



THOMAS J. VILSACK
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

April 22, 2005

The Honorable Chester Culver
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit:

House File 613, an Act relating to the regulation of hot water heating boilers for swimming pools and spas.

House File 641, an Act concerning the determination of state regulatory fees on excursion gambling boats relating to the number of gaming enforcement officers on larger excursion gambling boats.

House File 726, an Act allowing a physician assistant and an advanced registered nurse practitioner to certify an alleged intoxicated driver's incapacitated state for purposes of chemical testing.

House File 760, an Act relating to dependent adults and the provision of protective services.

House File 768, an Act relating to the publishing of notice of recommendations to grant permits for diversion, storage, and withdrawal of water.

House File 776, an Act relating to governmental financial and information technology activities, including membership in state insurance plans by former members of the general assembly, designation of a chief information officer for the state, cooperative procurement agreements, distribution of state employee salary information, setoff authority for capitol



complex and state laboratory parking fines collection, sales of disposed personal property of the state by not-for-profit organizations, a local government setoff authority pilot project, and providing for a study concerning credit card payments accepted by government.

House File 784, an Act to establish an advanced practice registered nurse compact and including a future repeal.

The above House Files are hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas J. Vilsack". The signature is fluid and cursive, with a long horizontal stroke at the end.

Thomas J. Vilsack
Governor

TJV:jmc

cc: Secretary of the Senate
Chief Clerk of the House



HOUSE FILE 776

AN ACT

RELATING TO GOVERNMENTAL FINANCIAL AND INFORMATION TECHNOLOGY ACTIVITIES, INCLUDING MEMBERSHIP IN STATE INSURANCE PLANS BY FORMER MEMBERS OF THE GENERAL ASSEMBLY, DESIGNATION OF A CHIEF INFORMATION OFFICER FOR THE STATE, COOPERATIVE PROCUREMENT AGREEMENTS, DISTRIBUTION OF STATE EMPLOYEE SALARY INFORMATION, SETOFF AUTHORITY FOR CAPITOL COMPLEX AND STATE LABORATORY PARKING FINES COLLECTION, SALES OF DISPOSED PERSONAL PROPERTY OF THE STATE BY NOT-FOR-PROFIT ORGANIZATIONS, A LOCAL GOVERNMENT SETOFF AUTHORITY PILOT PROJECT, AND PROVIDING FOR A STUDY CONCERNING CREDIT CARD PAYMENTS ACCEPTED BY GOVERNMENT.

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

DIVISION I

Section 1. Section 2.40, subsection 1, unnumbered paragraph 2, Code 2005, is amended to read as follows:

A member of the general assembly may elect to become a member of a state group insurance plan. A member of the general assembly may continue membership in a state group insurance plan without reapplication during the member's tenure as a member of consecutive general assemblies. For the

purpose of electing to become a member of the state health or medical service group insurance plan, a member of the general assembly has the status of a "new hire", full-time state employee following each election of that member in a general or special election, or during the first subsequent annual open enrollment. In lieu of membership in a state health or medical group insurance plan, a member of the general assembly may elect to receive reimbursement for the costs paid by the member for a continuation of a group coverage (COBRA) health or medical insurance plan. The member shall apply for reimbursement by submitting evidence of payment for a COBRA health or medical insurance plan. The maximum reimbursement shall be no greater than the state's contribution for health or medical insurance family plan II. A member of the general assembly who elects to become a member of a state health or medical group insurance plan shall be exempted from preexisting medical condition waiting periods. A member of the general assembly may change programs or coverage under the state health or medical service group insurance plan during the month of January of odd-numbered years, but program and coverage change selections shall be subject to the enrollment rules established for full-time state employees excluded from collective bargaining as provided in chapter 20. A person who has been a member of the general assembly for two years and who has elected to be a member of a state health or medical group insurance plan may continue to be a member of such state health or medical group insurance plan by requesting continuation in writing to the finance officer within thirty-one days after leaving office. The continuing former member of the general assembly shall pay the total premium for the state plan and shall have the same rights to change programs or coverage as state employees. In the event of the death of a former member of the general assembly who has elected to continue to be a member of a state health or medical group insurance plan, the surviving spouse of the former member whose insurance would otherwise terminate because of the death of the former member may elect to continue to be a member of such state health or medical group insurance plan by requesting continuation in writing to the finance officer within thirty-one days after the death of the former member.

The surviving spouse of the former member shall pay the total premium for the state plan and shall have the same rights to change programs or coverage as state employees. For purposes of this paragraph, health or medical programs or coverage and dental programs or coverage are to be treated separately and the rights to change programs or coverage apply only to the type of programs or coverage that the continuing former member has elected to continue. This paragraph shall not be construed to permit a former member to become a member of a state health or medical group insurance plan providing programs or coverage of a type that the former member did not elect to continue pursuant to this paragraph.

Sec. 2. Section 8A.104, subsection 12, Code 2005, is amended to read as follows:

12. Serve as the chief information officer for the state. However, the director may designate a person in the department to serve in this capacity at the discretion of the director. If the director designates a person to serve as chief information officer, the person designated shall be professionally qualified by education and have no less than five years' experience in the fields of information technology and financial management.

Sec. 3. Section 8A.311, Code 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 3A. The director may enter into a cooperative procurement agreement with another governmental entity relating to the procurement of goods or services, whether the goods or services are for the use of the department or other governmental entities. The cooperative procurement agreement shall clearly specify the purpose of the agreement and the method by which that purpose will be accomplished. Any power exercised under the agreement shall not exceed the power granted to any party to the agreement.

Sec. 4. Section 8A.323, subsection 4, Code 2005, is amended to read as follows:

4. ~~All~~ Except as provided in subsection 5, all fines collected by the department shall be forwarded to the treasurer of state and deposited in the general fund of the state.

Sec. 5. Section 8A.323, Code 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 5. Any fine that remains unpaid upon becoming delinquent may be collected by the department pursuant to the setoff procedures provided for in section 8A.504. For purposes of this subsection, a fine becomes delinquent if it has not been paid within thirty days of the date of the issuance of the parking citation, unless a written request for a hearing is filed as provided pursuant to the rules of the department. If an appeal is filed and the citation is upheld, the fine becomes delinquent ten days after the issuance of the final decision on the appeal or thirty-one days after the date of the issuance of the parking citation, whichever is later.

Sec. 6. Section 8A.324, subsection 2, Code 2005, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. A not-for-profit organization or governmental agency that enters into an agreement with the director pursuant to this subsection may sell or otherwise transfer the personal property received from the department to any person that the department would be able to sell or otherwise transfer such property to under this chapter, including, but not limited to, the general public. The authority granted to sell or otherwise transfer personal property pursuant to this paragraph supersedes any other restrictions applicable to the not-for-profit organization or governmental entity, but only for purposes of the personal property received from the department.

Sec. 7. Section 8A.341, subsection 2, Code 2005, is amended to read as follows:

2. If money is appropriated for this purpose, by November 1 of each year supply a report which contains the name, gender, county, or city of residence when possible, official title, salary received during the previous fiscal year, base salary as computed on July 1 of the current fiscal year, and traveling and subsistence expense of the personnel of each of the departments, boards, and commissions of the state government except personnel who receive an annual salary of less than one thousand dollars. The number of the personnel and the total amount received by them shall be shown for each

department in the report. All employees who have drawn salaries, fees, or expense allowances from more than one department or subdivision shall be listed separately under the proper departmental heading. On the request of the director, the head of each department, board, or commission shall furnish the data covering that agency. The report shall be distributed upon request without charge in an electronic medium to each caucus of the general assembly, the legislative services agency, the chief clerk of the house of representatives, and the secretary of the senate. Copies of the report shall be made available to other persons in ~~both print-or~~ an electronic medium upon payment of a fee, which shall not exceed the cost of providing the copy of the report. Sections 22.2 through 22.6 apply to the report. All funds from the sale of the report shall be deposited in the printing revolving fund established in section 8A.345. ~~Requests-for print-publications-shall-be-handled-only-upon-receipt-of postage-by-the-director.~~

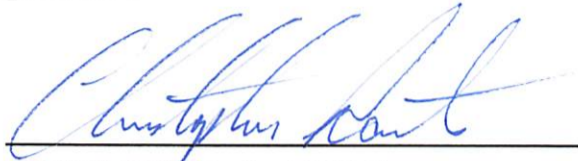
Sec. 8. LOCAL GOVERNMENT SETOFF PILOT PROJECT.

Notwithstanding any provision of section 8A.504 to the contrary, the department of administrative services may enter into agreements with no more than five political subdivisions of the state to allow the political subdivisions to be eligible to participate in the setoff procedures provided in section 8A.504.

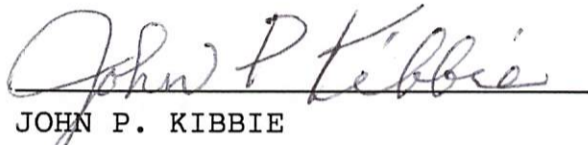
DIVISION II

Sec. 9. DEPARTMENT OF ADMINISTRATIVE SERVICES -- E-COMMERCE STUDY -- REPORT. It is the intent of the general assembly to encourage the use of electronic transactions with regard to the state's dealings with the citizens of Iowa and other persons. The department of administrative services shall develop recommendations, including proposed legislation, to encourage the use of electronic commerce, including the acceptance of credit card payments, with regard to transactions involving the state. The department shall consult with the state treasurer, state entities currently accepting credit card payments, and any other state entities identified as considering the acceptance of credit card payments when developing the recommendations. The department shall deliver a report to the general assembly by January 20,

2006, including any recommendations, proposed legislation, and other related information, including cost information associated with credit card payments.



CHRISTOPHER C. RANTS
Speaker of the House



JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 776, Eighty-first General Assembly.



MARGARET THOMSON
Chief Clerk of the House

Approved April 22, 2005



THOMAS J. VILSACK
Governor