

size of family, location of residence, and such other factors as may be considered appropriate by the division.

c. Include programs designed to promote the use of energy conservation strategies by the participant. These programs shall be cost-effective.

d. Include a plan for affordable budget level repayment of heating provider bills in arrears at the time a customer enters an affordable heating payment program.

e. Provide for data gathering and evaluation of the projects to determine the effect of the program on residents who participate in comparison with residents in areas where such programs are not available.

f. Be designed and implemented to operate within funds appropriated or budgeted for the projects.

3. An advisory board is created to provide guidance in the development of the pilot programs and their administration.

a. The advisory board shall include the administrator of the division of community action agencies, who shall serve as chairperson of the board, the director of the department of natural resources, or the director's designee, the chairperson of the utilities board, or the chairperson's designee, the consumer advocate, or the consumer advocate's designee, and the following members to be appointed by the governor to serve for the two-year term of the pilot projects:

(1) A representative of the investor-owned utility industry.

(2) A representative of a municipal utility.

(3) A representative of a rural electric cooperative.

(4) A representative of dealers of deliverable fuels.

(5) Representatives of two local community action agencies.

(6) Representatives of two private advocacy or assistance agencies.

The speaker of the house of representatives, the senate majority leader, and the minority leaders of the house of representatives and senate shall each name a member of the general assembly to serve on the advisory board without vote.

b. Advisory board members who are not members of the general assembly shall serve without compensation, but shall be reimbursed for actual expenses.

c. The advisory board shall provide the general assembly with an evaluation of the first year of the program and recommendations for further legislative action no later than January 15, 1990.

4. The division of community action agencies of the department of human rights shall adopt rules pursuant to chapter 17A regarding eligibility for customer participation, means of calculating assistance payments, and procedures for provider participation under the pilot projects.

Approved May 6, 1988

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## CHAPTER 1176

### DEMOLITION INSURANCE RESERVES FOR PROPERTY WITHIN CITIES

*H.F. 382*

**AN ACT** to reserve a specific amount of a claim payable on an insurance policy on property located within the corporate limits of a city for the cost of demolition of the property by the city.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. NEW SECTION. 515.150 DEMOLITION RESERVE ON FIRE AND CASUALTY CLAIMS ON PROPERTY.

1. An insurer shall reserve five thousand dollars or ten percent, whichever amount is greater, of the payment for damages to the property excluding personal property on which it has issued a fire and casualty insurance policy as demolition cost reserve if the following are applicable:

a. The property is located within the corporate limits of a city with a population of twenty thousand or more.

b. The damage to the property renders it uninhabitable or unfit for the purpose for which it was intended, without repair.

c. Proof of loss has been submitted by the policyholder for a sum in excess of seventy-five percent of the face value of the policy covering the building or other insured structure.

2. An insurer which has received a proof of loss in excess of seventy-five percent of the face value of the policy covering a building or other insured structure, shall notify the city council of the city within which the property is located. The notice shall be made by certified mail within five working days after receipt of the proof of loss.

3. The city shall release all interest in the demolition cost reserve within ninety days after receiving notice of the existence of the demolition cost reserve unless the city has instituted legal proceedings for the demolition of said building or other insured structure, and has notified the insurer in writing of the institution of such legal proceedings. Failure of the city to notify the insurer of such legal proceedings shall terminate the city's claim to any proceeds from the reserve.

4. A reserve for demolition costs shall no longer be required if:

a. The insurer has received notice from both the insured and the city council that the insured has commenced repairs to the property or has commenced demolition of the property.

b. The city has failed to notify the insurer as provided under subsection 3.

5. If the city is required to demolish the damaged property at city expense, after instituting legal proceedings, emergency actions, or obtaining waivers for the demolition of the building or other insured structure, the city shall present to the insurer the actual cost of demolition of the property, including engineering, legal, and other demolition project costs, and the insurer shall compensate the city for that actual cost of the demolition project up to the amount in the demolition cost reserve. Any amount left from the demolition cost reserve after the cost of demolition of the property is paid to the city shall be paid to the insured if the insured is entitled to the remaining proceeds under the policy.

6. The insurer is not liable for any amount in excess of the limits of liability set out by the policy.

7. Insurers complying with this section or attempting in good faith to comply with this section shall be immune from civil and criminal liability.

Approved May 6, 1988

**CHAPTER 1177****EMERGENCY TELEPHONE COMMUNICATION SYSTEMS***H.F. 2400*

**AN ACT** relating to enhanced 911 emergency telephone communication systems, by requiring each county to prepare an enhanced 911 service plan for submittal to the office of disaster services on or before March 1, 1989, by requiring conversion of pay telephones to accept 911 calls without charge, by allowing a local E911 service surcharge, by providing certain liability exemptions in conjunction with the delivery of E911 services, and by providing a limited privacy waiver to permit nonlisted or unpublished numbers to be included in E911 service providing a penalty, and an effective date.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. NEW SECTION. 477B.1 PURPOSE.

The legislature finds that enhanced 911 emergency telephone communication systems further the public interest and protect the health, safety, and welfare of the people of Iowa. The purpose of this chapter is to enable the orderly development, installation, and operation of enhanced 911 emergency telephone communication systems statewide. These systems are to be operated under governmental management and control for the public benefit.

Sec. 2. NEW SECTION. 477B.2 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Administrator" means the administrator of the division of disaster services of the department of public defense.
2. "Public or private safety agency" means a unit of state or local government, a special purpose district, or a private firm which provides or has the authority to provide fire fighting, police, ambulance, or emergency medical services.
3. "Provider" means a person who provides, or offers to provide, E911 equipment, installation, maintenance, or exchange access services within the enhanced 911 service area.
4. "Enhanced 911" or "E911" means a service which provides the user of a public telephone system the ability to reach a public safety answering point by dialing the digits 911, and which has the following additional features:
  - a. Routes an incoming 911 call to the appropriate public safety answering point selected from the public safety answering points operating in a 911 service area.
  - b. Automatically displays the name, address, and telephone number of an incoming 911 call and public safety agency servicing the address on a video monitor at the appropriate public safety answering point.
5. "Enhanced 911 service plan" means a plan that includes the following information:
  - a. A description of the enhanced 911 service area.
  - b. A list of all public and private safety agencies within the enhanced 911 service area.
  - c. The number of public safety answering points within the enhanced 911 service area.
  - d. Identification of the agency responsible for management and supervision of the enhanced 911 emergency telephone communication system.
  - e. A statement of estimated costs to be incurred by the joint E911 service board, including separate estimates of the following:
    - (1) Nonrecurring costs, including, but not limited to, public safety answering points, network equipment, software, database, addressing, initial training, and other capital and start-up expenditures, including the purchase or lease of subscriber names, addresses, and telephone information from the local exchange service provider.