



State Representative Andrew Wenthe

Statehouse News

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Inside this Issue

- 2** Health Care Bill Passes House
- 3** House Passes Surface Water Protection Act
- 3** Smoking Ban Likely Headed to Conference Committee
- 4** Child Products Must Provide Safety Information
- 4** House Adopts Measure to Reduce Meth Labs
- 5** Blood Lead Testing and Dental Screening
- 5** Youth Corps and Green Corps Programs
- 6** Governor Signs Lottery Games for Veterans Bill
- 6** Optical Scan Voting System Equipment
- 7** REAL ID Interim Committee Sought
- 7** Voluntary Desegregation Plans
- 7** Mason City Receives Vision Iowa Award
- 8** Agriculture and Natural Resources Budget Bill

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Capitol Comments

One of my goals as your State Representative is to improve the affordability, accessibility and portability of health care for Iowans, especially for the nearly 50,000 Iowa children who currently do not have health care. I was proud this week to support historic legislation containing a commitment by the legislature to ensure that every child in Iowa has health care coverage by December 31, 2010.

This legislation is the result of a tremendous amount of bipartisan work by an interim committee on health care. The bill will not only enable expansion of health care for Iowa's kids, but will make great strides in a number of health care initiatives.



Andrew welcomed two of the Bremer County Supervisors to the Capitol this week. Pictured left to right are Rep. Wenthe, Ken Kammeyer, Senator Heckroth, and Gaylord Hinderaker.

The bill creates what is called a medical home – a doctor or other medical provider who will oversee your health care. In this way, one individual will be on top of all your health care needs and will make sure that one doctor is not contradicting what another doctor is doing. The measure will also require health insurance companies to allow families to continue to provide

health insurance to their children through individual family or group health plans until the child becomes 25 or completes higher education, whichever comes later.



Andrew welcomed to the Capitol advocates for the Association of Iowa Workforce Partners. Pictured are Fern Rissman, Kellie Henniges, Janet Pedersen, and Mary Rosonke.

Additionally, the health care reform package also prevents insurance companies from denying care for preexisting conditions when you move from a group health insurance policy to an individual policy. The bill also contains several programs to improve wellness initiatives in communities and through ones workplace. It encourages greater use of electronic technology to lower health care costs and provide medical professionals with up to date information about your medical background.

Again, I am proud of this legislation and encourage you to read more about it later on in this newsletter.

Earlier this week, I enjoyed a nice evening at Terrace Hill, otherwise known as the home of Chet and Mari Culver. It was nice to chat with the Governor and First Lady at their beautiful home, and

discuss some of Governor Culver’s priority initiatives. Terrace Hill is an amazing and historic structure and I encourage all of you to take time for a tour the next time you are in Des Moines.

Finally, I want to thank those who attended my forums over the weekend in Oelwein, West Union and Clermont. We had great attendance and, like last weekend in Bremer County, the discussion was lively and insightful. I cannot stress enough how beneficial these forums are to me and I will continue to hold these “listening posts”.



Rep. McKinley Bailey, Governor Culver and Andrew at the bill signing for HF 2359, legislation directing the Iowa Lottery to create games dedicated solely to veterans, their spouses, and dependents. McKinley, a veteran of the wars in Afghanistan and Iraq, floor managed and I was a cosponsor of the bill that will

provide annual funding for the Veterans Trust Fund.

Thanks also to my visitors to the Capitol this week. Erin Isvik, daughter of Lynn Isvik of West Union, was in town as part of a delegation of young professionals and I enjoyed our discussion about how to make Iowa more attractive to young professionals. Ken Dietzenbach also was in town with a delegation of AFSCME members. I have worked with Ken in the past on issues affecting at-home care providers.

As always, please do not hesitate to contact me via email, phone or mail if you have any questions or concerns. I look forward to seeing you around the district soon!

Health Care Bill Passes House

On a unanimous vote of 97-0, the Iowa House approved a bill that provides needed health care reforms. House File 2539 is based on recommendations from the Legislature’s Commission on Affordable Health Care Plans for Small Businesses and Families, and a proposal from Governor Chet Culver. The bill creates several new programs to improve health care and wellness for Iowans.

Increased Coverage

House File 2539 provides that, as funding becomes available, it is the intent of the General Assembly that all Iowans have health care coverage, with the first priority being health care coverage for all children by December 31, 2010. To get there, the Department of Human Services (DHS) will work with the Centers for Medicare and Medicaid Services to expand *hawk-i* to cover children up to 300% of the federal poverty level.

The bill requires insurance companies to cover children up to the age of 25, or as long as the child maintains full-time status as a

student in a post-secondary educational institution. In addition, individuals who move from a group insurance policy to an individual insurance policy will not be denied or underwritten due to preexisting conditions.

Prevention and Wellness

The bill creates patient centered medical homes, which focus on prevention, wellness, and chronic care management. Using these homes should lower costs and improve quality. A Medical Home Advisory Council is established to help create and oversee these homes. A Prevention and Chronic Care Management Advisory Council is also established, to help develop an initiative for prevention and chronic care management.

The bill requires the Iowa Department of Public Health (IDPH) to establish a grant program to encourage local communities to promote healthy lifestyles. The goal is to, community by community, create a healthier Iowa.

In addition, the IDPH, in consultation with the Department of

Commerce and the Department of Revenue, must develop a plan to provide a tax credit to small businesses that provide qualified wellness programs to improve the health of their employees. The plan, including any recommendations for changes in the law, must be submitted to the Governor and the General Assembly for review.

A 12-member Governor’s Council on Physical Fitness and Nutrition is established, to help implement a statewide comprehensive plan to increase physical activity, improve physical fitness, improve nutrition, and promote healthy behaviors of Iowans.

Reducing Costs

The bill creates an Electronic Health Information Advisory Council, as a public/private effort to promote the adoption and use of health information technology in Iowa. The council will make recommendations to the Iowa Department of Public Health to improve health care quality, increase patient safety, and reduce health care costs.

The Department of Elder Affairs is to work with statewide organizations and health care professionals to develop educational and

patient centered information on end of life care for terminally ill patients and health care professionals.

House File 2539 will now move to the Senate Appropriations Committee.

House Passes Surface Water Protection Act

On Tuesday, March 11th, the House unanimously adopted a new initiative to improve Iowa's water quality. The Surface Water Protection Act is the result of a two-year watershed planning task force and will provide a coordinated effort to clean up our lakes, rivers, and streams.

House File 2400 is designed to assess each watershed in Iowa and get all of the stakeholder - cities, farmers, individuals, businesses - within those watersheds to work together. The bill is designed to treat watersheds like communities and help improve water quality for everyone.

The bill creates a Water Resources Coordinating Council within the Governor's Office to preserve and protect Iowa's water resources and coordinate efforts. The council is made up of directors of affected state agencies and state universities, along with consultation from federal agencies that

regulate and assist in improving water quality.

The council must engage in regular coordination of water resource-related functions, including protection strategies, planning, assessment, prioritization, review, concurrence, advocacy, and education. The council must also oversee the complete, statewide regional watershed assessment, prioritization, and planning process, including a short-term interim program and a long-term comprehensive state water quality and quantity plan updated every five years.

The success of the council's efforts will ultimately be measured by whether Iowa citizens can more easily organize local watershed projects; can more easily access available funds and water quality program resources; and whether the funds, programs, and regulatory efforts coordinated by the council eventually result in a long-term improvement to the quality of surface water in Iowa.

The Surface Water Protection Act calls for 56 regional watershed assessments to be completed in five years, providing a summary of the overall condition of the watershed. In addition, smaller community-based subwatershed improvement plans are to be developed and implemented, including monitoring plans.

The bill also requires the Department of Natural Resources to assess and prioritize both sewered and unsewered communities within a watershed presenting the greatest level of risk to water quality and the health of residents.

Over 20 years ago, the Legislature created the Groundwater Protection Act to improve the quality of our groundwater. Proponents of the bill said it is time for us to focus our efforts and improve the quality of our surface water.

The bill now goes to Senate for consideration.

Smoking Ban Likely Headed to Conference Committee

The Smoke Free Air Act passed the Senate 29 to 21. House File 2212 then returned to the House for consideration of a Senate amendment. The House amended the Senate amendment, sending the bill back to the Senate.

As Passed by the House

As originally passed by the House, the ban applies to profit or nonprofit workplaces and public places, and to hotels or motels, except designated smoking rooms, which must be in contiguous areas

and cannot exceed 22% of all rooms. Places not covered may voluntarily be declared a nonsmoking place.

Public places are an enclosed areas to which the public is invited or permitted, including restaurants, bars, retail stores, public buildings, schools, daycare providers, health care providers, and private clubs except when the general public is invited to an activity.

Exceptions: The ban does not apply to private residences (unless used for child care), private long-



term-care rooms, stores primarily selling tobacco, casinos, private clubs with no employees when not used by the public, private limos, and employer owned vehicles provided exclusively to one employee.

Enforcement: The ban is enforced by the Department of Public Health (DPH), which will provide compliance information to employ-

ers and those having custody of a public place.

Employers and custodians of public places must inform violators of the ban and post signs that include the telephone number for reporting complaints.

All state or local government inspectors must also assess compliance with the smoking ban and report violations to DPH.

An employee or any other person may file a complaint with DPH or bring legal action to enforce the ban, including seeking of an injunction. Judicial magistrates will hear and determine violations.

Penalties: Smoking where banned is subject to a \$50 fine. Employers or custodians of public

places who fail to comply may be fined \$100 the first time, \$200 the second time in a year, and \$500 for additional violations within a year. Retaliation against an employee is subject to a fine of from \$2,000 to \$10,000 per violation.

Senate Amendment

When the Senate took up House File 2212, they amended it by striking the exemptions for casinos, veterans' organizations, and the Iowa Veterans' Home. They added exemptions for farm vehicles, the state fair, county fairs, National Guard facilities, and designated areas in prisons. They also took out a ban on smoking within 10 feet of doors of public places, outdoor event seating or eating areas, and school grounds.

House Amendment to the Senate Amendment

The House added back the exemption for the Iowa Veterans Home. In addition, an exemption for a restaurant, bar, hotel/motel, club, casino or racetrack was added back in. It applies if the establishment has a license to sell beer, wine, or alcohol for on-premise consumption, but only allows smoking at a regular specified time when only those 21 or older are invited or admitted.

The bill is now back in the Senate for consideration of the House changes. It appears that the bill will eventually go to a conference committee to iron out the differences between the House and Senate.

Child Products Must Provide Safety Information

The House Commerce Committee passed legislation to require manufacturers and sellers of children's products to provide parents with safety information. House File 2448 is intended to help parents make informed choices when they buy toys, clothing, or other consumer goods designed and intended for use by children age 12 or younger.

The bill requires retailers to prominently display, or make available, information regarding the manufacturing safety standards of their products, as follows:

- If a product has a label of approval from a nationally recognized

regulatory agency or consumer group concerned with child welfare or product safety, no additional information is required.

- If a U.S made product has no such label, a statement from the manufacturer warranting the safety of the product and indicating how to contact the manufacturer must be placed on the product shelf.
- If a foreign made product has no such label, the retailer must display a statement saying that the product is untested and its safety is not documented. This statement



must be placed on the shelf storing the product.

Manufacturers who fail to provide the required information may be fined up to \$1,000 per day. A retailer who fails to display the required information may be fined up to \$10,000 per day.

The Attorney General will adopt implementation rules, including procedures for notifying manufacturers of these requirements and the penalties for failure to comply.

House Adopts Measure to Reduce Meth Labs

The House unanimously adopted House File 2265 this week, which requires the establishment of a real-time electronic repository to monitor and control the sale of pseudoephedrine. However, the establishment is contingent upon

the Legislature providing funding to create it. There is no funding contained in this bill.

Since Iowa passed a pseudoephedrine control law in 2005, Iowa's meth labs have been reduced from a high of nearly 1,500

labs in 2004 to 178 labs in 2007. This law put cold medicines behind pharmacy and store counters and limited how much cold medicine can be purchased at one time.

Drug control agencies and narcotics officers told Legislators that

now meth makers are going from store to store to get the pseudoephedrine they need to make meth, which is called smurfing. Other states are working on real-time electronic monitoring of pseudoephedrine sales to stop this smurfing.

Currently, the counties of Story, Boone, and Greene have received a federal grant for a one-year pilot project to link pharmacies together into one database to monitor the sale of pseudoephedrine products sold within those counties. They note that this will enable investigators with the Cen-

tral Iowa Drug Task Force to identify individuals who exceed the purchase limit of pseudoephedrine products and contribute to other drug violations.

House File 2265 also establishes an advisory council of interested parties, including pharmacists and retailers, to provide input and advice to the Board of Pharmacy in implementing the statewide central repository. The council will also assist in developing guidelines to ensure patient confidentiality, and information collected in the repository is confidential unless otherwise ordered by a court or released

by the lawful custodian of the records.

Finally, the bill aligns Iowa's pseudoephedrine law with current federal law by adding the federal daily limit of 3,600 milligrams (i.e. one box of 120 30-mg pills) and having a 24 month record retention, instead of Iowa's current 12-month requirement. Additional purchaser information is also required to be recorded. These things are all currently part of the federal law and pharmacies already have to comply with these provisions.

Blood Lead Testing and Dental Screening

With bi-partisan support, the House passed a bill that would update a law enacted last year that requires students to be tested for lead and to have a dental screening before entering school.

Senate File 2111 gives more direction to parents or guardians of a school age child on how to get a blood lead test and dental screening, especially for those that cannot afford them. Currently, parents or guardians are required to have the screening and test performed on their child prior to entering school.

In current law, a child can be kept out of school for not having these required tests. This does not align with federal law that states all students have the right to a free public education, and the only exception to keep a child out of school is for an infectious disease.

The updated version passed this week allows school nurses to perform the dental screening and for the school to refer children to county public health services for the lead testing. There will also be information sent out in a packet to

parents or guardians prior to the start date of school that will inform them how and where to get these requirements performed.

A school district will take all the necessary steps to ensure that a child gets proper screenings and tests, even if the family can not afford it. Schools can follow up and guide parents or guardians to the appropriate action.

The bill will go back to the Senate with a change by the House. If the Senate concurs, the bill will go to the Governor.

Youth Corps and Green Corps Programs

House File 2531 would allow young Iowans to participate in organized community service projects. The bill, which is now eligible for debate in the House, would allow local governments or state agencies to apply for projects to be selected by the Commission on Volunteer Service.

Green Corps members, age 18-25, would have the opportunity to work on projects in communities, with an emphasis on energy efficiency, historic preservation, maintenance at state or city parks, and

storm water reduction. These projects would involve the use of equipment and manual labor.

Youth Corps members, grades 6-12, could engage in a service learning program targeting communities that have disproportionately high drop-out and juvenile crime rates. The program would stress hard and soft job skills and grade appropriate summertime, outside the classroom, learning activities.

Both programs would work in coordination with the Americorps program, which has one of its national headquarters in Vinton, Iowa. It is hoped the Iowa programs could work with other states with similar programs. The bill would establish the programs. Administrators hope to receive a federal grant that they have applied for to fund the programs.

The grant would be in cooperation with the Minnesota Conservation Corps, which has sought to partner with Iowa. They have been

successful in establishing service projects that not only help youth build self-esteem and life skills, but also help communities and parks with various infrastructure projects.

Income Tax Exemption

House File 2531 also makes AmeriCorps' living allowance

given to members serving in Iowa exempt from state income taxes. This would only apply to the living allowance and education award and not to any outside income that an AmeriCorps member receives.

Currently, many AmeriCorps members find they can not volunteer for a second year because they

are burdened with paying taxes on the allowance they received the first year. The income tax exemption would help ease recruitment challenges.

Governor Signs Lottery Games for Veterans Bill

On Tuesday, March 11th, Governor Culver signed into law the bill that creates new lottery games to benefit Iowa's veterans. House File 2359 directs the Iowa Lottery to create two additional scratch tickets and two pull-tab games annually, with the profits dedicated to veterans, their spouses, and dependents.

The Iowa Lottery said the first games to benefit veterans will be available starting in July. "Stars & Stripes," a \$1 game, will be the first instant-scratch game dedicated to veterans' causes. It will have a red, white and blue theme and will begin sales on July 14. "All American" will be the first pull-tab game dedicated to the cause. The \$1 tickets will begin sales July 21.

The Iowa Lottery estimates that these additional games would generate approximately \$3 million annually. The bill dedicates these new lottery ticket profits to the Veterans Trust Fund. The fund can be used for the following purposes:

- Travel expenses for wounded veterans directly related to follow-up medical care.
- Job training or college tuition assistance for job retraining.
- Unemployment assistance during a period of unemployment due to prolonged physical or mental illness or disability resulting from military service.
- Expenses related to nursing facility or at-home care.



- Benefits provided to children of disabled or deceased veterans.
- Individual counseling or family counseling programs.
- Family support group programs or programs for children of members of the military.
- Honor guard services.

Optical Scan Voting System Equipment

On a 19-6 vote, the House Appropriations Committee advanced the bill to help counties update their voting machines to optical scan voting equipment. This equipment will ensure that a paper trail exists in case a vote recount should become necessary.

House Study Bill 779 appropriates \$4.9 million to the Secretary of State's office for the purchase and distribution of optical scan voting system equipment to counties. The bill also transfers all remaining moneys in the voting machine reimbursement fund to help pay for this equipment.

The bill requires that for elections held on or after November 4, 2008, counties must use an optical scan voting system. The requirements of the federal Help America Vote Act relating to disabled voters must be met by a county through the use of electronic ballot marking devices that are compatible with an optical scan voting system.

The bill is in response to efforts by Secretary of State Michael Mauro and Governor Chet Culver to get all Iowa counties optical scan and ballot marking devices. Currently, only 21 counties have this equipment.

The committee amended the bill to require that the Secretary of State's office consult with the Department of Administrative Services in establishing a procedure for purchasing and distributing the equipment. The amendment also requires a continuing education program for election personnel who are full-time or part-time permanent employees of county auditors' offices. Current law already requires county auditors' offices to conduct training for all election personnel.

The bill now goes to the full House for consideration. A similar

bill is under consideration in the Senate. If signed into law, the bill would go into effect the day it is signed.

REAL ID Interim Committee Sought

The House Transportation Committee approved House File 2593. This bill would create a REAL ID interim study committee. The interim committee would examine a number of issues regarding the federal REAL ID regulations and their effect in Iowa. These regulations, as part of federal anti-terrorism legislation, calls for a new type of drivers' license or state I.D. card to be used by citizens, especially when traveling.

The bill creates five parameters for the interim study committee to consider. First, the interim study committee is to consider the procedures the Department of Transportation needs to develop to issue REAL IDs. These procedures include any security procedures needed to issue REAL IDs, the verification of an applicant's identity information, and any revisions necessary to make Iowa's current licenses compliant with REAL ID.

The interim study committee is also directed to consider any start-up and ongoing costs associated with implementing REAL ID, to consider the impact of REAL ID on Iowans, and the impact of not implementing REAL ID. Finally, the interim study committee is directed to consider anything else that the committee believes is relevant.

The bill directs the interim study committee to submit its report to the General Assembly by January 1, 2009.

Voluntary Desegregation Plans

The House passed House File 2164 in response to a United States Supreme Court ruling requiring states to change their desegregation laws.

In 1954, the U.S. Supreme Court ruling in the Brown vs. Board of Education case in Kansas said school districts could not have separate facilities for black students and white students. It was argued that educational opportunities were limited or denied to those students in black schools. This started the desegregation process in many school districts, with race as one factor when determining which schools children were to attend.

In 2007, the United States Supreme Court ruled voluntary or court ordered desegregation plans can not be based on race. The highly controversial ruling was the

result of a case involving school districts in Louisville, Kentucky and Seattle, Washington. The districts had assigned students to certain schools based on their race in an effort to prevent re-segregation and racial disparities in their schools.

The Supreme Court has ordered schools to utilize other factors in "diversity" plans such as socio-economic status. As a result, states with desegregation plans must change their laws to reflect the high court's ruling.

House File 2164 changes current law to reflect the Supreme Court's decision that race can not be a factor in desegregation plans. Currently in Iowa law, there are references to minority and non-minority pupils in voluntary or court ordered desegregation plans.

The bill would eliminate those references and replace these references with "diversity" plan.

In Iowa, there has never been any court ordered desegregation plans. All plans have been on a voluntary basis. Five school districts use voluntary plans - Des Moines, Davenport, Postville, Waterloo, and West Liberty. The school districts must now update their plans to reflect the change.

Iowa law permits these five districts currently on voluntary desegregation plans to keep their plans. It does not allow additional districts to adopt a plan.

The bill is now in the Senate Education Committee for consideration.

Mason City Receives Vision Iowa Award

The Vision Iowa Board has announced a \$9 million grant for Mason City. The grant marks the

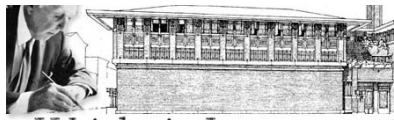
first Vision Iowa-funded project in more than a year and the 13th award since the inception of the program.

The award is contingent upon the completion of local fundraising within 180 days.

The cornerstone of Mason City's \$34 million project is the renovation and rehabilitation of the Park Inn Hotel, the only remaining hotel in the world designed by Frank Lloyd Wright. Plans call for the hotel to re-open on September 10, 2010, the building's 100th birthday.

Frank Lloyd Wright built a total of six hotels throughout his career, but only the Park Inn Hotel continues to stand today. Also included in the city's plans are renovation and rehabilitation of the City National Bank (also designed by Wright), renovation and addition to the Mason City Public Library, and construction of the East Park Performing Arts Pavilion.

Mason City also plans construction of recreation trails and a greenway in the Willow Creek Development, and the construction of the Historic Architecture Interpretive Center adjacent to the Wright-designed Stockman House Mu-



seum. Finally the project calls for a streetscape development on Federal Plaza, and construction of a parking structure to service the Park Inn Hotel and downtown area.

The initial amount available for Vision Iowa projects worth \$20 million or more has now been used. The \$9 million for Mason City became available after other communities could not meet the challenge of their local match. To date, 13 Vision Iowa projects have been awarded over \$227.5 million.

Centerville Active Living Campus

Centerville was awarded \$190,000 to help with a \$980,000 new active living campus. Phase one of the overall project includes the construction of a sports and recreation campus with multiple

playing fields for public and school uses. It also includes a machine shed for maintenance materials and a combination concession, restroom and office building.

The award is contingent upon the completion of local fundraising within 90 days, including more monetary support from the city and county.

The Community Attraction and Tourism (CAT) Program provides financial incentives to communities for the construction of recreational, cultural, educational or entertainment facilities that enhance the quality of life in Iowa. Currently, 285 CAT awards have been granted by the board, totaling over \$95.5 million. Less than \$1 million is left for the CAT program funding for the remainder of this fiscal year. However, there is over \$6.3 million available next year and just under \$12 million available for fiscal year 2010.

Agriculture and Natural Resources Budget Bill

This week, the joint House and Senate Agriculture and Natural Resources Budget Subcommittee moved the budget bill for the Department of Agriculture and Land Stewardship and the Department of Natural Resources to the full House Appropriations Committee. This is the first step in determining the operations budget for these agencies for the next state fiscal year starting July 1, 2008.

The bill adopted by the subcommittee appropriates a total of \$43.4 million from the general fund. This is a \$235,000 reduction from the current fiscal year, FY 2008. The bill also appropriates \$40 million from the Environment First Fund for agriculture and natural resources programs.

REAP

Iowa's Resource Enhancement and Protection (REAP) program will receive \$16 million next year under the bill, which is an increase of \$500,000. Since last year, the majority party has increased funding for this very important and popular environmental and recreation program by \$5 million.

REAP, which needs \$20 million to be fully funded, provides moneys for projects that enhance our natural, cultural, and recreational resources including environmental education, soil and water enhancement, parks, trails, museums, and roadside beautification.

Soil and Water

The subcommittee also wanted to make sure that our soil conservation and water quality programs are fully funded. The bill fully funds

soil and water conservation district commissioners' expenses to a total of \$400,000. Local commissioners have urged lawmakers to help offset the expenses they pay out of their own pockets.

The bill also maintains the current funding level of \$7 million for the soil conservation cost-share program that helps landowners install measures to control soil erosion. Funding is also maintained for the conservation reserve enhancement program, the watershed protection program, farm management demonstrations, helping farmers enroll in the federal conservation reserve program, and closing agricultural drainage wells to improve water quality.

Water quality monitoring is also maintained at its current level of almost \$3 million. The bill also appropriates \$495,000 to continue

efforts adopted last year to study water quantity issues in Iowa.

Vet Diagnostic Lab

This budget bill provides \$2 million to the veterinary diagnostic laboratory at Iowa State University. It is the intent that another \$1 mil-

lion will be appropriated to the lab in a different budget bill. This would reach the goal the Legislature set last year to increase funding to a total of \$3 million for FY 2009. The bill also maintains the intent language that \$4 million should be appropriated for the lab starting in FY 2010 and thereafter.

The mission of the Iowa State University vet diagnostic lab, according to their website, is to promote the health of livestock and to insure safe animal products for the consumer. They assist veterinarians, their clients, and others in the detection and prevention of diseases in livestock.