



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 22, 2009

House Amendment 1656

PAG LIN

1 1 Amend Senate File 479, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, line 9, by inserting after the word
1 4 ~~landfill~~ the following: <to decompose waste and
1 5 convert the waste to gas,>.
1 6 #2. Page 1, by striking lines 14 through 16 and
1 7 inserting the following: <gas or other gases and to
1 8 convert the gas to energy. ~~However, property used to~~
~~1 9 decompose the waste and convert the waste to gas is~~
~~1 10 not eligible for this exemption.>~~
1 11 #3. Page 1, by inserting before line 17 the
1 12 following:
1 13 <Sec. ____ . Section 427.1, subsection 29, Code
1 14 2009, is amended by adding the following new
1 15 paragraph:
1 16 NEW PARAGRAPH. d. With respect to methane gas
1 17 conversion property other than that used in an
1 18 operation connected with, or in conjunction with, a
1 19 publicly owned sanitary landfill, the exemption
1 20 pursuant to this subsection shall be subject to the
1 21 approval of the county board of supervisors pursuant
1 22 to guidelines established by the board, shall be
1 23 limited to property originally placed in operation on
1 24 or after January 1, 2008, and on or before December
1 25 31, 2012, and shall be available for the ten-year
1 26 period following the date the property was originally
1 27 placed in operation.>
1 28 #4. Page 1, by striking lines 28 through 31 and
1 29 inserting the following: <This Act, being deemed of
1 30 immediate importance, takes effect upon enactment and
1 31 applies retroactively to assessment years beginning on
1 32 or after January 1, 2008. Notwithstanding section
1 33 427.1, subsection 29, paragraph "c", claims for
1 34 exemption for the 2008 and 2009 assessment years shall
1 35 be filed with the appropriate assessing authority on
1 36 or before June 30, 2009.>
1 37 #5. Title page, by striking lines 2 and 3 and
1 38 inserting the following: <gas conversion property and
1 39 including effective and retroactive applicability date
1 40 provisions.>
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1 44 COMMITTEE ON WAYS AND MEANS
1 45 SHOMSHOR of Pottawattamie, Chairperson
1 46 SF 479.702 83
1 47 rn/rn/24180
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1 1 Amend Senate File 471, as amended, passed, and
 1 2 reprinted by the Senate, as follows:
 1 3 #1. By striking page 6, line 33, through page 7,
 1 4 line 1.
 1 5 #2. Page 10, line 21, by inserting after the word
 1 6 <funds> the following: <, or the permissible limit
 1 7 for administrative cost expenditures specified in the
 1 8 federal Act if such limit is less than five percent>.
 1 9 #3. Page 10, by striking line 33 and inserting the
 1 10 following: <469.9, subsection 4, and notwithstanding
 1 11 the limitation on the amount of tax credits under
 1 12 section 15.335, the board may allocate up to one>.
 1 13 #4. By renumbering as necessary.
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 1 17 COMMITTEE ON WAYS AND MEANS
 1 18 SHOMSHOR of Pottawattamie, Chairperson
 1 19 SF 471.503 83
 1 20 rn/rn/24178

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House Amendment 1658

PAG LIN

1 1 Amend Senate File 459, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, line 6, by striking the figure <2009>
1 4 and inserting the following: <2010, and before July
1 5 1, 2020>.
1 6 #2. Page 1, line 6, by inserting after the word
1 7 <residential> the following: <or commercial>.
1 8 #3. Page 1, line 23, by inserting after the word
1 9 <residential> the following: <or commercial
1 10 property>.
1 11 #4. Page 1, by striking lines 28 and 29.
1 12 #5. Title page, by striking lines 2 and 3 and
1 13 inserting the following: <installation of a
1 14 geothermal heating or cooling system.>
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1 18 COMMITTEE ON WAYS AND MEANS
1 19 SHOMSHOR of Pottawattamie, Chairperson
1 20 SF 459.206 83
1 21 rn/rn/24179
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House Amendment 1659

PAG LIN

1 1 Amend the House amendment, S=3268, to Senate File
1 2 470, as amended, passed, and reprinted by the Senate,
1 3 as follows:
1 4 #1. By striking page 1, line 3, through page 2,
1 5 line 6.
1 6 #2. Page 2, by striking lines 19 through 22.
1 7 #3. By striking page 2, line 50, through page 3,
1 8 line 29.
1 9 #4. Page 3, by inserting after line 35 the
1 10 following:
1 11 <#____. Page 24, lines 19 and 20, by striking the
1 12 words <beginning with the October payroll>.>
1 13 #5. Page 3, by striking lines 39 through 49.
1 14 #6. Page 3, by inserting before line 50 the
1 15 following:
1 16 <#____. Page 27, by inserting after line 17 the
1 17 following:
1 18 <Sec. _____. NEW SECTION. 261D.4 PROVISIONAL
1 19 WITHDRAWAL FROM COMPACT.
1 20 The state of Iowa hereby withdraws from the
1 21 midwestern higher education compact effective July 1,
1 22 2009, until such time as the state has the resources
1 23 to resume membership and reenters into the compact.
1 24 The state of Iowa's obligations and liability under
1 25 the compact shall cease upon the effective date of its
1 26 withdrawal from the compact. The section shall
1 27 prevail over any contrary provisions of this
1 28 chapter.>>
1 29 #7. By striking page 4, line 35, through page 5,
1 30 line 12.
1 31 #8. Page 5, by inserting before line 13 the
1 32 following:
1 33 <#____. Page 27, by inserting after line 31 the
1 34 following:
1 35 <Sec. _____. Section 272.2, subsection 10, Code
1 36 2009, is amended to read as follows:
1 37 10. Issue statements of professional recognition
1 38 to school service personnel who have attained a
1 39 minimum of a baccalaureate degree and who are licensed
1 40 by another professional licensing board, including but
1 41 not limited to athletic trainers licensed under
1 42 chapter 152D.
1 43 Sec. _____. Section 272.2, Code 2009, is amended by
1 44 adding the following new subsection:
1 45 NEW SUBSECTION. 18. May adopt rules for
1 46 practitioners who are not eligible for a statement of
1 47 professional recognition under subsection 10, but have
1 48 received a baccalaureate degree and provide a service
1 49 to students at any or all levels from prekindergarten
1 50 through grade twelve for a school district, accredited



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2 1 nonpublic school, area education agency, or preschool
2 2 program established pursuant to chapter 256C.>
2 3 #___. Page 32, by inserting after line 28 the
2 4 following:
2 5 <Sec. ____. Section 422.33, Code 2009, is amended
2 6 by adding the following new subsection:
2 7 NEW SUBSECTION. 27. The taxes imposed under this
2 8 division shall be reduced by a school tuition
2 9 organization tax credit allowed under section 422.11S.
2 10 The maximum amount of tax credits that may be approved
2 11 under this subsection for a tax year equals
2 12 twenty=five percent of the school tuition
2 13 organization's tax credits that may be approved
2 14 pursuant to section 422.11S, subsection 7, for a tax
2 15 year.>>
2 16 #9. By striking page 5, line 16, through page 10,
2 17 line 38.
2 18 #10. By renumbering, relettering, redesignating,
2 19 or correcting internal references as necessary.
2 20 SF 470.S
2 21 kh/tm:rj/jh/26



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House Amendment 1660

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1 1 Amend House File 756, as amended, passed, and
 1 2 reprinted by the House, as follows:
 1 3 #1. Page 5, by inserting after line 10 the
 1 4 following:
 1 5 <Sec. _____. NEW SECTION. 455B.290 COUNTY AND CITY
 1 6 CONTROL OF JUNKYARDS.
 1 7 Nothing in this part shall be construed as limiting
 1 8 the authority of a city or county to adopt an
 1 9 ordinance regulating a junkyard located within a five
 1 10 hundred year flood plain.>
 1 11 #2. Page 7, by striking lines 1 and 2 and
 1 12 inserting the following: <recommendations shall be
 1 13 submitted to the governor and the general assembly not
 1 14 later than>.
 1 15 #3. Page 7, line 13, by striking the words <the
 1 16 rebuild Iowa office,>.
 1 17 #4. Page 7, line 15, by inserting after the word
 1 18 <districts,> the following: <agricultural
 1 19 interests,>.
 1 20 #5. Page 7, line 20, by striking the words <The
 1 21 land> and inserting the following: <In addition to
 1 22 the use of Iowa land for agriculture and economic
 1 23 development, the land>.
 1 24 #6. Page 7, line 24, by striking the words
 1 25 <economic and>.
 1 26 #7. By renumbering as necessary.
 1 27 HF 756.S
 1 28 da/rj/jh/26
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House Amendment 1661

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1 1 Amend the House amendment, S=3296, to Senate File
1 2 389, as amended, passed, and reprinted by the Senate,
1 3 as follows:
1 4 #1. Page 1, by striking lines 27 through 40, and
1 5 inserting the following:
1 6 <(1) A person who represents the federation of
1 7 Iowa insurers.
1 8 (2) A person who represents the independent
1 9 insurance agents of Iowa.
1 10 (3) A person who represents the Iowa association
1 11 of health underwriters.
1 12 (4) A health care provider who is designated by
1 13 the medical home system advisory council.
1 14 (5) A person who represents the Iowa federation of
1 15 labor.
1 16 (6) A consumer designated by AARP.
1 17 (7) A consumer designated by the Iowa citizen
1 18 action network.
1 19 (8) A consumer designated by the Iowa community
1 20 action association, who is a member of a racial
1 21 minority group.
1 22 (9) A person designated by the small business
1 23 development centers, who represents small businesses.
1 24 (10) A person designated by the united way
1 25 organizations in Iowa, who represents a nonprofit
1 26 entity.
1 27 (11) A health care economist who is on the faculty
1 28 of a state board of regents institution.>
1 29 #2. Page 1, line 41, by striking the word <may>
1 30 and inserting the following: <shall>.
1 31 #3. Page 1, line 42, by striking the word
1 32 <coordinator> and inserting the following: <person or
1 33 persons>.
1 34 #4. Page 1, line 43, by striking the word
1 35 <coordinator> and inserting the following: <person or
1 36 persons employed or contracted with to assist the
1 37 commission>.
1 38 #5. Page 3, lines 29 and 30, by striking the words
1 39 <health insurance experts> and inserting the
1 40 following: <experts or groups with expertise in
1 41 health care coverage>.
1 42 #6. Page 4, line 23, by striking the words <health
1 43 insurance experts> and inserting the following:
1 44 <experts or groups with expertise in health care
1 45 coverage>.
1 46 #7. Page 4, line 30, by striking the words <last
1 47 report> and inserting the following: <previous annual
1 48 report provided on January 1, 2010, including but not
1 49 limited to information about health care coverage for
1 50 adults, including enrollment information, that was



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House Amendment 1661 continued

2 1 available for purchase by the public by July 1, 2010,
2 2 consistent with the commission's recommendations and
2 3 priorities, and including further recommendations and
2 4 prioritization of those recommendations>.
2 5 SF 389.S
2 6 av/rj/jh/26



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House Amendment 1662

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1 1 Amend House File 809, as amended, passed, and
 1 2 reprinted by the House, as follows:
 1 3 #1. Page 5, by inserting after line 1 the
 1 4 following:
 1 5 <d. Notwithstanding any provision of this
 1 6 subsection to the contrary, the auditor may seek
 1 7 reimbursement from departments and agencies specified
 1 8 in section 11.5B, and governmental subdivisions, in an
 1 9 amount that exceeds the total amount reimbursed to the
 1 10 auditor by those departments, agencies, or
 1 11 governmental subdivisions for the fiscal year
 1 12 beginning July 1, 2008, for audits required by the
 1 13 federal government and reimbursable from federal
 1 14 funds.
 1 15 e. For purposes of this subsection, "total amount
 1 16 reimbursed" does not include amounts reimbursed for
 1 17 audits required and reimbursed from federal funds.
 1 18 Sec. ____ . AUDITOR OF STATE == DISCRETIONARY
 1 19 AUDITS. For the fiscal period beginning April 1,
 1 20 2009, and ending June 30, 2010, the auditor of state,
 1 21 in addition to any other requirements provided in this
 1 22 Act, shall not seek reimbursement from departments and
 1 23 agencies specified in section 11.5B for any
 1 24 discretionary audit that the auditor initiates or has
 1 25 initiated on the auditor's own authority and which is
 1 26 not specifically required by statute. Notwithstanding
 1 27 the prohibition contained in this section, the auditor
 1 28 shall perform all necessary audit duties related to
 1 29 any financial report required to be compiled by a
 1 30 department or agency that the auditor has previously
 1 31 audited in the normal course of the auditor's duties,
 1 32 whether or not such financial report is required by
 1 33 law. Any amounts reimbursed in association with such
 1 34 audit shall be limited to the amounts reimbursed for
 1 35 the audit of such report during the previous reporting
 1 36 period.>
 1 37 #2. By striking page 5, line 13, through page 7,
 1 38 line 27, and inserting the following:
 1 39 <SEC. ____ . DEPARTMENT OF COMMERCE.
 1 40 1. There is appropriated from the general fund of
 1 41 the state to the department of commerce for the fiscal
 1 42 year beginning July 1, 2009, and ending June 30, 2010,
 1 43 the following amounts, or so much thereof as is
 1 44 necessary, for the purposes designated:
 1 45 a. ALCOHOLIC BEVERAGES DIVISION
 1 46 For salaries, support, maintenance, and
 1 47 miscellaneous purposes, and for not more than the
 1 48 following full-time equivalent positions:
 1 49 \$ 2,007,160
 1 50 FTEs 37.00



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2 1 b. PROFESSIONAL LICENSING AND REGULATION BUREAU
 2 2 For salaries, support, maintenance, and
 2 3 miscellaneous purposes, and for not more than the
 2 4 following full-time equivalent positions:
 2 5 \$ 900,553
 2 6 FTEs 16.00
 2 7 c. INSURANCE DIVISION == SENIOR HEALTH INSURANCE
 2 8 INFORMATION PROGRAM
 2 9 For the use of the senior health insurance
 2 10 information program:
 2 11 \$ 52,253
 2 12 2. There is appropriated from the department of
 2 13 commerce revolving fund created in section 546.12, if
 2 14 enacted by this Act, to the department of commerce for
 2 15 the fiscal year beginning July 1, 2009, and ending
 2 16 June 30, 2010, the following amounts, or so much
 2 17 thereof as is necessary, for the purposes designated:
 2 18 a. BANKING DIVISION
 2 19 For salaries, support, maintenance, and
 2 20 miscellaneous purposes, and for not more than the
 2 21 following full-time equivalent positions:
 2 22 \$ 8,662,670
 2 23 FTEs 73.00
 2 24 b. CREDIT UNION DIVISION
 2 25 For salaries, support, maintenance, and
 2 26 miscellaneous purposes, and for not more than the
 2 27 following full-time equivalent positions:
 2 28 \$ 1,727,995
 2 29 FTEs 19.00
 2 30 c. INSURANCE DIVISION
 2 31 (1) For salaries, support, maintenance, and
 2 32 miscellaneous purposes, and for not more than the
 2 33 following full-time equivalent positions:
 2 34 \$ 4,881,216
 2 35 FTEs 102.00
 2 36 (2) The insurance division may reallocate
 2 37 authorized full-time equivalent positions as necessary
 2 38 to respond to accreditation recommendations or
 2 39 requirements. The insurance division expenditures for
 2 40 examination purposes may exceed the projected
 2 41 receipts, refunds, and reimbursements, estimated
 2 42 pursuant to section 505.7, subsection 7, including the
 2 43 expenditures for retention of additional personnel, if
 2 44 the expenditures are fully reimbursable and the
 2 45 division first does both of the following:
 2 46 (a) Notifies the department of management, the
 2 47 legislative services agency, and the legislative
 2 48 fiscal committee of the need for the expenditures.
 2 49 (b) Files with each of the entities named in
 2 50 subparagraph division (a) the legislative and



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House Amendment 1662 continued

3 1 regulatory justification for the expenditures, along
 3 2 with an estimate of the expenditures.
 3 3 (3) The insurance division shall allocate \$10,000
 3 4 from the examination receipts for the payment of its
 3 5 fees to the national conference of insurance
 3 6 legislators.
 3 7 d. UTILITIES DIVISION
 3 8 (1) For salaries, support, maintenance, and
 3 9 miscellaneous purposes, and for not more than the
 3 10 following full-time equivalent positions:
 3 11 \$ 7,795,527
 3 12 FTEs 79.00
 3 13 (2) The utilities division may expend additional
 3 14 funds, including funds for additional personnel, if
 3 15 those additional expenditures are actual expenses
 3 16 which exceed the funds budgeted for utility regulation
 3 17 and the expenditures are fully reimbursable. Before
 3 18 the division expends or encumbers an amount in excess
 3 19 of the funds budgeted for regulation, the division
 3 20 shall first do both of the following:
 3 21 (a) Notify the department of management, the
 3 22 legislative services agency, and the legislative
 3 23 fiscal committee of the need for the expenditures.
 3 24 (b) File with each of the entities named in
 3 25 subparagraph division (a) the legislative and
 3 26 regulatory justification for the expenditures, along
 3 27 with an estimate of the expenditures.
 3 28 (3) Notwithstanding sections 8.33 and 476.10 or
 3 29 any other provision to the contrary, any balance of
 3 30 the appropriation made in this paragraph for the
 3 31 utilities division or any other operational
 3 32 appropriation made for the fiscal year beginning July
 3 33 1, 2009, and ending June 30, 2010, that remains
 3 34 unused, unencumbered, or unobligated at the close of
 3 35 the fiscal year shall not revert but shall remain
 3 36 available to be used for purposes of the
 3 37 energy-efficient building project authorized under
 3 38 section 476.10B, or for relocation costs in succeeding
 3 39 fiscal years.
 3 40 3. CHARGES == TRAVEL>.
 3 41 #3. Page 12, line 26, by inserting before the
 3 42 words <For salaries> the following: <a.>
 3 43 #4. Page 12, by inserting after line 30 the
 3 44 following:
 3 45 <b. The department shall, in coordination with the
 3 46 health facilities division, make the following
 3 47 information available to the public in a timely
 3 48 manner, to include providing the information on the
 3 49 department's internet website, during the fiscal year
 3 50 beginning July 1, 2009, and ending June 30, 2010:



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4 1 (1) The number of inspections conducted by the
4 2 division annually by type of service provider and type
4 3 of inspection.

4 4 (2) The total annual operations budget for the
4 5 division, including general fund appropriations and
4 6 federal contract dollars received by type of service
4 7 provider inspected.

4 8 (3) The total number of full-time equivalent
4 9 positions in the division, to include the number of
4 10 full-time equivalent positions serving in a
4 11 supervisory capacity, and serving as surveyors,
4 12 inspectors, or monitors in the field by type of
4 13 service provided.

4 14 (4) Identification of state and federal survey
4 15 trends, cited regulations, the scope and severity of
4 16 deficiencies identified, and federal and state fines
4 17 assessed and collected concerning nursing and assisted
4 18 living facilities and programs.

4 19 c. It is the intent of the general assembly that
4 20 the department and division continuously solicit input
4 21 from facilities regulated by the division to assess
4 22 and improve the division's level of collaboration and
4 23 to identify new opportunities for cooperation.>

4 24 #5. Page 15, by striking line 21 and inserting the
4 25 following:

4 26 <..... FTEs 37.50>

4 27 #6. Page 15, by striking lines 27 through 34.

4 28 #7. Page 19, by striking lines 11 through 18.

4 29 #8. By striking page 19, line 29, through page 20,
4 30 line 1.

4 31 #9. Page 20, by striking lines 2 through 21 and
4 32 inserting the following:

4 33 <Sec. ____ . VEHICLE PURCHASES. The department of
4 34 administrative services shall seek to procure motor
4 35 vehicles for state use at the lowest possible cost to
4 36 the state. Motor vehicles purchased by the department
4 37 shall not include optional equipment that results in
4 38 an increase in the cost of the motor vehicle unless
4 39 such optional equipment is specifically required by
4 40 the requesting state agency or unless such equipment
4 41 is part of the lowest cost package available meeting
4 42 minimum specifications. A state agency seeking to
4 43 replace a motor vehicle shall not request any
4 44 equipment to be added to its motor vehicles except as
4 45 the state agency determines is necessary for the
4 46 department's employees in the safe and efficient
4 47 operation of the motor vehicle. The department shall
4 48 not seek to have any optional equipment removed or
4 49 deleted from an order if such action would increase
4 50 the cost of the vehicle to the state.



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5 1 Sec. _____. EFFECTIVE DATE == RETROACTIVE
5 2 APPLICABILITY. The section of this division of this
5 3 Act concerning discretionary audits by the auditor of
5 4 state, being deemed of immediate importance, takes
5 5 effect upon enactment, and is retroactively applicable
5 6 to April 1, 2009, and is applicable on and after that
5 7 date.>

5 8 #10. By striking page 21, line 12, through page
5 9 22, line 2, and inserting the following:
5 10 <Sec. _____. Section 8.9, subsection 1, Code 2009,
5 11 is amended to read as follows:

5 12 1. The office of grants enterprise management is
5 13 established in the department of management. The
5 14 function of the office is to develop and administer a
5 15 system to track, identify, advocate for, and
5 16 coordinate nonstate grants as defined in section 8.2,
5 17 subsections 1 and 3. Staffing for the office of
5 18 grants enterprise management shall be provided by a
5 19 facilitator appointed by the director of the
5 20 department of management. Additional staff may be
5 21 hired, subject to the availability of funding.

~~5 22 Funding for the office is from the appropriation to
5 23 the department pursuant to section 8A.505, subsection
5 24 2.>~~

5 25 #11. Page 22, by striking lines 5 through 35.

5 26 #12. By striking page 24, line 10, through page
5 27 31, line 23, and inserting the following:

5 28 <ETHICS AND CAMPAIGN DISCLOSURE BOARD ENFORCEMENT
5 29 Sec. _____. Section 68B.32A, Code 2009, is amended
5 30 by adding the following new subsection:

5 31 NEW SUBSECTION. 18. At the board's discretion,
5 32 enter into an agreement with a political subdivision
5 33 authorizing the board to enforce the provisions of a
5 34 code of ethics adopted by that political subdivision.

5 35 DIVISION VI

5 36 ALCOHOLIC BEVERAGE CONTROL PROVISION

5 37 Sec. _____. Section 123.30, subsection 3, paragraph
5 38 e, unnumbered paragraph 1, Code 2009, is amended to
5 39 read as follows:

5 40 CLASS "E". A class "E" liquor control license may
5 41 be issued and shall authorize the holder to purchase
5 42 alcoholic liquor from the division only and to sell
5 43 the alcoholic liquor to patrons for consumption off
5 44 the licensed premises and to other liquor control
5 45 licensees. ~~A class "E" license shall not be issued to~~
~~5 46 premises at which gasoline is sold.~~ A holder of a
5 47 class "E" liquor control license may hold other retail
5 48 liquor control licenses or retail wine or beer
5 49 permits, but the premises licensed under a class "E"
5 50 liquor control license shall be separate from other



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6 1 licensed premises, though the separate premises may
6 2 have a common entrance. However, the holder of a
6 3 class "E" liquor control license may also hold a class
6 4 "B" wine or class "C" beer permit or both for the
6 5 premises licensed under a class "E" liquor control
6 6 license.

6 7 DIVISION VII

6 8 BINGO CONDUCTED AT A FAIR OR COMMUNITY FESTIVAL
6 9 Sec. ____ . NEW SECTION. 99B.5A BINGO CONDUCTED AT
6 10 A FAIR OR COMMUNITY FESTIVAL.

6 11 1. For purposes of this section:

6 12 a. "Community festival" means a festival of no
6 13 more than four consecutive days in length held by a
6 14 community group.

6 15 b. "Community group" means an Iowa nonprofit,
6 16 tax-exempt organization which is open to the general
6 17 public and established for the promotion and
6 18 development of the arts, history, culture, ethnicity,
6 19 historic preservation, tourism, economic development,
6 20 festivals, or municipal libraries. "Community group"
6 21 does not include a school, college, university,
6 22 political party, labor union, state or federal
6 23 government agency, fraternal organization, church,
6 24 convention or association of churches, or
6 25 organizations operated primarily for religious
6 26 purposes, or which are operated, supervised,
6 27 controlled, or principally supported by a church,
6 28 convention, or association of churches.

6 29 2. Bingo may lawfully be conducted at a fair, as
6 30 defined in section 174.1, or a community festival if
6 31 all the following conditions are met:

6 32 a. Bingo is conducted by the sponsor of the fair
6 33 or community festival or a qualified organization
6 34 licensed under section 99B.7 that has received
6 35 permission from the sponsor of the fair or community
6 36 festival to conduct bingo.

6 37 b. The sponsor of the fair or community festival
6 38 or the qualified organization has submitted a license
6 39 application and a fee of fifty dollars to the
6 40 department, has been issued a license, and prominently
6 41 displays the license at the area where the bingo
6 42 occasion is being held. A license shall only be valid
6 43 for the duration of the fair or community festival
6 44 indicated on the application.

6 45 c. The number of bingo occasions shall be limited
6 46 to one for each day of the duration of the fair or
6 47 community festival.

6 48 d. The rules for the bingo occasion are posted.

6 49 e. Except as provided in this section, the
6 50 provisions of sections 99B.2 and 99B.7 related to



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7 1 bingo shall apply.

7 2 3. An individual other than a person conducting
7 3 the bingo occasion may participate in the bingo
7 4 occasion conducted at a fair or community festival,
7 5 whether or not conducted in compliance with this
7 6 section.

7 7 4. Bingo occasions held under a license under this
7 8 section shall not be counted in determining whether a
7 9 qualified organization has conducted more than
7 10 fourteen bingo occasions per month. In addition,
7 11 bingo occasions held under this license shall not be
7 12 limited to four consecutive hours.

7 13 DIVISION VIII
7 14 DEPARTMENT OF COMMERCE REVOLVING
7 15 FUND == APPROPRIATIONS

7 16 Sec. _____. Section 87.11E, subsection 5, Code 2009,
7 17 is amended to read as follows:

7 18 5. A civil penalty levied under subsection 4 shall
7 19 not exceed one thousand dollars per violation per
7 20 person, and shall not exceed ten thousand dollars in a
7 21 single proceeding against any one person. All civil
7 22 penalties shall be deposited ~~in the general fund of~~
~~7 23 the state~~ pursuant to section 505.7.

7 24 Sec. _____. Section 475A.3, subsection 3, Code 2009,
7 25 is amended to read as follows:

7 26 3. SALARIES, EXPENSES, AND APPROPRIATION. The
7 27 salary of the consumer advocate shall be fixed by the
7 28 attorney general within the salary range set by the
7 29 general assembly. The salaries of employees of the
7 30 consumer advocate shall be at rates of compensation
7 31 consistent with current standards in industry. The
7 32 reimbursement of expenses for the employees and the
7 33 consumer advocate is as provided by law. The
7 34 appropriation for the office of consumer advocate
7 35 shall be a separate line item contained in the
7 36 appropriation from the ~~general fund of the state~~
7 37 department of commerce revolving fund created in
7 38 section 546.12.

7 39 Sec. _____. Section 476.10, unnumbered paragraph 4,
7 40 Code 2009, is amended to read as follows:

7 41 The order shall be subject to review in the manner
7 42 provided in this chapter. All amounts collected by
7 43 the division pursuant to the provisions of this
7 44 section shall be deposited with the treasurer of state
7 45 and credited to the ~~general fund of the state~~
7 46 department of commerce revolving fund created in
7 47 section 546.12. Such amounts shall be spent in
7 48 accordance with the provisions of chapter 8.

7 49 Sec. _____. Section 476.10, unnumbered paragraph 6,
7 50 Code 2009, is amended to read as follows:



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8 1 Fees paid to the utilities division shall be
8 2 deposited in the ~~general fund of the state~~ department
8 3 of commerce revolving fund created in section 546.12.
8 4 These funds shall be used for the payment, upon
8 5 appropriation by the general assembly, of the expenses
8 6 of the utilities division and the consumer advocate
8 7 division of the department of justice. ~~Subject to~~
~~8 8 this section, the utilities division or the consumer~~
~~8 9 advocate division may keep on hand with the treasurer~~
~~8 10 of state funds in excess of the current needs of the~~
~~8 11 utilities division or the consumer advocate division.~~
8 12 Sec. _____. Section 476.10, unnumbered paragraph 8,
8 13 Code 2009, is amended to read as follows:
8 14 All fees and other moneys collected under this
8 15 section and sections 478.4, 479.16, and 479A.9 shall
8 16 be deposited into the ~~general fund of the state~~
8 17 department of commerce revolving fund created in
8 18 section 546.12 and expenses required to be paid under
8 19 this section shall be paid from funds appropriated for
8 20 those purposes. ~~Moneys deposited into the general~~
~~8 21 fund of the state pursuant to this section and~~
~~8 22 sections 478.4, 479.16, and 479A.9 shall be subject to~~
~~8 23 the requirements of section 8.60.~~
8 24 Sec. _____. Section 476.51, subsection 5, Code 2009,
8 25 is amended to read as follows:
8 26 5. Civil penalties collected pursuant to this
8 27 section from utilities providing water, electric, or
8 28 gas service shall be forwarded by the executive
8 29 secretary of the board to the treasurer of state to be
8 30 credited to the general fund of the state and to be
8 31 used only for the low income home energy assistance
8 32 program and the weatherization assistance program
8 33 administered by the division of community action
8 34 agencies of the department of human rights. Civil
8 35 penalties collected pursuant to this section from
8 36 utilities providing telecommunications service shall
8 37 be forwarded to the treasurer of state to be credited
8 38 to the ~~general fund of the state~~ department of
8 39 commerce revolving fund created in section 546.12 to
8 40 be used only for consumer education programs
8 41 administered by the board. Penalties paid by a
8 42 rate-regulated public utility pursuant to this section
8 43 shall be excluded from the utility's costs when
8 44 determining the utility's revenue requirement, and
8 45 shall not be included either directly or indirectly in
8 46 the utility's rates or charges to customers.
8 47 Sec. _____. Section 476.87, subsection 3, Code 2009,
8 48 is amended to read as follows:
8 49 3. The board shall allocate the costs and expenses
8 50 reasonably attributable to certification and dispute



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9 1 resolution in this section to persons identified as
9 2 parties to such proceeding who are engaged in or who
9 3 seek to engage in providing natural gas services or
9 4 other persons identified as participants in such
9 5 proceeding. The funds received for the costs and the
9 6 expenses of certification and dispute resolution shall
9 7 be remitted to the treasurer of state for deposit in
9 8 ~~the general fund of the state department of commerce~~
9 9 revolving fund created in section 546.12 as provided

9 10 in section 476.10.

9 11 Sec. _____. Section 476.101, subsection 10, Code
9 12 2009, is amended to read as follows:

9 13 10. In a proceeding associated with the granting
9 14 of a certificate under section 476.29, approving maps
9 15 and tariffs for competitive local exchange providers
9 16 provided for in this section, or in resolving a
9 17 complaint filed pursuant to subsection 8 and
9 18 proceedings under 47 U.S.C. } 251==254, the board
9 19 shall allocate the costs and expenses of the
9 20 proceedings to persons identified as parties in the
9 21 proceeding who are engaged in or who seek to engage in
9 22 providing telecommunications services or other persons
9 23 identified as participants in the proceeding. The
9 24 funds received for the costs and the expenses shall be
9 25 remitted to the treasurer of state for deposit in the
9 26 ~~general fund of the state department of commerce~~
9 27 revolving fund created in section 546.12 as provided

9 28 in section 476.10.

9 29 Sec. _____. Section 476.103, subsection 4, paragraph
9 30 c, Code 2009, is amended to read as follows:

9 31 c. A civil penalty collected pursuant to this
9 32 subsection shall be forwarded by the executive
9 33 secretary of the board to the treasurer of state to be
9 34 credited to the ~~general fund of the state department~~
9 35 of commerce revolving fund created in section 546.12
9 36 and to be used only for consumer education programs
9 37 administered by the board.

9 38 Sec. _____. Section 476A.14, subsection 1, Code
9 39 2009, is amended to read as follows:

9 40 1. Any person who commences to construct a
9 41 facility as provided in this subchapter without having
9 42 first obtained a certificate, or who constructs,
9 43 operates or maintains any facility other than in
9 44 compliance with a certificate issued by the board or a
9 45 certificate amended pursuant to this subchapter, or
9 46 who causes any of these acts to occur, shall be liable
9 47 for a civil penalty of not more than ten thousand
9 48 dollars for each violation or for each day of
9 49 continuing violation. Civil penalties collected
9 50 pursuant to this subsection shall be forwarded by the



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10 1 clerk of court to the treasurer of state for deposit
10 2 in the ~~general fund of the state~~ department of
10 3 commerce revolving fund created in section 546.12.

10 4 Sec. _____. Section 478.4, Code 2009, is amended to
10 5 read as follows:

10 6 478.4 FRANCHISE == HEARING.

10 7 The utilities board shall consider the petition and
10 8 any objections filed to it in the manner provided. It
10 9 shall examine the proposed route or cause any engineer
10 10 selected by it to do so. If a hearing is held on the
10 11 petition it may hear testimony as may aid it in
10 12 determining the propriety of granting the franchise.

10 13 It may grant the franchise in whole or in part upon
10 14 the terms, conditions, and restrictions, and with the
10 15 modifications as to location and route as may seem to
10 16 it just and proper. Before granting the franchise,
10 17 the utilities board shall make a finding that the
10 18 proposed line or lines are necessary to serve a public
10 19 use and represents a reasonable relationship to an
10 20 overall plan of transmitting electricity in the public
10 21 interest. A franchise shall not become effective
10 22 until the petitioners shall pay, or file an agreement
10 23 to pay, all costs and expenses of the franchise
10 24 proceeding, whether or not objections are filed,
10 25 including costs of inspections or examinations of the
10 26 route, hearing, salaries, publishing of notice, and
10 27 any other expenses reasonably attributable to it. The
10 28 funds received for the costs and the expenses of the
10 29 franchise proceeding shall be remitted to the
10 30 treasurer of state for deposit in the ~~general fund of~~
10 31 ~~the state~~ department of commerce revolving fund
10 32 created in section 546.12 as provided in section
10 33 476.10.

10 34 Sec. _____. Section 479.16, Code 2009, is amended to
10 35 read as follows:

10 36 479.16 RECEIPT OF FUNDS.

10 37 All moneys received under this chapter shall be
10 38 remitted monthly to the treasurer of state and
10 39 credited to the ~~general fund of the state~~ department
10 40 of commerce revolving fund created in section 546.12
10 41 as provided in section 476.10.

10 42 Sec. _____. Section 479A.9, Code 2009, is amended to
10 43 read as follows:

10 44 479A.9 DEPOSIT OF FUNDS.

10 45 Moneys received under this chapter shall be
10 46 credited to the ~~general fund of the state~~ department
10 47 of commerce revolving fund created in section 546.12
10 48 as provided in section 476.10.

10 49 Sec. _____. Section 479B.12, Code 2009, is amended
10 50 to read as follows:



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11 1 479B.12 USE OF FUNDS.

11 2 All moneys received under this chapter, other than
11 3 civil penalties collected pursuant to section 479B.21,
11 4 shall be remitted monthly to the treasurer of state
11 5 and credited to the ~~general fund of the state~~
11 6 department of commerce revolving fund created in
11 7 section 546.12.

11 8 Sec. _____. Section 502.302, Code 2009, is amended
11 9 by adding the following new subsection:

11 10 NEW SUBSECTION. 5. DEPOSIT OF FEES. Fees
11 11 collected under this section shall be deposited as
11 12 provided in section 505.7.

11 13 Sec. _____. Section 502.304A, subsection 3, Code
11 14 2009, is amended by adding the following new
11 15 paragraph:

11 16 NEW PARAGRAPH. h. The fees collected under this
11 17 subsection shall be deposited as provided in section
11 18 505.7.

11 19 Sec. _____. Section 502.305, subsection 2, Code
11 20 2009, is amended to read as follows:

11 21 2. FILING. Except as provided in subsection 10
11 22 and section 502.304A, subsection 3, paragraph "g", a
11 23 person who files a registration statement or a notice
11 24 filing shall pay a filing fee of one-tenth of one
11 25 percent of the proposed aggregate sales price of the
11 26 securities to be offered to persons in this state
11 27 pursuant to the registration statement or notice
11 28 filing. However, except as provided in subsection 10,
11 29 section 502.302, subsection 1, paragraph "a", and
11 30 section 502.304A, subsection 3, paragraph "g", the
11 31 annual filing fee shall not be less than fifty dollars
11 32 or more than one thousand dollars. The administrator
11 33 shall retain the filing fee even if the notice filing
11 34 is withdrawn or the registration is withdrawn, denied,
11 35 suspended, revoked, or abandoned. The fees collected
11 36 under this subsection shall be deposited as provided
11 37 in section 505.7.

11 38 Sec. _____. Section 502.321G, Code 2009, is amended
11 39 to read as follows:

11 40 502.321G FEES.

11 41 The administrator shall charge a nonrefundable
11 42 filing fee of two hundred fifty dollars for a
11 43 registration statement filed by an offeror. The fee
11 44 shall be deposited as provided in section 505.7.

11 45 Sec. _____. Section 502.410, Code 2009, is amended
11 46 by adding the following new subsection:

11 47 NEW SUBSECTION. 7. DEPOSIT OF FEES. Except as
11 48 otherwise provided in subsection 2, fees collected
11 49 under this section shall be deposited as provided in
11 50 section 505.7.



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12 1 Sec. _____. Section 505.7, subsection 1, Code 2009,
12 2 is amended to read as follows:
12 3 1. All fees and charges which are required by law
12 4 to be paid by insurance companies, associations, and
12 5 other regulated entities shall be payable to the
12 6 commissioner of the insurance division of the
12 7 department of commerce or department of revenue, as
12 8 provided by law, whose duty it shall be to account for
12 9 and pay over the same to the treasurer of state at the
12 10 time and in the manner provided by law for deposit in
12 11 the ~~general fund of the state~~ department of commerce
12 12 revolving fund created in section 546.12.

12 13 Sec. _____. Section 505.7, subsection 3, Code 2009,
12 14 is amended to read as follows:
12 15 3. Forty percent of the nonexamination revenues
12 16 payable to the division of insurance or the department
12 17 of revenue in connection with the regulation of
12 18 insurance companies or other entities subject to the
12 19 regulatory jurisdiction of the division shall be
12 20 deposited in the department of commerce revolving fund
12 21 created in section 546.12 and shall be subject to
12 22 annual appropriation to the division for its
12 23 operations and is also subject to expenditure under
12 24 subsection 6. The remaining nonexamination revenues
12 25 payable to the division of insurance or the department
12 26 of revenue shall be deposited in the general fund of
12 27 the state.

12 28 Sec. _____. Section 507.9, Code 2009, is amended to
12 29 read as follows:
12 30 507.9 FEES == ACCOUNTING.
12 31 All fees collected under the provisions of this
12 32 chapter shall be paid to the commissioner of insurance
12 33 and shall be turned into the state treasury for
12 34 deposit as provided in section 505.7.

12 35 Sec. _____. Section 507B.7, subsection 4, paragraph
12 36 a, Code 2009, is amended to read as follows:
12 37 a. A monetary penalty of not more than ten
12 38 thousand dollars for each and every act or violation.
12 39 A penalty collected under this lettered paragraph
12 40 shall be deposited as provided in section 505.7.

12 41 Sec. _____. Section 508.13, subsection 3, Code 2009,
12 42 is amended to read as follows:
12 43 3. A company that fails to timely file an
12 44 application for renewal of its certificate of
12 45 authority shall pay an administrative penalty of five
12 46 hundred dollars to the treasurer of state for deposit
12 47 ~~in the general fund of the state~~ as provided in
12 48 section 505.7.

12 49 Sec. _____. Section 508.14, subsection 4, Code 2009,
12 50 is amended to read as follows:



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13 1 4. Amounts received by the commissioner pursuant
13 2 to subsections 2 and 3 shall be paid to the treasurer
13 3 of state for deposit ~~in the general fund of the state~~
13 4 as provided in section 505.7.

13 5 Sec. _____. Section 508.15, Code 2009, is amended to
13 6 read as follows:

13 7 508.15 VIOLATION BY FOREIGN COMPANY.

13 8 Companies organized and chartered by the laws of a
13 9 foreign state or country, failing to file the evidence
13 10 of investment and statement within the time fixed, or
13 11 failing to timely file any financial statement
13 12 required by rule of the commissioner of insurance,
13 13 shall forfeit and pay five hundred dollars, to be
13 14 collected in an action in the name of the state and
13 15 paid to the treasurer of state for deposit ~~in the~~
~~13 16 general fund of the state~~ as provided in section
13 17 505.7, and their right to transact further new
13 18 business in this state shall immediately cease until
13 19 the requirements of this chapter have been fully
13 20 complied with. The commissioner may give notice to a
13 21 company which has failed to file within the time fixed
13 22 that the company is in violation of this section and
13 23 if the company fails to file the evidence of
13 24 investment and statement within ten days of the date
13 25 of the notice the company shall forfeit and pay the
13 26 additional sum of one hundred dollars for each day the
13 27 failure continues, to be paid to the treasurer of
13 28 state for deposit ~~in the general fund of the state~~ as
13 29 provided in section 505.7.

13 30 Sec. _____. Section 508E.3, subsection 10, Code
13 31 2009, is amended to read as follows:

13 32 10. Fees collected pursuant to this section shall
13 33 be deposited ~~into the general fund of the state~~ as
13 34 provided in section 505.7.

13 35 Sec. _____. Section 508E.16, subsection 5, Code
13 36 2009, is amended to read as follows:

13 37 5. In addition to the penalties and other
13 38 enforcement provisions of this chapter, any person who
13 39 violates this chapter is subject to a civil penalty of
13 40 up to five thousand dollars for each violation of this
13 41 chapter. The civil penalty shall be deposited ~~into~~
~~13 42 the general fund of the state~~ as provided in section
13 43 505.7. If a person has not been ordered to pay
13 44 restitution by a court, the commissioner's order may
13 45 require a person found to be in violation of this
13 46 chapter to make restitution to a person aggrieved by a
13 47 violation of this chapter.

13 48 Sec. _____. Section 512B.25, Code 2009, is amended
13 49 to read as follows:

13 50 512B.25 ANNUAL LICENSE == RENEWAL.



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14 1 The authority of a society to transact business in
14 2 this state may be renewed annually. A license
14 3 terminates on the first day of June following issuance
14 4 or renewal. A society shall submit annually on or
14 5 before March 1 a completed application for renewal of
14 6 its license. For each license or renewal the society
14 7 shall pay the commissioner a fee of fifty dollars. A
14 8 society that fails to timely file an application for
14 9 renewal shall pay an administrative penalty of five
14 10 hundred dollars to the treasurer of state for deposit
14 11 ~~in the general fund of the state~~ as provided in
14 12 section 505.7. A duly certified copy or duplicate of
14 13 the license is prima facie evidence that the licensee
14 14 is a fraternal benefit society within the meaning of
14 15 this chapter.

14 16 Sec. _____. Section 514.9A, Code 2009, is amended to
14 17 read as follows:

14 18 514.9A CERTIFICATE OF AUTHORITY == RENEWAL.

14 19 A certificate of authority of a corporation formed
14 20 under this chapter expires on June 1 succeeding its
14 21 issue and shall be renewed annually so long as the
14 22 corporation transacts its business in accordance with
14 23 all legal requirements. A corporation shall submit
14 24 annually, on or before March 1, a completed
14 25 application for renewal of its certificate of
14 26 authority. A corporation that fails to timely file an
14 27 application for renewal shall pay an administrative
14 28 penalty of five hundred dollars to the treasurer of
14 29 state for deposit ~~in the general fund of the state~~ as
14 30 provided in section 505.7. A duly certified copy or
14 31 duplicate of the certificate is admissible in evidence
14 32 for or against the corporation with the same effect as
14 33 the original.

14 34 Sec. _____. Section 514B.3B, Code 2009, is amended
14 35 to read as follows:

14 36 514B.3B CERTIFICATE OF AUTHORITY == RENEWAL.

14 37 A certificate of authority of a health maintenance
14 38 organization formed under this chapter expires on June
14 39 1 succeeding its issue and shall be renewed annually
14 40 so long as the organization transacts its business in
14 41 accordance with all legal requirements. A health
14 42 maintenance organization shall submit annually, on or
14 43 before March 1, a completed application for renewal of
14 44 its certificate of authority. A health maintenance
14 45 organization that fails to timely file an application
14 46 for renewal shall pay an administrative penalty of
14 47 five hundred dollars to the treasurer of state for
14 48 deposit ~~in the general fund of the state~~ as provided
14 49 in section 505.7. A duly certified copy or duplicate
14 50 of the certificate is admissible in evidence for or



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15 1 against the organization with the same effect as the
15 2 original.

15 3 Sec. _____. Section 514B.12, subsections 3 and 4,
15 4 Code 2009, are amended to read as follows:

15 5 3. A health maintenance organization that fails to
15 6 timely file the report required under subsection 1 is
15 7 in violation of this section and shall pay an
15 8 administrative penalty of five hundred dollars to the
15 9 treasurer of state for deposit ~~in the general fund of~~
~~15 10 the state~~ as provided in section 505.7.

15 11 4. The commissioner may give notice to a health
15 12 maintenance organization that the organization has not
15 13 timely filed the report required under subsection 1
15 14 and is in violation of this section. If the
15 15 organization fails to file the required report and
15 16 comply with this section within ten days of the date
15 17 of the notice, the organization shall pay an
15 18 additional administrative penalty of one hundred
15 19 dollars for each day that the failure continues to the
15 20 treasurer of state for deposit ~~in the general fund of~~
~~15 21 the state~~ as provided in section 505.7.

15 22 Sec. _____. Section 514G.113, Code 2009, is amended
15 23 to read as follows:

15 24 514G.113 PENALTIES.

15 25 In addition to any other penalties provided by the
15 26 laws of this state, any insurer or any producer found
15 27 to have violated a provision of this chapter or any
15 28 other requirement of this state relating to the
15 29 regulation of long-term care insurance or the
15 30 marketing of such insurance shall be subject to a fine
15 31 of up to three times the amount of any commission paid
15 32 for each policy involved in the violation, or up to
15 33 ten thousand dollars, whichever is greater. A fine
15 34 collected under this section shall be deposited as
15 35 provided in section 505.7.

15 36 Sec. _____. Section 515.42, Code 2009, is amended to
15 37 read as follows:

15 38 515.42 TENURE OF CERTIFICATE == RENEWAL ==
15 39 EVIDENCE.

15 40 A certificate of authority shall expire on the
15 41 first day of June next succeeding its issue, and shall
15 42 be renewed annually so long as such company shall
15 43 transact business in accordance with the requirements
15 44 of law; a copy of which certificate, when certified to
15 45 by the commissioner of insurance, shall be admissible
15 46 in evidence for or against a company with the same
15 47 effect as the original. A company shall submit
15 48 annually, on or before March 1, a completed
15 49 application for renewal of its certificate of
15 50 authority. A company that fails to timely file an



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16 1 application for renewal shall pay an administrative
16 2 penalty of five hundred dollars to the treasurer of
16 3 state for deposit ~~in the general fund of the state~~ as
16 4 provided in section 505.7.

16 5 Sec. _____. Section 515.121, subsections 1 and 3,
16 6 Code 2009, are amended to read as follows:

16 7 1. An excess and surplus lines insurance producer
16 8 who fails to timely file the report required in
16 9 section 515.120 is in violation of this section and
16 10 shall pay an administrative penalty of five hundred
16 11 dollars to the treasurer of state for deposit ~~in the~~
~~16 12 general fund of the state~~ as provided in section
16 13 505.7.

16 14 3. The commissioner may give notice to a producer
16 15 that the producer has not timely filed the report
16 16 required under section 515.120 and is in violation of
16 17 this section. If the producer fails to file the
16 18 required report within ten days of the date of the
16 19 notice, the producer shall pay an additional
16 20 administrative penalty of one hundred dollars for each
16 21 day that the failure continues to the treasurer of
16 22 state for deposit ~~in the general fund of the state~~ as
16 23 provided in section 505.7.

16 24 Sec. _____. Section 515.146, Code 2009, is amended
16 25 to read as follows:

16 26 515.146 CERTIFICATE REFUSED == ADMINISTRATIVE
16 27 PENALTY.

16 28 The commissioner of insurance shall withhold the
16 29 commissioner's certificate or permission of authority
16 30 to do business from a company neglecting or failing to
16 31 comply with this chapter. In addition, a company
16 32 organized or authorized under this chapter which fails
16 33 to file the annual statement referred to in section
16 34 515.63 in the time required shall pay and forfeit an
16 35 administrative penalty in an amount of five hundred
16 36 dollars to be collected in the name of the state for
16 37 deposit ~~in the general fund of the state~~ as provided
16 38 in section 505.7. The company's right to transact
16 39 further new business in this state shall immediately
16 40 cease until the company has fully complied with this
16 41 chapter. The commissioner may give notice to a
16 42 company which has failed to file within the time
16 43 required that the company is in violation of this
16 44 section and, if the company fails to file the evidence
16 45 of investment and statement within ten days of the
16 46 date of the notice, the company shall forfeit and pay
16 47 the additional sum of one hundred dollars for each day
16 48 the failure continues, to be paid to the treasurer of
16 49 state for deposit ~~in the general fund of the state~~ as
16 50 provided in section 505.7.



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17 1 Sec. _____. Section 515.147, unnumbered paragraph 1,
17 2 Code 2009, is amended to read as follows:

17 3 Fees shall be paid to the commissioner of insurance
17 4 for deposit as provided in section 505.7 as follows:

17 5 Sec. _____. Section 515A.17, subsection 1, Code
17 6 2009, is amended to read as follows:

17 7 1. The commissioner may, if the commissioner finds
17 8 that any person or organization has violated any
17 9 provision of this chapter, impose a penalty of not
17 10 more than one thousand dollars for each such
17 11 violation, but if the commissioner finds such
17 12 violation to be willful the commissioner may impose a
17 13 penalty of not more than five thousand dollars for
17 14 each such violation. Such penalties may be in
17 15 addition to any other penalty provided by law. A
17 16 penalty collected under this subsection shall be
17 17 deposited as provided in section 505.7.

17 18 Sec. _____. Section 515F.19, Code 2009, is amended
17 19 by adding the following new unnumbered paragraph:

17 20 NEW UNNUMBERED PARAGRAPH. A penalty collected
17 21 under this section shall be deposited as provided in
17 22 section 505.7.

17 23 Sec. _____. Section 516E.2, subsection 2, Code 2009,
17 24 is amended to read as follows:

17 25 2. A service company shall not issue a service
17 26 contract or arrange to perform services pursuant to a
17 27 service contract unless the service company is
17 28 registered with the commissioner. A service company
17 29 shall file a registration with the commissioner
17 30 annually, on a form prescribed by the commissioner,
17 31 accompanied by a registration fee in the amount of
17 32 five hundred dollars. Fees collected under this
17 33 subsection shall be deposited as provided in section
17 34 505.7.

17 35 Sec. _____. Section 518.15, subsections 5 and 6,
17 36 Code 2009, are amended to read as follows:

17 37 5. An association formed under this chapter that
17 38 fails to timely file the statement required under
17 39 subsection 1 or the application for renewal required
17 40 under subsection 3 is in violation of this section and
17 41 shall pay an administrative penalty of five hundred
17 42 dollars to the treasurer of state for deposit ~~in the~~
17 43 ~~general fund of the state~~ as provided in section

17 44 505.7. The association's right to transact new
17 45 business in this state shall immediately cease until
17 46 the association has fully complied with this chapter.

17 47 6. The commissioner may give notice to an
17 48 association that the association has not timely filed
17 49 the statement required under subsection 1 or an
17 50 application for renewal under subsection 3 and is in



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18 1 violation of this section. If the association fails
18 2 to file the required statement or application and
18 3 comply with this section within ten days of the date
18 4 of the notice, the association shall pay an additional
18 5 administrative penalty of one hundred dollars for each
18 6 day that the failure continues to the treasurer of
18 7 state for deposit ~~in the general fund of the state as~~
18 8 provided in section 505.7.

18 9 Sec. _____. Section 518A.18, subsections 2 and 3,
18 10 Code 2009, are amended to read as follows:

18 11 2. An association that fails to timely file the
18 12 statement required under subsection 1 is in violation
18 13 of this section and shall pay an administrative
18 14 penalty of five hundred dollars for each violation to
18 15 the treasurer of state for deposit ~~in the general fund~~
~~18 16 of the state as provided in section 505.7.~~

18 17 3. The commissioner may give notice to an
18 18 association that the association has not timely filed
18 19 the statement required under subsection 1 and is in
18 20 violation of this section. If the association fails
18 21 to file the required statement and comply with this
18 22 section within ten days of the date of the notice, the
18 23 association shall pay an additional administrative
18 24 penalty of one hundred dollars for each day that each
18 25 failure continues to the treasurer of state for
18 26 deposit ~~in the general fund of the state as provided~~
18 27 in section 505.7.

18 28 Sec. _____. Section 518A.40, subsection 4, Code
18 29 2009, is amended to read as follows:

18 30 4. An association that fails to timely file the
18 31 application for renewal required under subsection 2 is
18 32 in violation of this section and shall pay an
18 33 administrative penalty of five hundred dollars to the
18 34 treasurer of state for deposit ~~in the general fund of~~
~~18 35 the state as provided in section 505.7.~~

18 36 Sec. _____. Section 520.10, subsections 4 and 5,
18 37 Code 2009, are amended to read as follows:

18 38 4. A reciprocal or interinsurance insurer that
18 39 fails to timely file the report required under
18 40 subsection 1 is in violation of this section and shall
18 41 pay an administrative penalty of five hundred dollars
18 42 to the treasurer of state for deposit ~~in the general~~
~~18 43 fund of the state as provided in section 505.7.~~

18 44 5. The commissioner may give notice to a
18 45 reciprocal or interinsurance insurer that the insurer
18 46 has not timely filed the report required under
18 47 subsection 1 and is in violation of this section. If
18 48 the insurer fails to file the required report and
18 49 comply with this section within ten days of the date
18 50 of the notice, the insurer shall pay an additional



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19 1 administrative penalty of one hundred dollars for each
19 2 day that the failure continues to the treasurer of
19 3 state for deposit ~~in the general fund of the state~~ as
19 4 provided in section 505.7.

19 5 Sec. _____. Section 520.12, subsection 2, Code 2009,
19 6 is amended to read as follows:

19 7 2. A reciprocal or interinsurance insurer shall
19 8 submit annually, on or before March 1, a completed
19 9 application for renewal of the insurer's certificate
19 10 of authority. An insurer that fails to timely file an
19 11 application for renewal shall pay an administrative
19 12 fee of five hundred dollars to the treasurer of state
19 13 for deposit ~~in the general fund of the state~~ as
19 14 provided in section 505.7.

19 15 Sec. _____. Section 521A.10, subsection 1, Code
19 16 2009, is amended to read as follows:

19 17 1. If the commissioner finds after notice and
19 18 hearing that a person subject to registration under
19 19 section 521A.4 failed without just cause to file a
19 20 registration statement as required in this chapter,
19 21 the person shall be required to pay a penalty of one
19 22 thousand dollars for each day's delay. The penalty
19 23 shall be recovered by the commissioner and ~~paid into~~
~~19 24 the state general fund deposited as provided in~~
19 25 section 505.7. The maximum penalty under this section
19 26 is ten thousand dollars. The commissioner may reduce
19 27 the penalty if the person demonstrates that the
19 28 imposition of the penalty would constitute a financial
19 29 hardship to the person.

19 30 Sec. _____. Section 522A.5, Code 2009, is amended to
19 31 read as follows:

19 32 522A.5 FEES.

19 33 The fee for a counter employee license shall be
19 34 fifty dollars per counter employee. In no case shall
19 35 any combined fees exceed one thousand dollars in any
19 36 calendar year for any one rental company or limited
19 37 license or licensee or renewal license. The fees
19 38 collected under this section shall be deposited as
19 39 provided in section 505.7.

19 40 Sec. _____. Section 522B.5, Code 2009, is amended by
19 41 adding the following new subsection:

19 42 NEW SUBSECTION. 4. Fees collected under this
19 43 section shall be deposited as provided in section
19 44 505.7.

19 45 Sec. _____. Section 523A.204, subsection 4, Code
19 46 2009, is amended to read as follows:

19 47 4. The commissioner shall levy an administrative
19 48 penalty in the amount of five hundred dollars against
19 49 a preneed seller that fails to file the annual report
19 50 when due, payable to the state for deposit ~~in the~~



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~~20 1 general fund of the state as provided in section~~
~~20 2 505.7.~~
20 3 Sec. _____. Section 523A.501, Code 2009, is amended
20 4 by adding the following new subsection:
20 5 NEW SUBSECTION. 9. Fees collected under this
20 6 section shall be deposited as provided in section
20 7 505.7.
20 8 Sec. _____. Section 523A.502, subsection 3, Code
20 9 2009, is amended to read as follows:
20 10 3. An application for a sales license shall be
20 11 filed on a form prescribed by the commissioner and be
20 12 accompanied by a filing fee in an amount set by the
20 13 commissioner by rule. The fees collected under this
20 14 subsection shall be deposited as provided in section
20 15 505.7.
20 16 Sec. _____. Section 523A.502A, subsection 3, Code
20 17 2009, is amended to read as follows:
20 18 3. The commissioner shall levy an administrative
20 19 penalty in the amount of five hundred dollars against
20 20 a sales agent who fails to file an annual report when
20 21 due, payable to the state for deposit ~~in the general~~
~~20 22 fund as provided in section 505.7.~~
20 23 Sec. _____. Section 523A.504, subsection 2, Code
20 24 2009, is amended to read as follows:
20 25 2. A preneed seller shall pay an annual fee of
20 26 five dollars for each sales agent appointed by the
20 27 preneed seller, which fee shall be submitted with the
20 28 annual report. Fees collected under this subsection
20 29 shall be deposited as provided in section 505.7.
20 30 Sec. _____. Section 523A.807, subsection 3,
20 31 paragraph a, Code 2009, is amended to read as follows:
20 32 a. Payment of a civil penalty of not more than one
20 33 thousand dollars for each violation, but not exceeding
20 34 an aggregate of ten thousand dollars during any
20 35 six-month period, except that if the commissioner
20 36 finds that the person knew or reasonably should have
20 37 known that the person was in violation of such
20 38 provisions or rules adopted pursuant thereto, the
20 39 penalty shall be not more than five thousand dollars
20 40 for each violation, but not exceeding an aggregate of
20 41 fifty thousand dollars during any six-month period.
20 42 The commissioner shall assess the penalty on the
20 43 employer of an individual and not on the individual,
20 44 if the commissioner finds that the violations
20 45 committed by the individual were directed, encouraged,
20 46 condoned, ignored, or ratified by the individual's
20 47 employer. Any civil penalties collected under this
20 48 subsection shall be deposited as provided in section
20 49 505.7.
20 50 Sec. _____. Section 523A.812, Code 2009, is amended



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21 1 to read as follows:
21 2 523A.812 INSURANCE DIVISION REGULATORY FUND.
21 3 The insurance division may authorize the creation
21 4 of a special revenue fund in the state treasury, to be
21 5 known as the insurance division regulatory fund. The
21 6 commissioner shall allocate annually from the fees
21 7 paid pursuant to section 523A.204, two dollars for
21 8 each purchase agreement reported on a preneed seller's
21 9 annual report filed pursuant to section 523A.204 for
21 10 deposit to the regulatory fund. The remainder of the
21 11 fees collected pursuant to section 523A.204 shall be
21 12 deposited ~~into the general fund of the state as~~
21 13 provided in section 505.7. The commissioner shall
21 14 also allocate annually the examination fees paid
21 15 pursuant to section 523A.814 and any examination
21 16 expense reimbursement for deposit to the regulatory
21 17 fund. The moneys in the regulatory fund shall be
21 18 retained in the fund. The moneys are appropriated
21 19 and, subject to authorization by the commissioner, may
21 20 be used to pay examiners, examination expenses,
21 21 investigative expenses, the expenses of mediation
21 22 ordered by the commissioner, consumer education
21 23 expenses, the expenses of a toll-free telephone line
21 24 to receive consumer complaints, and the expenses of
21 25 receiverships established under section 523A.811. If
21 26 the commissioner determines that funding is not
21 27 otherwise available to reimburse the expenses of a
21 28 person who receives title to a cemetery subject to
21 29 chapter 523I, pursuant to such a receivership, the
21 30 commissioner shall use moneys in the regulatory fund
21 31 as necessary to preserve, protect, restore, and
21 32 maintain the physical integrity of that cemetery and
21 33 to satisfy claims or demands for cemetery merchandise,
21 34 funeral merchandise, and funeral services based on
21 35 purchase agreements which the commissioner determines
21 36 are just and outstanding. An annual allocation to the
21 37 regulatory fund shall not be imposed if the current
21 38 balance of the fund exceeds five hundred thousand
21 39 dollars.
21 40 Sec. _____. Section 523C.3, Code 2009, is amended by
21 41 adding the following new subsection:
21 42 NEW SUBSECTION. 4. Fees collected under this
21 43 section shall be deposited as provided in section
21 44 505.7.
21 45 Sec. _____. Section 523C.13, subsection 1, Code
21 46 2009, is amended to read as follows:
21 47 1. Payment of a civil penalty of not more than one
21 48 thousand dollars for each and every act or violation,
21 49 but not to exceed an aggregate of ten thousand
21 50 dollars, unless the person knew or reasonably should



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22 1 have known the person was in violation of this
22 2 section, in which case the penalty shall be not more
22 3 than five thousand dollars for each and every act or
22 4 violation, but not to exceed an aggregate penalty of
22 5 fifty thousand dollars in any one six-month period.
22 6 The commissioner shall, if it finds the violations of
22 7 this section were directed, encouraged, condoned,
22 8 ignored, or ratified by the employer of such person,
22 9 assess such fine to the employer and not such person.
22 10 Any civil penalties collected under this subsection
22 11 shall be deposited as provided in section 505.7.

22 12 Sec. _____. Section 523D.2A, unnumbered paragraph 1,
22 13 Code 2009, is amended to read as follows:

22 14 On or before March 1 of each year, a provider shall
22 15 file a certification with the commissioner in a manner
22 16 and according to requirements established by the
22 17 commissioner. The certification shall be accompanied
22 18 by a one hundred dollar administrative fee which fee
22 19 shall be deposited as provided in section 505.7. The

22 20 certification shall attest that according to the best
22 21 knowledge and belief of the attesting party, the
22 22 facility administered by the provider is in compliance
22 23 with the provisions of this chapter, including rules
22 24 adopted by the commissioner or orders issued by the
22 25 commissioner as authorized under this chapter. The
22 26 attesting person may be any of the following:

22 27 Sec. _____. Section 523I.205, subsection 3, Code
22 28 2009, is amended to read as follows:

22 29 3. A person who violates a provision of this
22 30 chapter or rules adopted or orders issued under this
22 31 chapter may be subject to civil penalties in addition
22 32 to criminal penalties. The commissioner may impose,
22 33 assess, and collect a civil penalty not exceeding ten
22 34 thousand dollars for each violation. For the purposes
22 35 of computing the amount of each civil penalty, each
22 36 day of a continuing violation constitutes a separate
22 37 violation. All civil penalties collected pursuant to
22 38 this section shall be deposited ~~in the general fund of~~
22 39 the state as provided in section 505.7.

22 40 Sec. _____. Section 523I.813, subsection 3, Code
22 41 2009, is amended to read as follows:

22 42 3. The commissioner shall levy an administrative
22 43 penalty in the amount of five hundred dollars against
22 44 a cemetery that fails to file the annual report when
22 45 due, payable to the state for deposit ~~in the general~~
22 46 fund of the state as provided in section 505.7.

22 47 Sec. _____. Section 524.207, subsections 1, 3, and
22 48 4, Code 2009, are amended to read as follows:

22 49 1. All Except as otherwise provided by statute,
22 50 all expenses required in the discharge of the duties



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23 1 and responsibilities imposed upon the banking division
23 2 of the department of commerce, the superintendent, and
23 3 the state banking council by the laws of this state
23 4 shall be paid from fees provided by the laws of this
23 5 state and appropriated by the general assembly from
23 6 the general fund of the state department of commerce
23 7 revolving fund created in section 546.12. All of
23 8 these fees are payable to the superintendent. The
23 9 superintendent shall pay all the fees and other moneys
23 10 received by the superintendent to the treasurer of
23 11 state within the time required by section 12.10 and
23 12 the fees and other moneys shall be deposited into the
23 13 general fund of the state department of commerce
23 14 revolving fund created in section 546.12. ~~The~~
23 15 ~~superintendent may keep on hand with the treasurer of~~
23 16 ~~state funds in excess of the current needs of the~~
23 17 ~~division to the extent recommended by the state~~
23 18 ~~banking council.~~
23 19 3. The banking division may expend additional
23 20 funds, including funds for additional personnel, if
23 21 those additional expenditures are actual expenses
23 22 which exceed the funds budgeted for bank or licensee
23 23 examinations or investigations and directly result
23 24 from examinations or investigations of banks or
23 25 licensees. The amounts necessary to fund the excess
23 26 examination or investigation expenses shall be
23 27 collected from banks and licensees being regulated,
23 28 and the collections shall be treated as repayment
23 29 receipts as defined in section 8.2. The division
23 30 shall notify in writing the legislative services
23 31 agency and the department of management when hiring
23 32 additional personnel. The written notification shall
23 33 include documentation that any additional expenditure
23 34 related to such hiring will be totally reimbursed ~~to~~
23 35 ~~the general fund as provided in section 546.12,~~
23 36 subsection 2, and shall also include the division's
23 37 justification for hiring such personnel. The division
23 38 must obtain the approval of the department of
23 39 management only if the number of additional personnel
23 40 to be hired exceeds the number of full-time equivalent
23 41 positions authorized by the general assembly.
23 42 4. All fees and moneys collected shall be
23 43 deposited into the general fund of the state
23 44 department of commerce revolving fund created in
23 45 section 546.12 and expenses required to be paid under
23 46 this section shall be paid from funds moneys in the
23 47 department of commerce revolving fund and appropriated
23 48 for those purposes. ~~Moneys deposited into the general~~
23 49 ~~fund of the state pursuant to this section shall be~~
23 50 ~~subject to the requirements of section 8.60.~~



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24 1 Sec. _____. Section 533.111, subsections 1, 3, 4,
24 2 and 5, Code 2009, are amended to read as follows:

24 3 1. a. All expenses required in the discharge of
24 4 the duties and responsibilities imposed upon the
24 5 credit union division, the superintendent, and the
24 6 review board by the laws of this state shall be paid
24 7 from fees provided by the laws of this state and
24 8 appropriated by the general assembly from the ~~general~~
~~24 9 fund of the state department of commerce revolving~~
24 10 fund created in section 546.12.

24 11 b. All fees imposed under this chapter are payable
24 12 to the superintendent, who shall pay all fees and
24 13 other moneys received to the treasurer of state within
24 14 the time required by section 12.10. The treasurer of
24 15 state shall deposit such funds in the ~~general fund of~~
~~24 16 the state department of commerce revolving fund~~
24 17 created in section 546.12.

24 18 3. The credit union division may expend additional
24 19 funds, including funds for additional personnel, if
24 20 the additional expenditures are actual expenses that
24 21 exceed the funds budgeted for credit union
24 22 examinations and directly result from examinations of
24 23 state credit unions.

24 24 a. The amounts necessary to fund the excess
24 25 examination expenses shall be collected from state
24 26 credit unions being regulated, and the collections
24 27 shall be treated as repayment receipts as defined in
24 28 section 8.2.

24 29 b. The division shall notify in writing the
24 30 legislative services agency and the department of
24 31 management when hiring additional personnel. The
24 32 written notification shall include documentation that
24 33 any additional expenditure related to such hiring will
24 34 be totally reimbursed ~~to the general fund of the state~~
24 35 as provided in section 546.12, subsection 2, and shall
24 36 also include the division's justification for hiring
24 37 such personnel. The division must obtain the approval
24 38 of the department of management only if the number of
24 39 additional personnel to be hired exceeds the number of
24 40 full-time equivalent positions authorized by the
24 41 general assembly.

24 42 4. a. All fees and other moneys collected shall
24 43 be deposited into the ~~general fund of the state~~
24 44 department of commerce revolving fund created in
24 45 section 546.12 and expenses required to be paid under
24 46 this section shall be paid from funds moneys in the
24 47 department of commerce revolving fund and appropriated
24 48 for those purposes. Moneys deposited into the general
~~24 49 fund of the state pursuant to this section shall be~~
~~24 50 subject to the requirements of section 8.60.~~



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25 1 b. Funds appropriated to the credit union division
25 2 shall be subject at all times to the warrant of the
25 3 director of revenue, drawn upon written requisition of
25 4 the superintendent or a designated representative, for
25 5 the payment of all salaries and other expenses
25 6 necessary to carry out the duties of the credit union
25 7 division.

25 8 5. The credit union division may accept
25 9 reimbursement of expenses related to the examination
25 10 of a state credit union from the national credit union
25 11 administration or any other guarantor or insurance
25 12 plan authorized by this chapter. These reimbursements
25 13 shall be deposited into the ~~general fund of the state~~
25 14 department of commerce revolving fund created in
25 15 section 546.12.

25 16 Sec. _____. Section 533A.14, Code 2009, is amended
25 17 to read as follows:

25 18 533A.14 FEES TO STATE TREASURER.

25 19 All moneys received by the superintendent from
25 20 fees, licenses and examinations pursuant to this
25 21 chapter shall be deposited by the superintendent with
25 22 the treasurer of state for deposit in the department
25 23 of commerce revolving fund created in section 546.12.

25 24 Sec. _____. Section 534.305, Code 2009, is amended
25 25 to read as follows:

25 26 534.305 REDEMPTION.

25 27 When funds are on hand for the purpose, the
25 28 association may redeem by lot or otherwise, as the
25 29 board of directors determines, all or any part of any
25 30 of its savings accounts on a dividend date by giving
25 31 thirty days' notice by registered mail addressed to
25 32 the account holders at their last addresses recorded
25 33 on the books of the association. An association shall
25 34 not redeem its share accounts when the association is
25 35 in an impaired condition or when it has applications
25 36 for withdrawal which have been on file more than
25 37 thirty days and have not been reached for payment.
25 38 The redemption price of a savings account shall be the
25 39 full value of the account redeemed, as determined by
25 40 the board of directors, but the redemption value shall
25 41 not be less than the withdrawal value. If the notice
25 42 of redemption has been given, and if on or before the
25 43 redemption date the funds necessary for the redemption
25 44 have been set aside for redemptions, dividends upon
25 45 the accounts called for redemption shall cease to
25 46 accrue from and after the dividend date specified as
25 47 the redemption date, and rights with respect to those
25 48 accounts terminate as of the redemption date, subject
25 49 only to the right of the account holder of record to
25 50 receive the redemption value without interest.



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26 1 Savings accounts which have been validly called for
26 2 redemption must be tendered for payment within ten
26 3 years from the date of redemption designated in the
26 4 redemption notice, or they shall be canceled and paid
26 5 to the treasurer of state for deposit in the ~~general~~
~~26 6 fund of the state department of commerce revolving~~
~~26 7 fund created in section 546.12~~ and all claims of the
26 8 account holders against the association are barred
26 9 forever. Redemption shall not be made of any savings
26 10 accounts which are held by a person who is a director
26 11 and which are necessary to qualify the person to act
26 12 as director.

26 13 Sec. _____. Section 534.408, Code 2009, is amended
26 14 by adding the following new subsection:

26 15 NEW SUBSECTION. 3. All fees collected under this
26 16 chapter shall be deposited with the treasurer of state
26 17 in the department of commerce revolving fund created
26 18 in section 546.12.

26 19 Sec. _____. NEW SECTION. 546.12 DEPARTMENT OF
26 20 COMMERCE REVOLVING FUND.

26 21 1. A department of commerce revolving fund is
26 22 created in the state treasury. The fund shall consist
26 23 of moneys collected by the banking division; credit
26 24 union division; utilities division, including moneys
26 25 collected on behalf of the office of consumer advocate
26 26 established in section 475A.3; and the insurance
26 27 division of the department; and deposited into an
26 28 account for that division or office within the fund on
26 29 a monthly basis. Except as otherwise provided by
26 30 statute, all costs for operating the office of
26 31 consumer advocate and the banking division, the credit
26 32 union division, the utilities division, and the
26 33 insurance division of the department shall be paid
26 34 from the division's accounts within the fund, subject
26 35 to appropriation by the general assembly.

26 36 2. To meet cash flow needs for the office of
26 37 consumer advocate and the banking division, credit
26 38 union division, utilities division, or the insurance
26 39 division of the department, the administrative head of
26 40 that division or office may temporarily use funds from
26 41 the general fund of the state to pay expenses in
26 42 excess of moneys available in the revolving fund for
26 43 that division or office if those additional
26 44 expenditures are fully reimbursable and the division
26 45 or office reimburses the general fund of the state and
26 46 ensures all moneys are repaid in full by the close of
26 47 the fiscal year. Because any general fund moneys used
26 48 shall be fully reimbursed, such temporary use of funds
26 49 from the general fund of the state shall not
26 50 constitute an appropriation for purposes of



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27 1 calculating the state general fund expenditure
 27 2 limitation pursuant to section 8.54.
 27 3 Sec. _____. 2009 Iowa Acts, Senate File 475, section
 27 4 2, if enacted, is amended by striking the section and
 27 5 inserting in lieu thereof the following:
 27 6 SEC. 2. OFFICE OF CONSUMER ADVOCATE. There is
 27 7 appropriated from the department of commerce revolving
 27 8 fund created in section 546.12, if enacted by 2009
 27 9 Iowa Acts, House File 809, to the office of consumer
 27 10 advocate of the department of justice for the fiscal
 27 11 year beginning July 1, 2009, and ending June 30, 2010,
 27 12 the following amount, or so much thereof as is
 27 13 necessary, to be used for the purposes designated:
 27 14 For salaries, support, maintenance, miscellaneous
 27 15 purposes, and for not more than the following
 27 16 full-time equivalent positions:
 27 17 \$ 3,138,888
 27 18 FTEs 27.00

DIVISION IX>

27 20 #13. Page 33, by striking lines 16 through 22 and
 27 21 inserting the following:

27 22 <Sec. _____. Section 237.18, subsections 3 and 4,
 27 23 Code 2009, are amended to read as follows:

27 24 3. Assign the ~~ease~~ cases of each child children
 27 25 receiving foster care ~~within the judicial district~~ to
 27 26 the appropriate local ~~board~~ boards.

27 27 4. Assist local boards in reviewing ~~each case~~
 27 28 cases of a child children receiving foster care, as
 27 29 provided in section 237.20.

27 30 Sec. _____. Section 237.20, subsection 1, unnumbered
 27 31 paragraph 1, Code 2009, is amended to read as follows:

27 32 Review ~~at least every six months~~ the case of each
 27 33 child receiving foster care assigned to the local
 27 34 board by the state board to determine whether
 27 35 satisfactory progress is being made toward the goals
 27 36 of the case permanency plan pursuant to section
 27 37 237.22. ~~As much as is possible, review shall be~~
 27 38 ~~conducted immediately prior to~~ The timing and
 27 39 frequency of a review of each case by a local board
 27 40 shall take into consideration the permanency goals,
 27 41 placement setting, and frequency of any court reviews
 27 42 of the case.>

27 43 #14. By renumbering as necessary.

27 44 HF 809.S
 27 45 ec/jp/jh/26



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1 1 Amend Senate File 304, as passed by the Senate, as
1 2 follows:
1 3 #1. By striking everything after the enacting
1 4 clause and inserting the following:
1 5 <Section 1. Section 403.19A, subsection 1,
1 6 paragraph g, Code 2009, is amended to read as follows:
1 7 g. "Withholding agreement" means the agreement
1 8 between a pilot project city, the department of
1 9 economic development, and an employer concerning the
1 10 targeted jobs withholding credit authorized in
1 11 subsection 3.
1 12 Sec. 2. Section 403.19A, subsection 3, paragraph
1 13 c, Code 2009, is amended to read as follows:
1 14 c. (1) The pilot project city shall enter into a
1 15 withholding agreement with the department of economic
1 16 development and each employer concerning the targeted
1 17 jobs withholding credit. ~~However, an~~ The economic
1 18 development board may approve, deny, or modify the
1 19 terms of the withholding agreement. The withholding
1 20 agreement shall provide for the total amount of
1 21 withholding tax credits awarded. The agreement shall
1 22 not provide for an amount of withholding credits that
1 23 exceeds the amount of the qualifying investment made
1 24 in the project. The agreement shall provide for a
1 25 local matching contribution from the pilot project
1 26 city. The amount of the contribution shall be
1 27 determined by the economic development board. An
1 28 agreement shall not be entered into by a pilot project
1 29 city and the department of economic development with a
1 30 business currently located in this state unless the
1 31 business either creates ten new jobs or makes a
1 32 qualifying investment of at least five hundred
1 33 thousand dollars within the urban renewal area. An
1 34 agreement shall not be entered into with an employer
1 35 for purposes of gaining a competitive advantage
1 36 against another community in this state. The
1 37 withholding agreement may have a term of up to ten
1 38 years. An employer shall not be obligated to enter
1 39 into a withholding agreement.
1 40 (2) The pilot project city shall not enter into a
1 41 withholding agreement after June 30, ~~2010~~ 2013.
1 42 (3) An employer entering into a withholding
1 43 agreement shall provide to the pilot project city and
1 44 the department of economic development information
1 45 verifying compliance with the requirements of
1 46 subparagraph (1) of this paragraph "c", including
1 47 information regarding the creation or retention of
1 48 jobs.
1 49 (4) The pilot project city shall provide to the
1 50 department of economic development information



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2 1 documenting the total amount of payments and receipts
2 2 under a withholding agreement, including all
2 3 agreements with an employer to suspend, abate, exempt,
2 4 rebate, refund, or reimburse property taxes, to
2 5 provide a grant for property taxes paid or a grant not
2 6 related to property taxes, or to make a direct payment
2 7 of taxes, with moneys in the special fund.
2 8 (5) If an employer fails to comply with the
2 9 requirements of the withholding agreement, the
2 10 department of economic development shall document the
2 11 failure, and the department of revenue shall seek
2 12 repayment from either the employer or the pilot
2 13 project city of the amount of credits withheld
2 14 pursuant to paragraph "b".
2 15 (6) The department of economic development may
2 16 adopt rules for the administration of this paragraph
2 17 "c", including providing for the types of information
2 18 acceptable to verify compliance with the withholding
2 19 agreement. The department of revenue may provide by
2 20 rule for the administration of this paragraph "c",
2 21 including providing for the determination of the
2 22 amount of credits to be recaptured from a pilot
2 23 project city or an employer under an agreement.
2 24 Sec. 3. APPLICABILITY DATE. This Act applies to
2 25 withholding agreements entered into on or after July
2 26 1, 2010.>
2 27 #2. Title page, by striking lines 1 through 3 and
2 28 inserting the following: <An Act relating to targeted
2 29 jobs withholding tax credit agreements by providing
2 30 for compliance requirements of pilot project cities
2 31 and employers and including an applicability date
2 32 provision.>
2 33 #3. By renumbering as necessary.
2 34
2 35
2 36
2 37 COMMITTEE ON WAYS AND MEANS
2 38 SHOMSHOR of Pottawattamie, Chairperson
2 39 SF 304.707 83
2 40 tw/tw/24183



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1 1 Amend Senate File 483, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, line 10, by striking the word
1 4 <seventy=five> and inserting the following:
1 5 <eighty=five>.
1 6 #2. Page 1, by striking line 11 and inserting the
1 7 following: <dollars for any fiscal year. However,
1 8 the department may authorize an amount of tax credits
1 9 in one fiscal year in excess of one hundred
1 10 eighty=five million, and such excess amount shall be
1 11 counted against the total amount of tax credits that
1 12 may be authorized in the next fiscal year.>
1 13 #3. Page 2, line 2, by striking the word <three>
1 14 and inserting the following: <six>.
1 15 #4. Page 2, line 2, by striking the word <fiscal>
1 16 and inserting the following: <calendar>.
1 17 #5. Page 2, lines 6 and 7, by striking the words
1 18 <to contracts and agreements entered into or tax
1 19 credits awarded on or>.
1 20 #6. By renumbering as necessary.
1 21
1 22
1 23
1 24 COMMITTEE ON WAYS AND MEANS
1 25 SHOMSHOR of Pottawattamie, Chairperson
1 26 SF 483.301 83
1 27 tw/rj/24422
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
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House Amendment 1665 continued

2 1 October 1, 2009, notwithstanding any other provision
2 2 of law. If the amount of claims totals more than
2 3 fifty thousand dollars in the aggregate, the
2 4 department of revenue shall prorate the fifty thousand
2 5 dollars among all claimants in relation to the amounts
2 6 of the claimants' valid claims.
2 7 Sec. _____. EFFECTIVE AND RETROACTIVE APPLICABILITY
2 8 DATES. The section of this division of this Act
2 9 amending section 423.3, subsection 78, being deemed of
2 10 immediate importance, takes effect upon enactment and
2 11 applies retroactively to July 1, 1998.>
2 12 #2. Title page, line 2, by inserting after the
2 13 word <tax,> the following: <the sales tax,>.
2 14 #3. By renumbering as necessary.
2 15
2 16
2 17
2 18 COWNIE of Polk
2 19 SF 466.704 83
2 20 tw/mg:sc/24543



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House Amendment 1666

PAG LIN

1 1 Amend the Senate amendment, H=1662, to House File
1 2 809, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. Page 4, by striking line 28.
1 5 #2. By renumbering as necessary.
1 6
1 7
1 8
1 9 ALONS of Sioux
1 10 HF 809.223 83
1 11 ec/tm/24569
1 12
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Iowa General Assembly
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House Amendment 1667

PAG LIN

1 1 Amend the amendment, H=1664, to Senate File 483, as
1 2 passed by the Senate, as follows:
1 3 #1. Page 1, by striking lines 15 and 16.
1 4 #2. By renumbering as necessary.
1 5
1 6
1 7
1 8 THOMAS of Clayton
1 9 SF 483.503 83
1 10 tw/sc/24567
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Iowa General Assembly
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House Amendment 1668

PAG LIN

1 1 Amend the Senate amendment, H=1662, to House File
1 2 809, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. By striking page 5, line 35, through page 6,
1 5 line 6.
1 6 #2. By renumbering as necessary.
1 7
1 8
1 9
1 10 HUNTER of Polk
1 11
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1 13
1 14 ALONS of Sioux
1 15 HF 809.517 83
1 16 ec/tm/24564
1 17
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Iowa General Assembly
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House Amendment 1669

PAG LIN

1 1 Amend the Senate amendment, H=1662, to House File
1 2 809, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. Page 4, by inserting after line 50 the
1 5 following:
1 6 <Sec. _____. VEHICLE DEPRECIATION FUNDS.
1 7 1. DEFINITIONS. For purposes of this section,
1 8 "applicable fiscal period" means the fiscal period
1 9 beginning on the effective date of this section and
1 10 ending June 30, 2010.
1 11 2. DEPARTMENT OF ADMINISTRATIVE SERVICES.
1 12 Notwithstanding any provision of section 8A.365 to the
1 13 contrary, a department or agency otherwise required to
1 14 pay depreciation expense pursuant to that section
1 15 shall not be required to pay depreciation expense
1 16 during the applicable fiscal period. Notwithstanding
1 17 section 8.33, moneys credited to a department or
1 18 agency in the depreciation fund in excess of the
1 19 amount determined by the department of administrative
1 20 services is necessary for motor vehicle maintenance
1 21 and insurance costs for the applicable fiscal period
1 22 for that department or agency, shall be returned to
1 23 the department or agency and used for the purposes of
1 24 that department or agency during the applicable fiscal
1 25 period.
1 26 3. STATE DEPARTMENT OF TRANSPORTATION.
1 27 Notwithstanding section 8.33 and any other provision
1 28 of law to the contrary, moneys in a depreciation fund
1 29 for the purchase of motor vehicles by the state
1 30 department of transportation in excess of the amount
1 31 determined by the state department of transportation
1 32 is necessary for motor vehicle maintenance and
1 33 insurance costs for the applicable fiscal period,
1 34 shall be returned to the state department of
1 35 transportation and used for the purposes of that
1 36 department during the applicable fiscal period.
1 37 4. BOARD OF REGENTS INSTITUTIONS. Notwithstanding
1 38 section 8.33 and any other provision of law to the
1 39 contrary, moneys in a depreciation fund for the
1 40 purchase of motor vehicles by an institution under the
1 41 control of the state board of regents in excess of the
1 42 amount determined by that institution is necessary for
1 43 motor vehicle maintenance and insurance costs for the
1 44 applicable fiscal period, shall be returned to the
1 45 institution under the control of the state board of
1 46 regents and used for the purposes of that institution
1 47 during the applicable fiscal period.
1 48 Sec. _____. EFFECTIVE DATE. The section of this
1 49 division of this Act concerning vehicle depreciation
1 50 funds, being deemed of immediate importance, takes



**Iowa General Assembly
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House Amendment 1669 continued

2 1 effect upon enactment.>
2 2 #2. By renumbering as necessary.
2 3
2 4
2 5
2 6 HUNTER of Polk
2 7 HF 809.222 83
2 8 ec/tm/24423



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House Amendment 1670

PAG LIN

1 1 Amend the House amendment, S-3266, to Senate File
 1 2 433, as amended, passed, and reprinted by the Senate,
 1 3 as follows:
 1 4 #1. Page 1, by inserting after line 37 the
 1 5 following:
 1 6 <#____. Page 2, by striking line 19 and inserting
 1 7 the following: <such practice prior to an inspection,
 1 8 no>.>
 1 9 #2. Page 1, by inserting before line 38 the
 1 10 following:
 1 11 <#____. Page 2, by striking lines 22 through 24 and
 1 12 inserting the following: <to section 135C.33; 481 IAC
 1 13 } 57.12(2)(d), 57.12(3), 57.15(5), 57.25(1), 57.39,
 1 14 58.11(3), 58.14(5), 58.19(2)(a), 58.19(2)(h),
 1 15 58.28(1)(a), 58.43, 62.9(5), 62.15(1)(a), 62.19(2)(c),
 1 16 62.19(7), 62.23(23)=(25), 63.11(2)(d), 63.11(3),
 1 17 63.23(1)(a), 63.37, 64.4(9), 64.33, 64.34, 65.9(5),
 1 18 65.15, or 65.25(3)=(5), or the successor to any of
 1 19 such rules; or 42 C.F.R. } 483.420(d), 483.460(c)(4),
 1 20 or 483.470(j), or the successor to any of such federal
 1 21 regulations.>>
 1 22 3. Page 2, by inserting after line 23 the
 1 23 following:
 1 24 <#____. Page 4, by inserting after line 16 the
 1 25 following:
 1 26 <Sec. _____. Section 135C.43, subsection 1, Code
 1 27 2009, is amended to read as follows:
 1 28 1. A facility which desires to ~~contest a citation~~
~~1 29 for a Class I violation, or to further contest an~~
 1 30 affirmed or modified citation for a Class I, Class II,
 1 31 or Class III violation, may do so in the manner
 1 32 provided by chapter 17A for contested cases. Notice
 1 33 of intent to formally contest a citation shall be
 1 34 given the department in writing within five days ~~after~~
~~1 35 service of a citation for a Class I violation, or~~
~~1 36 within five days after the informal conference or~~
 1 37 after receipt of the written explanation of the
 1 38 representative delegated to hold the informal
 1 39 conference, whichever is applicable, in the case of an
 1 40 affirmed or modified citation for a Class I, Class II,
 1 41 or Class III violation. A facility which has
 1 42 exhausted all adequate administrative remedies and is
 1 43 aggrieved by the final action of the department may
 1 44 petition for judicial review in the manner provided by
 1 45 chapter 17A.>>
 1 46 #4. By renumbering as necessary.
 1 47 SF 433.S
 1 48 jr/nh/jh/26
 1 49
 1 50



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House Amendment 1671

PAG LIN

1 1 Amend the Senate amendment, H=1662, to House File
1 2 809, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. Page 4, by striking line 27.
1 5 #2. By renumbering as necessary.
1 6
1 7
1 8
1 9 RAECKER of Polk
1 10 HF 809.518 83
1 11 ec/tm/24568
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House Amendment 1672

PAG LIN

1 1 Amend the Senate amendment, H=1662, to House File
1 2 809, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. Page 4, by striking lines 31 and 32 and
1 5 inserting the following:
1 6 <#____. Page 20, by inserting after line 17 the
1 7 following:>
1 8 #2. By renumbering as necessary.
1 9
1 10
1 11
1 12 RAECKER of Polk
1 13 HF 809.718 83
1 14 ec/tm/24571
1 15
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House Amendment 1673

PAG LIN

1 1 Amend the Senate amendment, H=1662, to House File
1 2 809, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. Page 5, by striking lines 26 and 27 and
1 5 inserting the following:
1 6 <#____. Page 31, by inserting after line 23 the
1 7 following:>
1 8 #2. By renumbering as necessary.
1 9
1 10
1 11
1 12 RAECKER of Polk
1 13 HF 809.519 83
1 14 ec/tm/24572
1 15
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House Amendment 1674

PAG LIN

1 1 Amend the amendment, H=1644, to House File 826 as
1 2 follows:
1 3 #1. Page 1, line 12, by inserting after the word
1 4 <waste,> the following: <proper disposal of
1 5 household-generated medical sharps,>.
1 6 #2. Page 1, by striking lines 15 and 16 and
1 7 inserting the following: <waste, and electronic
1 8 waste.>>
1 9
1 10
1 11
1 12 D. OLSON of Boone
1 13 HF 826.502 83
1 14 tm/rj/24574
1 15
1 16
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House Amendment 1675

PAG LIN

1 1 Amend House File 822 as follows:

1 2 #1. By striking everything after the enacting

1 3 clause and inserting the following:

1 4 <DIVISION I

1 5 REBUILD IOWA INFRASTRUCTURE FUND

1 6 Section 1. There is appropriated from the rebuild

1 7 Iowa infrastructure fund to the following departments

1 8 and agencies for the fiscal year beginning July 1,

1 9 2009, and ending June 30, 2010, the following amounts,

1 10 or so much thereof as is necessary, to be used for the

1 11 purposes designated:

1 12 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

1 13 a. For distribution to other governmental entities

1 14 for the payment of services related to the integrated

1 15 information for Iowa system, notwithstanding section

1 16 8.57, subsection 6, paragraph "c":

1 17 \$ 3,700,000

1 18 Moneys appropriated in this lettered paragraph

1 19 shall be separately accounted for in a distribution

1 20 account and shall be distributed to other governmental

1 21 entities based upon a formula established by the

1 22 department to pay for services provided during the

1 23 fiscal year to such other governmental entities by the

1 24 department associated with the integrated information

1 25 for Iowa system.

1 26 During the fiscal year, the department may use up

1 27 to \$1,000,000 of unexpended or unobligated funds in

1 28 the information technology operations fund established

1 29 under the provisions of section 8A.123 to provide

1 30 funding for costs associated with the integrated

1 31 information for Iowa system. By October 31, 2010, the

1 32 department shall report to the department of

1 33 management and the legislative services agency

1 34 regarding any moneys that are used for this purpose.

1 35 b. For routine maintenance of state buildings and

1 36 facilities, notwithstanding section 8.57, subsection

1 37 6, paragraph "c":

1 38 \$ 3,000,000

1 39 Of the amounts appropriated in this lettered

1 40 paragraph, up to \$1,000,000 may be used for demolition

1 41 purposes.

1 42 c. For costs associated with improvements to and

1 43 renovation of the Wallace building for extending the

1 44 useful life of the building:

1 45 \$ 1,500,000

1 46 d. For upgrades to the electrical distribution

1 47 system serving the capitol complex:

1 48 \$ 850,000

1 49 e. For costs associated with capitol interior and

1 50 exterior restoration and for compliance with the



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House Amendment 1675 continued

2	1	federal Americans With Disabilities Act:	
2	2	.....	\$ 5,000,000
2	3	f. For heating, ventilating, and air conditioning	
2	4	improvements in the Hoover state office building:	
2	5	.....	\$ 1,500,000
2	6	g. For costs associated with the central energy	
2	7	plant addition and improvements:	
2	8	.....	\$ 623,000
2	9	h. For costs associated with Mercy capitol	
2	10	hospital building operations upon acquisition of the	
2	11	hospital, notwithstanding section 8.57, subsection 6,	
2	12	paragraph "c":	
2	13	.....	\$ 500,000
2	14	i. For costs associated with the restoration and	
2	15	renovation, including major repairs and major	
2	16	maintenance, at the governor's mansion at Terrace	
2	17	Hill:	
2	18	.....	\$ 769,543
2	19	j. For the state's share of support in conjunction	
2	20	with the city of Des Moines and local area businesses	
2	21	to provide a free shuttle service to the citizens of	
2	22	Iowa that includes transportation between the capitol	
2	23	complex and the downtown Des Moines area,	
2	24	notwithstanding section 8.57, subsection 6, paragraph	
2	25	"c":	
2	26	.....	\$ 188,000
2	27	Details for the shuttle service, including the	
2	28	route to be served, shall be determined pursuant to an	
2	29	agreement to be entered into by the department with	
2	30	the Des Moines area regional transit authority (DART)	
2	31	and any other participating entities.	
2	32	Of the amount appropriated in this lettered	
2	33	paragraph, up to \$50,000 shall be used to encourage	
2	34	state employees to utilize transit services provided	
2	35	by the Des Moines area regional transit authority.	
2	36	2. DEPARTMENT OF CORRECTIONS	
2	37	For project management costs at Fort Madison and	
2	38	Mitchellville prison, associated with construction	
2	39	projects at the department, notwithstanding section	
2	40	8.57, subsection 6, paragraph "c":	
2	41	.....	\$ 1,750,000
2	42	3. DEPARTMENT OF CULTURAL AFFAIRS	
2	43	a. For deposit into the Iowa great places program	
2	44	fund created in section 303.3D for Iowa great places	
2	45	program projects that meet the definition of the term	
2	46	"vertical infrastructure" in section 8.57, subsection	
2	47	6, paragraph "c":	
2	48	.....	\$ 1,900,000
2	49	b. For costs relating to a traveling exhibit and	
2	50	museum exhibit of the sesquicentennial of the American	



**Iowa General Assembly
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House Amendment 1675 continued

3 1 civil war including but not limited to restoration and
 3 2 duplication of muster records, publishing and
 3 3 publication costs, relocation of battle flag
 3 4 laboratory to a public viewing area including
 3 5 educational and program costs, notwithstanding section
 3 6 8.57, subsection 6, paragraph "c":
 3 7 \$ 350,000
 3 8 c. For grants for a cultural community grant
 3 9 program:
 3 10 \$ 200,000
 3 11 The department shall establish a cultural community
 3 12 grant program to provide grants for a cultural and
 3 13 educational center to showcase an immigrant community
 3 14 from Laos and Vietnam and their cultures. The
 3 15 department shall distribute the grants on a
 3 16 competitive basis to communities with an approved plan
 3 17 for the establishment of the cultural center.
 3 18 Applications must be submitted to the department no
 3 19 later than July 15, 2009.
 3 20 d. For historical site preservation grants to be
 3 21 used for the restoration, preservation, and
 3 22 development of historic sites:
 3 23 \$ 1,000,000
 3 24 In making grants pursuant to this lettered
 3 25 paragraph, the department shall consider the existence
 3 26 and amount of other funds available to an applicant
 3 27 for the designated project. A grant awarded from
 3 28 moneys appropriated in this lettered paragraph shall
 3 29 not exceed \$100,000 per project. Not more than two
 3 30 grants may be awarded in the same county.
 3 31 4. DEPARTMENT OF ECONOMIC DEVELOPMENT
 3 32 a. For equal distribution to regional sports
 3 33 authority districts certified by the department
 3 34 pursuant to section 15E.3211, notwithstanding section
 3 35 8.57, subsection 6, paragraph "c":
 3 36 \$ 500,000
 3 37 b. For deposit into the workforce training and
 3 38 economic development funds for each community college
 3 39 in section 260C.18A, notwithstanding section 8.57,
 3 40 subsection 6, paragraph "c":
 3 41 \$ 2,000,000
 3 42 Moneys from this lettered paragraph may be used to
 3 43 provide job training services to underserved
 3 44 populations in Iowa. "Underserved populations"
 3 45 include people making less than twenty thousand
 3 46 dollars annual net income, minorities, women, disabled
 3 47 persons, the elderly, and people convicted of felonies
 3 48 trying to reenter society after release from prison.
 3 49 c. For a city with a population between seven
 3 50 hundred fifty and eight hundred fifty within a county



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House Amendment 1675 continued

4 1 with a population of between six thousand seven
 4 2 hundred and six thousand eight hundred as determined
 4 3 by the 2000 certified federal census for demolition
 4 4 costs for a building asbestos abatement:
 4 5 \$ 50,000
 4 6 d. For costs associated with the hosting of a
 4 7 national junior summer olympics by a nonprofit sports
 4 8 organization, notwithstanding section 8.57, subsection
 4 9 6, paragraph "c":
 4 10 \$ 200,000
 4 11 e. For the renovation of a building for the
 4 12 relocation of a juvenile courthouse in a county with a
 4 13 population between thirty-nine thousand and forty-one
 4 14 thousand as determined by the 2000 certified federal
 4 15 census:
 4 16 \$ 100,000
 4 17 f. For fire station improvements in a city with a
 4 18 population between twenty-one thousand and
 4 19 twenty-three thousand as determined by the 2000
 4 20 certified federal census:
 4 21 \$ 200,000
 4 22 g. For a community center that hosts congregate
 4 23 meals in a city with a population between seven
 4 24 hundred forty-six and seven hundred fifty-six as
 4 25 determined by the 2000 certified federal census for
 4 26 compliance with the federal Americans With
 4 27 Disabilities Act:
 4 28 \$ 10,000
 4 29 5. DEPARTMENT OF EDUCATION
 4 30 To provide resources for structural and
 4 31 technological improvements to local libraries and for
 4 32 the enrich Iowa program, notwithstanding section 8.57,
 4 33 subsection 6, paragraph "c":
 4 34 \$ 1,000,000
 4 35 Of the moneys appropriated in this subsection,
 4 36 \$50,000 shall be allocated equally to each library
 4 37 service area.
 4 38 6. DEPARTMENT OF HUMAN SERVICES
 4 39 For a mental health systems community development
 4 40 building safety improvements including electrical
 4 41 wiring and emergency systems in a city with a
 4 42 population between five thousand fifty and six
 4 43 thousand fifty as determined by the 2000 certified
 4 44 federal census:
 4 45 \$ 200,000
 4 46 7. DEPARTMENT OF NATURAL RESOURCES
 4 47 a. For implementation of lake projects that have
 4 48 established watershed improvement initiatives and
 4 49 community support in accordance with the department's
 4 50 annual lake restoration plan and report,



**Iowa General Assembly
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House Amendment 1675 continued

5 1 notwithstanding section 8.57, subsection 6, paragraph
5 2 "c":
5 3 \$ 12,800,000
5 4 It is the intent of the general assembly that the
5 5 department of natural resources shall implement the
5 6 lake restoration annual report and plan submitted to
5 7 the joint appropriations subcommittee on
5 8 transportation, infrastructure, and capitals and the
5 9 legislative services agency pursuant to section
5 10 456A.33B. The lake restoration projects that are
5 11 recommended by the department to receive funding for
5 12 fiscal year 2007=2008 and that satisfy the criteria in
5 13 section 456A.33B, including local commitment of
5 14 funding for the projects, shall be funded in the
5 15 amounts provided in the report.
5 16 b. For floodplain management and dam safety,
5 17 notwithstanding section 8.57, subsection 6, paragraph
5 18 "c":
5 19 \$ 2,000,000
5 20 Of the amounts appropriated in this lettered
5 21 paragraph, up to \$400,000 is authorized for stream
5 22 gages to be used for tracking and predicting flood
5 23 events and for compiling necessary data relating to
5 24 flood frequency analysis.
5 25 Of the number of full-time equivalent positions
5 26 authorized to the department for FY 2009=2010 pursuant
5 27 to 2009 Iowa Acts, Senate File 467, if enacted, up to
5 28 21.00 full-time equivalent positions shall be
5 29 allocated for the floodplain management and dam safety
5 30 program.
5 31 c. For deposit in the loess hills development and
5 32 conservation fund created in section 161D.2 for
5 33 allocation to the fund's hungry canyons account for
5 34 purposes of streambed erosion and degradation to the
5 35 loess hills area, notwithstanding section 8.57,
5 36 subsection 6, paragraph "c":
5 37 \$ 100,000
5 38 d. For the administration of a water trails and
5 39 low head dam public hazard statewide plan, including
5 40 salaries, support, maintenance, and miscellaneous
5 41 purposes, notwithstanding section 8.57, subsection 6,
5 42 paragraph "c":
5 43 \$ 800,000
5 44 8. DEPARTMENT OF PUBLIC DEFENSE
5 45 a. For major maintenance projects at national
5 46 guard armories and facilities:
5 47 \$ 1,500,000
5 48 b. For construction and renovation costs at the
5 49 Davenport aviation readiness center:
5 50 \$ 2,000,000



**Iowa General Assembly
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House Amendment 1675 continued

6 1 c. For construction and renovation costs at the
 6 2 Mt. Pleasant readiness center:
 6 3 \$ 1,000,000

6 4 9. DEPARTMENT OF PUBLIC HEALTH
 6 5 For a grant to an existing national affiliated
 6 6 volunteer eye organization that has an established
 6 7 program for children and adults and that is solely
 6 8 dedicated to preserving sight and preventing blindness
 6 9 through education, nationally certified vision
 6 10 screening and training, community and patient service
 6 11 programs, notwithstanding section 8.57, subsection 6,
 6 12 paragraph "c":
 6 13 \$ 130,000

6 14 10. STATE BOARD OF REGENTS
 6 15 a. For phase II of the construction and renovation
 6 16 of the veterinary medical facilities at Iowa state
 6 17 university of science and technology, specifically the
 6 18 renovation and modernization of the area formerly
 6 19 occupied by the large animal area of the teaching
 6 20 hospital for expanded clinical services for a small
 6 21 animal hospital:
 6 22 \$ 6,000,000

6 23 b. For the Iowa flood center, as established
 6 24 pursuant to section 466C.2, as enacted in this Act,
 6 25 including salaries, support, maintenance, and
 6 26 miscellaneous purposes, notwithstanding section 8.57,
 6 27 subsection 6, paragraph "c":
 6 28 \$ 1,300,000

6 29 11. IOWA STATE FAIR
 6 30 For infrastructure improvements to the Iowa state
 6 31 fairgrounds including but not limited to the
 6 32 construction of an agricultural exhibition center on
 6 33 the Iowa state fairgrounds:
 6 34 \$ 5,500,000

6 35 12. DEPARTMENT OF TRANSPORTATION
 6 36 a. To provide funds for capital improvements and
 6 37 for related studies for expanding passenger rail
 6 38 services in Iowa, notwithstanding section 8.57,
 6 39 subsection 6, paragraph "c":
 6 40 \$ 3,000,000

6 41 b. For acquiring, constructing, and improving
 6 42 recreational trails within the state:
 6 43 \$ 3,500,000

6 44 Moneys appropriated in this lettered paragraph may
 6 45 be used for purposes of building equestrian or
 6 46 snowmobile trails that run parallel to a recreational
 6 47 trail. It is the intent of the general assembly to
 6 48 promote multiple uses for trails funding in this
 6 49 lettered paragraph and to maximize the number of trail
 6 50 users.



**Iowa General Assembly
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House Amendment 1675 continued

7 1 Of the amounts appropriated in this lettered
 7 2 paragraph, \$750,000 shall be allocated for the
 7 3 development of a riverwalk in a central Iowa city with
 7 4 a population between one hundred ninety-five thousand
 7 5 and two hundred thousand as determined by the 2000
 7 6 federal census and \$500,000 shall be allocated for the
 7 7 construction and development of a trail bridge across
 7 8 a river located in northeastern Iowa that would link
 7 9 the east and west sides of the Pinicon ridge park.
 7 10 c. For deposit into the railroad revolving loan
 7 11 and grant fund created in section 327H.20A,
 7 12 notwithstanding section 8.57, subsection 6, paragraph
 7 13 "c":
 7 14 \$ 1,500,000
 7 15 d. For infrastructure improvement grants at
 7 16 general aviation airports within the state:
 7 17 \$ 750,000
 7 18 13. TREASURER OF STATE
 7 19 a. For county fair infrastructure improvements for
 7 20 distribution in accordance with chapter 174 to
 7 21 qualified fairs which belong to the association of
 7 22 Iowa fairs:
 7 23 \$ 1,590,000
 7 24 b. For deposit in the watershed improvement fund
 7 25 created in section 466A.2, notwithstanding section
 7 26 8.57, subsection 6, paragraph "c":
 7 27 \$ 5,000,000
 7 28 14. DEPARTMENT OF VETERANS AFFAIRS
 7 29 For transfer to the Iowa finance authority for the
 7 30 continuation of the home ownership assistance program
 7 31 for persons who are or were eligible members of the
 7 32 armed forces of the United States, pursuant to section
 7 33 16.54, notwithstanding section 8.57, subsection 6,
 7 34 paragraph "c":
 7 35 \$ 1,600,000
 7 36 Of the funds transferred pursuant to this
 7 37 subsection, the Iowa finance authority may retain not
 7 38 more than \$20,000 for administrative purposes.
 7 39 Sec. 2. There is appropriated from the rebuild
 7 40 Iowa infrastructure fund to the following departments
 7 41 and agencies for the fiscal year beginning July 1,
 7 42 2010, and ending June 30, 2011, the following amounts,
 7 43 or so much thereof as is necessary, to be used for the
 7 44 purposes designated:
 7 45 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
 7 46 For projects related to major repairs and major
 7 47 maintenance for state buildings and facilities under
 7 48 the purview of the department:
 7 49 \$ 15,000,000
 7 50 2. DEPARTMENT OF CORRECTIONS



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8 1 For expansion, including land acquisition, of the
 8 2 community-based corrections facility at Des Moines:
 8 3 \$ 5,000,000
 8 4 The appropriation in this subsection is contingent
 8 5 upon relocation of the sex offender treatment program
 8 6 from the community-based corrections facility at Des
 8 7 Moines to the property in northeast Des Moines
 8 8 identified by the fifth judicial district in the
 8 9 facility and site study final report submitted
 8 10 December 12, 2008.

8 11 3. DEPARTMENT OF ECONOMIC DEVELOPMENT
 8 12 For costs associated with the renovation and
 8 13 expansion of phase II of a zoo project located in a
 8 14 city with a population of between one hundred ninety
 8 15 thousand and two hundred thousand as determined by the
 8 16 2000 certified federal census:
 8 17 \$ 500,000

8 18 4. STATE BOARD OF REGENTS
 8 19 For phase II of the construction and renovation of
 8 20 the veterinary medical facilities at Iowa state
 8 21 university of science and technology, specifically the
 8 22 renovation and modernization of the area formerly
 8 23 occupied by the large animal area of the teaching
 8 24 hospital for expanded clinical services in a small
 8 25 animal hospital:
 8 26 \$ 22,000,000

8 27 5. IOWA STATE FAIR
 8 28 For infrastructure improvements to the Iowa state
 8 29 fairgrounds including but not limited to the
 8 30 construction of an agricultural exhibition center on
 8 31 the Iowa state fairgrounds:
 8 32 \$ 2,500,000

8 33 6. DEPARTMENT OF TRANSPORTATION
 8 34 For deposit into the railroad revolving loan and
 8 35 grant fund created in section 327H.20A,
 8 36 notwithstanding section 8.57, subsection 6, paragraph
 8 37 "c":
 8 38 \$ 2,000,000

8 39 Sec. 3. There is appropriated from the rebuild
 8 40 Iowa infrastructure fund to the department of
 8 41 transportation for the fiscal year beginning July 1,
 8 42 2011, and ending June 30, 2012, the following amounts,
 8 43 or so much thereof as is necessary, to be used for the
 8 44 purposes designated:
 8 45 For deposit into the railroad revolving loan and
 8 46 grant fund created in section 327H.20A,
 8 47 notwithstanding section 8.57, subsection 6, paragraph
 8 48 "c":
 8 49 \$ 2,000,000

8 50 Sec. 4. REVERSION. For purposes of section 8.33,



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9 1 unless specifically provided otherwise, unencumbered
 9 2 or unobligated moneys made from an appropriation in
 9 3 this division of this Act shall not revert but shall
 9 4 remain available for expenditure for the purposes
 9 5 designated until the close of the fiscal year that
 9 6 ends three years after the end of the fiscal year for
 9 7 which the appropriation was made. However, if the
 9 8 project or projects for which such appropriation was
 9 9 made are completed in an earlier fiscal year,
 9 10 unencumbered or unobligated moneys shall revert at the
 9 11 close of that same fiscal year.

DIVISION II

REBUILD IOWA INFRASTRUCTURE FUND == GROW

IOWA VALUES FUND

9 15 Notwithstanding the amount of the standing
 9 16 appropriation from the rebuild Iowa infrastructure
 9 17 fund as provided in section 15G.110, subsection 2,
 9 18 there is appropriated from the rebuild Iowa
 9 19 infrastructure fund to the department of economic
 9 20 development for deposit into the grow Iowa values
 9 21 fund, in lieu of the appropriation made in section
 9 22 15G.110, subsection 2, for the fiscal year beginning
 9 23 July 1, 2009, and ending June 30, 2010, the following
 9 24 amount, notwithstanding section 8.57, subsection 6,
 9 25 paragraph "c":

9 26 \$ 45,000,000

DIVISION III

TECHNOLOGY REINVESTMENT FUND

9 30 Sec. 5. There is appropriated from the technology
 9 31 reinvestment fund created in section 8.57C to the
 9 32 following departments and agencies for the fiscal year
 9 33 beginning July 1, 2009, and ending June 30, 2010, the
 9 34 following amounts, or so much thereof as is necessary,
 9 35 to be used for the purposes designated:

9 36 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
 9 37 For technology improvement projects:
 9 38 \$ 2,037,184

9 39 2. DEPARTMENT OF CORRECTIONS
 9 40 For costs associated with the Iowa corrections
 9 41 offender network data system:
 9 42 \$ 500,000

9 43 3. DEPARTMENT OF EDUCATION
 9 44 a. For maintenance and lease costs associated with
 9 45 connections for Part III of the Iowa communications
 9 46 network:
 9 47 \$ 2,727,000

9 48 b. For the implementation of an educational data
 9 49 warehouse that will be utilized by teachers, parents,
 9 50 school district administrators, area education agency



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10 1 staff, department of education staff, and
 10 2 policymakers:
 10 3 \$ 600,000
 10 4 The department may use a portion of the moneys
 10 5 appropriated in this lettered paragraph for an
 10 6 etranscript data system capable of tracking students
 10 7 throughout their education via interconnectivity with
 10 8 multiple schools.
 10 9 4. DEPARTMENT OF HUMAN RIGHTS
 10 10 For costs associated with the justice enterprise
 10 11 data warehouse:
 10 12 \$ 361,072
 10 13 5. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD
 10 14 For technological improvements for the board's
 10 15 electronic filing system including an online
 10 16 searchable database:
 10 17 \$ 15,000
 10 18 6. IOWA LAW ENFORCEMENT ACADEMY
 10 19 For technology upgrades for the development of
 10 20 computer online testing and training and for a
 10 21 firearms training simulator:
 10 22 \$ 185,000
 10 23 7. IOWA TELECOMMUNICATIONS AND TECHNOLOGY
 10 24 COMMISSION
 10 25 a. For replacement of equipment for the Iowa
 10 26 communications network:
 10 27 \$ 2,211,863
 10 28 The commission may continue to enter into contracts
 10 29 pursuant to section 8D.13 for the replacement of
 10 30 equipment and for operations and maintenance costs of
 10 31 the network.
 10 32 In addition to moneys appropriated in this lettered
 10 33 paragraph, the commission may use a financing
 10 34 agreement entered into by the treasurer of state in
 10 35 accordance with section 12.28 for the replacement of
 10 36 equipment for the network. For purposes of this
 10 37 lettered paragraph, the treasurer of state is not
 10 38 subject to the maximum principal limitation contained
 10 39 in section 12.28, subsection 6. Repayment of any
 10 40 amounts financed shall be made from receipts
 10 41 associated with fees charged for use of the network.
 10 42 b. For generator replacement:
 10 43 \$ 2,755,246
 10 44 c. For continued additions to network redundancy
 10 45 for continuity of operations for the capitol complex:
 10 46 \$ 2,320,000
 10 47 8. DEPARTMENT OF PUBLIC DEFENSE
 10 48 For the homeland security and emergency management
 10 49 division for grants to support 211 nonprofit call
 10 50 centers providing human resources information to



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11 1 citizens of this state:
 11 2 \$ 250,000
 11 3 The division shall award moneys appropriated
 11 4 pursuant to this section to support the statewide
 11 5 improvement of a free and confidential telephone
 11 6 hotline available twenty-four hours a day, seven days
 11 7 a week, that provides information or refers callers to
 11 8 appropriate private or government entities that
 11 9 provide assistance relating to families, housing,
 11 10 food, health, legal advice, child and senior services,
 11 11 or volunteer opportunities.
 11 12 9. DEPARTMENT OF PUBLIC SAFETY
 11 13 For continuation of payments on the lease-purchase
 11 14 of the automated fingerprint identification system:
 11 15 \$ 350,000
 11 16 Sec. 6. REVERSION. For purposes of section 8.33,
 11 17 unless specifically provided otherwise, unencumbered
 11 18 or unobligated moneys made from an appropriation in
 11 19 this division of this Act shall not revert but shall
 11 20 remain available for expenditure for the purposes
 11 21 designated until the close of the fiscal year that
 11 22 ends three years after the end of the fiscal year for
 11 23 which the appropriation was made. However, if the
 11 24 project or projects for which such appropriation was
 11 25 made are completed in an earlier fiscal year,
 11 26 unencumbered or unobligated moneys shall revert at the
 11 27 close of that same fiscal year.
 11 28 DIVISION IV
 11 29 TAX-EXEMPT BOND PROCEEDS RESTRICTED
 11 30 CAPITAL FUNDS ACCOUNT
 11 31 Sec. 7. There is appropriated from the tax-exempt
 11 32 bond proceeds restricted capital funds account of the
 11 33 tobacco settlement trust fund to the department of
 11 34 administrative services for the fiscal year beginning
 11 35 July 1, 2009, and ending June 30, 2010, the following
 11 36 amount, or so much thereof as is necessary, to be used
 11 37 for the purposes designated:
 11 38 For projects related to major repairs and major
 11 39 maintenance for state buildings and facilities under
 11 40 the purview of the department:
 11 41 \$ 195,484
 11 42 Sec. 8. TAX-EXEMPT STATUS == USE OF
 11 43 APPROPRIATIONS. Payment of moneys from the
 11 44 appropriations in this division of this Act shall be
 11 45 made in a manner that does not adversely affect the
 11 46 tax-exempt status of any outstanding bonds issued by
 11 47 the tobacco settlement authority.
 11 48 DIVISION V
 11 49 TRANSFERS
 11 50 Sec. 9. ENDOWMENT FOR IOWA'S HEALTH RESTRICTED



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12 1 CAPITALS FUND AND TAX-EXEMPT BOND PROCEEDS RESTRICTED
12 2 CAPITALS FUND == TRANSFERS. Notwithstanding any
12 3 provision of law to the contrary, the unencumbered or
12 4 unobligated balances of the endowment for Iowa's
12 5 health restricted capitals fund at the close of the
12 6 fiscal year beginning July 1, 2009, and the tax-exempt
12 7 bond proceeds restricted capitals fund at the close of
12 8 the fiscal year beginning July 1, 2009, or the close
12 9 of any succeeding fiscal year, shall be transferred to
12 10 the department of administrative services for projects
12 11 related to major repairs and major maintenance for
12 12 state buildings and facilities under the purview of
12 13 the department. Upon receipt of a transfer, the
12 14 department of administrative services shall report to
12 15 the legislative services agency and to the department
12 16 of management the amount transferred in conjunction
12 17 with the department's report filed pursuant to section
12 18 8.57, subsection 6, paragraph "h".

12 19 DIVISION VI

12 20 SUBCHAPTER I

12 21 ALTERNATIVE PUBLIC PROJECT DELIVERY PILOT PROGRAM

12 22 Sec. 10. NEW SECTION. 26A.1 DEFINITIONS.

12 23 As used in this chapter, unless the context clearly
12 24 indicates otherwise:

- 12 25 1. "Alternative project delivery" means procuring
12 26 and delivering design and construction services for a
12 27 public project according to the selection procedure
12 28 outlined in subchapter II.
- 12 29 2. "Construction documents" means the drawings,
12 30 specifications, technical submissions, and other
12 31 documents upon which a construction project is based.
- 12 32 3. "Construction services" means the process of
12 33 planning, building, equipping, altering, repairing,
12 34 improving, or demolishing any structure or
12 35 appurtenance thereto, including facilities, utilities,
12 36 or other improvements to real property, but excluding
12 37 highways, roads, bridges, dams, or stand-alone parking
12 38 lots.
- 12 39 4. "Criteria consultant" means an individual
12 40 employed or retained by the governmental entity to
12 41 assist in the preparation of a request for
12 42 qualifications and a request for proposals. A
12 43 criteria consultant shall have professional licensure
12 44 or significant professional experience in a field
12 45 related to the proposed public project. If the design
12 46 criteria package for a public project includes the
12 47 practice of architecture under chapter 544A, the
12 48 practice of engineering under chapter 542B, or the
12 49 practice of landscape architecture under chapter 544B,
12 50 the criteria consultant shall be a design



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13 1 professional.
13 2 5. "Design professional" means an individual who
13 3 is licensed to practice architecture, engineering, or
13 4 landscape architecture in this state.
13 5 6. "Design=build services" means a method of
13 6 alternative project delivery for which both design and
13 7 construction services are provided under one contract.
13 8 "Design=build services" may include architecture,
13 9 engineering, and related design services required for
13 10 a given project and the labor, materials, and other
13 11 construction services for the project.
13 12 7. "Design=builder" means an individual,
13 13 partnership, joint venture, corporation, or other
13 14 legal entity that furnishes design=build services,
13 15 whether by itself or through subcontracts.
13 16 8. "Estimated total cost" means the estimated
13 17 total cost to a governmental entity to construct a
13 18 public project, including the cost of labor,
13 19 materials, equipment, supplies, and fees.
13 20 9. "Governmental entity" means the department of
13 21 administrative services or an institution under the
13 22 control of the state board of regents.
13 23 10. "Preconstruction services" means a series of
13 24 services including but not limited to scheduling,
13 25 review of design, estimating, cost control, value
13 26 engineering, constructability evaluation, and
13 27 preparation and coordination of bid packages.
13 28 11. "Public project" means a project under the
13 29 control of a governmental entity with an estimated
13 30 total cost in excess of ten million dollars that is
13 31 paid for in whole or in part with funds of the
13 32 governmental entity, including a building or
13 33 improvement constructed or operated jointly with any
13 34 other public or private agency. A "public project"
13 35 may include planning, acquiring, designing, building,
13 36 equipping, altering, repairing, improving, or
13 37 demolishing any structure or appurtenance thereto,
13 38 including facilities, utilities, or other improvements
13 39 to any real property owned by or under the control of
13 40 the governmental entity, but excluding highways,
13 41 roads, bridges, dams, or stand-alone parking lots.
13 42 However, a parking lot included as part of the site
13 43 work of a public project may be included as part of a
13 44 design=build services contract. Parking ramps and
13 45 parking garages are not considered to be parking lots
13 46 and may be a "public project" constructed utilizing
13 47 alternative project delivery methods.
13 48 12. "Selection plan" means a written procedure
13 49 adopted by a governmental entity that establishes the
13 50 evaluation criteria for submissions in response to the



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14 1 request for qualifications and the request for
14 2 proposals and specifies criteria and scoring
14 3 methodology relating to the selection of a
14 4 design=builder for a public project.
14 5 13. "Total contract cost" means the guaranteed
14 6 maximum cost or the lump sum total cost of the public
14 7 project as defined in the public project contract
14 8 between the governmental entity and the
14 9 design=builder.
14 10 Sec. 11. NEW SECTION. 26A.2 ALTERNATIVE PROJECT
14 11 DELIVERY COMMISSION.
14 12 1. An alternative project delivery commission is
14 13 established consisting of seven members.
14 14 2. Members of the commission shall consist of all
14 15 of the following:
14 16 a. One member appointed by the state board of
14 17 regents.
14 18 b. One member appointed by the director of the
14 19 department of administrative services.
14 20 c. One member appointed by the Iowa chapter of the
14 21 American institute of architects.
14 22 d. One member appointed by the American council of
14 23 engineering companies of Iowa.
14 24 e. One member appointed by the Iowa chapter of the
14 25 design=build institute of America.
14 26 f. One member appointed by the master builders of
14 27 Iowa.
14 28 g. One member appointed by the mechanical
14 29 contractors association of Iowa.
14 30 3. Each member of the commission shall serve until
14 31 January 15, 2012, or until the member resigns. A
14 32 vacancy on the commission shall be filled in the same
14 33 manner as the original appointment. The appointment
14 34 of members is subject to the requirements of sections
14 35 69.16 and 69.16A.
14 36 4. The member appointed by the state board of
14 37 regents shall serve as the chairperson of the
14 38 commission.
14 39 5. Meetings of the commission may be called by the
14 40 chairperson or by a majority of the members.
14 41 6. A majority of the members of the commission
14 42 constitutes a quorum. Any action taken by the
14 43 commission must be adopted by the affirmative vote of
14 44 a majority of its membership.
14 45 7. A member shall not vote on a matter before the
14 46 commission if the individual has a pecuniary,
14 47 equitable, or other interest in the matter or
14 48 conditions exist that would interfere with the
14 49 member's ability to properly discharge the member's
14 50 duties.



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15 1 8. The duties of the commission shall include all
15 2 of the following:
15 3 a. Administer the alternative project delivery
15 4 pilot program created under section 26A.3.
15 5 b. Prepare and file with the governor and the
15 6 general assembly on or before January 15, 2012, a
15 7 report detailing the activities of the commission and
15 8 summarizing each public project selected for inclusion
15 9 in the alternative project delivery pilot program,
15 10 including information related to the cost to the
15 11 governmental entity, the duration of the public
15 12 project, whether the goals of the public project were
15 13 met, the quality of the work and services performed in
15 14 completing the public project, the transparency of the
15 15 alternative project delivery process, the impact of
15 16 the alternative project delivery process on the
15 17 persons contracted with to perform the work and
15 18 services for a public project, and any other
15 19 information the commission deems relevant.
15 20 c. Adopt policies and procedures to carry out any
15 21 duty specified in this chapter.
15 22 Sec. 12. NEW SECTION. 26A.3 ALTERNATIVE PROJECT
15 23 DELIVERY PILOT PROGRAM.
15 24 1. The alternative project delivery commission
15 25 shall administer an alternative project delivery pilot
15 26 program consistent with the requirements of this
15 27 chapter. The purpose of the pilot program is to
15 28 determine whether alternative project delivery methods
15 29 are financially beneficial and efficient for
15 30 governmental entities in undertaking public projects.
15 31 2. The pilot program shall consist of public
15 32 projects selected by the commission and undertaken by
15 33 governmental entities using the alternative project
15 34 delivery method authorized under subchapter II. The
15 35 selection of public projects for inclusion in the
15 36 pilot program shall be completed no later than
15 37 November 1, 2010.
15 38 3. A governmental entity that is interested in
15 39 undertaking a public project using alternative project
15 40 delivery methods shall submit an application to the
15 41 commission detailing the nature of the project. Each
15 42 application shall be on a form prescribed by the
15 43 commission and may include additional materials
15 44 requested by the commission.
15 45 4. The commission shall review each application
15 46 and shall select those public projects for inclusion
15 47 in the pilot program which are best suited to
15 48 accomplish the purposes of the pilot program. In
15 49 selecting public projects for inclusion in the pilot
15 50 program the commission shall consider all of the



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16 1 following:

16 2 a. The likelihood that the public project will
16 3 provide a cost savings to the governmental entity as
16 4 compared to the use of competitive bid procedures
16 5 under other provisions of law.

16 6 b. Whether the use of design=build services,
16 7 including the simultaneous completion of design and
16 8 construction phases of the public project, meets the
16 9 needs of the governmental entity.

16 10 c. Whether the public project requires the use of
16 11 an accelerated design and construction schedule as a
16 12 result of an emergency situation.

16 13 d. Whether the public project presents
16 14 complexities that would best be addressed through the
16 15 use of an integrated team under the direction of a
16 16 design=builder.

16 17 e. Whether the use of an alternative project
16 18 delivery method would diminish competition for the
16 19 public project.

16 20 5. The commission shall monitor the selection
16 21 process for each public project selected for inclusion
16 22 in the pilot program and may require the governmental
16 23 entity to provide periodic updates on the public
16 24 project following selection of a design=builder for
16 25 the public project.

16 26 6. Notwithstanding any other provision of law to
16 27 the contrary, a governmental entity may utilize the
16 28 alternative project delivery procedures under this
16 29 chapter to procure design=build services related to
16 30 the completion of a public project.

16 31 Sec. 13. NEW SECTION. 26A.4 PUBLIC NOTICE.

16 32 A governmental entity utilizing the alternative
16 33 project delivery method under subchapter II shall
16 34 publish public notices as follows:

16 35 1. The notice shall be published at least once,
16 36 not less than fifteen and not more than forty-five
16 37 days before the date for filing submissions, if
16 38 applicable, in a newspaper published at least once
16 39 weekly and having general circulation in the
16 40 geographic area served by the governmental entity and
16 41 in a relevant trade publication.

16 42 2. The notice may also be published in a relevant
16 43 contractor organization publication and a relevant
16 44 contractor plan room service with statewide
16 45 circulation, provided that a notice is posted on an
16 46 internet site sponsored by either the governmental
16 47 entity or a statewide association that represents the
16 48 governmental entity.

16 49 Sec. 14. NEW SECTION. 26A.5 PUBLIC RECORDS.

16 50 Each proposal received by a governmental entity



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17 1 under this chapter, together with the name of the
17 2 proposer, after award or letting of the contract, is
17 3 subject to public inspection upon request. The
17 4 governmental entity shall, within five days after
17 5 award or letting of the contract, publish notice of
17 6 the name of the successful proposer including the
17 7 proposer's scores received pursuant to the selection
17 8 process under subchapter II. In addition, such notice
17 9 shall include the names of all proposers whose
17 10 proposals were not selected, together with each
17 11 proposer's scores.

17 12 Sec. 15. NEW SECTION. 26A.6 PROHIBITION ON
17 13 PROVIDING FINANCING.

17 14 The design=builder executing the construction or
17 15 design of a public project utilizing an alternative
17 16 project delivery method under subchapter II shall not
17 17 provide any financing, funding, or facility operations
17 18 for the public project.

17 19 SUBCHAPTER II
17 20 DESIGN=BUILD PROJECT DELIVERY
17 21 BEST VALUE SELECTION

17 22 Sec. 16. NEW SECTION. 26A.11 APPLICATION TO THE
17 23 COMMISSION.

17 24 1. When in the judgment of the governing body of a
17 25 governmental entity it is desirable to use
17 26 design=build services pursuant to a best value
17 27 selection process for the completion of a public
17 28 project, the governmental entity shall prepare a
17 29 selection plan and submit an application to the
17 30 alternative project delivery commission pursuant to
17 31 section 26A.3, subsection 3. If the public project is
17 32 selected by the alternative project delivery
17 33 commission for inclusion in the pilot program, the
17 34 governmental entity shall select a design=builder in
17 35 accordance with the procedures of this subchapter.

17 36 2. A criteria consultant shall be employed or
17 37 retained to assist the governmental entity in
17 38 preparing a request for qualifications and a request
17 39 for proposals. The criteria consultant may be an
17 40 employee of the governmental entity or an individual
17 41 retained specifically to assist the governmental
17 42 entity with the public project. The request for
17 43 qualifications and the request for proposals shall
17 44 specify the selection criteria and scoring methodology
17 45 included in the selection plan. The criteria
17 46 consultant shall also assist the governmental entity
17 47 in selecting a design=builder. A criteria consultant
17 48 employed or retained by the governmental entity shall
17 49 not submit a statement of qualifications or a proposal
17 50 for the public project.



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18 1 Sec. 17. NEW SECTION. 26A.12 BEST VALUE
18 2 SELECTION PROCESS == GENERAL PROCEDURE.
18 3 The governmental entity shall select a
18 4 design=builder for a public project pursuant to a
18 5 two=phase selection process.
18 6 1. Phase I of the selection process includes
18 7 publication of a request for qualifications by the
18 8 governmental entity, review of the statements of
18 9 qualifications, and the selection of a minimum of two
18 10 but not more than five design=builders to advance to
18 11 phase II.
18 12 2. Phase II includes a request for proposals, the
18 13 receipt of proposals from those design=builders
18 14 selected during phase I, including a separate cost and
18 15 schedule proposal, an interview with each
18 16 design=builder that submits a proposal, evaluation of
18 17 each proposal, and selection of a design=builder for
18 18 the public project.
18 19 Sec. 18. NEW SECTION. 26A.13 PHASE I == REQUEST
18 20 FOR QUALIFICATIONS, STATEMENT, EVALUATION, AND
18 21 SELECTION.
18 22 1. During phase I, the governmental entity shall
18 23 publish notice of a request for qualifications
18 24 pursuant to the requirements of section 26A.4. The
18 25 governmental entity shall specify in the request for
18 26 qualifications a time, place, and other specific
18 27 instructions for the submission of the statements of
18 28 qualifications, the amount of the stipend required to
18 29 be paid by the governmental entity under section
18 30 26A.14, subsection 9, and may include any terms of
18 31 contract. A statement of qualifications not submitted
18 32 according to the instructions shall be rejected and
18 33 returned to the design=builder.
18 34 2. Each design=builder shall submit a statement of
18 35 qualifications that includes but is not limited to the
18 36 following information:
18 37 a. Similar project experience, including
18 38 experience in the design=build method of alternative
18 39 project delivery.
18 40 b. Qualifications of proposed project personnel.
18 41 c. References from similar projects.
18 42 d. The design=builder's experience modification
18 43 rating and a description of the design=builder's
18 44 safety plan.
18 45 e. Bonding capacity and insurance.
18 46 Design=builders submitting a statement of
18 47 qualifications shall be capable of providing a bond
18 48 according to the requirements of chapter 573, shall
18 49 include evidence of such bonding capacity, and shall
18 50 include evidence of all required insurance with their



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19 1 statement of qualifications. If a design-builder
19 2 fails to include evidence of bonding capacity or
19 3 required insurance, the design-builder shall be deemed
19 4 unqualified for selection under phase I.
19 5 f. Other information requested by the governmental
19 6 entity in accordance with the selection plan.
19 7 3. The governmental entity shall evaluate and
19 8 score each statement of qualifications received
19 9 according to the predetermined selection criteria and
19 10 scoring methodology that were specified in the request
19 11 for qualifications. The cost or fees associated with
19 12 a public project shall not be considered by the
19 13 governmental entity when evaluating a statement of
19 14 qualifications.
19 15 4. The governmental entity shall select a minimum
19 16 of two and a maximum of five design-builders who have
19 17 the highest scores to proceed to phase II. Scores
19 18 assigned during phase I shall not carry forward to
19 19 phase II. The governmental entity shall have
19 20 discretion to disqualify any design-builder that lacks
19 21 the minimum qualifications required to perform the
19 22 design-build services for the public project. If two
19 23 qualified design-builders cannot be identified, the
19 24 selection process shall cease. If all design-builders
19 25 are rejected, the governmental entity may solicit new
19 26 proposals using different design and budget criteria.
19 27 Sec. 19. NEW SECTION. 26A.14 PHASE II == REQUEST
19 28 FOR PROPOSALS, PROPOSAL REVIEW, SELECTION, AND
19 29 NEGOTIATION.
19 30 1. During phase II, each design-builder selected
19 31 during phase I shall be given a request for proposals.
19 32 The request for proposals shall include but is not
19 33 limited to the following information:
19 34 a. The procedures to be followed in submitting
19 35 proposals and information relating to design-builder
19 36 interviews under subsection 5.
19 37 b. The selection criteria and scoring methodology
19 38 for the proposals.
19 39 c. Information related to the requirements,
19 40 specifications, budget, and schedule for the public
19 41 project, including the specifications of the design
19 42 criteria package and the requirements and
19 43 specifications for design services, preconstruction
19 44 services, and construction services. The request for
19 45 proposals shall also specify any requirements for a
19 46 design professional who is employed by the
19 47 design-builder to assist in designing the public
19 48 project, including but not limited to requirements
19 49 relating to communication between the design
19 50 professional, the design-builder, and the governmental



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20 1 entity, the amount of authority the design
20 2 professional has over the design of the public
20 3 project, and the responsibility of the design
20 4 professional to act in the best interest of the
20 5 governmental entity.
20 6 d. The proposed terms and conditions for the
20 7 public project contract.
20 8 e. The requirements for the submission of a
20 9 separate cost and schedule proposal.
20 10 f. Other information requested by the governmental
20 11 entity in accordance with the selection plan.
20 12 2. Each design=builder selected during phase I may
20 13 submit a proposal to the governmental entity. Each
20 14 proposal submitted under this section shall not
20 15 contain references to costs associated with work
20 16 contained in the proposal. The governmental entity
20 17 shall evaluate and score each proposal according to
20 18 the selection criteria and scoring methodology
20 19 specified in the request for proposals.
20 20 3. Each design=builder selected during phase I
20 21 shall also provide the governmental entity with a
20 22 separate cost and schedule proposal. A proposal
20 23 submitted under subsection 2 and the cost and schedule
20 24 proposal may be submitted sequentially or
20 25 concurrently, according to the requirements of the
20 26 request for proposals. Failure to submit a cost and
20 27 schedule proposal according to the delivery
20 28 requirements of the request for proposals shall be
20 29 grounds to reject the proposal.
20 30 4. The cost and schedule proposal shall include
20 31 all of the following:
20 32 a. A total contract cost for the public project.
20 33 b. A bid security pursuant to chapter 573.
20 34 c. A proposed contract time, in calendar days, for
20 35 completing the public project.
20 36 d. Any other information required by the request
20 37 for proposals.
20 38 5. After the deadline for submission of proposals
20 39 has passed, the governmental entity shall interview
20 40 each design=builder that has submitted a proposal
20 41 individually, allowing each design=builder to present
20 42 the design=builder's proposed team members,
20 43 qualifications, and proposal, and to answer questions
20 44 from the governmental entity.
20 45 6. The cost and schedule proposals submitted under
20 46 subsection 3 shall be opened only after all proposals
20 47 submitted under subsection 2 have been evaluated and
20 48 scored and after completion of all design=builder
20 49 interviews under subsection 5. At the time that the
20 50 cost and schedule proposals are opened, the



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21 1 governmental entity shall make public its scoring of
21 2 the proposals submitted under subsection 2. Cost and
21 3 schedule proposals shall be evaluated and scored
21 4 according to selection criteria and scoring
21 5 methodology specified in the request for proposals.
21 6 7. The governmental entity shall select the
21 7 design=builder receiving the highest score based on
21 8 the selection criteria and scoring methodology
21 9 specified in the request for proposals. The
21 10 governmental entity shall proceed to negotiate with
21 11 and attempt to enter into a contract with the selected
21 12 design=builder to serve as the design=builder for the
21 13 public project. If the governmental entity is unable
21 14 to negotiate a satisfactory contract with the selected
21 15 design=builder, negotiations with that design=builder
21 16 shall be terminated, and the governmental entity shall
21 17 undertake negotiations with the design=builder
21 18 receiving the second highest score. If negotiations
21 19 cannot be successfully completed with the
21 20 design=builder receiving the second highest score, the
21 21 contract shall not be awarded.
21 22 8. If the governmental entity determines that it
21 23 is not in its best interest to proceed with the public
21 24 project pursuant to the proposals offered, the
21 25 governmental entity shall reject all proposals. If
21 26 all proposals are rejected, the governmental entity
21 27 may solicit new statements of qualifications and
21 28 proposals using different design or budget criteria.
21 29 9. As an inducement to qualified design=builders,
21 30 the governmental entity shall pay a fair and
21 31 reasonable stipend, the amount of which shall be
21 32 established in the request for proposals, to each
21 33 design=builder who participates in phase II, but is
21 34 not selected as the design=builder for the public
21 35 project.

21 36 SUBCHAPTER III

21 37 REPEAL

21 38 Sec. 20. NEW SECTION. 26A.21 REPEAL.

21 39 This chapter is repealed June 30, 2012.

21 40 DIVISION VII

21 41 IOWA FLOOD CENTER

21 42 Sec. 21. Section 466B.3, subsection 6, paragraph
21 43 b, subparagraph (7), Code 2009, is amended by striking
21 44 the subparagraph.

21 45 Sec. 22. Section 466B.9, Code 2009, is amended to
21 46 read as follows:

21 47 466B.9 RULEMAKING AUTHORITY.

21 48 The department and the department of agriculture
21 49 and land stewardship shall have the power and
21 50 authority reasonably necessary to carry out the duties



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22 1 imposed by this chapter. ~~As to the department, this~~
~~22 2 includes rulemaking authority to carry out the~~
~~22 3 regional watershed assessment program described in~~
~~22 4 section 466B.5. As to the department of agriculture~~
~~22 5 and land stewardship, this includes rulemaking~~
~~22 6 authority to assist in the implementation of~~
~~22 7 community-based subwatershed improvement plans.~~
22 8 Sec. 23. NEW SECTION. 466C.1 DEFINITIONS.
22 9 For purposes of this chapter, unless the context
22 10 otherwise requires:
22 11 1. "Center" means the Iowa flood center
22 12 established pursuant to section 466C.2.
22 13 2. "Council" means the water resources
22 14 coordinating council established in section 466B.3.
22 15 3. "Regional watershed" means the watershed of
22 16 hydrologic unit code scale 8.
22 17 4. "Subwatershed" means a watershed of hydrologic
22 18 unit code scale 12 or smaller.
22 19 5. "Watershed" means a geographic area in which
22 20 surface water is drained by rivers, streams, or other
22 21 bodies of water.
22 22 Sec. 24. NEW SECTION. 466C.2 IOWA FLOOD CENTER.
22 23 1. The state board of regents shall establish and
22 24 maintain in Iowa City as a part of the state
22 25 university of Iowa an Iowa flood center. In
22 26 conducting the activities of this chapter, the center
22 27 shall work cooperatively with the department of
22 28 natural resources, the department of agriculture and
22 29 land stewardship, the water resources coordinating
22 30 council, and other state and federal agencies.
22 31 2. The Iowa flood center shall have all of the
22 32 following purposes:
22 33 a. To develop hydrologic models for
22 34 physically-based flood frequency estimation and
22 35 real-time forecasting of floods, including hydraulic
22 36 models of floodplain inundation mapping.
22 37 b. To establish community-based programs to
22 38 improve flood monitoring and prediction along Iowa's
22 39 major waterways and to support ongoing flood research.
22 40 c. To share resources and expertise of the Iowa
22 41 flood center.
22 42 d. To assist in the development of a workforce in
22 43 the state knowledgeable regarding flood research,
22 44 prediction, and mitigation strategies.
22 45 e. To conduct the activities required by this
22 46 chapter in cooperation with various state and federal
22 47 agencies.
22 48 Sec. 25. NEW SECTION. 466C.3 REGIONAL WATERSHED
22 49 ASSESSMENT, PLANNING, AND PRIORITIZATION.
22 50 1. The center shall create a regional watershed



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23 1 assessment program. The program shall assess all the
23 2 regional watersheds in the state.
23 3 a. Under the program, a statewide assessment shall
23 4 be conducted at the rate of approximately one-third of
23 5 the watersheds in the state per year, and an initial
23 6 statewide assessment shall be completed within three
23 7 years. Thereafter, the center shall review and update
23 8 the assessments on a regular basis.
23 9 b. Each regional watershed assessment shall
23 10 provide a summary of the overall condition of the
23 11 watershed. The information provided in the summary
23 12 may include land use patterns, soil types, slopes,
23 13 management practices, stream conditions, and both
23 14 point and nonpoint source impairments.
23 15 c. In conducting regional watershed assessments,
23 16 the center may identify and facilitate local data
23 17 collection to support the assessment process.
23 18 2. In conducting the regional watershed assessment
23 19 program, the center shall provide hydrologic and
23 20 geologic information sufficient for the council to
23 21 prioritize watersheds statewide and for the various
23 22 communities in those watersheds to plan remedial
23 23 efforts in their local communities and subwatersheds.
23 24 3. Upon completion of the initial statewide
23 25 assessment, and upon subsequent assessment updates,
23 26 the center shall report the results of the assessment,
23 27 and any updates, to the council and the general
23 28 assembly, and shall make the report available to the
23 29 public.
23 30 Sec. 26. NEW SECTION. 466C.4 COMMUNITY=BASED
23 31 SUBWATERSHED IMPROVEMENT PLANS.
23 32 1. After the center's completion of the initial
23 33 regional watershed assessment, and after the council's
23 34 prioritization of the regional watersheds, the council
23 35 shall initiate the organization of an interagency
23 36 integrated water resources committee to facilitate the
23 37 development and implementation of local,
23 38 community-based subwatershed improvement plans.
23 39 2. In facilitating the development of
23 40 community-based subwatershed improvement plans, the
23 41 interagency integrated water resources committee
23 42 shall, based on the results of the regional watershed
23 43 assessment program, identify critical subwatersheds
23 44 within priority regional watersheds and recruit
23 45 communities, citizen groups, local governmental
23 46 entities, or other stakeholders to engage in the
23 47 assessment, planning, prioritization, and
23 48 implementation of a local community-based subwatershed
23 49 improvement plan. The interagency integrated water
23 50 resources committee may assist in the formation of a



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24 1 group of initial local community-based subwatershed
24 2 improvement plans that can be implemented as pilot
24 3 projects, in order to develop an effective process
24 4 that can be replicated across the state.
24 5 Sec. 27. NEW SECTION. 466C.5 COMMUNITY=BASED
24 6 SUBWATERSHED MONITORING.
24 7 1. After completion of the statewide regional
24 8 watershed assessment and prioritization, and
24 9 throughout the implementation of local community-based
24 10 subwatershed improvement plans, the center shall
24 11 assist communities with the monitoring and measurement
24 12 of local subwatersheds. The monitoring and
24 13 measurement shall be designed for the particular needs
24 14 of individual communities while considering statewide
24 15 watershed issues.
24 16 2. Local communities in which the center conducts
24 17 subwatershed monitoring shall use the information to
24 18 support subwatershed planning activities, guide
24 19 supplemental local data collection efforts, and
24 20 identify priority areas needing additional resources.
24 21 Local communities shall collect data over time and use
24 22 the data to evaluate the impacts of their management
24 23 efforts. Data collected, as directed by interagency
24 24 integrated water resources committees, shall be
24 25 integrated into a digital regional watershed framework
24 26 in real-time, or near real-time, by the center for use
24 27 in assessment and planning by all the communities in
24 28 the watershed. The center shall integrate digital
24 29 regional watershed information into a digital
24 30 statewide framework for assessment and planning for
24 31 state water resources planning.
24 32 Sec. 28. NEW SECTION. 466C.6 DEVELOPMENT OF
24 33 ADVANCED NUMERICAL TOOLS FOR WATER RESOURCES
24 34 MANAGEMENT.
24 35 1. After completion of the statewide regional
24 36 watershed assessment and prioritization, the center
24 37 shall develop and implement physically based
24 38 hydrologic models to improve watershed and community
24 39 scale flood prediction and mitigation planning.
24 40 a. Physically based hydrologic models shall be
24 41 used to improve understanding of frequency of flood
24 42 occurrence within the state and to guide risk-based
24 43 flood mitigation planning.
24 44 b. Physically based hydrologic models shall be
24 45 used in conjunction with hydrologic sensor networks to
24 46 provide real-time river discharge forecasts to aid
24 47 communities in implementing flood response plans.
24 48 2. The center shall produce flood inundation maps
24 49 relating the spatial extent of flooding to predicted
24 50 stream flows.



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25 1 a. The center shall perform hydrodynamic
25 2 simulations of river flow to create detailed water
25 3 surface profiles for use in developing high-resolution
25 4 flood inundation maps. A library of inundation maps
25 5 including but not limited to the one hundred year and
25 6 five hundred year recurrence intervals shall be
25 7 developed and made available along all rivers and
25 8 streams within each watershed. In addition to the
25 9 static library of flood inundation maps, the center
25 10 shall provide real-time forecasted flood inundation
25 11 maps during the threat of severe flooding for
25 12 imperiled communities.

25 13 b. Flood inundation maps shall be stored in a
25 14 geospatial database and publicly distributed through
25 15 web-based applications.

25 16 Sec. 29. NEW SECTION. 466C.7 COMMUNITY
25 17 ENGAGEMENT AND TRAINING.

25 18 1. The center shall implement statewide programs
25 19 to educate Iowans on water quality, best management
25 20 practices, and flood risk and mitigation.

25 21 2. The center shall provide technical training
25 22 through regional workshops and short courses to water
25 23 resources professionals in state agencies, city and
25 24 county administrators, and private companies.
25 25 Training shall focus on application of hydrologic and
25 26 water quality monitoring and forecasting technologies.

25 27 DIVISION VIII

25 28 CHANGES TO PRIOR APPROPRIATIONS

25 29 Sec. 30. 2005 Iowa Acts, chapter 178, section 9,
25 30 is amended to read as follows:

25 31 SEC. 9. REVERSION.

25 32 1. ~~Notwithstanding~~ Except as provided in
25 33 subsection 2 and notwithstanding section 8.33, moneys
25 34 appropriated from the rebuild Iowa infrastructure fund
25 35 in this division of this Act, except for the moneys
25 36 appropriated in section 1, subsection 2, paragraph
25 37 "a", for maintenance costs of the department of
25 38 corrections and subsection 5, paragraph "d", for the
25 39 vocational rehabilitation division of the department
25 40 of education, shall not revert at the close of the
25 41 fiscal year for which they were appropriated but shall
25 42 remain available for the purposes designated until the
25 43 close of the fiscal year that begins July 1, 2008, or
25 44 until the project for which the appropriation was made
25 45 is completed, whichever is earlier. This section does
25 46 not apply to the sections in this division of this Act
25 47 that were previously enacted and are amended in this
25 48 division of this Act.

25 49 2. Notwithstanding section 8.33, moneys
25 50 appropriated in section 3, subsection 1, paragraph h



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26 1 of this division of this Act shall not revert at the
 26 2 close of the fiscal year for which they were
 26 3 appropriated but shall remain available for the
 26 4 purpose designated until the close of the fiscal year
 26 5 that begins July 1, 2009, or until the project for
 26 6 which the appropriation was made is completed,
 26 7 whichever is earlier.

26 8 Sec. 31. 2007 Iowa Acts, chapter 219, section 7,
 26 9 subsection 1, is amended to read as follows:

26 10 1. For costs associated with the construction and
 26 11 establishment of the Iowa institute for biomedical
 26 12 discovery at the state university of Iowa:

26 13 FY 2008=2009.....	\$ 10,000,000
26 14 FY 2009=2010.....	\$ 10,000,000
26 15	<u>0</u>
26 16 FY 2010=2011.....	\$ 10,000,000

26 17 Sec. 32. 2008 Iowa Acts, chapter 1178, section 18,
 26 18 is amended by adding the following new subsection:

26 19 NEW SUBSECTION. 7. Notwithstanding section 8.33,
 26 20 moneys appropriated in this section shall not revert
 26 21 at the close of the fiscal year for which they are
 26 22 appropriated but shall remain available for the
 26 23 purposes designated until the close of the fiscal year
 26 24 that begins July 1, 2009. The full-time equivalent
 26 25 position authorized in this section shall continue to
 26 26 be authorized until the close of the fiscal year that
 26 27 begins July 1, 2009.

26 28 Sec. 33. 2008 Iowa Acts, chapter 1178, section 19,
 26 29 is amended to read as follows:

26 30 SEC. 19. WATER TRAILS AND LOW HEAD DAM PUBLIC
 26 31 HAZARD STATEWIDE PLAN == APPROPRIATION. There is
 26 32 appropriated from any interest or earnings on moneys
 26 33 in the federal economic stimulus and jobs holding fund
 26 34 to the department of natural resources for the fiscal
 26 35 year beginning July 1, 2008, and ending June 30, 2009,
 26 36 the following amount, or so much thereof as is
 26 37 necessary, to be used for the purposes designated:

26 38 For the establishment and administration of a water
 26 39 trails and low head dam public hazard statewide plan,
 26 40 including salaries, support, maintenance, and
 26 41 miscellaneous purposes:

26 42	\$ 250,000
-------------	------------

26 43 Notwithstanding section 8.33, moneys appropriated
 26 44 in this section shall not revert at the close of the
 26 45 fiscal year for which they are appropriated but shall
 26 46 remain available for the purposes designated until the
 26 47 close of the fiscal year that begins July 1, 2009.

26 48 Sec. 34. 2008 Iowa Acts, chapter 1179, section 1,
 26 49 subsection 1, paragraph e, is amended to read as
 26 50 follows:



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27 1 e. For the state's share of support in conjunction
 27 2 with the city of Des Moines and local area businesses
 27 3 to provide a free shuttle service to the citizens of
 27 4 Iowa visiting the capitol complex that includes
 27 5 transportation between the capitol complex and the
 27 6 downtown Des Moines area, notwithstanding section
 27 7 8.57, subsection 6, paragraph "c":
 27 8 \$ 170,000
 27 9 183,000

27 10 Details for the shuttle service, including the
 27 11 route to be served, shall be determined pursuant to an
 27 12 agreement to be entered into by the department with
 27 13 the Des Moines area regional transit authority (DART)
 27 14 and any other participating entities.

27 15 Of the amount appropriated in this lettered
 27 16 paragraph, up to \$50,000 shall be used to encourage
 27 17 state employees to utilize transit services provided
 27 18 by the Des Moines area regional transit authority.

27 19 Sec. 35. 2008 Iowa Acts, chapter 1179, section 1,
 27 20 subsection 1, is amended by adding the following new
 27 21 paragraphs:

27 22 NEW PARAGRAPH. h. For projects related to major
 27 23 repairs and major maintenance for state buildings and
 27 24 facilities under the purview of the department:
 27 25 \$ 2,000,000

27 26 NEW PARAGRAPH. i. For capital improvements at the
 27 27 civil commitment unit for a sexual offenders facility
 27 28 at Cherokee:
 27 29 \$ 829,000

27 30 NEW PARAGRAPH. j. For costs associated with
 27 31 capitol interior and exterior restoration and for
 27 32 compliance with the federal Americans With
 27 33 Disabilities Act:
 27 34 \$ 1,900,000

27 35 NEW PARAGRAPH. k. For renovations to the capitol
 27 36 complex utility tunnel system:
 27 37 \$ 1,000,000

27 38 NEW PARAGRAPH. l. For heating, ventilating, and
 27 39 air conditioning improvements in the Hoover state
 27 40 office building:
 27 41 \$ 165,000

27 42 NEW PARAGRAPH. m. (1) For the purchase of Mercy
 27 43 capitol hospital:
 27 44 \$ 3,950,000

27 45 (2) It is the intent of the general assembly that
 27 46 the department will use other appropriations made or
 27 47 other funds available to the department for the
 27 48 acquisition of buildings to complete the purchase of
 27 49 this building.

27 50 (3) The department is authorized to enter into



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28 1 agreements for the use of Mercy capitol hospital, once
 28 2 acquired by the state, with any state agency or other
 28 3 governmental entity, political subdivision, as deemed
 28 4 appropriate by the department.

28 5 Sec. 36. 2008 Iowa Acts, chapter 1179, section 1,
 28 6 subsection 13, paragraph c, is amended to read as
 28 7 follows:

28 8 c. For the construction of a depot and platform to
 28 9 accommodate the future Amtrak service from Dubuque to
 28 10 Chicago, notwithstanding section 8.57, subsection 6,
 28 11 paragraph "c":

28 12 \$ 300,000

28 13 Sec. 37. 2008 Iowa Acts, chapter 1179, section 1,
 28 14 subsection 14, paragraph a, is amended to read as
 28 15 follows:

28 16 a. For county fair infrastructure improvements for
 28 17 distribution in accordance with chapter 174 to
 28 18 qualified fairs which belong to the association of
 28 19 Iowa fairs:

28 20 \$ 1,590,000

28 21 1,060,000

~~28 22 Of the amount appropriated in this lettered~~
~~28 23 paragraph, \$530,000 shall be deposited into the~~
~~28 24 fairgrounds infrastructure aid fund created pursuant~~
~~28 25 to section 12.101, as enacted in this Act, for~~
~~28 26 fairgrounds infrastructure aid as provided in section~~
~~28 27 12.102, as enacted in this Act.~~

28 28 Sec. 38. 2008 Iowa Acts, chapter 1179, section 15,
 28 29 subsection 4, paragraph b, is amended to read as
 28 30 follows:

28 31 b. To the public broadcasting division for the
 28 32 purchase and installation of generators at transmitter
 28 33 sites:

28 34 \$ 1,602,437

28 35 Of the amount appropriated in this lettered
28 36 paragraph, up to \$210,477 may be used for operational
28 37 costs of the division for FY 2008=2009 and up to
28 38 \$1,000,000 may be used for operational costs of the
28 39 division for FY 2009=2010.

28 40 Sec. 39. 2008 Iowa Acts, chapter 1186, section 20,
 28 41 subsection 2, is amended to read as follows:

28 42 2. Notwithstanding any provision of law to the
 28 43 contrary, the unencumbered or unobligated balances of
 28 44 the healthy Iowans tobacco trust ~~at the close of~~
 28 45 available prior to the close of the fiscal year
 28 46 beginning July 1, 2008, or the endowment for Iowa's
 28 47 health account at the close available prior to the
~~28 48 close of the fiscal year beginning July 1, 2008, or~~
~~28 49 the close of any succeeding fiscal year shall be~~
 28 50 transferred to the general fund of the state.



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29 1 Sec. 40. 2009 Iowa Acts, Senate File 344, section
29 2 9, subsection 3, if enacted, is amended by striking
29 3 the subsection and inserting in lieu thereof the
29 4 following:

29 5 3. Effective July 1, 2009, all funds remaining in
29 6 the accelerated career education account of the
29 7 physical infrastructure assistance fund created in
29 8 section 15E.175 shall be transferred to the
29 9 accelerated career education fund established in
29 10 section 260G.6, subsection 1, as amended by this Act.

29 11 Sec. 41. EFFECTIVE AND RETROACTIVE APPLICABILITY
29 12 DATES.

29 13 1. Except as provided in subsection 2, this
29 14 division of this Act, being deemed of immediate
29 15 importance, takes effect upon enactment.

29 16 2. The sections of this division of this Act,
29 17 amending 2008 Iowa Acts, chapter 1179, section 1,
29 18 subsection 13, paragraph "c"; section 1, subsection
29 19 14, paragraph "a"; and section 15, subsection 4,
29 20 paragraph "b", apply retroactively to July 1, 2008.

29 21 DIVISION IX
29 22 CODE CHANGES

29 23 Sec. 42. Section 8.57C, subsection 3, paragraph b,
29 24 Code 2009, is amended to read as follows:

29 25 b. There is appropriated from the rebuild Iowa
29 26 infrastructure fund for ~~each the~~ fiscal year ~~of the~~
~~29 27 fiscal period~~ beginning July 1, 2008, and ending June
29 28 30, ~~2010~~ 2009, the sum of seventeen million five
29 29 hundred thousand dollars, and for the fiscal year
29 30 beginning July 1, 2009, and ending June 30, 2010, the
29 31 sum of fourteen million five hundred twenty-five
29 32 thousand dollars to the technology reinvestment fund,
29 33 notwithstanding section 8.57, subsection 6, paragraph
29 34 "c".

29 35 Sec. 43. Section 12E.12, subsection 1, paragraph
29 36 b, subparagraph (2), subparagraph division (b), Code
29 37 2007, as amended by 2008 Iowa Acts, chapter 1186,
29 38 section 16, is amended to read as follows:

29 39 (b) For each fiscal year beginning July 1, 2009,
29 40 the moneys deposited in the endowment for Iowa's
29 41 health account of the tobacco settlement trust fund
29 42 are transferred to the ~~general fund of the state~~
29 43 rebuild Iowa infrastructure fund. ~~The moneys~~
~~29 44 transferred shall be used for the purposes specified~~
~~29 45 in section 12E.3A.~~

29 46 Sec. 44. Section 15.329, subsection 7, Code 2009,
29 47 is amended by striking the subsection.

29 48 Sec. 45. Section 15F.201, Code 2009, is amended by
29 49 adding the following new subsection:

29 50 NEW SUBSECTION. 3. "River enhancement community



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30 1 attraction and tourism project" means a project that
30 2 creates or enhances recreational opportunities and
30 3 community attractions on and near lakes or rivers or
30 4 river corridors within cities across the state under
30 5 the purview of the program.
30 6 Sec. 46. NEW SECTION. 15F.206 RIVER ENHANCEMENT
30 7 COMMUNITY ATTRACTION AND TOURISM PROJECTS ==
30 8 APPLICATION REVIEW.
30 9 1. Applications for assistance for river
30 10 enhancement community attraction and tourism projects
30 11 shall be submitted to the department. For those
30 12 applications that meet the eligibility criteria, the
30 13 department shall provide a staff review analysis and
30 14 evaluation to the vision Iowa program review committee
30 15 referred to in section 15F.304, subsection 2, and the
30 16 board.
30 17 2. When reviewing the applications, the vision
30 18 Iowa program review committee and the department shall
30 19 consider, at a minimum, all of the following:
30 20 a. Whether the wages, benefits, including health
30 21 benefits, safety, and other attributes of the project
30 22 would improve the quality of life or the quality of
30 23 attraction or tourism employment in the community.
30 24 b. The extent to which such a project would
30 25 generate additional recreational and cultural
30 26 attractions or tourism opportunities.
30 27 c. The ability of the project to produce a
30 28 long-term, tax-generating economic impact.
30 29 d. The location of the projects and geographic
30 30 diversity of the applications.
30 31 e. The project is primarily a vertical
30 32 infrastructure project with demonstrated substantial
30 33 regional or statewide economic impact. For purposes
30 34 of the program, "vertical infrastructure" means land
30 35 acquisition and construction, major renovation and
30 36 major repair of buildings, all appurtenant structures,
30 37 utilities, site development, and recreational trails
30 38 and water trails. "Vertical infrastructure" does not
30 39 include routine, recurring maintenance, or operational
30 40 expenses or leasing of a building, appurtenant
30 41 structure, or utility without a lease-purchase
30 42 agreement.
30 43 f. Whether the applicant has received financial
30 44 assistance under the program for the same project.
30 45 g. The extent to which the project has taken the
30 46 following planning principles into consideration:
30 47 (1) Efficient and effective use of land resources
30 48 and existing infrastructure by encouraging development
30 49 in areas with existing infrastructure or capacity to
30 50 avoid costly duplication of services and costly use of



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31 1 land.
31 2 (2) Provision for a variety of transportation
31 3 choices, including pedestrian traffic.
31 4 (3) Maintenance of a unique sense of place by
31 5 respecting local cultural and natural environmental
31 6 features.
31 7 (4) Conservation of open space and farmland and
31 8 preservation of critical environmental areas.
31 9 (5) Promotion of the safety, livability, and
31 10 revitalization of existing urban and rural
31 11 communities.
31 12 3. Upon review of the recommendations of the
31 13 review committee, the board shall approve, defer, or
31 14 deny the applications.
31 15 4. Upon approval of an application for financial
31 16 assistance under the program, the board shall notify
31 17 the treasurer of state regarding the amount of moneys
31 18 needed to satisfy the award of financial assistance
31 19 and the terms of the award. The treasurer of state
31 20 shall notify the department anytime moneys are
31 21 disbursed to a recipient of financial assistance under
31 22 the program.
31 23 Sec. 47. Section 15F.304, subsection 2, Code 2009,
31 24 is amended to read as follows:
31 25 2. A review committee composed of eight members of
31 26 the board shall review vision Iowa program
31 27 applications and river enhancement community
31 28 attraction and tourism project applications submitted
31 29 to the board and make recommendations regarding the
31 30 applications to the board. The review committee shall
31 31 consist of members of the board listed in section
31 32 15F.102, subsection 2, paragraphs "d" through "h".
31 33 Sec. 48. Section 15F.304, Code 2009, is amended by
31 34 adding the following new subsection:
31 35 NEW SUBSECTION. 5. The review committee shall
31 36 consider, review, and make recommendations regarding
31 37 applications for assistance for river enhancement
31 38 community attractions and tourism projects a provided
31 39 in section 15F.206.
31 40 Sec. 49. Section 15G.111, subsection 4, paragraph
31 41 a, Code 2009, as amended by 2009 Iowa Acts, Senate
31 42 File 344, section 2, if enacted, is amended to read as
31 43 follows:
31 44 a. For administrative costs, an amount not more
31 45 than ~~one and one-half percent~~ six hundred thousand
31 46 dollars of the moneys subject to allocation under this
31 47 subsection.
31 48 Sec. 50. Section 135.63, subsection 2, paragraph
31 49 1, unnumbered paragraph 1, Code 2009, is amended to
31 50 read as follows:



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House Amendment 1675 continued

32 1 The replacement or modernization of any
32 2 institutional health facility if the replacement or
32 3 modernization does not add new health services or
32 4 additional bed capacity for existing health services,
32 5 notwithstanding any provision in this division to the
32 6 contrary. With respect to a nursing facility,
32 7 "replacement" means establishing a new facility within
32 8 the same county as the prior facility to be closed.
32 9 With reference to a hospital, "replacement" means
32 10 establishing a new hospital that demonstrates
32 11 compliance with all of the following criteria through
32 12 evidence submitted to the department:
32 13 Sec. 51. Sections 12.101 and 12.102, Code 2009,
32 14 are repealed.
32 15 Sec. 52. EFFECTIVE DATE. The section of this
32 16 division of this Act amending section 12E.12 takes
32 17 effect June 30, 2009.>
32 18 #2. Title page, by striking lines 1 through 4 and
32 19 inserting the following: <An Act relating to and
32 20 making, reducing, and transferring appropriations to
32 21 state departments and agencies from the rebuild Iowa
32 22 infrastructure fund, the technology reinvestment fund,
32 23 and other funds creating and funding the Iowa flood
32 24 center, establishing an alternative public project
32 25 delivery pilot program, providing for related matters,
32 26 and providing effective and retroactive applicability
32 27 date provisions.>
32 28
32 29
32 30
32 31 COHOON of Des Moines
32 32 HF 822.501 83
32 33 rh/rj/24427



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House Study Bill 293

HOUSE FILE
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL
BY CHAIRPERSON MASCHER)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays
Approved

A BILL FOR

- 1 An Act establishing an Iowa institute for public policy.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3 TLSB 2705HC 83
- 4 ec/nh/14



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House Study Bill 293 continued

PAG LIN

1 1 Section 1. NEW SECTION. 2E.1 IOWA INSTITUTE FOR PUBLIC
1 2 POLICY == BOARD == EXECUTIVE DIRECTOR == FUNDING.
1 3 1. The Iowa institute for public policy shall be
1 4 established as a nonprofit corporation under chapter 504 and
1 5 section 501(c)(3) of the Internal Revenue Code. The institute
1 6 shall provide policymakers with timely information, research,
1 7 and recommendations to assist policymakers in this state in
1 8 making informed judgments about important long-term issues
1 9 facing the state and to improve the effectiveness of
1 10 government in the state.
1 11 2. a. The board of directors of the Iowa institute for
1 12 public policy shall consist of twelve members as follows:
1 13 (1) Two state representatives, one appointed by the
1 14 speaker of the house of representatives and one by the
1 15 minority leader of the house, and two state senators, one
1 16 appointed by the majority leader of the senate and one by the
1 17 minority leader of the senate.
1 18 (2) Two members appointed by the governor.
1 19 (3) One member appointed by the president of the
1 20 university of northern Iowa.
1 21 (4) One member appointed by the president of the
1 22 university of Iowa.
1 23 (5) One member appointed by the president of Iowa state
1 24 university of science and technology.
1 25 (6) One member appointed by the Iowa association of
1 26 independent colleges and universities.
1 27 (7) One member appointed by the Iowa association of
1 28 community college presidents.
1 29 (8) The director of the legislative services agency.
1 30 b. One co-chairperson shall be appointed by the board who
1 31 is a state representative and one co-chairperson shall be
1 32 appointed by the board who is a state senator. Members of the
1 33 board other than the director of the legislative services
1 34 agency shall serve two-year terms from the date of their
1 35 appointment, and shall continue to serve until their



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2 1 successors have been appointed. A member shall not serve more
2 2 than two consecutive terms. All members of the board serve at
2 3 the pleasure of the respective appointing authority, if any.
2 4 c. The board of directors shall meet at least quarterly,
2 5 or more frequently at the call of the co-chairpersons.
2 6 d. The board of directors shall adopt bylaws necessary for
2 7 the conduct of the business of the institute consistent with
2 8 this section.
2 9 3. The duties of the institute shall include but not be
2 10 limited to the following:
2 11 a. Initiate, sponsor, conduct, and publish research useful
2 12 to policymakers.
2 13 b. Organize conferences or other meetings on matters of
2 14 common interest to policymakers, academic experts, and other
2 15 stakeholders.
2 16 c. Conduct reviews and evaluations of state programs and
2 17 policies for the purpose of enhancing their long-term
2 18 effectiveness.
2 19 d. Provide technical and scientific assistance to
2 20 policymakers in connection with long-term issues facing the
2 21 state.
2 22 e. Strengthen the links between state government and
2 23 Iowa's academic, educational, and research communities in the
2 24 interest of more informed policymaking and more relevant
2 25 academic research.
2 26 4. a. The board shall employ an executive director who
2 27 shall serve as the chief executive officer for the institute.
2 28 The executive director shall be responsible for all operations
2 29 of the institute, including the hiring and supervision of
2 30 staff which may be authorized by the board, contracting with
2 31 university and other researchers, managing projects, and
2 32 communicating with the public and other stakeholders,
2 33 including the legislative council and legislative staff.
2 34 b. A person employed by the institute is a state employee
2 35 for purposes of the Iowa public employees' retirement system,



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3 1 state health and dental plans, and other state employee
3 2 benefits plans and chapter 669. Chapters 8, 8A, and 20, and
3 3 other provisions of law that relate to requirements or
3 4 restrictions dealing with state personnel or state funds, do
3 5 not apply to the institute or any employees of the board or
3 6 the institute except to the extent provided in this chapter.
3 7 5. The institute shall be funded by appropriations by the
3 8 general assembly and from other public sources which may be
3 9 approved by the board. The institute shall accept no private
3 10 funding, except long-term funding commitments of three years
3 11 or more from private foundations or nonprofit organizations
3 12 solely for the purpose of supporting the institute's
3 13 employment of students attending a postsecondary educational
3 14 institution in Iowa, which funding may not be conditioned by
3 15 the institute or the entity providing the funds to support any
3 16 specific research project or any other program undertaken by
3 17 the institute. The institute may employ such students
3 18 directly or may support the employment of students by
3 19 contract. The institute may impose registration fees on
3 20 participants for conferences it organizes, and may retain the
3 21 proceeds of such registration fees.

3 22 Sec. 2. Section 7D.15, Code 2009, is repealed.

3 23 EXPLANATION

3 24 This bill provides for the establishment of the Iowa
3 25 institute for public policy as a nonprofit corporation for the
3 26 purpose of assisting policymakers in this state in making
3 27 informed judgments about important long-term issues facing the
3 28 state and to improve the effectiveness of government in the
3 29 state.

3 30 The institute is governed by a 12-member board of
3 31 directors. The membership of the board consists of two state
3 32 representatives, two state senators, two members appointed by
3 33 the governor, one member appointed by the president of the
3 34 university of northern Iowa, one member appointed by the
3 35 president of the university of Iowa, one member appointed by



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4 1 the president of Iowa state university of science and
4 2 technology, one member appointed by the Iowa association of
4 3 independent colleges and universities, one member appointed by
4 4 the Iowa association of community college presidents, and the
4 5 director of the legislative services agency. The bill
4 6 provides that the board shall appoint co-chairpersons of the
4 7 board, one who is a state representative and one who is a
4 8 state senator. The bill provides for meetings of the board
4 9 and for adoption of bylaws for the board and the institute.
4 10 The bill provides that the board shall employ an executive
4 11 director who shall be responsible for all operations of the
4 12 institute, including the hiring and supervision of staff. The
4 13 bill provides that employees of the institute or board shall
4 14 be considered state employees for purposes of the Iowa public
4 15 employees' retirement system, state health and dental plans,
4 16 and other state employee benefits plans and the state tort
4 17 claims act. The bill also provides that the institute may be
4 18 funded from public and private sources.
4 19 Code section 7D.15, requiring the executive council to
4 20 establish a public policy research foundation, is repealed.
4 21 LSB 2705HC 83
4 22 ec/nh/14



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Senate Amendment 3316

PAG LIN

1 1 Amend the House amendment, S-3266, to Senate File
1 2 433, as amended, passed, and reprinted by the Senate,
1 3 as follows:
1 4 #1. Page 1, by inserting after line 37 the
1 5 following:
1 6 <#____. Page 2, by striking line 19 and inserting
1 7 the following: <such practice prior to an inspection,
1 8 no>.>
1 9 #2. Page 1, by inserting before line 38 the
1 10 following:
1 11 <#____. Page 2, by striking lines 22 through 24 and
1 12 inserting the following: <to section 135C.33; 481 IAC
1 13 } 57.12(2)(d), 57.12(3), 57.15(5), 57.25(1), 57.39,
1 14 58.11(3), 58.14(5), 58.19(2)(a), 58.19(2)(h),
1 15 58.28(1)(a), 58.43, 62.9(5), 62.15(1)(a), 62.19(2)(c),
1 16 62.19(7), 62.23(23)=(25), 63.11(2)(d), 63.11(3),
1 17 63.23(1)(a), 63.37, 64.4(9), 64.33, 64.34, 65.9(5),
1 18 65.15, or 65.25(3)=(5), or the successor to any of
1 19 such rules; or 42 C.F.R. } 483.420(d), 483.460(c)(4),
1 20 or 483.470(j), or the successor to any of such federal
1 21 regulations.>>
1 22 3. Page 2, by inserting after line 23 the
1 23 following:
1 24 <#____. Page 4, by inserting after line 16 the
1 25 following:
1 26 <Sec. _____. Section 135C.43, subsection 1, Code
1 27 2009, is amended to read as follows:
1 28 1. A facility which desires to ~~contest a citation~~
~~1 29 for a Class I violation, or to further contest an~~
1 30 affirmed or modified citation for a Class I, Class II,
1 31 or Class III violation, may do so in the manner
1 32 provided by chapter 17A for contested cases. Notice
1 33 of intent to formally contest a citation shall be
1 34 given the department in writing within five days ~~after~~
~~1 35 service of a citation for a Class I violation, or~~
~~1 36 within five days after the informal conference or~~
1 37 after receipt of the written explanation of the
1 38 representative delegated to hold the informal
1 39 conference, whichever is applicable, in the case of an
1 40 affirmed or modified citation for a Class I, Class II,
1 41 or Class III violation. A facility which has
1 42 exhausted all adequate administrative remedies and is
1 43 aggrieved by the final action of the department may
1 44 petition for judicial review in the manner provided by
1 45 chapter 17A.>>
1 46 #4. By renumbering as necessary.
1 47
1 48
1 49
1 50 WILLIAM DOTZLER



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Senate Amendment 3316 continued

2 1 SF 433.701 83
2 2 jr/nh/24238