keep and bear arms.

The proposal is simple and straightforward and it will codify what the U.S. Supreme Court has already established in the landmark decisions they have handed down in recent years. The language in the proposal is a modern day approach to clearly define our fundamental rights and remove any ambiguity about what our founders truly meant when they authored the Bill of Rights. The proposal is House Joint Resolution 2009 and here is what the language says: ***Right to keep and bear arms. SEC. 1A. The right of the people to keep and bear arms shall not be infringed. The sovereign state of Iowa affirms and recognizes this right to be a fundamental individual right. Any and all restrictions of this right shall be subject to strict scrutiny.***

The debate on this proposal took a little over three hours and there were many legislators who took to the floor to express their support of the Second Amendment, but then in their next breath would exclaim how we need further "gun-control" and more "arbitrary" restrictions on law abiding citizens. Many people argued that the strict scrutiny language in the proposal would somehow undo the current firearms laws we already have on the books and also prevent a future legislature from enacting any new "common-sense gun reforms". The bottom line on these arguments is that while many politicians will claim to support our right to keep and bear arms, they do not view our rights in the same way that many of us law abiding citizens do. They instead choose to view our individual, fundamental right as flexible or adjustable in order to fit in with the times and culture. This is an extremely dangerous view to hold and one of the main reasons we need to enshrine in our constitution clear and unambiguous language protecting our rights, not just for those alive today but for the future generations as well.

When it comes to the argument against the strict scrutiny language, let us first truly understand what this really means. There are three basic levels of review that the courts can use when determining if a law or regulation meets constitutional muster. Strict scrutiny is the highest and most stringent level of review they can use. In order for a law or regulation to withstand a constitutional challenge under strict scrutiny, it must be narrowly tailored to effectuate a compelling government interest. This means the government will not be able to pass new laws or regulations that are arbitrary and have them upheld in court.

The main intent of this proposal is to put restrictions on your government and prohibit it from taking away your individual, fundamental right to keep and bear arms. While some people in our society today are clamoring for government to place new restrictions on law abiding citizens in order to somehow miraculously protect us from evil people, I think we should instead be looking at ways to further protect and enhance the law abiding citizens freedoms in order for them to protect themselves from those with evil in their hearts as well as their governments ever increasing desire to diminish our fundamental rights.

The Senate also passed HJR2009 this week and we are now one step closure to getting this language added to our state constitution. The process to amend our constitution requires that a proposal like HJR2009 be passed by two separate general assemblies and then it will be placed on the general election ballot in 2020 where Iowans will get the final vote on the proposal. So while we have completed one leg of this journey to protect our fundamental rights, our work is not done. We must continue to elect people in the upcoming November elections who will fight to protect our rights and not back down in the face of adversity.

If you would like to watch my closing remarks on HJR2009 they can be viewed here: [Windschitl Freedom Amendment closing remarks](#)

### **Affordable health care options move forward**

The Affordable Care Act has been disastrous for many Iowa families. It has had a very negative impact on the insurance market, leaving thousands of Iowans with skyrocketing premiums and no choice. Faced with unaffordable options, some Iowans have been forced to borrow money and go into debt to pay their health insurance premiums. I have heard from many constituents on the need for the State of Iowa to do something to help these families. This week the House took action on a plan to provide more options for these families and hopefully ease their health insurance burdens.

The plan would provide the option of purchasing health benefit plans that are high quality and affordable options for health care. The plans are not the same as your typical insurance, but function like insurance did prior to the ACA. The plans are optional for those Iowans without insurance or who are about to lose their insurance. These plans would be sponsored and administered by Iowa based organizations. Health benefit plans act like insurance and it is estimated that these plans would be half the cost of plans available on the individual exchange.

Another aspect of this proposal is the creation of Multiple Employer Welfare Arrangements (MEWA). This option would allow small businesses and associations to pool together to buy group insurance plans. By doing this, more individuals would be included in these plans, spreading risk and lowering premiums. These MEWA plans are a good

option for small businesses and its employees.

Ultimately, Congress needs to act on the issue of health care. Too many Iowans are being left behind. House Republicans are moving forward with these innovative, state-based solutions to ensure Iowans have access to high quality, affordable health coverage. We cannot wait for the Federal Government to act any longer.

### Share Your Thoughts

As always I will do my best to get this newsletter out as often as time allows. In the meantime if you have a concern or question on any issue please do not hesitate to reach out to me and I will get back to you as quickly as possible. There are many issues of great importance being discussed this session and I look forward to hearing your thoughts and ideas. If you would like to receive this newsletter by e-mail I would be happy to add you to my newsletter list. The district number is 712-642-4334 or e-mail me at [matt.windschitl@legis.iowa.gov](mailto:matt.windschitl@legis.iowa.gov)

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