



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House Concurrent Resolution 5 - Introduced

PAG LIN

H.C.R. _____ S.C.R. _____

1 1 HOUSE CONCURRENT RESOLUTION 5
1 2 By McCarthy and Paulsen
1 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
1 4 SENATE CONCURRING, That a joint convention of the two
1 5 houses of the 2009 session of the Eighty-third General
1 6 Assembly be held on Wednesday, February 18, 2009, at
1 7 10:00 a.m.; and
1 8 BE IT FURTHER RESOLVED, That Major Ron Dardis be
1 9 invited to present his message of the Condition of the
1 10 Iowa National Guard at this convention.
1 11 HCR 5
1 12 dt/cm



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 304 - Introduced

HOUSE FILE
BY REICHERT

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays
Approved

A BILL FOR

- 1 An Act providing for the establishment of rural wind
- 2 cooperatives.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 1717HH 83
- 5 rn/nh/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 304 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 476.48 RURAL WIND COOPERATIVE
1 2 PROGRAM.
1 3 1. DEFINITIONS. For purposes of this section, unless the
1 4 context otherwise requires:
1 5 a. "Power purchase agreement" means an agreement
1 6 negotiated between an electric utility and a qualifying owner
1 7 to purchase energy generated from a rural wind cooperative.
1 8 b. "Qualifying owner" means a resident of this state who
1 9 is:
1 10 (1) Any of the following, as defined in section 9H.1:
1 11 (a) An authorized farm corporation.
1 12 (b) An authorized limited liability company.
1 13 (c) An authorized trust.
1 14 (d) A family farm corporation.
1 15 (e) A family farm limited liability company.
1 16 (f) A family trust.
1 17 (g) A revocable trust.
1 18 (h) A testamentary trust.
1 19 (2) A small business as defined in section 15.102.
1 20 (3) A cooperative association organized pursuant to
1 21 chapter 497 or a limited liability company organized pursuant
1 22 to chapter 490A whose shares and membership are held by an
1 23 entity that is not prohibited from owning agricultural land
1 24 under chapter 9H.
1 25 (4) A political subdivision of this state, including but
1 26 not limited to a city, county, township, school district,
1 27 community college, area education agency, institution under
1 28 the control of the state board of regents, or any other local
1 29 commission, association, or tribal council.
1 30 c. "Rural wind cooperative" means a new wind energy
1 31 generation project approved by the division which satisfies
1 32 the requirements of subsection 3.
1 33 d. "Rural wind cooperative tariff" means a tariff
1 34 established by the board to facilitate the development of
1 35 rural wind cooperatives.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 304 - Introduced continued

2 1 e. "Standard reliability criteria" means that the energy
2 2 produced can be safely interconnected with an electric utility
2 3 without causing any adverse or unsafe consequences and is
2 4 consistent with the electric utility's resource needs.

2 5 f. "Wind energy conversion facility" means the same as a
2 6 wind energy conversion facility as defined in section 476C.1.

2 7 2. PROGRAM ESTABLISHED. The utilities division shall
2 8 establish a rural wind cooperative program to optimize local,
2 9 regional, and state benefits from wind energy and to
2 10 facilitate widespread development of rural wind cooperatives
2 11 throughout this state.

2 12 3. QUALIFICATIONS == APPROVAL. A qualifying owner or
2 13 owners of a proposed rural wind cooperative may submit an
2 14 application to the division for approval indicating all of the
2 15 following:

2 16 a. Ownership by one or more qualifying owners subject to
2 17 percentage restrictions relative to the number of wind
2 18 turbines owned by the cooperative as established by the board
2 19 by rule. The board may additionally establish rules requiring
2 20 large-scale wind energy conversion systems to be comprised of
2 21 a specified percentage of one or more rural wind cooperatives.

2 22 b. A copy of a power purchase agreement negotiated in good
2 23 faith subject to mutually agreeable terms between an electric
2 24 utility and a qualifying owner or owners at the rural wind
2 25 cooperative tariff rate established by the board to encourage
2 26 and facilitate investment in and development of rural wind
2 27 cooperatives.

2 28 c. Approval by the county board of supervisors in each
2 29 county in which the cooperative is to be located, or in the
2 30 case of a cooperative located within the boundaries of a
2 31 tribal government land, the tribal council for that tribal
2 32 government land.

2 33 d. Evidence of a good-faith attempt to provide in writing
2 34 an opportunity to participate in the cooperative to each
2 35 property owner in a county or counties in which the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 304 - Introduced continued

3 1 cooperative is located on whose property a high-voltage
3 2 transmission line is constructed that will transmit the energy
3 3 generated by the cooperative to an electric utility.

3 4 4. PROGRAM PARAMETERS == UTILITY PARTICIPATION.

3 5 a. The board shall by rule establish procedures whereby a
3 6 rural wind cooperative shall be granted right-of-way permits
3 7 or utility easements for interconnection with a public utility
3 8 with whom the cooperative has negotiated a power purchase
3 9 agreement.

3 10 b. The board shall by rule establish a mechanism whereby a
3 11 qualifying owner or owners of a rural wind cooperative shall
3 12 secure performance under a power purchase agreement.

3 13 c. A power purchase agreement shall be based upon standard
3 14 reliability criteria.

3 15 d. Transfer of a rural wind cooperative by a qualifying
3 16 owner or owners to a nonqualifying owner during the initial
3 17 ten years of the agreement, except for an inherited interest,
3 18 is prohibited.

3 19 e. An electric utility shall require any qualified owner
3 20 to provide sufficient security to assure performance under the
3 21 power purchase agreement, and shall prepare a statement on an
3 22 annual basis summarizing the extent to which purchase power
3 23 agreements have been entered into with rural wind
3 24 cooperatives, and the amount of electricity purchased from
3 25 such cooperatives.

3 26 f. An electric utility shall determine if one or more
3 27 rural wind cooperatives are available and are technically,
3 28 economically, and operationally feasible to address some or
3 29 all of an identified electricity generation need prior to
3 30 constructing a new electricity generation facility.

3 31 5. ELECTRIC UTILITIES == LIMITATION ON OBLIGATION. This
3 32 section shall not be construed to obligate an electric utility
3 33 to enter into a power purchase agreement with a rural wind
3 34 cooperative, subject to rules which may establish minimum
3 35 rural wind cooperative participation in large-scale wind



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 304 - Introduced continued

4 1 energy conversion systems as provided in subsection 3.

4 2 EXPLANATION

4 3 This bill establishes procedures to encourage the
4 4 development of rural wind cooperatives.

4 5 The bill creates a rural wind cooperative program within
4 6 the utilities division of the department of commerce, with the
4 7 goal of optimizing local, regional, and state benefits from
4 8 wind energy and facilitating the development of rural wind
4 9 cooperatives throughout the state. A rural wind cooperative
4 10 involves a new wind energy conversion system owned by one or
4 11 more qualifying owners, subject to percentage restrictions
4 12 relative to the number of wind turbines owned by the
4 13 cooperative as established by the utilities board by rule, and
4 14 subject to rules which may be established by rule specifying
4 15 that large-scale wind energy conversion systems may be
4 16 required to be comprised to a certain percentage by rural wind
4 17 cooperatives. The bill includes a comprehensive list of
4 18 individuals, business organizations, and political
4 19 subdivisions within the definition of "qualifying owner".

4 20 The bill specifies an application procedure for a rural
4 21 wind cooperative, whereby an application is submitted to the
4 22 utilities division along with a copy of a power purchase
4 23 agreement negotiated in good faith between the applicant and
4 24 an electric utility, evidence of approval of the cooperative
4 25 by the county board of supervisors, and evidence of a
4 26 good-faith attempt to notify property owners on whose property
4 27 a high-voltage transmission line would be constructed to
4 28 transmit energy generated by a rural wind cooperative of an
4 29 opportunity to participate in the project and property owners
4 30 currently operating a wind energy conversion system. The bill
4 31 provides that a power purchase agreement, if approved, shall
4 32 be secured by a qualifying owner or owners, and that the
4 33 agreement shall reflect standard reliability criteria. The
4 34 bill contains prohibitions against transfer of ownership, and
4 35 provides for the adoption of rules by the utilities division



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 304 - Introduced continued

5 1 or the board, including rules establishing right-of-way or
5 2 easement procedures for interconnection with a public utility.
5 3 Additionally, the bill provides that an electric utility
5 4 shall require a qualified owner to provide sufficient security
5 5 to assure performance under the power purchase agreement, and
5 6 prepare an annual statement summarizing efforts to purchase
5 7 electricity from rural wind cooperatives and listing
5 8 cooperatives subject to a power purchase agreement with the
5 9 utility and the amount of energy purchased therefrom. The
5 10 bill also requires a utility to determine if one or more rural
5 11 wind cooperatives are available and are technically,
5 12 economically, and operationally feasible to address some or
5 13 all of an identified electricity generation need prior to
5 14 constructing a new electricity generation facility. The bill
5 15 provides that its provisions shall not be construed to
5 16 obligate an electric utility to enter into a power purchase
5 17 agreement with a qualified owner of a rural wind cooperative
5 18 project.
5 19 LSB 1717HH 83
5 20 rn/nh/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 305 - Introduced

HOUSE FILE
BY SCHUELLER

(COMPANION TO SF 59 BY
STEWART)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays
Approved

A BILL FOR

- 1 An Act relating to the transport of passengers under eighteen
- 2 years of age in an open truck bed and providing a penalty.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 1027HH 83
- 5 dea/nh/8



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 305 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 321.447 MINOR PASSENGERS IN OPEN
1 2 TRUCK BED.

1 3 1. Except as otherwise provided in this section, a person
1 4 shall not operate a motor vehicle on a highway while
1 5 transporting a passenger under eighteen years of age in an
1 6 unenclosed area of the vehicle not intended for passenger
1 7 seating, including but not limited to the open bed of a motor
1 8 truck.

1 9 2. Except as otherwise provided in this section, a person
1 10 under eighteen years of age shall not ride in an unenclosed
1 11 area of a motor vehicle not intended for passenger seating,
1 12 including but not limited to the open bed of a motor truck,
1 13 while the vehicle is being operated on a highway.

1 14 3. Subsections 1 and 2 do not apply if the owner of the
1 15 motor vehicle is a person engaged in farming or ranching and
1 16 the vehicle is being operated within the boundaries of land
1 17 that is owned or managed by the owner of the vehicle as a farm
1 18 or ranch, including the incidental operation of the vehicle on
1 19 a highway for the purpose of traveling not more than one mile
1 20 from one part of the farm or ranch to another part of that
1 21 farm or ranch.

1 22 4. Subsections 1 and 2 do not apply if the motor vehicle
1 23 is being operated in a parade and the speed of the vehicle
1 24 does not exceed eight miles per hour.

1 25 5. The operator and passengers in a motor vehicle may each
1 26 be charged separately for a violation of this section. A
1 27 violation of this section is a simple misdemeanor punishable
1 28 as a scheduled violation under section 805.8A, subsection 14,
1 29 paragraph "j".

1 30 Sec. 2. Section 805.8A, subsection 14, Code 2009, is
1 31 amended by adding the following new paragraph:

1 32 NEW PARAGRAPH. j. PASSENGER SEATING VIOLATIONS. For a
1 33 violation under section 321.447, subsection 1 or 2, the
1 34 scheduled fine is twenty-five dollars.

1 35 EXPLANATION



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 305 - Introduced continued

2 1 This bill prohibits the operator of a motor vehicle from
2 2 transporting passengers who are under 18 years of age in an
2 3 unenclosed area of the vehicle not intended for passenger
2 4 seating, such as an open truck bed. The bill also prohibits
2 5 persons under 18 years of age from riding in such an area of a
2 6 motor vehicle. The bill makes an exception for a motor
2 7 vehicle owned by a farmer or rancher when the vehicle is being
2 8 driven on land owned or managed by the farmer or rancher or on
2 9 the highway between one part of the farm or ranch to another
2 10 part of the farm or ranch for a distance of one mile or less.
2 11 Another exception is allowed for a motor vehicle being
2 12 operated at a speed of not more than eight miles per hour in a
2 13 parade. The penalty for a violation is a simple misdemeanor,
2 14 punishable by a scheduled fine of \$25. Both the driver and
2 15 passengers may each be charged with a separate violation.
2 16 LSB 1027HH 83
2 17 dea/nh/8



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 306 - Introduced

HOUSE FILE
BY MAY

Passed House, Date _____	Passed Senate, Date _____
Vote: Ayes _____ Nays _____	Vote: Ayes _____ Nays _____
Approved	

A BILL FOR

1 An Act allowing school districts to count limited numbers of
2 foreign exchange pupils in certified enrollment counts for
3 budget and funding purposes.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2243HH 83
6 ak/rj/24



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 306 - Introduced continued

PAG LIN

1 1 Section 1. Section 257.6, subsection 1, paragraph a, Code
1 2 2009, is amended by adding the following new subparagraph:
1 3 NEW SUBPARAGRAPH. (8) Foreign exchange pupils under the
1 4 federal exchange visa program enrolled in public schools
1 5 within the district. School districts with an actual
1 6 enrollment of one thousand or fewer pupils may count no more
1 7 than one foreign exchange pupil based on the school district's
1 8 actual enrollment from the base year. School districts with
1 9 an actual enrollment of more than one thousand pupils may
1 10 count one foreign exchange pupil per one thousand pupils based
1 11 on the school district's actual enrollment from the base year.

1 12 EXPLANATION

1 13 This bill allows school districts to be compensated for
1 14 services provided to foreign exchange students by including
1 15 them in the actual student enrollment count each October.
1 16 These students, who are part of the federal J-1 visa program,
1 17 are not presently counted in the actual enrollment of a
1 18 school, which is one factor in determining state and local
1 19 financial support for schools. School districts with 1,000 or
1 20 fewer students may count one foreign exchange student based on
1 21 the district's enrollment from the preceding year. School
1 22 districts with more than 1,000 students may count one foreign
1 23 exchange student per 1,000 students based on the district's
1 24 enrollment from the preceding year.

1 25 LSB 2243HH 83

1 26 ak/rj/24



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 307 - Introduced

HOUSE FILE
BY MASCHER

Passed House, Date _____
Vote: Ayes _____ Nays _____
Approved

Passed Senate, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act concerning disclosures of information regarding patient
- 2 safety by health care workers and providing penalties.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 2211YH 83
- 5 ec/nh/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 307 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 147.97 PATIENT PROTECTION ==
1 2 HEALTH CARE WORKERS == REPORT OF ADVERSE EVENTS.
1 3 1. As used in this section, unless the context otherwise
1 4 requires:
1 5 a. "Direct care worker" means a trained and supervised
1 6 individual who provides services, care, and emotional support
1 7 to patients and health care recipients.
1 8 b. "Established guidelines for certified individuals and
1 9 direct care workers" includes written protocols and procedures
1 10 as defined by the department for direct care workers,
1 11 emergency medical care providers as defined in chapter 147A,
1 12 and substance abuse counselors as certified by the Iowa board
1 13 of certification.
1 14 c. "Health care worker" means any individual employed by
1 15 or under contract with a hospital, health care provider, or
1 16 health care agency to provide health care services.
1 17 d. "Professional standards of care" means authoritative
1 18 statements that describe a level of care or performance common
1 19 to the profession by which the quality of professional
1 20 practice can be judged and which reflect the values and
1 21 priorities of the profession.
1 22 2. A health care worker, who reasonably believes a
1 23 particular practice the health care worker has observed
1 24 occurring at the health care worker's place of employment or
1 25 at the health care entity where the health care worker is
1 26 rendering health care services, based on the health care
1 27 worker's professional standards of care, professional code of
1 28 ethics, or established guidelines for certified individuals
1 29 and direct care workers, is a material violation of health and
1 30 safety laws or a breach of public safety that has caused
1 31 serious harm to or creates a significant probability of
1 32 serious harm to patients or health care recipients, may report
1 33 the information relating to the violation or breach within
1 34 fourteen calendar days of its occurrence to the health care
1 35 worker's supervisor, employer, or member of management or



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 307 - Introduced continued

2 1 administration, in order that investigation can be undertaken
2 2 and, if appropriate, corrective action be initiated. The
2 3 report shall be made in writing according to the business
2 4 operational procedures of the health care entity as outlined
2 5 in the personnel manual or other similar business arrangement
2 6 document applicable to employees of the health care entity.
2 7 The health care worker shall be protected against reprisals or
2 8 retaliatory or punitive action by the individual or
2 9 institution receiving such a report. The health care entity
2 10 shall respond, in writing, to the health care worker within
2 11 fourteen calendar days of receipt of the report outlining any
2 12 investigation or corrective action initiated by the health
2 13 care entity.

2 14 3. If after fourteen calendar days following the written
2 15 report of a material violation or breach made by the health
2 16 care worker pursuant to subsection 2, the health care worker
2 17 continues to see the particular practice occurring in the
2 18 workplace giving rise to the written report, the health care
2 19 worker may report information to the appropriate licensing
2 20 board, the department, the department of inspections and
2 21 appeals, the department of human services, the Iowa healthcare
2 22 collaborative, the division of insurance in the department of
2 23 commerce, a member or employee of the general assembly, the
2 24 attorney general, a state-mandated health information
2 25 collection agency, any other public official or law
2 26 enforcement agency, federal government agency or program, the
2 27 governing board of the health care worker's employer or
2 28 institution, or the health care worker's professional
2 29 association, and shall be protected against reprisals or
2 30 retaliatory or punitive actions by the individual or employing
2 31 health care entity if disclosure of the information is not
2 32 otherwise prohibited by statute and if the information meets
2 33 any of the following requirements:

2 34 a. Constitutes state-mandated health data required to be
2 35 submitted to state agencies.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 307 - Introduced continued

3 1 b. Informs state agencies or entities of violations of
3 2 state health, safety, occupational health, licensure, or
3 3 insurance laws.
3 4 c. Is reasonably believed by the health care worker to be
3 5 a material violation of health and safety laws or a breach of
3 6 public safety that has caused serious harm to or creates a
3 7 significant probability of serious harm to patients or health
3 8 care recipients, based upon the health care worker's
3 9 professional standards of care, professional code of ethics,
3 10 or established guidelines for certified individuals and direct
3 11 care workers.
3 12 A health care worker making a disclosure which violates any
3 13 provision of the federal Health Insurance Portability and
3 14 Accountability Act, Pub. L. No. 104=191, shall not be entitled
3 15 to protection pursuant to this section nor entitled to civil
3 16 remedies which might otherwise be available pursuant to
3 17 subsection 6 or 7.
3 18 4. A health care worker who, in good faith, makes a
3 19 written report of a material violation or breach pursuant to
3 20 subsection 2 or reports information described in subsection 3
3 21 shall be presumed to have established a prima facie case
3 22 showing a violation of subsection 2 or 3 by the health care
3 23 worker's employer if the individual or institution employing
3 24 the health care worker knows or has reason to know of the
3 25 disclosure, and if subsequent to the disclosure, one or more
3 26 of the following actions were initiated by the employer:
3 27 a. Discharge of the health care worker from employment.
3 28 b. Failure by the employer to take action regarding a
3 29 health care worker's appointment to, promotion or proposed
3 30 promotion to, or receipt of any advantage or benefit in the
3 31 health care worker's position of employment.
3 32 c. Any adverse change to the health care worker's terms or
3 33 conditions of employment or any administrative, civil, or
3 34 criminal action or other effort that diminished the
3 35 professional competence, reputation, stature, or marketability



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 307 - Introduced continued

4 1 of the health care worker.

4 2 An employer shall have the burden of proof regarding any
4 3 attempt to show that actions taken pursuant to this subsection
4 4 were for a legitimate business purpose or were required by law
4 5 or administrative rule, which if proven is a complete defense.

4 6 5. If an individual or institution employing a health care
4 7 worker is determined to have violated state health, safety, or
4 8 occupational health and health licensure laws or regulations,
4 9 or professional standards of care, professional code of
4 10 ethics, or established guidelines for certified individuals
4 11 and direct care workers, after a disclosure pursuant to
4 12 subsection 2 or 3 results in an action as described in
4 13 subsection 4, such a determination shall create a presumption
4 14 of retaliation or reprisal against the health care worker in
4 15 violation of this section. Disclosure of a reasonable belief
4 16 that material violations of health and safety laws or breaches
4 17 of public safety have occurred that have caused or create a
4 18 significant probability of serious harm to patients and health
4 19 care recipients shall immediately trigger the protection
4 20 afforded by this section.

4 21 6. A person who violates this section is subject to a
4 22 civil action as follows:

4 23 a. A person who violates this section is liable to an
4 24 aggrieved health care worker for affirmative relief.

4 25 b. A person or entity who prevails in a civil action based
4 26 on this section is entitled to equitable relief the court
4 27 deems appropriate.

4 28 c. When a person commits, is committing, or proposes to
4 29 commit an act in violation of this section, an injunction may
4 30 be granted through an action in district court to prohibit the
4 31 person from continuing such acts. The action for injunctive
4 32 relief may be brought by an aggrieved health care worker or by
4 33 the county attorney.

4 34 d. A civil action brought pursuant to this subsection
4 35 shall be filed within six months from the date of the alleged



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 307 - Introduced continued

5 1 violation.

5 2 7. a. In addition to any other penalties applicable to a
5 3 person who violates this section, an individual, institution,
5 4 or organization employing a person who violates this section
5 5 shall be subject to a civil penalty in the amount of one
5 6 thousand dollars per violation.

5 7 b. A health care worker found to bring a frivolous,
5 8 malicious, or nuisance cause of action against a health care
5 9 employer under this section shall be subject to a civil
5 10 penalty in the amount of one thousand dollars per violation
5 11 and up to four thousand dollars of reasonable attorney fees.

5 12 8. It is the intent of this section to protect public
5 13 safety and not to protect incompetent or unprofessional health
5 14 care workers.

5 15

EXPLANATION

5 16 This bill creates new Code section 147.97 to provide
5 17 protection for health care workers against retaliation or
5 18 reprisals resulting from the disclosure of certain patient
5 19 safety information.

5 20 The new Code section provides that a health care worker who
5 21 discloses information to a state or federal board, department,
5 22 or agency, including the attorney general and law enforcement
5 23 personnel, as described in the bill, after 14 days have
5 24 transpired following a written report to the employer and
5 25 opportunity to take corrective action has transpired on the
5 26 part of the individual or institution which employs the health
5 27 care worker and which is the subject of the disclosure, shall
5 28 be protected against reprisals or retaliatory or punitive
5 29 actions by the employer if disclosure of the information is
5 30 not otherwise prohibited by statute. The bill requires that
5 31 the health care entity respond to the health care worker
5 32 within 14 days. The bill provides that for this provision to
5 33 apply, the information disclosed must constitute
5 34 state-mandated health data required to be submitted to a state
5 35 agency, or inform a state agency or entity of a violation of



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 307 - Introduced continued

6 1 state health, safety, occupational health, licensure, and
6 2 insurance laws, or is reasonably believed by the health care
6 3 worker to be a violation of health and safety laws or a breach
6 4 of public safety that has caused or creates a significant
6 5 probability of serious harm to patients or health care
6 6 recipients, based upon the health care worker's professional
6 7 standards of care, professional code of ethics, or established
6 8 guidelines for health care workers. The bill provides that
6 9 this provision shall not be applicable to a disclosure which
6 10 constitutes a violation of the federal Health Insurance
6 11 Portability and Accountability Act.

6 12 The new Code section provides that a health care worker
6 13 disclosing in good faith this information shall be presumed to
6 14 have established a prima facie case if the employer knows or
6 15 has reason to know of the disclosure, and if following the
6 16 disclosure the health care worker was discharged from
6 17 employment, or there was a failure by the employer to take
6 18 action regarding a health care worker's appointment or
6 19 promotion, or any adverse change to the health care worker's
6 20 terms or conditions of employment as well as any
6 21 administrative, civil, or criminal action or other effort that
6 22 diminishes the professional competence, reputation, stature,
6 23 or marketability of the health care worker. The bill provides
6 24 that the employer shall have the burden of proof regarding any
6 25 attempt to show that these actions were undertaken for a
6 26 legitimate business purpose.

6 27 The new Code section provides that if an employer is
6 28 determined to have violated state health, safety, or
6 29 occupational health or health licensure laws or regulations,
6 30 or professional standards of care or a professional code of
6 31 ethics, or certain guidelines, after a disclosure by a health
6 32 care worker resulting in an action taken against the worker as
6 33 described in the bill, this creates a presumption of
6 34 retaliation or reprisal. The bill provides that violations of
6 35 health and safety laws or breaches of public safety that have



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 307 - Introduced continued

7 1 caused or create a significant probability of serious harm to
7 2 patients and health care recipients immediately trigger
7 3 protection.
7 4 The new Code section provides that violations may be
7 5 grounds for a civil action. The bill provides that in such an
7 6 action, an employer may be liable to an aggrieved health care
7 7 worker for affirmative relief, and other equitable relief the
7 8 court deems appropriate. The bill also provides for
7 9 injunctive relief. The bill provides that in addition to
7 10 other penalties, an individual, institution, or organization
7 11 employing a person found to be in violation of the bill's
7 12 provisions shall be subject to a civil penalty in the amount
7 13 of \$1,000 per violation. In addition, the bill provides that
7 14 a health care worker found to have brought a frivolous claim
7 15 under this new Code section is subject to a civil penalty of
7 16 up to \$1,000 per violation and up to \$4,000 of reasonable
7 17 attorney fees.
7 18 LSB 2211YH 83
7 19 ec/nh/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 308 - Introduced

HOUSE FILE
BY T. TAYLOR

Passed House, Date _____	Passed Senate, Date _____
Vote: Ayes _____ Nays _____	Vote: Ayes _____ Nays _____
Approved	

A BILL FOR

1 An Act concerning the Iowa public employees retirement system by
2 establishing a presumption that cancer is work-related for
3 purposes of disability benefits for protection occupation
4 members who are employed as fire fighters and by increasing
5 the contribution rate for fire fighters.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 2193YH 83
8 ec/sc/8



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House File 308 - Introduced continued

PAG LIN

1 1 Section 1. Section 97B.49B, subsection 3, paragraph b,
1 2 Code 2009, is amended by adding the following new
1 3 subparagraph:
1 4 NEW SUBPARAGRAPH. (8) For the fiscal year commencing July
1 5 1, 2009, and each succeeding fiscal year, each employer of
1 6 members covered under this section shall deduct from the wages
1 7 of each member who is employed as a fire fighter in a
1 8 protection occupation an additional contribution in the amount
1 9 of five hundredths percent.

1 10 Sec. 2. Section 97B.50A, subsection 2, paragraph c, Code
1 11 2009, is amended to read as follows:

1 12 c. Disease under this subsection shall mean heart disease
1 13 or any disease of the lungs or respiratory tract and shall be
1 14 presumed to have been contracted while on active duty as a
1 15 result of strain, exposure, or the inhalation of noxious
1 16 fumes, poison, or gases. For a member who is employed as a
1 17 fire fighter in a protection occupation as provided in section
1 18 97B.49B, disease under this subsection shall also mean cancer
1 19 which shall also be presumed to have been contracted while on
1 20 active duty. However, if a person's special service
1 21 membership in the retirement system first commenced on or
1 22 after July 1, 2000, and the heart disease ~~or~~, disease of the
1 23 lungs or respiratory tract, or cancer would not exist, but for
1 24 a medical condition that was known to exist on the date that
1 25 special service membership commenced, the presumption
1 26 established in this paragraph shall not apply.

EXPLANATION

1 28 This bill provides that cancer contracted by a special
1 29 service member of the Iowa public employees retirement system
1 30 (IPERS) who is employed as a fire fighter in a protection
1 31 occupation is presumed to be a disease contracted while on
1 32 active duty due to the job for purposes of establishing a
1 33 disability pension. The bill also provides that the
1 34 presumption will not apply to fire fighter members who joined
1 35 the retirement system after July 1, 2000, in which the cancer



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 308 - Introduced continued

2 1 would not have existed but for a medical condition that was
2 2 known on the date the member joined.
2 3 The bill also provides that fire fighter members of IPERS
2 4 in a protection occupation shall pay an additional
2 5 contribution from their wages to the system at the rate of .05
2 6 percent.
2 7 The bill may include a state mandate as defined in Code
2 8 section 25B.3. The state mandate funding requirement in Code
2 9 section 25B.2, however, does not apply to public employee
2 10 retirement systems.
2 11 LSB 2193YH 83
2 12 ec/sc/8



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 309 - Introduced

HOUSE FILE

BY MAY, WORTHAN, SCHUELLER,
KELLEY, LUKAN, KAUFMANN,
ROBERTS, SCHULTZ, SANDS,
DOLECHECK, DE BOEF, DRAKE,
TYMESON, DEYOE, COWNIE,
and MAREK

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved

A BILL FOR

1 An Act relating to early school starts and requests for
2 innovative school year pilot programs, and providing an
3 effective date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1381HH 83
6 kh/nh/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 309 - Introduced continued

PAG LIN

1 1 Section 1. Section 257.17, Code 2009, is amended to read
1 2 as follows:

1 3 257.17 AID REDUCTION FOR EARLY SCHOOL STARTS.

1 4 State aid payments made pursuant to section 257.16 for a
1 5 fiscal year shall be reduced by one one-hundred-eightieth for
1 6 each day of that fiscal year for which the school district
1 7 begins school before the earliest starting date specified in
1 8 section 279.10, subsection 1. However, this section does not
1 9 apply to a school district that has received approval for a
1 10 pilot program for an innovative school year from the director
~~1 11 of the department of education under section 279.10,~~
1 12 ~~subsection 4, to commence classes for regularly established~~
~~1 13 elementary and secondary schools in advance of the starting~~
~~1 14 date established in section 279.10, subsection 1 3.~~

1 15 Sec. 2. Section 279.10, subsection 2, Code 2009, is
1 16 amended to read as follows:

1 17 2. The board of directors shall hold a public hearing on
1 18 any proposal request made pursuant to subsection 3 prior to
1 19 submitting it to the department of education for approval.

1 20 Sec. 3. Section 279.10, subsection 3, unnumbered paragraph
1 21 2, Code 2009, is amended to read as follows:

1 22 The board shall file a request for approval with the
1 23 department not later than November 1 of the preceding school
1 24 year. The request shall include a listing of the savings and
1 25 goals to be attained under the innovative school year subject
1 26 to rules adopted by the department under chapter 17A. The
1 27 department shall notify the districts of the approval or
1 28 denial of pilot programs not later than the next following
1 29 January 15. For each school year, the department may approve
1 30 not more than three innovative school year pilot program
1 31 requests.

1 32 Sec. 4. Section 279.10, subsection 4, Code 2009, is
1 33 amended by striking the subsection.

1 34 Sec. 5. EFFECTIVE DATE. This Act takes effect July 1,
1 35 2010, and is applicable for school years beginning on or after



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 309 - Introduced continued

2 1 that date.

2 2

EXPLANATION

2 3 This bill eliminates, effective for the school year
2 4 beginning July 1, 2010, the authority of the director of the
2 5 department of education to grant a request made by a board of
2 6 directors of a school district to commence classes prior to
2 7 the earliest school starting date allowed. The bill also
2 8 limits the department to granting only three requests per
2 9 school year for innovative school year pilot programs.

2 10 The bill makes a conforming change to eliminate an
2 11 exemption from aid reduction for early school starts, unless
2 12 the exemption is for a school district approved to implement
2 13 an innovative school year. Without the waiver, the school
2 14 district's state aid payments are reduced by 1/180 for each
2 15 day of that fiscal year for which the school district begins
2 16 school before the earliest starting date allowed.

2 17 LSB 1381HH 83

2 18 kh/nh/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 310 - Introduced

HOUSE FILE
BY COMMITTEE ON LOCAL
GOVERNMENT

(SUCCESSOR TO HF 51)

Passed House, Date _____
Vote: Ayes _____ Nays _____
Approved

Passed Senate, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to civil service employment residency
- 2 requirements.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 1510HV 83
- 5 md/sc/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 310 - Introduced continued

PAG LIN

1 1 Section 1. Section 400.17, unnumbered paragraph 3, Code
1 2 2009, is amended to read as follows:
1 3 Employees shall not be required to be a resident of the
1 4 city in which ~~they~~ the employees are employed, ~~but they shall~~
~~1 5 become a resident of the state at the time such appointment or~~
~~1 6 employment begins and shall remain a resident of the state~~
~~1 7 during employment.~~ Cities ~~However, cities~~ may set a
1 8 reasonable maximum ~~distances~~ distance outside of the corporate
1 9 limits of the city, or a reasonable maximum travel time, that
1 10 police officers, fire fighters, and other critical municipal
1 11 employees may live from their place of employment.

1 12 EXPLANATION

1 13 Under current law, an employee under civil service is
1 14 required to be a resident of the state. This bill eliminates
1 15 the state residency requirement. Under current law, cities
1 16 may set reasonable maximum distances outside the corporate
1 17 limits of the city that police officers, fire fighters, and
1 18 other critical employees may live. The bill instead allows
1 19 cities to set a reasonable maximum distance outside of the
1 20 corporate limits of the city, or a reasonable maximum travel
1 21 time, that police officers, fire fighters, and other critical
1 22 employees may live from their place of employment.

1 23 LSB 1510HV 83

1 24 md/sc/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 311 - Introduced

HOUSE FILE
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO HSB 141)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays
Approved

A BILL FOR

1 An Act requiring health care benefit coverage for certain
2 medically necessary prosthetic devices and providing an
3 applicability date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1927HV 83
6 av/rj/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House File 311 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 514C.24 COVERAGE FOR PROSTHETIC
1 2 DEVICES.
1 3 1. Notwithstanding the uniformity of treatment
1 4 requirements of section 514C.6, a policy, contract, or plan
1 5 providing for third-party payment or prepayment of health or
1 6 medical expenses shall provide coverage benefits for medically
1 7 necessary prosthetic devices when prescribed by a physician
1 8 licensed under chapter 148. Such coverage benefits for
1 9 medically necessary prosthetic devices shall provide coverage
1 10 for medically necessary prosthetic devices, that at a minimum,
1 11 equals the coverage and payment for medically necessary
1 12 prosthetic devices provided under the most recent federal laws
1 13 for health insurance for the aged and disabled pursuant to 42
1 14 U.S.C. } 1395k, 1395l, and 1395m, and 42 C.F.R. } 410.100,
1 15 414.202, 414.210, and 414.228, as applicable. For the
1 16 purposes of this section, "prosthetic device" means an
1 17 artificial limb device to replace, in whole or in part, an arm
1 18 or leg.
1 19 2. a. This section applies to the following classes of
1 20 third-party payment provider policies, contracts, or plans
1 21 delivered, issued for delivery, continued, or renewed in this
1 22 state on or after July 1, 2009:
1 23 (1) Individual or group accident and sickness insurance
1 24 providing coverage on an expense-incurred basis.
1 25 (2) An individual or group hospital or medical service
1 26 contract issued pursuant to chapter 509, 514, or 514A.
1 27 (3) An individual or group health maintenance organization
1 28 contract regulated under chapter 514B.
1 29 (4) A plan established pursuant to chapter 509A for public
1 30 employees.
1 31 (5) An organized delivery system licensed by the director
1 32 of public health.
1 33 b. This section shall not apply to accident only,
1 34 specified disease, short-term hospital or medical, hospital
1 35 confinement indemnity, credit, dental, vision, Medicare



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House File 311 - Introduced continued

2 1 supplement, long-term care, basic hospital and medical=
2 2 surgical expense coverage as defined by the commissioner,
2 3 disability income insurance coverage, coverage issued as a
2 4 supplement to liability insurance, workers' compensation or
2 5 similar insurance, or automobile medical payment insurance.

2 6 EXPLANATION

2 7 This bill provides that despite the uniformity of treatment
2 8 requirements of Code section 514C.6, an individual or group
2 9 policy, contract, or plan providing for third-party payments
2 10 of health or medical expenses is required to provide coverage
2 11 benefits for medically necessary prosthetic devices, that at a
2 12 minimum, equals the coverage and payment for medically
2 13 necessary prosthetic devices that is provided for under the
2 14 most recent federal laws for health insurance for the aged and
2 15 disabled. The bill applies to such policies, contracts, or
2 16 plans delivered, issued for delivery, continued, or renewed in
2 17 this state on or after July 1, 2009.

2 18 LSB 1927HV 83

2 19 av/rj/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House Study Bill 174

SENATE/HOUSE FILE
BY (PROPOSED GOVERNOR'S
BUDGET BILL)

Passed Senate, Date _____
Vote: Ayes _____ Nays _____
Approved

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act appropriating federal funds made available from federal
2 block grants and other federal grants, allocating portions of
3 federal block grants, and providing procedures if federal
4 funds are more or less than anticipated or if federal block
5 grants are more or less than anticipated.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 1018XG 83
8 jp/tm/8



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 174 continued

PAG LIN

1 1 Section 1. SUBSTANCE ABUSE APPROPRIATION.
 1 2 1. There is appropriated from the fund created by section
 1 3 8.41 to the department of public health for the federal fiscal
 1 4 year beginning October 1, 2009, and ending September 30, 2010,
 1 5 the following amount:
 1 6 \$ 13,477,961
 1 7 a. Funds appropriated in this subsection are the
 1 8 anticipated funds to be received from the federal government
 1 9 for the designated federal fiscal year under 42 U.S.C., ch.
 1 10 6A, subc. XVII, part B, subpart ii, which provides for the
 1 11 substance abuse prevention and treatment block grant. The
 1 12 department shall expend the funds appropriated in this
 1 13 subsection as provided in the federal law making the funds
 1 14 available and in conformance with chapter 17A.
 1 15 b. Of the funds appropriated in this subsection, an amount
 1 16 not exceeding 5 percent shall be used by the department for
 1 17 administrative expenses.
 1 18 c. The department shall expend no less than an amount
 1 19 equal to the amount expended for treatment services in the
 1 20 state fiscal year beginning July 1, 2008, for pregnant women
 1 21 and women with dependent children.
 1 22 d. Of the funds appropriated in this subsection, an amount
 1 23 not exceeding \$24,585 shall be used for audits.
 1 24 2. At least 20 percent of the funds remaining from the
 1 25 appropriation made in subsection 1 shall be allocated for
 1 26 prevention programs.
 1 27 3. In implementing the federal substance abuse prevention
 1 28 and treatment block grant under 42 U.S.C., ch. 6A, subc. XVII,
 1 29 and any other applicable provisions of the federal Public
 1 30 Health Service Act under 42 U.S.C., ch. 6A, the department
 1 31 shall apply the provisions of Pub. L. No. 106-310, } 3305, as
 1 32 codified in 42 U.S.C. } 300x-65, relating to services under
 1 33 such federal law being provided by religious and other
 1 34 nongovernmental organizations.
 1 35 Sec. 2. COMMUNITY MENTAL HEALTH SERVICES APPROPRIATION.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House Study Bill 174 continued

2 1 1. a. There is appropriated from the fund created by
2 2 section 8.41 to the department of human services for the
2 3 federal fiscal year beginning October 1, 2009, and ending
2 4 September 30, 2010, the following amount:
2 5 \$ 3,500,167
2 6 b. Funds appropriated in this subsection are the
2 7 anticipated funds to be received from the federal government
2 8 for the designated federal fiscal year under 42 U.S.C., ch.
2 9 6A, subc. XVII, part B, subpart i, which provides for the
2 10 community mental health services block grant. The department
2 11 shall expend the funds appropriated in this subsection as
2 12 provided in the federal law making the funds available and in
2 13 conformance with chapter 17A.
2 14 c. The department shall allocate not less than 95 percent
2 15 of the amount of the block grant to eligible community mental
2 16 health services providers for carrying out the plan submitted
2 17 to and approved by the federal substance abuse and mental
2 18 health services administration for the fiscal year involved.
2 19 d. Of the amount allocated to eligible services providers
2 20 under paragraph "c", 70 percent shall be distributed to the
2 21 state's accredited community mental health centers established
2 22 or designated by counties in accordance with law or
2 23 administrative rule. If a county has not established or
2 24 designated a community mental health center and has received a
2 25 waiver from the mental health, mental retardation,
2 26 developmental disabilities, and brain injury commission, the
2 27 mental health services provider designated by that county is
2 28 eligible to receive funding distributed pursuant to this
2 29 paragraph in lieu of a community mental health center. The
2 30 funding distributed shall be used by recipients of the funding
2 31 for the purpose of developing and providing evidence-based
2 32 practices and emergency services to adults with a serious
2 33 mental illness and children with a serious emotional
2 34 disturbance. The distribution amounts shall be announced at
2 35 the beginning of the federal fiscal year and distributed on a



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 174 continued

3 1 quarterly basis according to the formulas used in previous
3 2 fiscal years. Recipients shall submit quarterly reports
3 3 containing data consistent with the performance measures
3 4 approved by the federal substance abuse and mental health
3 5 services administration.

3 6 2. An amount not exceeding 5 percent of the funds
3 7 appropriated in subsection 1 shall be used by the department
3 8 of human services for administrative expenses. From the funds
3 9 set aside by this subsection for administrative expenses, the
3 10 department shall pay to the auditor of state an amount
3 11 sufficient to pay the cost of auditing the use and
3 12 administration of the state's portion of the funds
3 13 appropriated in subsection 1. The auditor of state shall bill
3 14 the department for the costs of the audits.

3 15 Sec. 3. MATERNAL AND CHILD HEALTH SERVICES APPROPRIATIONS.

3 16 1. There is appropriated from the fund created by section
3 17 8.41 to the department of public health for the federal fiscal
3 18 year beginning October 1, 2009, and ending September 30, 2010,
3 19 the following amount:

3 20 \$ 6,512,104

3 21 a. The funds appropriated in this subsection are the funds
3 22 anticipated to be received from the federal government for the
3 23 designated federal fiscal year under 42 U.S.C., ch. 7, subc.
3 24 V, which provides for the maternal and child health services
3 25 block grant. The department shall expend the funds
3 26 appropriated in this subsection as provided in the federal law
3 27 making the funds available and in conformance with chapter
3 28 17A.

3 29 b. Funds appropriated in this subsection shall not be used
3 30 by the university of Iowa hospitals and clinics for indirect
3 31 costs.

3 32 2. An amount not exceeding 10 percent of the funds
3 33 appropriated in subsection 1 shall be used by the department
3 34 of public health for administrative expenses.

3 35 3. The departments of public health, human services, and



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 174 continued

4 1 education and the university of Iowa's mobile and regional
 4 2 child health specialty clinics shall continue to pursue to the
 4 3 maximum extent feasible the coordination and integration of
 4 4 services to women and children.
 4 5 4. a. Sixty=three percent of the remaining funds
 4 6 appropriated in subsection 1 shall be allocated to supplement
 4 7 appropriations for maternal and child health programs within
 4 8 the department of public health. Of these funds, \$300,291
 4 9 shall be set aside for the statewide perinatal care program.
 4 10 b. Thirty=seven percent of the remaining funds
 4 11 appropriated in subsection 1 shall be allocated to the
 4 12 university of Iowa hospitals and clinics under the control of
 4 13 the state board of regents for mobile and regional child
 4 14 health specialty clinics. The university of Iowa hospitals
 4 15 and clinics shall not receive an allocation for indirect costs
 4 16 from the funds for this program. Priority shall be given to
 4 17 establishment and maintenance of a statewide system of mobile
 4 18 and regional child health specialty clinics.
 4 19 5. The department of public health shall administer the
 4 20 statewide maternal and child health program and the disabled
 4 21 children's program by conducting mobile and regional child
 4 22 health specialty clinics and conducting other activities to
 4 23 improve the health of low=income women and children and to
 4 24 promote the welfare of children with actual or potential
 4 25 handicapping conditions and chronic illnesses in accordance
 4 26 with the requirements of Title V of the federal Social
 4 27 Security Act.
 4 28 Sec. 4. PREVENTIVE HEALTH AND HEALTH SERVICES
 4 29 APPROPRIATIONS.
 4 30 1. There is appropriated from the fund created by section
 4 31 8.41 to the department of public health for the federal fiscal
 4 32 year beginning October 1, 2009, and ending September 30, 2010,
 4 33 the following amount:
 4 34 \$ 1,064,859
 4 35 Funds appropriated in this subsection are the funds



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 174 continued

5 1 anticipated to be received from the federal government for the
5 2 designated federal fiscal year under 42 U.S.C., ch. 6A, subc.
5 3 XVII, part A, which provides for the preventive health and
5 4 health services block grant. The department shall expend the
5 5 funds appropriated in this subsection as provided in the
5 6 federal law making the funds available and in conformance with
5 7 chapter 17A.

5 8 2. Of the funds appropriated in subsection 1, an amount
5 9 not more than 10 percent shall be used by the department for
5 10 administrative expenses.

5 11 3. Of the funds appropriated in subsection 1, the specific
5 12 amount of funds stipulated by the notice of the block grant
5 13 award shall be allocated for services to victims of sex
5 14 offenses and for rape prevention education.

5 15 4. After deducting the funds allocated in subsections 2
5 16 and 3, the remaining funds appropriated in subsection 1 may be
5 17 used by the department for healthy people 2010/healthy Iowans
5 18 2010 program objectives, preventive health advisory committee,
5 19 and risk reduction services, including nutrition programs,
5 20 health incentive programs, chronic disease services, emergency
5 21 medical services, monitoring of the fluoridation program and
5 22 start-up fluoridation grants, and acquired immune deficiency
5 23 syndrome services. The moneys specified in this subsection
5 24 shall not be used by the university of Iowa hospitals and
5 25 clinics or by the state hygienic laboratory for the funding of
5 26 indirect costs.

5 27 Sec. 5. STOP VIOLENCE AGAINST WOMEN GRANT PROGRAM
5 28 APPROPRIATION.

5 29 1. There is appropriated from the fund created by section
5 30 8.41 to the department of justice for the federal fiscal year
5 31 beginning October 1, 2009, and ending September 30, 2010, the
5 32 following amount:

5 33 \$ 1,393,190

5 34 Funds appropriated in this subsection are the anticipated
5 35 funds to be received from the federal government for the



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 174 continued

6 1 designated fiscal year under 42 U.S.C., ch. 46, } 3796gg=1,
 6 2 which provides for grants to combat violent crimes against
 6 3 women. The department of justice shall expend the funds
 6 4 appropriated in this subsection as provided in the federal law
 6 5 making the funds available and in conformance with chapter
 6 6 17A.

6 7 2. An amount not exceeding 10 percent of the funds
 6 8 appropriated in subsection 1 shall be used by the department
 6 9 of justice for administrative expenses. From the funds set
 6 10 aside by this subsection for administrative expenses, the
 6 11 department shall pay to the auditor of state an amount
 6 12 sufficient to pay the cost of auditing the use and
 6 13 administration of the state's portion of the funds
 6 14 appropriated in subsection 1.

6 15 Sec. 6. RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR STATE
 6 16 PRISONERS FORMULA GRANT PROGRAM. There is appropriated from
 6 17 the fund created by section 8.41 to the governor's office of
 6 18 drug control policy for the federal fiscal year beginning
 6 19 October 1, 2009, and ending September 30, 2010, the following
 6 20 amount:

6 21 \$ 77,360

6 22 Funds appropriated in this section are the funds
 6 23 anticipated to be received from the federal government for the
 6 24 designated fiscal year under 42 U.S.C., ch. 46, subc. XII=G,
 6 25 which provides grants for substance abuse treatment programs
 6 26 in state and local correctional facilities. The drug policy
 6 27 coordinator shall expend the funds appropriated in this
 6 28 section as provided in federal law making the funds available
 6 29 and in conformance with chapter 17A.

6 30 Sec. 7. EDWARD BYRNE JUSTICE ASSISTANCE GRANT PROGRAM
 6 31 APPROPRIATION.

6 32 1. There is appropriated from the fund created by section
 6 33 8.41 to the governor's office of drug control policy for the
 6 34 federal fiscal year beginning October 1, 2009, and ending
 6 35 September 30, 2010, the following amount:



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 174 continued

7 1 \$ 1,052,157
 7 2 Funds appropriated in this subsection are the anticipated
 7 3 funds to be received from the federal government for the
 7 4 designated fiscal year under 42 U.S.C., ch. 46, subc. V, which
 7 5 provides for the Edward Byrne memorial justice assistance
 7 6 grant program. The drug policy coordinator shall expend the
 7 7 funds appropriated in this subsection as provided in the
 7 8 federal law making the funds available and in conformance with
 7 9 chapter 17A.

7 10 2. An amount not exceeding 10 percent of the funds
 7 11 appropriated in subsection 1 shall be used by the drug policy
 7 12 coordinator for administrative expenses. From the funds set
 7 13 aside by this subsection for administrative expenses, the drug
 7 14 policy coordinator shall pay to the auditor of state an amount
 7 15 sufficient to pay the cost of auditing the use and
 7 16 administration of the state's portion of the funds
 7 17 appropriated in subsection 1.

7 18 Sec. 8. COMMUNITY SERVICES APPROPRIATIONS.

7 19 1. a. There is appropriated from the fund created by
 7 20 section 8.41 to the division of community action agencies of
 7 21 the department of human rights for the federal fiscal year
 7 22 beginning October 1, 2009, and ending September 30, 2010, the
 7 23 following amount:

7 24 \$ 7,037,445
 7 25 Funds appropriated in this subsection are the funds
 7 26 anticipated to be received from the federal government for the
 7 27 designated federal fiscal year under 42 U.S.C., ch. 106, which
 7 28 provides for the community services block grant. The division
 7 29 of community action agencies of the department of human rights
 7 30 shall expend the funds appropriated in this subsection as
 7 31 provided in the federal law making the funds available and in
 7 32 conformance with chapter 17A.

7 33 b. The administrator of the division of community action
 7 34 agencies of the department of human rights shall allocate not
 7 35 less than 96 percent of the amount of the block grant to



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 174 continued

8 1 eligible community action agencies for programs benefiting
 8 2 low-income persons. Each eligible agency shall receive a
 8 3 minimum allocation of not less than \$100,000. The minimum
 8 4 allocation shall be achieved by redistributing increased funds
 8 5 from agencies experiencing a greater share of available funds.
 8 6 The funds shall be distributed on the basis of the poverty=
 8 7 level population in the area represented by the community
 8 8 action areas compared to the size of the poverty-level
 8 9 population in the state.

8 10 2. An amount not exceeding 4 percent of the funds
 8 11 appropriated in subsection 1 shall be used by the division of
 8 12 community action agencies of the department of human rights
 8 13 for administrative expenses. From the funds set aside by this
 8 14 subsection for administrative expenses, the division of
 8 15 community action agencies of the department of human rights
 8 16 shall pay to the auditor of state an amount sufficient to pay
 8 17 the cost of auditing the use and administration of the state's
 8 18 portion of the funds appropriated in subsection 1. The
 8 19 auditor of state shall bill the division of community action
 8 20 agencies for the costs of the audits.

8 21 Sec. 9. COMMUNITY DEVELOPMENT APPROPRIATIONS.

8 22 1. There is appropriated from the fund created by section
 8 23 8.41 to the department of economic development for the federal
 8 24 fiscal year beginning October 1, 2009, and ending September
 8 25 30, 2010, the following amount:

8 26 \$ 25,700,000

8 27 Funds appropriated in this subsection are the funds
 8 28 anticipated to be received from the federal government for the
 8 29 designated federal fiscal year under 42 U.S.C., ch. 69, which
 8 30 provides for community development block grants. The
 8 31 department of economic development shall expend the funds
 8 32 appropriated in this subsection as provided in the federal law
 8 33 making the funds available and in conformance with chapter
 8 34 17A.

8 35 2. An amount not exceeding \$1,128,000 for the federal



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 174 continued

9 1 fiscal year beginning October 1, 2009, shall be used by the
 9 2 department of economic development for administrative expenses
 9 3 for the community development block grant. The total amount
 9 4 used for administrative expenses includes \$614,000 for the
 9 5 federal fiscal year beginning October 1, 2009, of funds
 9 6 appropriated in subsection 1 and a matching contribution from
 9 7 the state equal to \$514,000 from the appropriation of state
 9 8 funds for the community development block grant and state
 9 9 appropriations for related activities of the department of
 9 10 economic development. From the funds set aside for
 9 11 administrative expenses by this subsection, the department of
 9 12 economic development shall pay to the auditor of state an
 9 13 amount sufficient to pay the cost of auditing the use and
 9 14 administration of the state's portion of the funds
 9 15 appropriated in subsection 1. The auditor of state shall bill
 9 16 the department for the costs of the audit.

9 17 Sec. 10. LOW=INCOME HOME ENERGY ASSISTANCE APPROPRIATIONS.

9 18 1. There is appropriated from the fund created by section
 9 19 8.41 to the division of community action agencies of the
 9 20 department of human rights for the federal fiscal year
 9 21 beginning October 1, 2009, and ending September 30, 2010, the
 9 22 following amount:

9 23 \$ 67,802,538

9 24 The funds appropriated in this subsection are the funds
 9 25 anticipated to be received from the federal government for the
 9 26 designated federal fiscal year under 42 U.S.C., ch. 94, subc.
 9 27 II, which provides for the low-income home energy assistance
 9 28 block grants. The division of community action agencies of
 9 29 the department of human rights shall expend the funds
 9 30 appropriated in this subsection as provided in the federal law
 9 31 making the funds available and in conformance with chapter
 9 32 17A.

9 33 2. Up to 15 percent of the amount appropriated in this
 9 34 section that is actually received shall be used for
 9 35 residential weatherization or other related home repairs for



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 174 continued

10 1 low-income households. Of this allocation amount, not more
 10 2 than 10 percent may be used for administrative expenses.
 10 3 3. After subtracting the allocation in subsection 2, up to
 10 4 10 percent of the remainder is allocated for administrative
 10 5 expenses of the low-income home energy assistance program of
 10 6 which \$377,000 is allocated for administrative expenses of the
 10 7 division. The costs of auditing the use and administration of
 10 8 the portion of the appropriation in this section that is
 10 9 retained by the state shall be paid from the amount allocated
 10 10 in this subsection to the division. The auditor of state
 10 11 shall bill the division for the audit costs.

10 12 4. The remainder of the appropriation in this section
 10 13 following the allocations made in subsections 2 and 3, shall
 10 14 be used to help eligible households as defined in 42 U.S.C.,
 10 15 ch. 94, subc. II, to meet home energy costs.

10 16 5. Not more than 10 percent of the amount appropriated in
 10 17 this section that is actually received may be carried forward
 10 18 for use in the succeeding federal fiscal year.

10 19 6. Expenditures for assessment and resolution of energy
 10 20 problems shall be limited to 5 percent of the amount
 10 21 appropriated in this section that is actually received.

10 22 Sec. 11. SOCIAL SERVICES APPROPRIATIONS.

10 23 1. There is appropriated from the fund created by section
 10 24 8.41 to the department of human services for the federal
 10 25 fiscal year beginning October 1, 2009, and ending September
 10 26 30, 2010, the following amount:

10 27 \$ 16,680,041

10 28 Funds appropriated in this subsection are the funds
 10 29 anticipated to be received from the federal government for the
 10 30 designated federal fiscal year under 42 U.S.C., ch. 7, subc.
 10 31 XX, which provides for the social services block grant. The
 10 32 department of human services shall expend the funds
 10 33 appropriated in this subsection as provided in the federal law
 10 34 making the funds available and in conformance with chapter
 10 35 17A.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 174 continued

11 1 2. Not more than \$1,065,049 of the funds appropriated in
11 2 subsection 1 shall be used by the department of human services
11 3 for general administration. From the funds set aside in this
11 4 subsection for general administration, the department of human
11 5 services shall pay to the auditor of state an amount
11 6 sufficient to pay the cost of auditing the use and
11 7 administration of the state's portion of the funds
11 8 appropriated in subsection 1.

11 9 3. In addition to the allocation for general
11 10 administration in subsection 2, the remaining funds
11 11 appropriated in subsection 1 shall be allocated in the
11 12 following amounts to supplement appropriations for the federal
11 13 fiscal year beginning October 1, 2009, for the following
11 14 programs within the department of human services:

- 11 15 a. Field operations:
11 16 \$ 6,370,179
- 11 17 b. Child and family services:
11 18 \$ 951,463
- 11 19 c. Local administrative costs and other local services:
11 20 \$ 675,575
- 11 21 d. Volunteers:
11 22 \$ 73,963
- 11 23 e. MH/MR/DD/BI community services (local purchase):
11 24 \$ 7,540,812

11 25 Sec. 12. SOCIAL SERVICES BLOCK GRANT PLAN. The department
11 26 of human services during each state fiscal year shall develop
11 27 a plan for the use of federal social services block grant
11 28 funds for the subsequent state fiscal year.

11 29 The proposed plan shall include all programs and services
11 30 at the state level which the department proposes to fund with
11 31 federal social services block grant funds, and shall identify
11 32 state and other funds which the department proposes to use to
11 33 fund the state programs and services.

11 34 The proposed plan shall also include all local programs and
11 35 services which are eligible to be funded with federal social



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House Study Bill 174 continued

12 1 services block grant funds, the total amount of federal social
12 2 services block grant funds available for the local programs
12 3 and services, and the manner of distribution of the federal
12 4 social services block grant funds to the counties. The
12 5 proposed plan shall identify state and local funds which will
12 6 be used to fund the local programs and services.

12 7 The proposed plan shall be submitted with the department's
12 8 budget requests to the governor and the general assembly.

12 9 Sec. 13. PROJECTS FOR ASSISTANCE IN TRANSITION FROM
12 10 HOMELESSNESS.

12 11 1. Upon receipt of the minimum formula grant from the
12 12 federal alcohol, drug abuse, and mental health administration
12 13 to provide mental health services for the homeless, for the
12 14 federal fiscal year beginning October 1, 2009, and ending
12 15 September 30, 2010, the department of human services shall
12 16 assure that a project which receives funds under the formula
12 17 grant from either the federal or local match share of 25
12 18 percent in order to provide outreach services to persons who
12 19 have chronic mental illness and are homeless or who are
12 20 subject to a significant probability of becoming homeless
12 21 shall do all of the following:

12 22 a. Provide community mental health services, diagnostic
12 23 services, crisis intervention services, and habilitation and
12 24 rehabilitation services.

12 25 b. Refer clients to medical facilities for necessary
12 26 hospital services, and to entities that provide primary health
12 27 services and substance abuse services.

12 28 c. Provide appropriate training to persons who provide
12 29 services to persons targeted by the grant.

12 30 d. Provide case management to homeless persons.

12 31 e. Provide supportive and supervisory services to certain
12 32 homeless persons living in residential settings which are not
12 33 otherwise supported.

12 34 2. Projects may expend funds for housing services
12 35 including minor renovation, expansion and repair of housing,



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 174 continued

13 1 security deposits, planning of housing, technical assistance
13 2 in applying for housing, improving the coordination of housing
13 3 services, the costs associated with matching eligible homeless
13 4 individuals with appropriate housing, and one-time rental
13 5 payments to prevent eviction.

13 6 Sec. 14. CHILD CARE AND DEVELOPMENT APPROPRIATION. There
13 7 is appropriated from the fund created by section 8.41 to the
13 8 department of human services for the federal fiscal year
13 9 beginning October 1, 2009, and ending September 30, 2010, the
13 10 following amount:

13 11 \$ 43,311,572

13 12 Funds appropriated in this section are the funds
13 13 anticipated to be received from the federal government under
13 14 42 U.S.C., ch. 105, subc. II=B, which provides for the child
13 15 care and development block grant. The department shall expend
13 16 the funds appropriated in this section as provided in the
13 17 federal law making the funds available and in conformance with
13 18 chapter 17A.

13 19 Moneys appropriated in this section that remain
13 20 unencumbered or unobligated at the close of the fiscal year
13 21 shall revert to be available for appropriation for purposes of
13 22 the child care and development block grant in the succeeding
13 23 fiscal year.

13 24 Sec. 15. PROCEDURE FOR REDUCED FEDERAL FUNDS.

13 25 1. If the funds received from the federal government for
13 26 the block grants specified in this Act are less than the
13 27 amounts appropriated, the funds actually received shall be
13 28 prorated by the governor for the various programs, other than
13 29 for the services to victims of sex offenses and for rape
13 30 prevention education under section 4, subsection 3, of this
13 31 Act, for which each block grant is available according to the
13 32 percentages that each program is to receive as specified in
13 33 this Act. However, if the governor determines that the funds
13 34 allocated by the percentages will not be sufficient to
13 35 accomplish the purposes of a particular program, or if the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House Study Bill 174 continued

14 1 appropriation is not allocated by percentage, the governor may
14 2 allocate the funds in a manner which will accomplish to the
14 3 greatest extent possible the purposes of the various programs
14 4 for which the block grants are available.

14 5 2. Before the governor implements the actions provided for
14 6 in subsection 1, the following procedures shall be taken:

14 7 a. The chairpersons and ranking members of the senate and
14 8 house standing committees on appropriations, the appropriate
14 9 chairpersons and ranking members of subcommittees of those
14 10 committees, and the director of the legislative services
14 11 agency shall be notified of the proposed action.

14 12 b. The notice shall include the proposed allocations, and
14 13 information on the reasons why particular percentages or
14 14 amounts of funds are allocated to the individual programs, the
14 15 departments and programs affected, and other information
14 16 deemed useful. Chairpersons and ranking members notified
14 17 shall be allowed at least two weeks to review and comment on
14 18 the proposed action before the action is taken.

14 19 Sec. 16. PROCEDURE FOR INCREASED FEDERAL FUNDS.

14 20 1. If funds received from the federal government in the
14 21 form of block grants exceed the amounts appropriated in
14 22 sections 1, 2, 3, 4, 7, 9, and 11 of this Act, the excess
14 23 shall be prorated to the appropriate programs according to the
14 24 percentages specified in those sections, except additional
14 25 funds shall not be prorated for administrative expenses.

14 26 2. If actual funds received from the federal government
14 27 from block grants exceed the amount appropriated in section 10
14 28 of this Act for the low-income home energy assistance program,
14 29 not more than 15 percent of the excess may be allocated to the
14 30 low-income residential weatherization program and not more
14 31 than 5 percent of the excess may be used for administrative
14 32 costs.

14 33 3. If funds received from the federal government from
14 34 community services block grants exceed the amount appropriated
14 35 in section 8 of this Act, 100 percent of the excess is



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 174 continued

15 1 allocated to the community services block grant program.
15 2 Sec. 17. PROCEDURE FOR EXPENDITURE OF ADDITIONAL FEDERAL
15 3 FUNDS. If other federal grants, receipts, and funds and other
15 4 nonstate grants, receipts, and funds become available or are
15 5 awarded which are not available or awarded during the period
15 6 in which the general assembly is in session, but which require
15 7 expenditure by the applicable department or agency prior to
15 8 March 15 of the fiscal year beginning July 1, 2009, and ending
15 9 June 30, 2010, these grants, receipts, and funds are
15 10 appropriated to the extent necessary, provided that the fiscal
15 11 committee of the legislative council is notified within thirty
15 12 days of receipt of the grants, receipts, or funds and the
15 13 fiscal committee of the legislative council has an opportunity
15 14 to comment on the expenditure of the grants, receipts, or
15 15 funds.
15 16 Sec. 18. DEPARTMENT OF ADMINISTRATIVE SERVICES. Federal
15 17 grants, receipts, and funds and other nonstate grants,
15 18 receipts, and funds, available in whole or in part of the
15 19 fiscal year beginning July 1, 2009, and ending June 30, 2010,
15 20 are appropriated to the department of administrative services
15 21 for the purposes set forth in the grants, receipts, or
15 22 conditions accompanying the receipt of the funds, unless
15 23 otherwise provided by law.
15 24 Sec. 19. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP.
15 25 Federal grants, receipts, and funds and other nonstate grants,
15 26 receipts, and funds, available in whole or in part for the
15 27 fiscal year beginning July 1, 2009, and ending June 30, 2010,
15 28 are appropriated to the department of agriculture and land
15 29 stewardship for the purposes set forth in the grants,
15 30 receipts, or conditions accompanying the receipt of the funds,
15 31 unless otherwise provided by law.
15 32 Sec. 20. OFFICE OF AUDITOR OF STATE. Federal grants,
15 33 receipts, and funds and other nonstate grants, receipts, and
15 34 funds, available in whole or in part for the fiscal year
15 35 beginning July 1, 2009, and ending June 30, 2010, are



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 174 continued

16 1 appropriated to the office of auditor of state for the
16 2 purposes set forth in the grants, receipts, or conditions
16 3 accompanying the receipt of the funds, unless otherwise
16 4 provided by law.

16 5 Sec. 21. DEPARTMENT FOR THE BLIND. Federal grants,
16 6 receipts, and funds and other nonstate grants, receipts, and
16 7 funds, available in whole or in part for the fiscal year
16 8 beginning July 1, 2009, and ending June 30, 2010, are
16 9 appropriated to the department for the blind for the purposes
16 10 set forth in the grants, receipts, or conditions accompanying
16 11 the receipt of the funds, unless otherwise provided by law.

16 12 Sec. 22. IOWA STATE CIVIL RIGHTS COMMISSION. Federal
16 13 grants, receipts, and funds and other nonstate grants,
16 14 receipts, and funds, available in whole or in part for the
16 15 fiscal year beginning July 1, 2009, and ending June 30, 2010,
16 16 are appropriated to the Iowa state civil rights commission for
16 17 the purposes set forth in the grants, receipts, or conditions
16 18 accompanying the receipt of the funds, unless otherwise
16 19 provided by law.

16 20 Sec. 23. COLLEGE STUDENT AID COMMISSION. Federal grants,
16 21 receipts, and funds and other nonstate grants, receipts, and
16 22 funds, available in whole or in part for the fiscal year
16 23 beginning July 1, 2009, and ending June 30, 2010, are
16 24 appropriated to the college student aid commission for the
16 25 purposes set forth in the grants, receipts, or conditions
16 26 accompanying the receipt of the funds, unless otherwise
16 27 provided by law.

16 28 Sec. 24. DEPARTMENT OF COMMERCE. Federal grants,
16 29 receipts, and funds and other nonstate grants, receipts, and
16 30 funds, available in whole or in part for the fiscal year
16 31 beginning July 1, 2009, and ending June 30, 2010, are
16 32 appropriated to the department of commerce for the purposes
16 33 set forth in the grants, receipts, or conditions accompanying
16 34 the receipt of the funds, unless otherwise provided by law.

16 35 Sec. 25. DEPARTMENT OF CORRECTIONS. Federal grants,



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House Study Bill 174 continued

17 1 receipts, and funds and other nonstate grants, receipts, and
17 2 funds, available in whole or in part for the fiscal year
17 3 beginning July 1, 2009, and ending June 30, 2010, are
17 4 appropriated to the department of corrections for the purposes
17 5 set forth in the grants, receipts, or conditions accompanying
17 6 the receipt of the funds, unless otherwise provided by law.

17 7 Sec. 26. DEPARTMENT OF CULTURAL AFFAIRS. Federal grants,
17 8 receipts, and funds and other nonstate grants, receipts, and
17 9 funds, available in whole or in part for the fiscal year
17 10 beginning July 1, 2009, and ending June 30, 2010, are
17 11 appropriated to the department of cultural affairs for the
17 12 purposes set forth in the grants, receipts, or conditions
17 13 accompanying the receipt of the funds, unless otherwise
17 14 provided by law.

17 15 Sec. 27. DEPARTMENT OF ECONOMIC DEVELOPMENT. Federal
17 16 grants, receipts, and funds and other nonstate grants,
17 17 receipts, and funds, available in whole or in part for the
17 18 fiscal year beginning July 1, 2009, and ending June 30, 2010,
17 19 are appropriated to the department of economic development for
17 20 the purposes set forth in the grants, receipts, or conditions
17 21 accompanying the receipt of the funds, unless otherwise
17 22 provided by law.

17 23 Sec. 28. DEPARTMENT OF EDUCATION. Federal grants,
17 24 receipts, and funds and other nonstate grants, receipts, and
17 25 funds, available in whole or in part for the fiscal year
17 26 beginning July 1, 2009, and ending June 30, 2010, are
17 27 appropriated to the department of education for the purposes
17 28 set forth in the grants, receipts, or conditions accompanying
17 29 the receipt of the funds, unless otherwise provided by law.

17 30 Sec. 29. DEPARTMENT OF ELDER AFFAIRS. Federal grants,
17 31 receipts, and funds and other nonstate grants, receipts, and
17 32 funds, available in whole or in part for the fiscal year
17 33 beginning July 1, 2009, and ending June 30, 2010, are
17 34 appropriated to the department of elder affairs for the
17 35 purposes set forth in the grants, receipts, or conditions



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House Study Bill 174 continued

18 1 accompanying the receipt of the funds, unless otherwise
18 2 provided by law.

18 3 Sec. 30. OFFICE OF ENERGY INDEPENDENCE. Federal grants,
18 4 receipts, and funds and other nonstate grants, receipts, and
18 5 funds, available in whole or in part for the fiscal year
18 6 beginning July 1, 2009, and ending June 30, 2010, are
18 7 appropriated to the office of energy independence for the
18 8 purposes set forth in the grants, receipts, or conditions
18 9 accompanying the receipt of the funds, unless otherwise
18 10 provided by law.

18 11 Sec. 31. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD.
18 12 Federal grants, receipts, and funds and other nonstate grants,
18 13 receipts, and funds, available in whole or in part for the
18 14 fiscal year beginning July 1, 2009, and ending June 30, 2010,
18 15 are appropriated to the Iowa ethics and campaign disclosure
18 16 board for the purposes set forth in the grants, receipts, or
18 17 conditions accompanying the receipt of the funds, unless
18 18 otherwise provided by law.

18 19 Sec. 32. IOWA FINANCE AUTHORITY. Federal grants,
18 20 receipts, and funds and other nonstate grants, receipts, and
18 21 funds, available in whole or in part for the fiscal year
18 22 beginning July 1, 2009, and ending June 30, 2010, are
18 23 appropriated to the Iowa finance authority for the purposes
18 24 set forth in the grants, receipts, or conditions accompanying
18 25 the receipt of the funds, unless otherwise provided by law.

18 26 Sec. 33. OFFICES OF THE GOVERNOR AND LIEUTENANT GOVERNOR.
18 27 Federal grants, receipts, and funds and other nonstate grants,
18 28 receipts, and funds, available in whole or in part for the
18 29 fiscal year beginning July 1, 2009, and ending June 30, 2010,
18 30 are appropriated to the offices of the governor and lieutenant
18 31 governor for the purposes set forth in the grants, receipts,
18 32 or conditions accompanying the receipt of the funds, unless
18 33 otherwise provided by law.

18 34 Sec. 34. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY.
18 35 Federal grants, receipts, and funds and other nonstate grants,



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 174 continued

19 1 receipts, and funds, available in whole or in part for the
19 2 fiscal year beginning July 1, 2009, and ending June 30, 2010,
19 3 are appropriated to the governor's office of drug control
19 4 policy for the purposes set forth in the grants, receipts, or
19 5 conditions accompanying the receipt of the funds, unless
19 6 otherwise provided by law.

19 7 Sec. 35. DEPARTMENT OF HUMAN RIGHTS. Federal grants,
19 8 receipts, and funds and other nonstate grants, receipts, and
19 9 funds, available in whole or in part for the fiscal year
19 10 beginning July 1, 2009, and ending June 30, 2010, are
19 11 appropriated to the department of human rights for the
19 12 purposes set forth in the grants, receipts, or conditions
19 13 accompanying the receipt of the funds, unless otherwise
19 14 provided by law.

19 15 Sec. 36. DEPARTMENT OF HUMAN SERVICES. Federal grants,
19 16 receipts, and funds and other nonstate grants, receipts, and
19 17 funds, available in whole or in part for the fiscal year
19 18 beginning July 1, 2009, and ending June 30, 2010, are
19 19 appropriated to the department of human services, for the
19 20 purposes set forth in the grants, receipts, or conditions
19 21 accompanying the receipt of the funds, unless otherwise
19 22 provided by law.

19 23 Sec. 37. DEPARTMENT OF INSPECTIONS AND APPEALS. Federal
19 24 grants, receipts, and funds and other nonstate grants,
19 25 receipts, and funds, available in whole or in part for the
19 26 fiscal year beginning July 1, 2009, and ending June 30, 2010,
19 27 are appropriated to the department of inspections and appeals
19 28 for the purposes set forth in the grants, receipts, or
19 29 conditions accompanying the receipt of the funds, unless
19 30 otherwise provided by law.

19 31 Sec. 38. JUDICIAL BRANCH. Federal grants, receipts, and
19 32 funds and other nonstate grants, receipts, and funds,
19 33 available in whole or in part for the fiscal year beginning
19 34 July 1, 2009, and ending June 30, 2010, are appropriated to
19 35 the judicial branch for the purposes set forth in the grants,



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House Study Bill 174 continued

20 1 receipts, or conditions accompanying the receipt of the funds,
20 2 unless otherwise provided by law.

20 3 Sec. 39. DEPARTMENT OF JUSTICE. Federal grants, receipts,
20 4 and funds and other nonstate grants, receipts, and funds,
20 5 available in whole or in part for the fiscal year beginning
20 6 July 1, 2009, and ending June 30, 2010, are appropriated to
20 7 the department of justice for the purposes set forth in the
20 8 grants, receipts, or conditions accompanying the receipt of
20 9 the funds, unless otherwise provided by law.

20 10 Sec. 40. IOWA LAW ENFORCEMENT ACADEMY. Federal grants,
20 11 receipts, and funds and other nonstate grants, receipts, and
20 12 funds, available in whole or in part for the fiscal year
20 13 beginning July 1, 2009, and ending June 30, 2010, are
20 14 appropriated to the Iowa law enforcement academy for the
20 15 purposes set forth in the grants, receipts, or conditions
20 16 accompanying the receipt of the funds, unless otherwise
20 17 provided by law.

20 18 Sec. 41. DEPARTMENT OF MANAGEMENT. Federal grants,
20 19 receipts, and funds and other nonstate grants, receipts, and
20 20 funds, available in whole or in part for the fiscal year
20 21 beginning July 1, 2009, and ending June 30, 2010, are
20 22 appropriated to the department of management for the purposes
20 23 set forth in the grants, receipts, or conditions accompanying
20 24 the receipt of the funds, unless otherwise provided by law.

20 25 Sec. 42. DEPARTMENT OF NATURAL RESOURCES. Federal grants,
20 26 receipts, and funds and other nonstate grants, receipts, and
20 27 funds, available in whole or in part for the fiscal year
20 28 beginning July 1, 2009, and ending June 30, 2010, are
20 29 appropriated to the department of natural resources for the
20 30 purposes set forth in the grants, receipts, or conditions
20 31 accompanying the receipt of the funds, unless otherwise
20 32 provided by law.

20 33 Sec. 43. BOARD OF PAROLE. Federal grants, receipts, and
20 34 funds and other nonstate grants, receipts, and funds,
20 35 available in whole or in part for the fiscal year beginning



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 174 continued

21 1 July 1, 2009, and ending June 30, 2010, are appropriated to
21 2 the board of parole for the purposes set forth in the grants,
21 3 receipts, or conditions accompanying the receipt of the funds,
21 4 unless otherwise provided by law.

21 5 Sec. 44. DEPARTMENT OF PUBLIC DEFENSE. Federal grants,
21 6 receipts, and funds and other nonstate grants, receipts, and
21 7 funds, available in whole or in part for the fiscal year
21 8 beginning July 1, 2009, and ending June 30, 2010, are
21 9 appropriated to the department of public defense for the
21 10 purposes set forth in the grants, receipts, or conditions
21 11 accompanying the receipt of the funds, unless otherwise
21 12 provided by law.

21 13 Sec. 45. PUBLIC EMPLOYMENT RELATIONS BOARD. Federal
21 14 grants, receipts, and funds and other nonstate grants,
21 15 receipts, and funds, available in whole or in part for the
21 16 fiscal year beginning July 1, 2009, and ending June 30, 2010,
21 17 are appropriated to the public employment relations board for
21 18 the purposes set forth in the grants, receipts, or conditions
21 19 accompanying the receipt of the funds, unless otherwise
21 20 provided by law.

21 21 Sec. 46. DEPARTMENT OF PUBLIC HEALTH. Federal grants,
21 22 receipts, and funds and other nonstate grants, receipts, and
21 23 funds, available in whole or in part for the fiscal year
21 24 beginning July 1, 2009, and ending June 30, 2010, are
21 25 appropriated to the department of public health for the
21 26 purposes set forth in the grants, receipts, or conditions
21 27 accompanying the receipt of the funds, unless otherwise
21 28 provided by law.

21 29 Sec. 47. DEPARTMENT OF PUBLIC SAFETY. Federal grants,
21 30 receipts, and funds and other nonstate grants, receipts, and
21 31 funds, available in whole or in part for the fiscal year
21 32 beginning July 1, 2009, and ending June 30, 2010, are
21 33 appropriated to the department of public safety, for the
21 34 purposes set forth in the grants, receipts, or conditions
21 35 accompanying the receipt of the funds, unless otherwise



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 174 continued

22 1 provided by law.

22 2 Sec. 48. STATE BOARD OF REGENTS. Federal grants,
22 3 receipts, and funds and other nonstate grants, receipts, and
22 4 funds, available in whole or in part for the fiscal year
22 5 beginning July 1, 2009, and ending June 30, 2010, are
22 6 appropriated to the state board of regents for the purposes
22 7 set forth in the grants, receipts, or conditions accompanying
22 8 the receipt of the funds, unless otherwise provided by law.

22 9 Sec. 49. DEPARTMENT OF REVENUE. Federal grants, receipts,
22 10 and funds and other nonstate grants, receipts, and funds,
22 11 available in whole or in part for the fiscal year beginning
22 12 July 1, 2009, and ending June 30, 2010, are appropriated to
22 13 the department of revenue for the purposes set forth in the
22 14 grants, receipts, or conditions accompanying the receipt of
22 15 the funds, unless otherwise provided by law.

22 16 Sec. 50. OFFICE OF SECRETARY OF STATE. Federal grants,
22 17 receipts, and funds and other nonstate grants, receipts, and
22 18 funds, available in whole or in part for the fiscal year
22 19 beginning July 1, 2009, and ending June 30, 2010, are
22 20 appropriated to the office of secretary of state for the
22 21 purposes set forth in the grants, receipts, or conditions
22 22 accompanying the receipt of the funds, unless otherwise
22 23 provided by law.

22 24 Sec. 51. IOWA STATE FAIR AUTHORITY. Federal grants,
22 25 receipts, and funds and other nonstate grants, receipts, and
22 26 funds, available in whole or in part for the fiscal year
22 27 beginning July 1, 2009, and ending June 30, 2010, are
22 28 appropriated to the Iowa state fair authority for the purposes
22 29 set forth in the grants, receipts, or conditions accompanying
22 30 the receipt of the funds, unless otherwise provided by law.

22 31 Sec. 52. OFFICE FOR STATE=FEDERAL RELATIONS. Federal
22 32 grants, receipts, and funds and other nonstate grants,
22 33 receipts, and funds, available in whole or in part for the
22 34 fiscal year beginning July 1, 2009, and ending June 30, 2010,
22 35 are appropriated to the office for state=federal relations for



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House Study Bill 174 continued

23 1 the purposes set forth in the grants, receipts, or conditions
23 2 accompanying the receipt of the funds, unless otherwise
23 3 provided by law.

23 4 Sec. 53. IOWA TELECOMMUNICATIONS AND TECHNOLOGY
23 5 COMMISSION. Federal grants, receipts, and funds and other
23 6 nonstate grants, receipts, and funds, available in whole or in
23 7 part for the fiscal year beginning July 1, 2009, and ending
23 8 June 30, 2010, are appropriated to the Iowa telecommunications
23 9 and technology commission for the purposes set forth in the
23 10 grants, receipts, or conditions accompanying the receipt of
23 11 the funds, unless otherwise provided by law.

23 12 Sec. 54. OFFICE OF TREASURER OF STATE. Federal grants,
23 13 receipts, and funds and other nonstate grants, receipts, and
23 14 funds, available in whole or in part for the fiscal year
23 15 beginning July 1, 2009, and ending June 30, 2010, are
23 16 appropriated to the office of treasurer of state for the
23 17 purposes set forth in the grants, receipts, or conditions
23 18 accompanying the receipt of the funds, unless otherwise
23 19 provided by law.

23 20 Sec. 55. DEPARTMENT OF TRANSPORTATION. Federal grants,
23 21 receipts, and funds and other nonstate grants, receipts, and
23 22 funds, available in whole or in part for the fiscal year
23 23 beginning July 1, 2009, and ending June 30, 2010, are
23 24 appropriated to the department of transportation for the
23 25 purposes set forth in the grants, receipts, or conditions
23 26 accompanying the receipt of the funds, unless otherwise
23 27 provided by law.

23 28 Sec. 56. DEPARTMENT OF VETERANS AFFAIRS. Federal grants,
23 29 receipts, and funds and other nonstate grants, receipts, and
23 30 funds, available in whole or in part for the fiscal year
23 31 beginning July 1, 2009, and ending June 30, 2010, are
23 32 appropriated to the department of veterans affairs for the
23 33 purposes set forth in the grants, receipts, or conditions
23 34 accompanying the receipt of the funds, unless otherwise
23 35 provided by law.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009

House Study Bill 175

SENATE/HOUSE FILE
BY (PROPOSED GOVERNOR'S
BUDGET BILL)

Passed Senate, Date _____
Vote: Ayes _____ Nays _____
Approved

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to and making transportation and other
2 infrastructure-related appropriations to the department of
3 transportation, including allocation and use of moneys from
4 the road use tax fund and the primary road fund.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TL5B 1016XG 83
7 dea/tm:jp/8



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 175 continued

PAG LIN

1 1 Section 1. ROAD USE TAX FUND. There is appropriated from
 1 2 the road use tax fund created in section 312.1 to the
 1 3 department of transportation for the fiscal year beginning
 1 4 July 1, 2009, and ending June 30, 2010, the following amounts,
 1 5 or so much thereof as is necessary, to be used for the
 1 6 purposes designated:

1 7 1. For the payment of costs associated with the production
 1 8 of driver's licenses, as defined in section 321.1, subsection
 1 9 20A:

1 10 \$ 4,195,000

1 11 Notwithstanding section 8.33, moneys appropriated in this
 1 12 subsection that remain unencumbered or unobligated at the
 1 13 close of the fiscal year shall not revert but shall remain
 1 14 available for subsequent fiscal years for the purposes
 1 15 specified in this subsection.

1 16 2. For salaries, support, maintenance, and miscellaneous
 1 17 purposes:

1 18 a. Operations:
 1 19 \$ 6,657,336

1 20 b. Planning:
 1 21 \$ 506,515

1 22 c. Motor vehicles:
 1 23 \$ 36,752,012

1 24 3. For payments to the department of administrative
 1 25 services for utility services:
 1 26 \$ 225,000

1 27 4. Unemployment compensation:
 1 28 \$ 7,000

1 29 5. For payments to the department of administrative
 1 30 services for paying workers' compensation claims under chapter
 1 31 85 on behalf of employees of the department of transportation:
 1 32 \$ 142,000

1 33 6. For payment to the general fund of the state for
 1 34 indirect cost recoveries:
 1 35 \$ 78,000



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 175 continued

2 1 7. For reimbursement to the auditor of state for audit
 2 2 expenses as provided in section 11.5B:
 2 3 \$ 67,319
 2 4 8. For automation, telecommunications, and related costs
 2 5 associated with the county issuance of driver's licenses and
 2 6 vehicle registrations and titles:
 2 7 \$ 1,394,000
 2 8 9. For transfer to the department of public safety for
 2 9 operating a system providing toll-free telephone road and
 2 10 weather conditions information:
 2 11 \$ 100,000
 2 12 10. For costs associated with the participation in the
 2 13 Mississippi river parkway commission:
 2 14 \$ 40,000
 2 15 11. For membership in North America's supercorridor
 2 16 coalition:
 2 17 \$ 50,000
 2 18 12. For motor vehicle division field facility maintenance
 2 19 projects at various locations:
 2 20 \$ 200,000
 2 21 Notwithstanding section 8.33, moneys appropriated in this
 2 22 subsection that remain unencumbered or unobligated at the
 2 23 close of the fiscal year shall not revert but shall remain
 2 24 available for expenditure for the purposes designated until
 2 25 the close of the fiscal year that begins July 1, 2012.
 2 26 Sec. 2. PRIMARY ROAD FUND. There is appropriated from the
 2 27 primary road fund created in section 313.3 to the department
 2 28 of transportation for the fiscal year beginning July 1, 2009,
 2 29 and ending June 30, 2010, the following amounts, or so much
 2 30 thereof as is necessary, to be used for the purposes
 2 31 designated:
 2 32 1. For salaries, support, maintenance, miscellaneous
 2 33 purposes:
 2 34 a. Operations:
 2 35 \$ 40,890,860



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 175 continued

3	1	b. Planning:	
3	2	.....	\$ 9,611,696
3	3	c. Highways:	
3	4	.....	\$236,263,176
3	5	d. Motor vehicles:	
3	6	.....	\$ 1,555,005
3	7	2. For payments to the department of administrative	
3	8	services for utility services:	
3	9	.....	\$ 1,382,000
3	10	3. Unemployment compensation:	
3	11	.....	\$ 138,000
3	12	4. For payments to the department of administrative	
3	13	services for paying workers' compensation claims under chapter	
3	14	85 on behalf of the employees of the department of	
3	15	transportation:	
3	16	.....	\$ 3,406,000
3	17	5. For disposal of hazardous wastes from field locations	
3	18	and the central complex:	
3	19	.....	\$ 800,000
3	20	6. For payment to the general fund of the state for	
3	21	indirect cost recoveries:	
3	22	.....	\$ 572,000
3	23	7. For reimbursement to the auditor of state for audit	
3	24	expenses as provided in section 11.5B:	
3	25	.....	\$ 415,181
3	26	8. For costs associated with producing transportation	
3	27	maps:	
3	28	.....	\$ 242,000
3	29	9. For inventory and equipment replacement:	
3	30	.....	\$ 2,250,000
3	31	10. For utility improvements at various locations:	
3	32	.....	\$ 400,000
3	33	11. For roofing projects at various locations:	
3	34	.....	\$ 200,000
3	35	12. For heating, cooling, and exhaust system improvements	



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 175 continued

4 1 at various locations:
 4 2 \$ 100,000
 4 3 13. For deferred maintenance projects at field facilities
 4 4 throughout the state:
 4 5 \$ 1,000,000
 4 6 14. For construction of a new Rockwell City garage:
 4 7 \$ 3,000,000
 4 8 15. For federal Americans With Disabilities Act
 4 9 improvements at various locations:
 4 10 \$ 120,000
 4 11 16. For elevator upgrades at the Ames complex:
 4 12 \$ 100,000
 4 13 Notwithstanding section 8.33, moneys appropriated in
 4 14 subsections 10 through 16 that remain unencumbered or
 4 15 unobligated at the close of the fiscal year shall not revert
 4 16 but shall remain available for expenditure for the purposes
 4 17 designated until the close of the fiscal year that begins July
 4 18 1, 2012.

4 19 EXPLANATION

4 20 This bill makes and limits appropriations for FY 2009=2010
 4 21 from the road use tax fund and the primary road fund to the
 4 22 department of transportation.
 4 23 Appropriations from the road use tax fund include
 4 24 appropriations for driver's license production costs,
 4 25 salaries, operations, planning, motor vehicles, utility
 4 26 services provided by the department of administrative
 4 27 services, unemployment and workers' compensation, indirect
 4 28 cost recoveries, audits, county issuance of driver's licenses
 4 29 and vehicle registration and titling, a system providing
 4 30 toll-free telephone road and weather reports, participation in
 4 31 the Mississippi river parkway commission, membership in North
 4 32 America's supercorridor coalition, and motor vehicle division
 4 33 field facility maintenance projects.
 4 34 Appropriations from the primary road fund include
 4 35 appropriations for salaries, operations, planning, highways,



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 13, 2009**

House Study Bill 175 continued

5 1 motor vehicles, utility services provided by the department of
5 2 administrative services, unemployment and workers'
5 3 compensation, hazardous waste disposal, indirect cost
5 4 recoveries, audits, production of transportation maps,
5 5 inventory and equipment replacement, utility projects, roofing
5 6 projects, heating and cooling improvements, deferred
5 7 maintenance at field facilities, replacement of the Rockwell
5 8 City garage, various federal Americans With Disabilities Act
5 9 improvements, and elevator upgrades at the Ames complex.
5 10 LSB 1016XG 83
5 11 dea/tm:jp/8.1