

**CHAPTER 86****EMERGENCY MANAGEMENT SERVICES***S.F. 254*

**AN ACT** relating to the emergency management division of the department of public defense by authorizing fees for radiological detection equipment maintenance services, by authorizing financial assistance to local governments for emergency management purposes, by directing a report to the general assembly by the division director, and by providing an effective date.

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

**DIVISION I**

Section 1. Section 23A.2, subsection 10, Code 1999, is amended by adding the following new paragraph:

**NEW PARAGRAPH.** m. The repair, calibration, or maintenance of radiological detection equipment by the emergency management division of the department of public defense.

Sec. 2. Section 29C.8, Code 1999, is amended by adding the following new subsection:

**NEW SUBSECTION.** 5. The emergency management division may charge fees for the repair, calibration, or maintenance of radiological detection equipment and may expend funds in addition to funds budgeted for the servicing of the radiological detection equipment. The division shall adopt rules pursuant to chapter 17A providing for the establishment and collection of fees for radiological detection equipment repair, calibration, or maintenance services and for entering into agreements with other public and private entities to provide the services. Fees collected for repair, calibration, or maintenance services shall be treated as repayment receipts as defined in section 8.2 and shall be used for the operation of the division's radiological maintenance facility or radiation incident response training.

**DIVISION II**

Sec. 3. Section 29C.6, subsection 17, Code 1999, is amended to read as follows:

17. **a.** When the president of the United States has declared a major disaster to exist in the state and upon the governor's determination that financial assistance is essential to meet disaster-related necessary expenses or serious needs of local and state government adversely affected by a major disaster that cannot be otherwise adequately met from other means of assistance, accept a grant by the federal government to fund the financial assistance, subject to terms and conditions imposed upon the grant, and enter into an agreement with the federal government pledging the state to participate in the funding of the financial assistance authorized to local government and eligible private nonprofit agencies in an amount not to exceed ten percent of the total eligible expenses, with the applicant providing ~~fifteen percent~~ **the balance of any participation amount**. If financial assistance is granted by the federal government for state disaster-related expenses or serious needs, the state shall participate in the funding of the financial assistance authorized in an amount not to exceed twenty-five percent of the total eligible expenses. If financial assistance is granted by the federal government for hazard mitigation, the state may participate in the funding of the financial assistance authorized to a local government in an amount not to exceed ten percent of the eligible expenses, with ~~local government~~ **the applicant** providing ~~forty percent~~ **the balance of any participation amount**. If financial assistance is granted by the federal government for state-related hazard mitigation, the state may participate in the funding of the financial assistance authorized, not to exceed fifty percent of the total eligible expenses. If state funds are not otherwise available to the governor, an advance of the state share may be accepted from the federal government to be repaid when the state is able to do so.

b. State participation in funding financial assistance under paragraph "a" is contingent upon the local government having on file a state-approved, comprehensive, countywide emergency operations plan which meets the standards adopted pursuant to section 29C.9, subsection 8.

Sec. 4. EFFECTIVE DATE. This division of this Act takes effect July 1, 2000.

#### DIVISION III

Sec. 5. The general assembly recognizes the need for the state government to be prepared to respond to incidents involving nuclear, chemical, or biological materials. Further, the general assembly recognizes that the emergency management division of the department of public defense should take the lead in these efforts. Therefore, the administrator of the emergency management division is directed to report to the general assembly not later than January 15, 2000, regarding the status of state government preparedness to respond to nuclear, chemical, or biological materials incidents and identify unmet needs for preparedness and response efforts.

Approved April 29, 1999

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## CHAPTER 87

### FAMILY FARM TAX CREDIT

#### S.F. 305

**AN ACT** relating to the payment by a county of the family farm tax credit and reimbursement to the county of its payment and including an effective date.

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

Section 1. CREDIT RECERTIFICATION. A county may on or after the effective date of this Act but before June 1, 1999, recertify to the department of revenue and finance the total amount of family farm tax credits payable during the fiscal year beginning July 1, 1998, if the amount originally certified was incorrect due to the fact that the amount certified included the total number of acres entitled to the credit but did not represent the total amount of credit due. As soon as the department of revenue and finance receives the recertification and communicates its agreement to the validity of the recertification to the county auditor, the county shall pay from its general fund to those persons who qualified to receive but did not receive during the fiscal year beginning July 1, 1998, the pro rata percentage of the family farm tax credit as recertified on agricultural land located in the county, a sum equal to the amount of the pro rata percentage determined pursuant to section 425A.6 of the credits correctly recertified as agreed to by the director of revenue and finance and the county auditor.

Sec. 2. Notwithstanding any provision in chapter 425A to the contrary, from the amount appropriated to the family farm tax credit fund, created in section 425A.1, to pay tax credits during the fiscal year beginning July 1, 1999, an amount not to exceed the amount agreed to by the director of revenue and finance and the county auditor for each county making payments under section 1 of this Act shall be paid to that county to be deposited into its general fund. The amounts paid pursuant to this section shall be paid prior to any other