

FEB 28 2003  
JUDICIARY

HOUSE FILE 357  
BY WISE

(COMPANION TO LSB 2326SS  
BY FRAISE)

Passed House, Date February 28, 2003 Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the purchase of a police service dog by the  
2 department of corrections.

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

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HF 357

1 Section 1. Section 29C.20, subsection 1, Code 2003, is  
2 amended to read as follows:

3 1. A contingent fund is created in the state treasury for  
4 the use of the executive council which may be expended for the  
5 purpose of paying the expenses of suppressing an insurrection  
6 or riot, actual or threatened, when state aid has been  
7 rendered by order of the governor, and for repairing,  
8 rebuilding, or restoring state property injured, destroyed, or  
9 lost by fire, storm, theft, or unavoidable cause, and for  
10 repairing, rebuilding, or restoring state property which is  
11 fiberoptic cable and which is injured or destroyed by a wild  
12 animal, and for purchasing a police service dog for the  
13 department of corrections when such a dog is injured or  
14 destroyed, and for aid to any governmental subdivision in an  
15 area declared by the governor to be a disaster area due to  
16 natural disasters or to expenditures necessitated by the  
17 governmental subdivision toward averting or lessening the  
18 impact of the potential disaster, where the effect of the  
19 disaster or action on the governmental subdivision is the  
20 immediate financial inability to meet the continuing  
21 requirements of local government. Upon application by a  
22 governmental subdivision in such an area, accompanied by a  
23 showing of obligations and expenditures necessitated by an  
24 actual or potential disaster in a form and with further  
25 information the executive council requires, the aid may be  
26 made in the discretion of the executive council and, if made,  
27 shall be in the nature of a loan up to a limit of seventy-five  
28 percent of the showing of obligations and expenditures. The  
29 loan, without interest, shall be repaid by the maximum annual  
30 emergency levy authorized by section 24.6, or by the  
31 appropriate levy authorized for a governmental subdivision not  
32 covered by section 24.6. The aggregate total of loans shall  
33 not exceed one million dollars during a fiscal year. A loan  
34 shall not be for an obligation or expenditure occurring more  
35 than two years previous to the application.

1 When a state department or agency requests that moneys from  
2 the contingent fund be expended to repair, rebuild, or restore  
3 state property injured, destroyed, or lost by fire, storm,  
4 theft, or unavoidable cause, or to repair, rebuild, or restore  
5 state property which is fiberoptic cable and which is injured  
6 or destroyed by a wild animal, or to purchase a police service  
7 dog for the department of corrections when such a dog is  
8 injured or destroyed, the executive council shall consider the  
9 original source of the funds for acquisition of the property  
10 before authorizing the expenditure. If the original source  
11 was other than the general fund of the state, the department  
12 or agency shall be directed to utilize moneys from the  
13 original source if possible. The executive council shall not  
14 authorize the repairing, rebuilding, or restoring of the  
15 property from the disaster aid contingent fund if it  
16 determines that moneys from the original source are available  
17 to finance the project.

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EXPLANATION

19 This bill relates to the purchase of a police service dog  
20 by the department of corrections.  
21 The bill provides that funds from the contingent fund for  
22 disaster aid in Code section 29C.20 may be used in the  
23 purchase of a department of corrections' police service dog if  
24 a police service dog was injured or destroyed. The bill  
25 requires the department to utilize other sources of available  
26 funding before requesting moneys from the contingent fund for  
27 disaster aid.