

FEB 5 2001  
LOCAL GOVERNMENT

HOUSE FILE 176  
BY HUSER

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

**A BILL FOR**

1 An Act establishing a volunteer fire fighters and emergency  
2 responders fund.

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

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HF 176

1 Section 1. Section 8.57, Code 2001, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 6. a. A volunteer fire fighters and  
4 emergency responders fund is created under the authority of  
5 the department of management. The fund shall consist of  
6 appropriations made to the fund and transfers of interest,  
7 earnings, and moneys from other funds as provided by law. The  
8 fund shall be separate from the general fund of the state and  
9 the balance in the fund shall not be considered part of the  
10 balance of the general fund of the state. However, the fund  
11 shall be considered a special account for the purposes of  
12 section 8.53, relating to generally accepted accounting  
13 principles.

14 b. Moneys in the volunteer fire fighters and emergency  
15 responders fund are not subject to section 8.33.  
16 Notwithstanding section 12C.7, subsection 2, interest or  
17 earnings on moneys in the fund shall be credited to the fund.

18 c. Moneys in the volunteer fire fighters and emergency  
19 responders fund in a fiscal year shall be used for all of the  
20 following:

21 (1) To provide pensions for qualified volunteer fire  
22 fighters and volunteer emergency response personnel.

23 (2) To offset the costs of an income tax credit or  
24 deduction for volunteer fire fighters and volunteer emergency  
25 response personnel.

26 (3) To provide training and equipment to local volunteer  
27 fire departments and volunteer emergency responders.

28 The state fire service and emergency response council shall  
29 prepare a plan for expenditure of the moneys deposited in the  
30 fund. Moneys in the fund are subject to appropriation by the  
31 general assembly.

32 d. For the fiscal year beginning July 1, 2002, and for  
33 each fiscal year thereafter, not more than the amount of  
34 premium tax receipts collected pursuant to section 432.1,  
35 subsection 2, in the fiscal year beginning July 1, 2001, shall

1 be deposited in the general fund of the state. The total  
2 premium tax receipt moneys in excess of the moneys deposited  
3 in the general fund of the state in a fiscal year shall be  
4 deposited in the volunteer fire fighters and emergency  
5 responders fund and shall be used as provided in this  
6 subsection.

7 Sec. 2. Section 8.58, Code 2001, is amended to read as  
8 follows:

9 8.58 EXEMPTION FROM AUTOMATIC APPLICATION.

10 To the extent that moneys appropriated under section 8.57  
11 do not result in moneys being credited to the general fund  
12 under section 8.55, subsection 2, moneys appropriated under  
13 section 8.57 and moneys contained in the cash reserve fund,  
14 rebuild Iowa infrastructure fund, environment first fund,  
15 volunteer fire fighters and emergency responders fund, and  
16 Iowa economic emergency fund shall not be considered in the  
17 application of any formula, index, or other statutory  
18 triggering mechanism which would affect appropriations,  
19 payments, or taxation rates, contrary provisions of the Code  
20 notwithstanding.

21 To the extent that moneys appropriated under section 8.57  
22 do not result in moneys being credited to the general fund  
23 under section 8.55, subsection 2, moneys appropriated under  
24 section 8.57 and moneys contained in the cash reserve fund,  
25 rebuild Iowa infrastructure fund, environment first fund,  
26 volunteer fire fighters and emergency responders fund, and  
27 Iowa economic emergency fund shall not be considered by an  
28 arbitrator or in negotiations under chapter 20.

29 Sec. 3. Section 100B.2, Code 2001, is amended by adding  
30 the following new subsection:

31 NEW SUBSECTION. 9. Prepare a plan for expenditure of  
32 moneys from the volunteer fire fighter and emergency  
33 responders fund created in section 8.57.

34 EXPLANATION

35 This bill creates a volunteer fire fighters and emergency

1 responders fund. The bill provides that, beginning with the  
2 fiscal year beginning July 1, 2002, deposits into the fund  
3 will be collected from premium tax receipts on insurance  
4 policies, other than life insurance policies, in excess of the  
5 revenues collected for that tax in the fiscal year beginning  
6 July 1, 2001.

7 Moneys in the fund are subject to appropriation by the  
8 general assembly and are to be used for establishing a pension  
9 system for volunteer fire fighters and emergency response  
10 personnel, offsetting an income tax credit or deduction for  
11 volunteer fire fighters and emergency response personnel, and  
12 providing training and equipment to local volunteer fire  
13 departments and volunteer emergency responders. The fire  
14 service and emergency response council in the department of  
15 public safety is responsible for developing a plan for  
16 expenditure of moneys in the fund.

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35