



Iowa General Assembly
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House Amendment 8276

PAG LIN

1 1 Amend the amendment, S=5072, to Senate File 2088,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. By striking page 1, line 3, through page 22,
1 5 line 31, and inserting:
1 6 <___. Page 1, after line 31 by inserting:
1 7 <Oe. Network services, including equipment and
1 8 software which support local area networks, campus
1 9 area networks, wide area networks, and metro area
1 10 networks. Network services also include data network
1 11 services such as routers, switches, firewalls, virtual
1 12 private networks, intrusion detection systems, access
1 13 control, internet protocol load balancers, event
1 14 logging and correlation, and content caching. Network
1 15 services do not include services provided by the Iowa
1 16 communications network pursuant to chapter 8D or by
1 17 the public broadcasting division of the department of
1 18 education.>
1 19 ___. Page 2, line 25, after <appointment.> by
1 20 inserting <The chief information officer position is
1 21 attached to the department of management.>
1 22 ___. Page 3, line 19, after <acquisition> by
1 23 inserting <, utilization, or provision>
1 24 ___. Page 3, line 27, after <Whether the> by
1 25 inserting <failure to grant a>
1 26 ___. Page 4, after line 12 by inserting:
1 27 <(7) Whether the failure to grant a waiver would
1 28 jeopardize federal funding.>
1 29 ___. Page 4, after line 30 by inserting:
1 30 <d. A participating agency may appeal the decision
1 31 of the chief information officer to the director within
1 32 seven calendar days following the decision of the chief
1 33 information officer. The director, after consultation
1 34 with the technology advisory council, shall respond
1 35 within fourteen days following the receipt of the
1 36 appeal.>
1 37 ___. Page 4, after line 30 by inserting:
1 38 <e. The department of public defense, including
1 39 both the military division and the homeland security
1 40 and emergency management division, shall not be
1 41 required to obtain any information technology services
1 42 pursuant to this subchapter for the department of
1 43 public defense or its divisions that is provided by the
1 44 department pursuant to this chapter without the consent
1 45 of the adjutant general.>
1 46 ___. Page 7, line 10, by striking <or other
1 47 agencies>
1 48 ___. Page 7, after line 25 by inserting:
1 49 <g. Encourage participating agencies to utilize
1 50 a print on demand strategy to reduce publication



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2 1 overruns, excessive inventory, and obsolete printed
2 2 materials. >>
2 3 #2. Page 22, after line 46 by inserting:
2 4 <____. Page 35, line 29, after <agencies> by
2 5 inserting <, except the department of public safety,>>
2 6 #3. Page 30, after line 3 by inserting:
2 7 <Sec. ____ . EFFECTIVE UPON ENACTMENT. This division
2 8 of this Act, being deemed of immediate importance,
2 9 takes effect upon enactment. >>
2 10 #4. Page 36, line 4, after <state.> by inserting <A
2 11 member of the state board shall not be a provider of
2 12 services or other entity receiving funding through the
2 13 early childhood Iowa initiative or be employed by such
2 14 a provider or other entity.>
2 15 #5. Page 37, line 30, by striking <and data> and
2 16 inserting <and data reporting requirements, applicable
2 17 statewide,>
2 18 #6. Page 37, by striking lines 32 and 33 and
2 19 inserting <boards. The data from common performance
2 20 measures and other data shall be posted on the early
2 21 childhood Iowa internet site and disseminated by other
2 22 means and shall also be aggregated to provide statewide
2 23 information.>
2 24 #7. Page 38, line 8, by striking <If> and inserting
2 25 <Subject to the funding requirements and other
2 26 requirements established in law, if>
2 27 #8. Page 38, line 9, by striking <shall> and
2 28 inserting <may>
2 29 #9. Page 38, line 11, by striking <may> and
2 30 inserting <shall>
2 31 #10. Page 39, lines 6 and 7, by striking
2 32 <coordination center> and inserting <Iowa office>
2 33 #11. Page 39, line 13, by striking <Adopt> and
2 34 inserting <Except for the fiscal oversight measures to
2 35 be adopted by the department, adopt>
2 36 #12. Page 39, line 33, by striking <measurer> and
2 37 inserting <measures>
2 38 #13. Page 39, line 44, by striking <center> and
2 39 inserting <staff>
2 40 #14. By striking page 39, line 45, through page 40,
2 41 line 18, and inserting:
2 42 <1. The department shall provide administrative
2 43 support for implementation of the early childhood Iowa
2 44 initiative and for the state board. The department
2 45 shall adopt rules in consultation with the state board
2 46 to provide fiscal oversight of the initiative. The
2 47 fiscal oversight measures adopted shall include but are
2 48 not limited to all of the following:
2 49 a. Reporting and other requirements to address the
2 50 financial activities employed by area boards.



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3 1 b. Regular audits and other requirements of fiscal
3 2 agents for area boards.
3 3 c. Requirements for area boards to undertake
3 4 and report on fiscal and performance reviews of the
3 5 programs, contracts, services, and other functions
3 6 funded by the area boards.
3 7 2. An early childhood Iowa office is established in
3 8 the department to provide leadership for facilitation,
3 9 communication, and coordination for the early childhood
3 10 Iowa initiative activities and funding and for
3 11 improvement of the early care, education, health,
3 12 and human services systems. An administrator for the
3 13 early childhood Iowa office shall be appointed by the
3 14 director of the department. Other staff may also be
3 15 designated, subject to appropriation made for this
3 16 purpose.>
3 17 #15. Page 40, line 22, by striking <center> and
3 18 inserting <office>
3 19 #16. Page 40, line 26, by striking <center> and
3 20 inserting <office>
3 21 #17. Page 40, line 28, by striking <center> and
3 22 inserting <office>
3 23 #18. Page 41, line 8, by striking <center> and
3 24 inserting <office>
3 25 #19. Page 42, line 2, by striking <A majority of
3 26 the> and inserting <The>
3 27 #20. Page 42, by striking lines 41 through 44 and
3 28 inserting:
3 29 <a. Designate a public agency of this state, as
3 30 defined in section 28E.2, a community action agency
3 31 as defined in section 216A.91, an area education
3 32 agency established under section 273.2, or a nonprofit
3 33 corporation, to be the fiscal agent for grant moneys
3 34 and for other moneys administered by the area board.>
3 35 #21. Page 44, line 48, after <visitation.> by
3 36 inserting <Of the funding from all sources that an area
3 37 board designates for family support programs, at least
3 38 sixty percent shall be committed to programs with a
3 39 home visitation component.>
3 40 #22. Page 45, line 20, by striking <may request> and
3 41 inserting <shall require>
3 42 #23. Page 45, lines 38 and 39, by striking <evaluate
3 43 the funding flexibility> and inserting <funding
3 44 amounts>
3 45 #24. Page 45, line 43, by striking <Experience or
3 46 other evidence> and inserting <Evidence>
3 47 #25. Page 46, line 29, after <use.> by inserting
3 48 <The information shall include data from the indicators
3 49 of success and performance measures adopted by the
3 50 state board and fiscal information and other data



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4 1 developed by the department.>
4 2 #26. Page 47, line 6, after <account> by inserting
4 3 <are appropriated to and>
4 4 #27. Page 47, line 11, by striking <five> and
4 5 inserting <three>
4 6 #28. Page 47, line 16, by striking <management> and
4 7 inserting <human services>
4 8 #29. Page 47, by striking lines 17 through 19 and
4 9 inserting <credited to the account are appropriated to
4 10 and shall be distributed by the department of human
4 11 services>
4 12 #30. Page 47, line 40, by striking <early childhood
4 13 coordination center> and inserting <department of human
4 14 services>
4 15 #31. Page 48, after line 25 by inserting:
4 16 <Sec. _____. NEW SECTION. 256I.12 Early childhood
4 17 stakeholders alliance.
4 18 1. Alliance created. An early childhood
4 19 stakeholders alliance is created to support the
4 20 state board in addressing the early care, health,
4 21 and education systems that affect children ages zero
4 22 through five in Iowa.
4 23 2. Purpose. The purpose of the early childhood
4 24 stakeholders alliance is to oversee and provide broad
4 25 input into the development of a high quality Iowa early
4 26 childhood system that meets the needs of children zero
4 27 through age five and their families and integrates
4 28 the early care, health, and education systems. The
4 29 alliance shall advise the governor, general assembly,
4 30 state board, and other public and private policy bodies
4 31 and service providers in coordinating activities
4 32 throughout the state to fulfill its purpose.
4 33 3. Vision statement. All system development
4 34 activities addressed by the early childhood
4 35 stakeholders alliance shall be aligned around the
4 36 following vision statement for the children of
4 37 Iowa: "Every child, beginning at birth, will be
4 38 healthy and successful."
4 39 4. Membership. The early childhood stakeholders
4 40 alliance membership shall include a representative
4 41 of any organization that touches the lives of young
4 42 children in the state zero through age five, has
4 43 endorsed the purpose and vision statement for the
4 44 alliance, has endorsed the guiding principles adopted
4 45 by the alliance for the early childhood system, and
4 46 has formally asked to be a member and remains actively
4 47 engaged in alliance activities. The alliance shall
4 48 work to ensure there is geographic, cultural, and
4 49 ethnic diversity among the membership.
4 50 5. Procedure. Except as otherwise provided by



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5 1 law, the early childhood stakeholders alliance shall
5 2 determine its own rules of procedure and operating
5 3 provisions.

5 4 6. Steering committee. The early childhood
5 5 stakeholders alliance shall operate with a steering
5 6 committee to organize, manage, and coordinate the
5 7 activities of the alliance and its component groups.
5 8 The steering committee may act on behalf of the
5 9 alliance as necessary. The steering committee
5 10 membership shall consist of the co=chairpersons of
5 11 the alliance's component groups, the administrator of
5 12 the early childhood Iowa office, and other leaders
5 13 designated by the alliance.

5 14 7. Component groups. The early childhood
5 15 stakeholders alliance shall maintain component groups
5 16 to address the key components of the Iowa early
5 17 childhood system. Each component group shall have one
5 18 private and one public agency co=chairperson. The
5 19 alliance may change the component groups as deemed
5 20 necessary by the alliance. Initially, there shall be a
5 21 component group for each of the following:

- 5 22 a. Governance planning and administration.
- 5 23 b. Professional development.
- 5 24 c. Public engagement.
- 5 25 d. Quality services and programs.
- 5 26 e. Resources and funding.
- 5 27 f. Results accountability.

5 28 8. Duties. The early childhood stakeholders
5 29 alliance duties shall include but are not limited to
5 30 all of the following regarding the Iowa early childhood
5 31 system:

5 32 a. Coordinate with the early childhood Iowa state
5 33 board.

5 34 b. Serve as the state advisory council required
5 35 under the federal Improving Head Start for School
5 36 Readiness Act of 2007, Pub. L. No. 110=134, as
5 37 designated by the governor.

5 38 9. Staffing. Staff support for the early childhood
5 39 stakeholders alliance shall be provided by the
5 40 department.>

5 41 #32. By striking page 49, line 34, through page 53,
5 42 line 14.

5 43 #33. Page 53, line 38, by striking <coordination
5 44 center> and inserting <Iowa office>

5 45 #34. Page 54, line 32, by striking <coordination
5 46 center> and inserting <Iowa office>

5 47 #35. Page 55, lines 14 and 15, by striking
5 48 <coordination center> and inserting <Iowa office>

5 49 #36. Page 56, line 41, by striking <coordination
5 50 center> and inserting <Iowa office>



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6 1 #37. Page 56, line 48, by striking <coordination
6 2 center> and inserting <Iowa office>

6 3 #38. Page 57, line 28, by striking <Chapter> and
6 4 inserting:
6 5 <1. Sections 135.173 and 135.174, Code 2009, are
6 6 repealed.
6 7 2. Chapter>

6 8 #39. Page 58, after line 15 by inserting:
6 9 <4. The department of management and the early
6 10 childhood Iowa board shall implement requirements
6 11 for school ready children grant funds or other state,
6 12 federal, or other funds in possession of a community
6 13 empowerment area remaining unobligated or unexpended to
6 14 be remitted to the successor early childhood Iowa area
6 15 board designated to serve that area. The requirements
6 16 shall include measures to ensure there is continuity
6 17 of services in the transition from the community
6 18 empowerment initiative to the early childhood Iowa
6 19 initiative.>

6 20 #40. By striking page 58, line 19, through page 59,
6 21 line 42, and inserting:
6 22 <Sec. ____ . DEPARTMENT OF EDUCATION == COMMUNITY
6 23 COLLEGE ACCREDITATION RECOMMENDATIONS IMPLEMENTATION
6 24 REVIEW. The department of education shall review and
6 25 evaluate the implementation of the recommendations
6 26 submitted on January 22, 2010, by the community college
6 27 accreditation advisory committee in its final report to
6 28 the general assembly. The department shall submit its
6 29 findings and recommendations to the general assembly on
6 30 or before December 31, 2010.
6 31 Sec. ____ . DEPARTMENT OF EDUCATION == COMMUNITY
6 32 COLLEGE ACCREDITATION ADVISORY COMMITTEE ==
6 33 INSTRUCTIONAL HOURS STUDY. The department of education
6 34 shall convene a working group, whose members shall
6 35 include at a minimum the members of the community
6 36 college accreditation advisory committee and the
6 37 community college faculty advisory committee. The
6 38 working group shall solicit comments from each of the
6 39 community college quality faculty committees. The
6 40 working group shall study the maximum academic credit
6 41 hour per school term workload appropriate for an
6 42 instructor beyond the standard workload. The working
6 43 group shall submit its findings and recommendations to
6 44 the state board of education and the general assembly
6 45 on or before December 31, 2010.
6 46 Sec. ____ . COMMUNITY COLLEGE ACADEMIC WORKLOAD
6 47 EXCEPTION == FISCAL YEAR 2010=2011. Notwithstanding
6 48 section 260C.48, subsection 2, a faculty member who
6 49 has in previous fiscal years exceeded the eighteen
6 50 credit hour standard set pursuant to section 260C.48,



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7 1 subsection 2, may continue to exceed the eighteen
7 2 credit hour workload standard for the 2010=2011 fiscal
7 3 year if the faculty member elects to teach beyond the
7 4 eighteen credit hour workload standard.>
7 5 #41. Page 90, after line 30 by inserting:
7 6 <___. Page 251, line 6, by striking <October> and
7 7 inserting <July>
7 8 _____. Page 251, line 6, after <and> by inserting <by
7 9 January 1, 2011,>
7 10 _____. Page 251, after line 10 by inserting:
7 11 <Sec. _____. EFFECTIVE UPON ENACTMENT. The section
7 12 of this division of this Act concerning correctional
7 13 facility closure, being deemed of immediate importance,
7 14 takes effect upon enactment. >>
7 15 #42. By renumbering as necessary.
S5072.1675.S (3) 83



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House Amendment 8277

PAG LIN

1 1 Amend Senate File 2286, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, by striking lines 5 and 6 and inserting
1 4 <is open to the public and an admission fee is charged,
1 5 a donation is requested from those in attendance,
1 6 or merchandise or refreshments are available for
1 7 purchase.>

COMMITTEE ON LABORR. OLSON of Polk, Chairperson
SF2286.1572 (4) 83
ak/nh



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House Amendment 8278

PAG LIN

1 1 Amend House File 2410 as follows:
1 2 #1. Page 1, after line 33 by inserting:
1 3 <f. This subsection shall cease to be applicable
1 4 if the United States food and drug administration
1 5 and the national institutes of health study and
1 6 find no significant difference in the equivalence
1 7 of antiepileptic drugs. The board of pharmacy shall
1 8 notify the Code editor of such finding.>

SMITH of Marshall
HF2410.1703 (2) 83
pf/nh



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House Amendment 8279

PAG LIN

1 1 Amend House File 2410 as follows:
1 2 #1. Page 1, by striking lines 15 through 18 and
1 3 inserting <representative at the time the drug is
1 4 dispensed.>

SMITH of Marshall
HF2410.1699 (2) 83
pf/nh



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House Amendment 8280

PAG LIN

1 1 Amend House File 2499 as follows:
1 2 #1. Page 1, after line 17 by inserting:
1 3 <Sec. ____ Section 331.608, subsection 6, paragraph
1 4 e, Code Supplement 2009, is amended to read as follows:
1 5 e. When otherwise required by a department or
1 6 agency of the federal or state government or a
1 7 political subdivision. The recorder shall make these
1 8 records available to the department of veterans affairs
1 9 and the county commission of veteran affairs. For
1 10 records recorded before, on, or after the effective
1 11 date of this Act, the recorder shall provide a copy of
1 12 each such record to the county commission of veteran
1 13 affairs and to the department of veterans affairs.
1 14 Copies of records recorded before the effective date of
1 15 this Act shall be provided not later than January 1,
1 16 2011. For records recorded on or after the effective
1 17 date of this Act, such copies shall be provided within
1 18 thirty days of recording. The department of veterans
1 19 affairs and its employees and the county commission of
1 20 veteran affairs and its employees shall be subject to
1 21 the same state and federal confidentiality restrictions
1 22 and requirements that are imposed on the recorder.>
1 23 #2. Title page, line 1, after <Act> by inserting
1 24 <relating to veterans records by requiring county
1 25 recorders to provide copies of certain records to
1 26 the department of veterans affairs and the county
1 27 commission of veteran affairs and by>
1 28 #3. By renumbering as necessary.

CHAMBERS of O'Brien
HF2499.1393 (3) 83
md/sc



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House Amendment 8281

PAG LIN

1 1 Amend House File 2492 as follows:
1 2 #1. Page 5, line 9, by striking <subparagraph (3),
1 3 Code Supplement 2009, is> and inserting <subparagraphs
1 4 (3) and (5), Code Supplement 2009, are>
1 5 #2. Page 5, after line 27 by inserting:
1 6 <(5) Resident pupils receiving competent private
1 7 instruction from a licensed practitioner provided
1 8 through a public school district pursuant to chapter
1 9 299A shall be counted as three-tenths of one pupil.
1 10 Revenues received by a school district attributed to a
1 11 school district's weighted enrollment pursuant to this
1 12 paragraph shall be expended for the purpose for which
1 13 the weighting was assigned under this paragraph. If
1 14 the school district determines that the expenditures
1 15 associated with providing competent private instruction
1 16 pursuant to chapter 299A are in excess of the
1 17 revenue attributed to the school district's weighted
1 18 enrollment for such instruction in accordance with this
1 19 subparagraph, the school district may submit a request
1 20 to the school budget review committee for modified
1 21 allowable growth in accordance with section 257.31,
1 22 subsection 5, paragraph "n". A home school assistance
1 23 program shall not provide moneys received pursuant to
1 24 this subparagraph, nor resources paid for with moneys
1 25 received pursuant to this subparagraph, to parents or
1 26 students utilizing the program. Moneys received by a
1 27 school district pursuant to this subparagraph shall be
1 28 used as provided in section 299A.12.>
1 29 #3. Page 17, after line 35 by inserting:
1 30 <Sec. ____ . NEW SECTION. 299A.12 Home school
1 31 assistance program.
1 32 1. The board of directors of a school district
1 33 may expend moneys received pursuant to section 257.6,
1 34 subsection 1, paragraph "a", subparagraph (5), for
1 35 purposes of providing a home school assistance program.
1 36 2. Purposes for which a school district may expend
1 37 funds received pursuant to section 257.6, subsection 1,
1 38 paragraph "a", subparagraph (5), shall include but not
1 39 be limited to the following:
1 40 a. Assisting parents with instruction.
1 41 b. Student and teaching=parent support services and
1 42 staff support services.
1 43 c. Salary and benefits for the supervising teacher
1 44 of the home school assistance program students. If the
1 45 teacher is a part-time home school assistance program
1 46 teacher and a part-time regular classroom teacher,
1 47 funds received pursuant to section 257.6, subsection
1 48 1, paragraph "a", subparagraph (5), may be used only
1 49 for the portion of time in which the teacher is a home
1 50 school assistance program teacher.



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- 2 1 d. Salary and benefits for clerical and office
2 2 staff of the home school assistance program. If
2 3 the staff members are shared with other programs
2 4 or functions within the district, funds received
2 5 pursuant to section 257.6, subsection 1, paragraph
2 6 "a", subparagraph (5), shall only be expended for
2 7 the portion of time spent providing the home school
2 8 assistance program services.
- 2 9 e. Staff development for the home school assistance
2 10 program teacher.
- 2 11 f. Travel for the home school assistance program
2 12 teacher.
- 2 13 g. Resources, materials, computer software and
2 14 hardware, and supplies, and purchased services that
2 15 meet the following criteria:
- 2 16 (1) Are necessary to provide the services of home
2 17 school assistance.
- 2 18 (2) Are retained as the possessions of the school
2 19 district for its prekindergarten through grade twelve
2 20 home school assistance program.
- 2 21 3. Purposes for which a school district shall
2 22 not expend funds received pursuant to section 257.6,
2 23 subsection 1, paragraph "a", subparagraph (5), include
2 24 but are not limited to the following:
- 2 25 a. Indirect costs or use charges.
- 2 26 b. Operational or maintenance costs in addition to
2 27 the cost of maintaining school district facilities.
- 2 28 c. Capital expenditures.
- 2 29 d. Student transportation except in cases of home
2 30 school assistance program=approved field trips or other
2 31 educational activities.
- 2 32 e. Administrative costs.
- 2 33 f. Concurrent enrollment program costs and
2 34 postsecondary enrollment options program costs.
- 2 35 g. Any other expenditures not directly related to
2 36 providing the home school assistance program. A home
2 37 school assistance program shall not provide moneys to
2 38 parents or students utilizing the program.>
- 2 39 #4. By renumbering as necessary.

KELLEY of Black Hawk
HF2492.1511 (2) 83
kh/sc



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House Amendment 8282

PAG LIN

1 1 Amend House File 2446 as follows:
1 2 #1. Page 1, before line 1 by inserting:
1 3 <Section 1. Section 455B.301, subsection 21, Code
1 4 2009, is amended to read as follows:
1 5 21. "Sanitary disposal project" means all facilities
1 6 and appurtenances including all real and personal
1 7 property connected with such facilities, which are
1 8 acquired, purchased, constructed, reconstructed,
1 9 equipped, improved, extended, maintained, or operated
1 10 to facilitate the final disposition of solid waste
1 11 without creating a significant hazard to the public
1 12 health or safety, and which are approved by the
1 13 executive director. For purposes of this part 1
1 14 of division IV, "sanitary disposal project" does
1 15 not mean facilities and appurtenances containing
1 16 building-related construction debris and demolition
1 17 materials.>
1 18 #2. By renumbering as necessary.

HORBACH of Tama
HF2446.1702 (3) 83
tm/nh



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House Amendment 8283

PAG LIN

1 1 Amend Senate File 2150, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, before line 1 by inserting:
1 4 <Section 1. Section 321.178, subsection 2,
1 5 paragraph a, Code 2009, is amended to read as follows:
1 6 a. (1) A person between sixteen and eighteen
1 7 years of age who has completed an approved driver's
1 8 education course and is not in attendance at school
1 9 and has not met the requirements described in section
1 10 299.2, subsection 1, may be issued a restricted license
1 11 only for travel to and from work or to transport
1 12 dependents to and from temporary care facilities,
1 13 if necessary for the person to maintain the person's
1 14 present employment. The restricted license shall be
1 15 issued by the department only upon confirmation of the
1 16 person's employment and need for a restricted license
1 17 to travel to and from work or to transport dependents
1 18 to and from temporary care facilities if necessary to
1 19 maintain the person's employment. The employer shall
1 20 notify the department if the employment of the person
1 21 is terminated before the person attains the age of
1 22 eighteen.
1 23 (2) A person issued a restricted license under
1 24 this section shall not use an electronic communication
1 25 device or an electronic entertainment device, other
1 26 than a radio installed in the motor vehicle, while
1 27 driving a motor vehicle unless the motor vehicle is at
1 28 a complete stop off the roadway.>
1 29 #2. Page 3, after line 9 by inserting:
1 30 <Sec. _____. Section 321.180B, Code Supplement 2009,
1 31 is amended by adding the following new subsection:
1 32 NEW SUBSECTION. 6A. A person issued an instruction
1 33 permit or intermediate driver's license under this
1 34 section shall not use an electronic communication
1 35 device or an electronic entertainment device, other
1 36 than a radio installed in the motor vehicle, while
1 37 driving a motor vehicle unless the motor vehicle is at
1 38 a complete stop off the roadway.>
1 39 #3. Page 3, line 11, by striking <paragraph:> and
1 40 inserting <paragraphs:>
1 41 #4. Page 3, line 12, by striking <Ob.> and inserting
1 42 c.>
1 43 #5. Page 3, after line 20 by inserting:
1 44 <NEW PARAGRAPH. d. A person issued a driver's
1 45 license under this section shall not use an electronic
1 46 communication device or an electronic entertainment
1 47 device, other than a radio installed in the motor
1 48 vehicle, while driving a motor vehicle unless the motor
1 49 vehicle is at a complete stop off the roadway.
1 50 Sec. _____. NEW SECTION. 321.238 Use of electronic



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2 1 devices while driving == preemption of local
2 2 legislation.
2 3 The provisions of sections 321.178, 321.180B, and
2 4 321.194 restricting the use of electronic communication
2 5 devices and electronic entertainment devices by certain
2 6 motor vehicle operators shall be implemented uniformly
2 7 throughout the state. Such provisions shall preempt
2 8 any county or municipal ordinance regarding the use
2 9 of an electronic communication device or electronic
2 10 entertainment device by a motor vehicle operator. In
2 11 addition, a county or municipality shall not adopt
2 12 or continue in effect an ordinance regarding the use
2 13 of an electronic communication device or electronic
2 14 entertainment device by a motor vehicle operator.>
2 15 #6. Title page, lines 1 and 2, by striking
2 16 <licenses> and inserting <licenses, minor's restricted
2 17 licenses,>
2 18 #7. Title page, line 2, by striking <licenses,
2 19 making a penalty> and inserting <licenses and to the
2 20 use of certain electronic devices by motor vehicle
2 21 operators, making penalties>
2 22 #8. By renumbering as necessary.

RAECKER of Polk
SF2150.1657 (2) 83
dea/nh



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House Amendment 8284

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1 1 Amend House File 2473 as follows:
1 2 #1. Page 1, after line 31 by inserting:
1 3 <Sec. ____ Section 716.7, subsection 2, Code 2009,
1 4 is amended by adding the following new paragraph:
1 5 NEW PARAGRAPH. f. Entering upon or in property
1 6 that is under consideration for condemnation by an
1 7 acquiring agency, as defined in section 6B.1, but prior
1 8 to the commencement of eminent domain proceedings under
1 9 chapter 6A or 6B, without the express permission of the
1 10 owner, lessee, or person in lawful possession.>
1 11 #2. By renumbering as necessary.

WATTS of Dallas
HF2473.1715 (3) 83
md/sc



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House Amendment 8285

PAG LIN

1 1 Amend the amendment, H=8274, to House File 2399 as
1 2 follows:
1 3 #1. Page 1, by striking lines 15 and 16 and
1 4 inserting <tariff filing made on or before December 31,
1 5 2013, the reasonable>
1 6 #2. Page 1, line 26, after <period,> by inserting
1 7 <which shall extend no more than thirty=six months in
1 8 total,>
1 9 #3. Page 2, after line 2 by inserting:
1 10 <__. Page 1, by striking line 11 and inserting
1 11 <facilities, or the significant alteration of an
1 12 existing generating facility as provided in subsection
1 13 1, shall be implemented>>
1 14 #4. Page 2, by striking lines 8 through 12
1 15 and inserting <of the electric power generating
1 16 facility_T or alternate energy production facility_T>
1 17 #5. Page 2, by striking lines 19 and 20 and
1 18 inserting <facility with a nameplate generating>
1 19 #6. Page 2, line 24, after <476.42> by inserting
1 20 <, or to significantly alter an existing generating
1 21 facility>
1 22 #7. Page 3, line 14, after <state,> by inserting
1 23 <permitting all rate=regulated public utilities to
1 24 make significant alterations to an existing generating
1 25 facility,>
1 26 #8. By renumbering as necessary.

QUIRK of Chickasaw
HF2399.1692 (5) 83
rn/sc



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House Amendment 8286

PAG LIN

1 1 Amend House File 2503 as follows:
1 2 #1. Page 3, by striking lines 2 and 3 and inserting
1 3 <of trust fund moneys distributed to any one account
1 4 established>
1 5 #2. Page 3, after line 10 by inserting:
1 6 <1. A description of public hearings and meetings
1 7 required to be conducted pursuant to subchapter
1 8 II, any results that impacted upon departmental
1 9 decision-making, and a plan for conducting public
1 10 hearings and meetings in the following year.>
1 11 #3. Page 3, line 11, by striking <1.> and inserting
1 12 <2.>
1 13 #4. Page 3, line 16, by striking <2.> and inserting
1 14 <3.>
1 15 #5. Page 4, by striking lines 32 through 35 and
1 16 inserting:
1 17 <a. The establishment, restoration, or enhancement
1 18 of state parks, state preserves, wildlife areas,
1 19 wildlife habitats, native prairies, and wetlands.>
1 20 #6. By renumbering as necessary.

BELL of Jasper
HF2503.1716 (2) 83
da/nh



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House Amendment 8287

PAG LIN

1 1 Amend Senate File 2310, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 3, by striking line 2 and inserting <of
1 4 trust fund moneys distributed to the Iowa resources
1 5 enhancement and protection fund or any one account
1 6 established>
1 7 #2. Page 3, by striking lines 10 through 13.
1 8 #3. Page 3, line 14, by striking <2.> and inserting
1 9 <1.>
1 10 #4. Page 3, line 19, by striking <3.> and inserting
1 11 <2.>
1 12 #5. By striking page 4, line 35, through page 5,
1 13 line 2, and inserting:
1 14 <a. The establishment, maintenance, restoration,
1 15 improvement, or enhancement of state parks, state
1 16 preserves, state forests, wildlife areas, wildlife
1 17 habitats, native prairies, and wetlands.>
1 18 #6. By renumbering as necessary.

BELL of Jasper
SF2310.1721 (2) 83
da/nh



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House Amendment 8288

PAG LIN

1 1 Amend House File 2193 as follows:
1 2 #1. By striking everything after the enacting clause
1 3 and inserting:
1 4 <Section 1. Section 85.36, subsection 9, paragraph
1 5 a, Code 2009, is amended to read as follows:
1 6 a. In computing the compensation to be allowed
1 7 a volunteer fire fighter, emergency medical care
1 8 provider, reserve peace officer, volunteer ambulance
1 9 driver, ~~volunteer emergency rescue technician as~~
~~1 10 defined in section 147A.1, or emergency medical~~
~~1 11 technician trainee,~~ the earnings as a fire fighter,
1 12 emergency medical care provider, reserve peace officer,
1 13 or volunteer ambulance driver, ~~volunteer emergency~~
~~1 14 rescue technician, or emergency medical technician~~
~~1 15 trainee~~ shall be disregarded and the volunteer fire
1 16 fighter, emergency medical care provider, reserve peace
1 17 officer, or volunteer ambulance driver, ~~volunteer~~
~~1 18 emergency rescue technician, or emergency medical~~
~~1 19 technician trainee~~ shall be paid an amount equal
1 20 to the compensation the volunteer fire fighter,
1 21 emergency medical care provider, reserve peace officer,
1 22 or volunteer ambulance driver, ~~volunteer emergency~~
~~1 23 rescue technician, or emergency medical technician~~
~~1 24 trainee~~ would be paid if injured in the normal
1 25 course of the volunteer fire fighter's, emergency
1 26 medical care provider's, reserve peace officer's,
1 27 or volunteer ambulance driver's, ~~volunteer emergency~~
~~1 28 rescue technician's, or emergency medical technician~~
~~1 29 trainee's~~ regular employment or an amount equal to one
1 30 hundred and forty percent of the statewide average
1 31 weekly wage, whichever is greater.
1 32 Sec. 2. Section 85.61, subsection 2, paragraph a,
1 33 Code 2009, is amended to read as follows:
1 34 a. A person, firm, association, or corporation,
1 35 state, county, municipal corporation, school
1 36 corporation, area education agency, township as
1 37 an employer of volunteer fire fighters, ~~volunteer~~
~~1 38 emergency rescue technicians,~~ and emergency medical
1 39 care providers only, benefited fire district, and the
1 40 legal representatives of a deceased employer.
1 41 Sec. 3. Section 85.61, subsection 7, paragraph b,
1 42 Code 2009, is amended to read as follows:
1 43 b. Personal injuries sustained by ~~volunteer~~
~~1 44 emergency rescue technicians or emergency medical care~~
1 45 providers as defined in section 147A.1 arise in the
1 46 course of employment if the injuries are sustained at
1 47 any time from the time the ~~volunteer emergency rescue~~
~~1 48 technicians or emergency medical care providers~~ are
1 49 summoned to duty until the time those duties have been
1 50 fully discharged.



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House Amendment 8288 continued

2 1 Sec. 4. Section 85.61, subsection 11, paragraph
2 2 a, subparagraph (2), Code 2009, is amended to read as
2 3 follows:

2 4 (2) An emergency medical care provider as defined
2 5 in section 147A.1, ~~a volunteer emergency rescue~~
~~2 6 technician as defined in section 147A.1, or a volunteer~~
2 7 ambulance driver, ~~or an emergency medical technician~~
~~2 8 trainee~~, only if an agreement is reached between
2 9 such worker or employee and the employer for whom
2 10 the volunteer services are provided that workers'
2 11 compensation coverage under this chapter and chapters
2 12 85A and 85B is to be provided by the employer. An
2 13 emergency medical care provider ~~or volunteer emergency~~
~~2 14 rescue technician~~ who is a worker or employee under
2 15 this subparagraph is not a casual employee. "Volunteer
2 16 ambulance driver" means a person performing services
2 17 as a volunteer ambulance driver at the request
2 18 of the person in charge of a fire department or
2 19 ambulance service of a municipality. ~~"Emergency~~
~~2 20 medical technician trainee" means a person enrolled~~
~~2 21 in and training for emergency medical technician~~
~~2 22 certification.~~

2 23 Sec. 5. Section 100B.31, subsection 3, paragraph b,
2 24 Code Supplement 2009, is amended to read as follows:

2 25 b. A person performing the functions of an
2 26 emergency medical care provider ~~or emergency rescue~~
~~2 27 technician~~ as defined in section 147A.1 who was not
2 28 paid full-time by the entity for which such services
2 29 were being performed at the time the incident giving
2 30 rise to the death occurred.

2 31 Sec. 6. Section 147A.1, subsection 4, Code
2 32 Supplement 2009, is amended to read as follows:

2 33 4. "Emergency medical care provider" means
2 34 an individual trained to provide emergency and
2 35 nonemergency medical care at the ~~first-responder,~~
~~2 36 EMT-basic, EMT-intermediate, EMT-paramedic~~
~~2 37 level, emergency medical responder, emergency medical~~
2 38 technician, advanced emergency medical technician,
2 39 paramedic, or other certification levels adopted
2 40 by rule by the department, who has been issued a
2 41 certificate by the department.

2 42 Sec. 7. Section 147A.1, subsections 6, 8, and
2 43 9, Code Supplement 2009, are amended by striking the
2 44 subsections.

2 45 Sec. 8. Section 147A.1, Code Supplement 2009, is
2 46 amended by adding the following new subsections:

2 47 NEW SUBSECTION. 11. "Service program" or
2 48 "service" means any medical care ambulance service or
2 49 nontransport service that has received authorization
2 50 from the department under section 147A.5.



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House Amendment 8288 continued

3 1 NEW SUBSECTION. 12. "Training program" means an
3 2 Iowa college approved by the north central association
3 3 of colleges and schools or an Iowa hospital authorized
3 4 by the department to conduct emergency medical care
3 5 services training.

3 6 Sec. 9. Section 147A.2, Code 2009, is amended to
3 7 read as follows:

3 8 147A.2 Council established == terms of office.

3 9 1. An EMS advisory council shall be appointed
3 10 by the director. Membership of the council shall
3 11 be comprised of individuals nominated from, but
3 12 not limited to, the following state or national
3 13 organizations: Iowa osteopathic medical association,
3 14 Iowa medical society, American college of emergency
3 15 physicians, Iowa physician assistant society, Iowa
3 16 academy of family physicians, university of Iowa
3 17 hospitals and clinics, American academy of emergency
3 18 medicine, American academy of pediatrics, Iowa
3 19 EMS association, Iowa firemen's association, Iowa
3 20 professional firefighters, EMS education programs
3 21 committee, ~~EMS regional council,~~ Iowa nurses
3 22 association, Iowa hospital association, and the Iowa
3 23 state association of counties. The council shall also
3 24 include a member-at-large who is an emergency medical
3 25 care provider.

3 26 2. The EMS advisory council shall advise the
3 27 director and develop policy recommendations concerning
3 28 the regulation, administration, and coordination of
3 29 emergency medical services in the state.

3 30 Sec. 10. Section 147A.4, Code Supplement 2009, is
3 31 amended to read as follows:

3 32 147A.4 Rulemaking authority.

3 33 1. a. The department shall adopt rules required
3 34 or authorized by this subchapter pertaining to the
3 35 operation of ~~ambulance, rescue, and first response~~
3 36 ~~services~~ service programs which have received
3 37 authorization under section 147A.5 to utilize the
3 38 services of certified emergency medical care providers.
3 39 These rules shall include but need not be limited
3 40 to requirements concerning physician supervision,
3 41 necessary equipment and staffing, and reporting by
3 42 ~~ambulance, rescue, and first response services~~ service
3 43 programs which have received the authorization pursuant
3 44 to section 147A.5.

3 45 b. The director, pursuant to rule, may grant
3 46 exceptions and variances from the requirements of
3 47 rules adopted under this subchapter for any ~~ambulance,~~
3 48 ~~rescue, or first response~~ service program. Exceptions
3 49 or variations shall be reasonably related to undue
3 50 hardships which existing services experience in



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4 1 complying with this subchapter or the rules adopted
4 2 pursuant to this subchapter. ~~However, no exception or~~
~~4 3 variance may be granted unless the service adopted a~~
~~4 4 plan approved by the department prior to July 1, 1996,~~
~~4 5 to achieve compliance during a period not to exceed~~
~~4 6 seven years with this subchapter and rules adopted~~
~~4 7 pursuant to this subchapter. Services requesting~~
4 8 exceptions and variances shall be subject to other
4 9 applicable rules adopted pursuant to this subchapter.
4 10 2. The department shall adopt rules required
4 11 or authorized by this subchapter pertaining to the
4 12 examination and certification of emergency medical
4 13 care providers. These rules shall include, but
4 14 need not be limited to, requirements concerning
4 15 prerequisites, training, and experience for emergency
4 16 medical care providers and procedures for determining
4 17 when individuals have met these requirements. The
4 18 department shall adopt rules to recognize the
4 19 previous EMS training and experience of ~~first~~
~~4 20 responders and emergency medical technicians to~~
~~4 21 provide for an equitable transition to the EMT=basic~~
~~4 22 certification emergency medical care providers~~
4 23 transitioning to the emergency medical responder,
4 24 emergency medical technician, advanced emergency
4 25 medical technician, and paramedic levels. The
4 26 department may require additional training and
4 27 examinations as necessary and appropriate to ensure
4 28 that individuals seeking ~~certification~~ transition to
4 29 another level have met the ~~EMT=basic~~ knowledge and
4 30 skill requirements. All requirements for transition
4 31 to another level, including fees, shall be adopted by
4 32 rule.
4 33 3. The department shall establish the fee for the
4 34 examination of the emergency medical care providers
4 35 to cover the administrative costs of the examination
4 36 program.
4 37 4. The department shall adopt rules required
4 38 or authorized by this subchapter pertaining to the
4 39 operation of training programs. These rules shall
4 40 include but need not be limited to requirements
4 41 concerning curricula, resources, facilities, and staff.
4 42 Sec. 11. Section 147A.5, subsections 1 and 3, Code
4 43 2009, are amended to read as follows:
4 44 1. ~~An ambulance, rescue, or first~~
~~4 45 response~~ A service program in this state that
4 46 desires to provide emergency medical care in the
4 47 out-of-hospital setting shall apply to the department
4 48 for authorization to establish a program for delivery
4 49 of the care at the scene of an emergency, during
4 50 transportation to a hospital, during transfer from



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5 1 one medical care facility to another or to a private
5 2 residence, or while in the hospital emergency
5 3 department, and until care is directly assumed by a
5 4 physician or by authorized hospital personnel.
5 5 3. The department may deny an application for
5 6 authorization, or may impose a civil penalty not to
5 7 exceed one thousand dollars upon, place on probation,
5 8 suspend, or revoke the authorization of, or otherwise
5 9 discipline a service program with an existing
5 10 authorization if the department finds reason to
5 11 believe the service program has not been or will not
5 12 be operated in compliance with this subchapter and the
5 13 rules adopted pursuant to this subchapter, or that
5 14 there is insufficient assurance of adequate protection
5 15 for the public. The authorization, denial, ~~or~~ civil
5 16 penalty, period of probation, suspension, or
5 17 revocation, or other disciplinary action shall be
5 18 effected and may be appealed as provided by section
5 19 17A.12.

5 20 Sec. 12. Section 147A.6, Code 2009, is amended to
5 21 read as follows:

5 22 147A.6 Emergency medical care provider certificates
5 23 == renewal.

5 24 1. The department, upon application and receipt
5 25 of the prescribed fee, shall issue a certificate to
5 26 an individual who has met all of the requirements
5 27 for emergency medical care provider certification
5 28 established by the rules adopted under section 147A.4,
5 29 subsection 2. All fees and civil penalties received
5 30 pursuant to this section and sections 147A.5, 147A.7,
5 31 and 147A.17 shall be deposited in the emergency medical
5 32 services fund established in section 135.25.

5 33 2. Emergency medical care provider certificates
5 34 are valid for the multiyear period determined by the
5 35 department, unless sooner suspended or revoked. The
5 36 certificate shall be renewed upon application of
5 37 the holder and receipt of the prescribed fee if the
5 38 holder has satisfactorily completed continuing medical
5 39 education programs as required by rule.

5 40 3. If the certificate holder fails to complete
5 41 the required continuing education prior to the time
5 42 of renewal, the certificate holder may request a
5 43 forty-five day extension. Request for extension must
5 44 be submitted to the department prior to the expiration
5 45 date and include a fifty dollar extension fee. The
5 46 certificate may be renewed only during that forty-five
5 47 day period on submission of a completed renewal
5 48 application, and payment of applicable renewal fee.

5 49 Sec. 13. Section 147A.7, Code 2009, is amended to
5 50 read as follows:



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6 1 147A.7 Denial, suspension, or revocation of
6 2 certificates == other disciplinary action == hearing ==
6 3 appeal.
6 4 1. The department may deny an application for
6 5 issuance or renewal of an emergency medical care
6 6 provider certificate or may impose a civil penalty
6 7 not to exceed one thousand dollars upon, place on
6 8 probation, or suspend or revoke the certificate of,
6 9 or otherwise discipline the certificate holder when
6 10 it finds that the applicant or certificate holder is
6 11 guilty of any of the following acts or offenses:
6 12 a. Negligence in performing authorized services.
6 13 b. Failure to follow the directions of the
6 14 supervising physician.
6 15 c. Rendering treatment not authorized under this
6 16 subchapter.
6 17 d. Fraud in procuring certification.
6 18 e. Professional incompetency.
6 19 f. Knowingly making misleading, deceptive, untrue
6 20 or fraudulent representation in the practice of a
6 21 profession or engaging in unethical conduct or practice
6 22 harmful or detrimental to the public. Proof of actual
6 23 injury need not be established.
6 24 g. Habitual intoxication or addiction to the use of
6 25 drugs.
6 26 h. Fraud in representations as to skill or ability.
6 27 i. Willful or repeated violations of this
6 28 subchapter or of rules adopted pursuant to this
6 29 subchapter.
6 30 j. Violating a statute of this state, another
6 31 state, or the United States, without regard to its
6 32 designation as either a felony or misdemeanor, which
6 33 relates to the practice of an emergency medical care
6 34 provider. A copy of the record of conviction or plea
6 35 of guilty is conclusive evidence of the violation.
6 36 k. Having certification to practice as an emergency
6 37 medical care provider revoked or suspended, or having
6 38 other disciplinary action taken by a licensing or
6 39 certifying authority of another state, territory, or
6 40 country. A certified copy of the record or order of
6 41 suspension, revocation, or disciplinary action is
6 42 conclusive or prima facie evidence.
6 43 1. Other acts or offenses as specified by rule.
6 44 2. A determination of mental incompetence by a
6 45 court of competent jurisdiction automatically suspends
6 46 a certificate for the duration of the certificate
6 47 unless the department orders otherwise.
6 48 3. A denial, civil penalty, period of
6 49 probation, suspension, or revocation under this
6 50 section shall be effected, and may be appealed in



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7 1 accordance with the rules of the department established
7 2 pursuant to chapter 272C.
7 3 Sec. 14. Section 147A.8, Code Supplement 2009, is
7 4 amended to read as follows:
7 5 147A.8 Authority of certified emergency medical care
7 6 provider.
7 7 ~~1.~~ An emergency medical care provider properly
7 8 certified under this subchapter may:
7 9 ~~a.~~ 1. Render emergency and nonemergency medical
7 10 care, rescue, and lifesaving services in those areas
7 11 for which the emergency medical care provider is
7 12 certified, as defined and approved in accordance
7 13 with the rules of the department, at the scene of an
7 14 emergency, during transportation to a hospital or while
7 15 in the hospital emergency department, and until care
7 16 is directly assumed by a physician or by authorized
7 17 hospital personnel.
7 18 ~~b.~~ 2. Function in any hospital or any other entity
7 19 in which health care is ordinarily provided only when
7 20 under the direct supervision, as defined by rules
7 21 adopted pursuant to chapter 17A, of a physician, when
7 22 the emergency care provider is any of the following:
7 23 ~~(1)~~ a. Enrolled as a student or participating
7 24 as a preceptor in a training program approved by the
7 25 department; ~~or~~ or an agency authorized in another state
7 26 to provide initial EMS education and approved by the
7 27 department.
7 28 ~~(2)~~ b. Fulfilling continuing education
7 29 requirements as defined by rule; ~~or.~~
7 30 ~~(3)~~ c. Employed by or assigned to a hospital
7 31 or other entity in which health care is ordinarily
7 32 provided only when under the direct supervision of a
7 33 physician, as a member of an authorized ambulance,
7 34 ~~rescue, or first response service program,~~ or in
7 35 an individual capacity, by rendering lifesaving
7 36 services in the facility in which employed or assigned
7 37 pursuant to the emergency medical care provider's
7 38 certification and under the direct supervision of a
7 39 physician, physician assistant, or registered nurse.
7 40 An emergency medical care provider shall not routinely
7 41 function without the direct supervision of a physician,
7 42 physician assistant, or registered nurse. However,
7 43 when the physician, physician assistant, or registered
7 44 nurse cannot directly assume emergency care of the
7 45 patient, the emergency medical care provider may
7 46 perform without direct supervision emergency medical
7 47 care procedures for which that individual is certified
7 48 if the life of the patient is in immediate danger and
7 49 such care is required to preserve the patient's life;
7 50 ~~or.~~



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8 1 ~~(4)~~ d. Employed by or assigned to a hospital
8 2 or other entity in which health care is ordinarily
8 3 provided only when under the direct supervision of a
8 4 physician, as a member of an authorized ~~ambulance,~~
~~8 5 rescue, or first response service program,~~ or in
8 6 an individual capacity, to perform nonlifesaving
8 7 procedures for which those individuals have been
8 8 certified and are designated in a written job
8 9 description. Such procedures may be performed after
8 10 the patient is observed by and when the emergency
8 11 medical care provider is under the supervision of the
8 12 physician, physician assistant, or registered nurse,
8 13 including when the registered nurse is not acting in
8 14 the capacity of a physician designee, and where the
8 15 procedure may be immediately abandoned without risk to
8 16 the patient.

~~8 17 2. Nothing in this subchapter shall be construed
8 18 to require any voluntary ambulance, rescue, or first
8 19 response service to provide a level of care beyond
8 20 minimum basic care standards.~~

8 21 Sec. 15. Section 147A.11, Code 2009, is amended to
8 22 read as follows:

8 23 147A.11 Prohibited acts.

8 24 1. Any person not certified as required by this
8 25 subchapter who claims to be an emergency medical care
8 26 provider, or who uses any other term to indicate or
8 27 imply that the person is an emergency medical care
8 28 provider, or who acts as an emergency medical care
8 29 provider without having obtained the appropriate
8 30 certificate under this subchapter, is guilty of a class
8 31 "D" felony.

~~8 32 2. An owner of an unauthorized ambulance, rescue,
8 33 or first response service program in this state who
8 34 operates or purports to operate an ambulance, rescue,
8 35 or first response a service program, or who uses any
8 36 term to indicate or imply authorization without having
8 37 obtained the appropriate authorization under this
8 38 subchapter, is guilty of a class "D" felony.~~

8 39 3. Any person who imparts or conveys, or causes
8 40 to be imparted or conveyed, or attempts to impart
8 41 or convey false information concerning the need
8 42 for assistance of ~~an ambulance, rescue, or first
8 43 response a service program~~ or of any personnel or
8 44 equipment thereof, knowing such information to be
8 45 false, is guilty of a serious misdemeanor.

8 46 Sec. 16. Section 147A.12, subsection 1, Code 2009,
8 47 is amended to read as follows:

8 48 1. This subchapter does not restrict a registered
8 49 nurse, licensed pursuant to chapter 152, from
8 50 staffing an authorized ~~ambulance, rescue, or first~~



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~~House Amendment 8288 continued~~

~~9 1 response service program provided the registered~~
9 2 nurse can document equivalency through education and
9 3 additional skills training essential in the delivery of
9 4 out-of-hospital emergency care. The equivalency shall
9 5 be accepted when:
9 6 a. Documentation has been reviewed and approved
9 7 at the local level by the medical director of the
9 8 ~~ambulance, rescue, or first response service program~~ in
9 9 accordance with the rules of the board of nursing
9 10 developed jointly with the department.
9 11 b. Authorization has been granted to that
9 12 ~~ambulance, rescue, or first response service program~~ by
9 13 the department.
9 14 Sec. 17. Section 147A.13, Code 2009, is amended to
9 15 read as follows:
9 16 147A.13 Physician assistant exception.
9 17 This subchapter does not restrict a physician
9 18 assistant, licensed pursuant to chapter 148C, from
9 19 staffing an authorized ~~ambulance, rescue, or first~~
~~9 20 response service program~~ if the physician assistant
9 21 can document equivalency through education and
9 22 additional skills training essential in the delivery of
9 23 out-of-hospital emergency care. The equivalency shall
9 24 be accepted when:
9 25 1. Documentation has been reviewed and approved
9 26 at the local level by the medical director of the
9 27 ~~ambulance, rescue, or first response service program~~ in
9 28 accordance with the rules of the board of physician
9 29 assistants developed after consultation with the
9 30 department.
9 31 2. Authorization has been granted to that
9 32 ~~ambulance, rescue, or first response service program~~ by
9 33 the department.
9 34 Sec. 18. NEW SECTION. 147A.17 Applications for
9 35 emergency medical care services training programs ==
9 36 approval or denial == disciplinary actions.
9 37 1. An Iowa college approved by the north central
9 38 association of colleges and schools or an Iowa hospital
9 39 in this state that desires to provide emergency medical
9 40 care services training leading to certification as an
9 41 emergency medical care provider shall apply to the
9 42 department for authorization to establish a training
9 43 program.
9 44 2. The department shall approve an application
9 45 submitted in accordance with subsection 1 when the
9 46 department is satisfied that the program proposed by
9 47 the application will be operated in compliance with
9 48 this subchapter and the rules adopted pursuant to this
9 49 subchapter.
9 50 3. The department may deny an application for



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10 1 authorization or may impose a civil penalty not to
10 2 exceed one thousand dollars upon, place on probation,
10 3 suspend or revoke the authorization of, or otherwise
10 4 discipline a training program with an existing
10 5 authorization if the department finds reason to believe
10 6 the program has not been or will not be operated
10 7 in compliance with this subchapter and the rules
10 8 adopted pursuant to this subchapter, or that there
10 9 is insufficient assurance of adequate protection for
10 10 the public. The authorization denial, civil penalty,
10 11 period of probation, suspension, or revocation, or
10 12 other disciplinary action shall be effected and may be
10 13 appealed as provided by section 17A.12.
10 14 Sec. 19. Section 321.267A, subsection 5, Code 2009,
10 15 is amended to read as follows:
10 16 5. For the purposes of this section, "other
10 17 emergency responder" means a fire fighter certified
10 18 as a fire fighter I pursuant to rules adopted under
10 19 chapter 100B and trained in emergency driving or an
10 20 emergency medical ~~responder~~ care provider certified
10 21 under chapter 147A and trained in emergency driving.
10 22 Sec. 20. Section 724.6, subsection 2, Code
10 23 Supplement 2009, is amended to read as follows:
10 24 2. Notwithstanding subsection 1, fire fighters,
10 25 as defined in section 411.1, subsection 10, airport
10 26 fire fighters included under section 97B.49B, ~~emergency~~
~~10 27 rescue technicians,~~ and emergency medical care
10 28 providers, as defined in section 147A.1, shall not,
10 29 as a condition of employment, be required to obtain a
10 30 permit under this section. However, the provisions of
10 31 this subsection shall not apply to a person designated
10 32 as an arson investigator by the chief fire officer of
10 33 a political subdivision.>

THOMAS of Clayton
HF2193.1711 (5) 83
jr/nh



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House Amendment 8289

PAG LIN

1 1 Amend the amendment, H=8218, to House File 2462 as
1 2 follows:
1 3 #1. Page 1, by striking lines 2 through 7 and
1 4 inserting:
1 5 <____. Page 1, by striking lines 13 through 15.>

STRUYK of Pottawattamie

HUSER of Polk

KELLEY of Black Hawk

PETTENGILL of Benton
HF2462.1739 (3) 83
ak/nh



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House Amendment 8290

PAG LIN

1 1 Amend the amendment, H=8283, to Senate File 2150, as
1 2 passed by the Senate, as follows:
1 3 #1. By striking page 1, line 3, through page 2, line
1 4 22, and inserting:
1 5 <1. Page 1, before line 1 by inserting:
1 6 <Section 1. Section 321.178, subsection 2,
1 7 paragraph a, Code 2009, is amended to read as follows:
1 8 a. (1) A person between sixteen and eighteen
1 9 years of age who has completed an approved driver's
1 10 education course and is not in attendance at school
1 11 and has not met the requirements described in section
1 12 299.2, subsection 1, may be issued a restricted license
1 13 only for travel to and from work or to transport
1 14 dependents to and from temporary care facilities,
1 15 if necessary for the person to maintain the person's
1 16 present employment. The restricted license shall be
1 17 issued by the department only upon confirmation of the
1 18 person's employment and need for a restricted license
1 19 to travel to and from work or to transport dependents
1 20 to and from temporary care facilities if necessary to
1 21 maintain the person's employment. The employer shall
1 22 notify the department if the employment of the person
1 23 is terminated before the person attains the age of
1 24 eighteen.
1 25 (2) A person issued a restricted license under
1 26 this section shall not use an electronic communication
1 27 device or an electronic entertainment device while
1 28 driving a motor vehicle unless the motor vehicle is at
1 29 a complete stop off the roadway. This subparagraph
1 30 does not apply to the use of electronic equipment which
1 31 is permanently installed in the motor vehicle or to a
1 32 portable device which is operated through permanently
1 33 installed equipment.>
1 34 #2. Page 3, after line 9 by inserting:
1 35 <Sec. _____. Section 321.180B, Code Supplement 2009,
1 36 is amended by adding the following new subsection:
1 37 NEW SUBSECTION. 6A. A person issued an instruction
1 38 permit or intermediate driver's license under this
1 39 section shall not use an electronic communication
1 40 device or an electronic entertainment device while
1 41 driving a motor vehicle unless the motor vehicle is
1 42 at a complete stop off the roadway. This subsection
1 43 does not apply to the use of electronic equipment which
1 44 is permanently installed in the motor vehicle or to a
1 45 portable device which is operated through permanently
1 46 installed equipment.>
1 47 #3. Page 3, line 11, by striking <paragraph:> and
1 48 inserting <paragraphs:>
1 49 #4. Page 3, line 12, by striking <Ob.> and inserting
1 50 c.>



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House Amendment 8290 continued

2 1 #5. Page 3, after line 20 by inserting:
2 2 <NEW PARAGRAPH. d. A person issued a driver's
2 3 license under this section shall not use an electronic
2 4 communication device or an electronic entertainment
2 5 device while driving a motor vehicle unless the motor
2 6 vehicle is at a complete stop off the roadway. This
2 7 paragraph does not apply to the use of electronic
2 8 equipment which is permanently installed in the motor
2 9 vehicle or to a portable device which is operated
2 10 through permanently installed equipment.
2 11 Sec. ____ . NEW SECTION. 321.238 Use of electronic
2 12 devices while driving == preemption of local
2 13 legislation.
2 14 The provisions of sections 321.178, 321.180B, and
2 15 321.194 restricting the use of electronic communication
2 16 devices and electronic entertainment devices by certain
2 17 motor vehicle operators shall be implemented uniformly
2 18 throughout the state. Such provisions shall preempt
2 19 any county or municipal ordinance regarding the use
2 20 of an electronic communication device or electronic
2 21 entertainment device by a motor vehicle operator. In
2 22 addition, a county or municipality shall not adopt
2 23 or continue in effect an ordinance regarding the use
2 24 of an electronic communication device or electronic
2 25 entertainment device by a motor vehicle operator.>
2 26 #6. Title page, lines 1 and 2, by striking
2 27 <licenses> and inserting <licenses, minor's restricted
2 28 licenses,>
2 29 #7. Title page, line 2, by striking <licenses,
2 30 making a penalty> and inserting <licenses and to the
2 31 use of certain electronic devices by motor vehicle
2 32 operators, making penalties>
2 33 #8. By renumbering as necessary.>

RAECKER of Polk
SF2150.1728 (3) 83
dea/nh



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House Amendment 8291

PAG LIN

1 1 Amend Senate File 2254, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, after line 24 by inserting:
1 4 <Sec. _____. Section 331.552, subsections 34, 35, and
1 5 36, Code 2009, are amended to read as follows:
1 6 34. Destroy tax sale redemption certificates and
1 7 all associated tax sale records after ten years have
1 8 elapsed from the end of the fiscal year in which the
1 9 certificate was redeemed. If a tax sale certificate
1 10 of purchase is cancelled as required by section 446.37
1 11 or 448.1, all associated tax sale records shall be
1 12 destroyed after ten years have elapsed from the end
1 13 of the fiscal year in which the tax sale certificate
1 14 of purchase was cancelled. This subsection applies
1 15 to documents described in this subsection that are in
1 16 existence before, on, or after July 1, 2003.
1 17 35. Destroy special assessment records required
1 18 by section 445.11 within the county system after ten
1 19 years have elapsed from the end of the fiscal year in
1 20 which the special assessment was paid in full. The
1 21 county treasurer shall also destroy the resolution of
1 22 necessity, plat, and schedule of assessments required
1 23 by section 384.51 after ten years have elapsed from the
1 24 end of the fiscal year in which the entire schedule was
1 25 paid in full. This subsection applies to documents
1 26 described in this subsection that are in existence
1 27 before, on, or after July 1, 2003.
1 28 36. Destroy mobile home and manufactured home tax
1 29 lists after ten years have elapsed from the end of
1 30 the fiscal year in which the list was created. This
1 31 subsection applies to mobile home and manufactured home
1 32 tax lists and associated documents in existence before,
1 33 on, or after July 1, 2003.
1 34 Sec. _____. Section 331.559, subsections 15 and 20,
1 35 Code 2009, are amended to read as follows:
1 36 15. Maintain a suspended tax list book as provided
1 37 in section 427.12. After ten years from the date of
1 38 payment, abatement, or cancellation of a suspended
1 39 tax, special assessment, rate, or charge, the county
1 40 treasurer may dispose of the official record of the
1 41 suspended tax, special assessment, rate, or charge.
1 42 This subsection applies to official records and
1 43 associated documents in existence before, on, or after
1 44 July 1, 2003.
1 45 20. Carry out duties relating to the preparation
1 46 and correction of the tax list as provided in chapter
1 47 443. After ten years from the date of receipt, the
1 48 county treasurer may dispose of the tax list delivered
1 49 to the county treasurer pursuant to chapter 443.
1 50 This subsection applies to tax lists and associated



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House Amendment 8291 continued

2 1 documents in existence before, on, or after July 1,
2 2 2003.>
2 3 #2. Title page, line 3, after <districts> by
2 4 inserting <and to keep certain records>
2 5 #3. By renumbering as necessary.

COMMITTEE ON LOCAL GOVERNMENTGASKILL of Wapello, Chairperson
SF2254.1357 (5) 83
da/sc



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House Amendment 8292

PAG LIN

- 1 1 Amend House File 2502 as follows:
- 1 2 #1. By striking page 15, line 26, through page 16,
- 1 3 line 9.
- 1 4 #2. By renumbering as necessary.

PETTENGILL of Benton

DRAKE of Cass
HF2502.1311 (3) 83
ec/sc



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House Amendment 8293

PAG LIN

1 1 Amend Senate File 2156, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 5, by striking lines 12 and 13 and
1 4 inserting <All premiums shall be paid on the last day
1 5 of the month of coverage. The department shall deduct
1 6 the>

COMMITTEE ON HUMAN RESOURCESMITH of Marshall, Chairperson
SF2156.1232 (4) 83
pf/nh



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House Amendment 8294

PAG LIN

1 1 Amend House File 2502 as follows:
1 2 #1. Page 13, lines 25 and 26, by striking <for
1 3 members in regular service>
1 4 #2. Page 13, line 27, by striking <~~one-half~~ one> and
1 5 inserting <one-half>

PETTENGILL of Benton

DRAKE of Cass
HF2502.1307 (2) 83
ec/sc



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House Amendment 8295

PAG LIN

1 1 Amend House File 2502 as follows:
1 2 #1. By striking page 23, line 35, through page 25,
1 3 line 26.
1 4 #2. Page 26, line 22, by striking <ADVISORY
1 5 COMMITTEE> and inserting <BOARD>
1 6 #3. Page 26, line 23, by striking <benefits advisory
1 7 committee> and inserting <board of trustees>
1 8 #4. Page 26, lines 24 and 25, by striking <, as
1 9 enacted by this division of this Act,>
1 10 #5. Page 26, lines 32 and 33, by striking <benefits
1 11 advisory committee> and inserting <board of trustees>
1 12 #6. By renumbering as necessary.

PETTENGILL of Benton

DRAKE of Cass
HF2502.1308 (3) 83
ec/sc



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House Amendment 8296

PAG LIN

1 1 Amend Senate File 2288, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 4, after line 14 by inserting:
1 4 <Sec. ____ Section 256.11, subsection 9, Code
1 5 Supplement 2009, is amended to read as follows:
1 6 9. ~~Beginning July 1, 2006, each~~ Each school
1 7 district shall have a qualified teacher librarian
1 8 who shall be licensed by the board of educational
1 9 examiners under chapter 272. The state board shall
1 10 establish in rule a definition of and standards for
1 11 an articulated sequential kindergarten through grade
1 12 twelve media program. A school district that entered
1 13 into a contract with an individual for employment as a
1 14 media specialist or librarian prior to June 1, 2006,
1 15 shall be considered to be in compliance with this
1 16 subsection until June 30, 2011, if the individual is
1 17 making annual progress toward meeting the requirements
1 18 for a teacher librarian endorsement issued by the
1 19 board of educational examiners under chapter 272. A
1 20 school district that entered into a contract with an
1 21 individual for employment as a media specialist or
1 22 librarian who holds at least a master's degree in
1 23 library and information studies shall be considered
1 24 to be in compliance with this subsection until the
1 25 individual leaves the employ of the school district. A
1 26 school district may retain within its library program
1 27 library books regardless of their age.>
1 28 #2. By renumbering as necessary.

COWNIE of Polk
SF2288.1705 (3) 83
kh/sc



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House Amendment 8297

PAG LIN

1 1 Amend the amendment, H=8157, to House File 2462 as
1 2 follows:
1 3 #1. Page 1, by striking lines 2 through 12 and
1 4 inserting:
1 5 <____. Page 1, lines 11 and 12, by striking <, and
1 6 computer software>>
1 7 #2. By renumbering as necessary.

RAECKER of Polk
HF2462.1752 (2) 83
ak/nh



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House Amendment 8298

PAG LIN

1 1 Amend House File 2494 as follows:
1 2 #1. Page 2, line 17, by striking <is a practicing>
1 3 and inserting <as an obstetrician or>
1 4 #2. Page 2, by striking lines 23 through 25 and
1 5 inserting <midwives; and two members who shall
1 6 represent the general public and who are not licensed
1 7 as a midwife, physician, or nurse.>
1 8 #3. Page 3, line 8, after <periods> by inserting <,
1 9 including newborn care up to six weeks,>
1 10 #4. Page 3, line 22, by striking <2011> and
1 11 inserting <2012>
1 12 #5. Page 3, line 26, after <shall> by inserting
1 13 <meet minimum education requirements and>
1 14 #6. Page 3, line 32, after <resuscitation.> by
1 15 inserting <Applicants must also hold a certified
1 16 professional midwife credential issued by the north
1 17 American registry of midwives or any other nationally
1 18 accredited credential as specified by the board. If
1 19 an applicant has been subject to prior revocation of a
1 20 license to practice medicine or nursing, the applicant
1 21 is not eligible for licensure under this chapter,
1 22 unless the applicant makes a satisfactory appeal to the
1 23 board.
1 24 In reviewing applications, the board may request,
1 25 at the applicant's expense, that the department of
1 26 public safety perform a criminal history check and
1 27 the department of human services perform child and
1 28 dependent adult abuse record checks of the applicant.
1 29 If an applicant has a criminal record or a record of
1 30 founded child or dependent adult abuse, the board shall
1 31 perform an evaluation to determine whether the record
1 32 warrants denial of licensure.>
1 33 #7. Page 4, after line 3 by inserting:
1 34 <Sec. _____. NEW SECTION. 148F.3A Insurance.
1 35 If the board determines that liability insurance is
1 36 available at an affordable price to licensed midwives,
1 37 the board may mandate such coverage by rule. Until
1 38 that time, a licensed midwife shall provide each
1 39 client with a disclosure statement indicating that the
1 40 midwife does not have liability insurance as provided
1 41 in section 148F.5.>
1 42 #8. Page 4, line 16, after <midwife,> by inserting
1 43 <as specified in section 148F.2,>
1 44 #9. Page 4, by striking lines 25 through 28.
1 45 #10. Page 4, line 33, by striking <shall> and
1 46 inserting <may>
1 47 #11. Page 5, by striking lines 6 through 13 and
1 48 inserting:
1 49 <3. In establishing rules, the board shall reflect
1 50 the knowledge and skills identified by the north



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House Amendment 8298 continued

2 1 American registry of midwives' current job description
2 2 for the profession and the standards of practice of
2 3 midwifery established by the national association
2 4 of certified professional midwives or a successor
2 5 organization.>
2 6 #12. Page 5, line 16, after <information> by
2 7 inserting <, in a manner determined by the board by
2 8 rule,>
2 9 #13. Page 6, line 4, by striking <2011> and
2 10 inserting <2012>
2 11 #14. Page 6, by striking lines 13 through 21.
2 12 #15. Page 7, line 16, by striking <2011> and
2 13 inserting <2012>
2 14 #16. By renumbering as necessary.

MASCHER of Johnson
HF2494.1748 (2) 83
jr/nh



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House Amendment 8299

PAG LIN

1 1 Amend Senate File 2243, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 3, after line 1 by inserting:
1 4 <Sec. ____ DEER LICENSE STUDY.
1 5 1. The legislative services agency shall prepare a
1 6 study to determine the economic impact of increasing
1 7 the number of antlered and antlerless deer hunting
1 8 licenses available for sale to nonresidents who own
1 9 Iowa farmland.
1 10 2. To the extent practicable, the study shall
1 11 estimate the potential revenue to the state by
1 12 increasing the number of such licenses and shall
1 13 estimate the impact on the deer population.
1 14 3. The legislative services agency shall submit
1 15 the results of the study to the legislative council by
1 16 January 1, 2011.>
1 17 #2. By renumbering as necessary.

PETTENGILL of Benton

HANSON of Jefferson
SF2243.1745 (3) 83
av/nh



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House Amendment 8300

PAG LIN

1 1 Amend House File 2481 as follows:
1 2 #1. Page 28, after line 15 by inserting:
1 3 <Sec. ____ DEER LICENSE STUDY.
1 4 1. The legislative services agency shall prepare a
1 5 study to determine the economic impact of increasing
1 6 the number of antlered and antlerless deer hunting
1 7 licenses available for sale to nonresidents who own
1 8 Iowa farmland.
1 9 2. To the extent practicable, the study shall
1 10 estimate the potential revenue to the state by
1 11 increasing the number of such licenses and shall
1 12 estimate the impact on the deer population.
1 13 3. The legislative services agency shall submit
1 14 the results of the study to the legislative council by
1 15 January 1, 2011.>
1 16 #2. By renumbering as necessary.

PETTENGILL of Benton

HANSON of Jefferson
HF2481.1744 (5) 83
av/nh



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House File 2511 - Introduced

HOUSE FILE
BY BAILEY

A BILL FOR

1 An Act relating to the repayment under certain circumstances
2 of tax credits received for increasing research activities
3 in the state and including effective date and retroactive
4 applicability provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 6029YH (1) 83
tw/sc



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House File 2511 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 422.10A Repayment of tax credits.
1 2 1. A taxpayer meeting the conditions described in
1 3 subsection 2 shall repay the amount of any tax credits received
1 4 in the prior tax year under any of the following:
1 5 a. Section 15.335.
1 6 b. Section 15A.9, subsection 8.
1 7 c. Section 422.10.
1 8 d. Section 422.33, subsection 5.
1 9 2. A taxpayer is subject to subsection 1 if all of the
1 10 following conditions exist:
1 11 a. The taxpayer is a business operating in the state
1 12 currently and during the prior tax year.
1 13 b. The taxpayer has relocated more than half of the
1 14 full-time equivalent positions based in this state during the
1 15 prior tax year to a foreign country. For purposes of this
1 16 subsection, "full-time equivalent position" means the same as
1 17 defined in section 15G.101.
1 18 3. A taxpayer meeting the conditions of subsection 2 is
1 19 ineligible to receive the tax credits described in subsection 1
1 20 for a period of three tax years beginning with the tax year in
1 21 which the taxpayer was first subject to repayment.
1 22 Sec. 2. EFFECTIVE UPON ENACTMENT AND RETROACTIVE
1 23 APPLICABILITY. This Act, being deemed of immediate importance,
1 24 takes effect upon enactment and applies retroactively to
1 25 January 1, 2010, for tax years beginning on or after that date.

1 26 EXPLANATION

1 27 This bill requires a business that has received a research
1 28 activities tax credit to repay the amount of that credit if the
1 29 business relocates more than half of its full-time equivalent
1 30 positions to a foreign country. The bill also prohibits such a
1 31 business from receiving a research activities tax credit for
1 32 three tax years.

1 33 The bill takes effect upon enactment and applies
1 34 retroactively to January 1, 2010, for tax years beginning on
1 35 or after that date.

LSB 6029YH (1) 83

/sc



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House Resolution 118 - Introduced

PAG LIN

HOUSE RESOLUTION NO.

BY D. OLSON

1 1 A Resolution to commemorate the construction and
1 2 opening of the new Kate Shelley high bridge and to
1 3 recognize March 9, 2010, as Railroad Day in Iowa.
1 4 WHEREAS, the original Kate Shelley high bridge is
1 5 the namesake of Kate Shelley, who in 1881 as a young
1 6 woman risked her life crossing a shattered bridge on a
1 7 stormy night to warn of an approaching locomotive, thus
1 8 averting a tragedy and creating a legend that endures
1 9 to this day; and
1 10 WHEREAS, built in 1901, the original Kate Shelley
1 11 high bridge was the longest and most wondrous railway
1 12 bridge in the world; and
1 13 WHEREAS, for over 100 years, the bridge, itself
1 14 an engineering marvel, brought commerce, employment
1 15 opportunities and prosperity to the people of central
1 16 Iowa; and
1 17 WHEREAS, the promise, prosperity, and progress that
1 18 the original Kate Shelley high bridge brought to Iowa
1 19 has now been renewed with the completion of the new
1 20 Kate Shelley high bridge; and
1 21 WHEREAS, the new Kate Shelley high bridge is one
1 22 of North America's tallest double-track railroad
1 23 bridges; and
1 24 WHEREAS, the bridge, which spans the Des Moines
1 25 River, is more than 2,800 feet long and 190 feet
1 26 high, and represents an investment of more than \$50
1 27 million; NOW THEREFORE,
1 28 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That



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House Resolution 118 - Introduced continued

2 1 the House of Representatives honors those remarkable
2 2 twin bridges, the original and the new Kate Shelley
2 3 high bridge, and recognizes Tuesday, March 9, 2010, as
2 4 Railroad Day in Iowa.

LSB 6229HH (1) 83

jr/rj



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Senate Amendment 5165

PAG LIN

1 1 Amend Senate File 2354 as follows:
1 2 #1. Page 1, by striking lines 12 and 13 and
1 3 inserting <expenditure, shall obtain the approval of
1 4 shareholders whose holdings represent a majority of the
1 5 corporation's outstanding shares for any independent
1 6 expenditure>
1 7 #2. Page 1, line 15, after <services.> by inserting
1 8 <This approval shall not include any vote made by proxy
1 9 and is required for each individual candidate to be
1 10 supported or opposed, for each ballot measure, and for
1 11 the amount of the independent expenditure.
1 12 a. The approval ballot shall identify the total
1 13 amount of the expenditure for each candidate and each
1 14 ballot measure and allow each shareholder to opt out of
1 15 participating in the expenditure for each candidate or
1 16 ballot measure.
1 17 b. If a particular expenditure is approved by a
1 18 vote representing a majority of the outstanding shares,
1 19 the amount of that expenditure shall be reduced by the
1 20 percent of the shares voted against the expenditure as
1 21 a fraction of the total shares voted. That portion of
1 22 the expenditure shall be paid over to the dissenting
1 23 shareholders, on a per=share basis.
1 24 c. An equity=owning trust or investment fund of
1 25 the state or any unit of local government, including
1 26 foundations associated with any of the regents
1 27 institutions and any affiliated foundations eligible
1 28 for state tax credits for donations shall always vote
1 29 against any proposed political expenditure of any
1 30 corporation in which they hold stock and shall exercise
1 31 the option to opt out of all such expenditures.>

HERMAN C. QUIRMBACH
SF2354.1471 (3) 83
jr/rj



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Senate Amendment 5166

PAG LIN

1 1 Amend Senate File 2290 as follows:
1 2 #1. Page 1, after line 20 by inserting:
1 3 <c. This subsection shall only be utilized by
1 4 a school district if the department of management
1 5 determines that the district has an assessed property
1 6 tax valuation per pupil below the statewide average
1 7 assessed property tax valuation per pupil.>

STEVE WARNSTADT
SF2290.1681 (2) 83
ak/sc



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Senate Amendment 5167

PAG LIN

1 1 Amend Senate File 2290 as follows:
1 2 #1. Page 1, after line 20 by inserting:
1 3 <c. This subsection shall only be utilized by
1 4 a school district if the department of management
1 5 determines that the rate of property tax levied by the
1 6 district per one thousand dollars of assessed valuation
1 7 for school funding purposes exceeds the statewide
1 8 average rate of property tax levied by school districts
1 9 per one thousand dollars of assessed valuation for
1 10 school funding purposes.>

STEVE WARNSTADT
SF2290.1682 (2) 83
ak/sc



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Senate Amendment 5168

PAG LIN

1 1 Amend Senate File 2356 as follows:
1 2 #1. By striking page 1, line 1, through page 7, line
1 3 14, and inserting:
1 4 <DIVISION I
1 5 PREMIUM ASSISTANCE PROGRAM AND IOWACARE PROGRAM CHANGES
1 6 Section 1. PREMIUM ASSISTANCE PROGRAM == STUDY ==
1 7 REPORT. The legislative council is requested
1 8 to establish an interim study committee to evaluate
1 9 options for establishing a premium assistance program
1 10 to provide health care coverage to individuals
1 11 nineteen through sixty-four years of age who have
1 12 family incomes above two hundred percent but not
1 13 in excess of three hundred percent of the federal
1 14 poverty level. The committee shall be comprised of
1 15 members representing the interests of Iowa insurers,
1 16 independent insurance agents, large and small
1 17 employers, health care providers, and consumers. In
1 18 addition, the commissioner of insurance, director of
1 19 human services, and director of public health, or a
1 20 designee of each, shall act as ex officio, nonvoting
1 21 members of the committee. The committee shall submit a
1 22 report, including its findings and recommendations, to
1 23 the general assembly by December 15, 2010.>
1 24 #2. Title page, lines 1 and 2, by striking <creating
1 25 an IowaCare plus program and> and inserting <providing
1 26 for options for health care coverage including a
1 27 premium assistance program study and IowaCare program
1 28 changes and creating>

THOMAS RIELLY
SF2356.1658 (7) 83
pf/rj



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Senate Amendment 5169

PAG LIN

1 1 Amend Senate File 2290 as follows:
1 2 #1. Page 1, after line 20 by inserting:
1 3 <c. This subsection shall only be implemented in
1 4 any school budget year in which the regular program
1 5 foundation base pursuant to section 257.1 is one
1 6 hundred percent.>
1 7 #2. Page 2, by striking lines 11 and 12.
1 8 #3. Title page, line 2, by striking <effective date>
1 9 and inserting <contingent implementation>

STEVE WARNSTADT
SF2290.1686 (2) 83
ak/sc



Iowa General Assembly
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Senate Amendment 5170

PAG LIN

1 1 Amend Senate File 2197 as follows:
 1 2 #1. Page 1, after line 9 by inserting:
 1 3 <Sec. _____. Section 728.5, Code 2009, is amended to
 1 4 read as follows:
 1 5 728.5 Public indecent exposure in certain
 1 6 establishments.
 1 7 1. An owner, manager, or person who exercises
 1 8 direct control over a place of business required to
 1 9 obtain a sales tax permit shall be guilty of a serious
 1 10 misdemeanor under any of the following circumstances:
 1 11 ~~1. a.~~ If such person allows or permits the actual
 1 12 or simulated public performance of any sex act upon or
 1 13 in such place of business.
 1 14 ~~2. b.~~ If such person allows or permits the
 1 15 exposure of the genitals or buttocks or female breast
 1 16 of any person who acts as a waiter or waitress.
 1 17 ~~3. c.~~ If such person allows or permits the
 1 18 exposure of the genitals or female breast nipple of any
 1 19 person who acts as an entertainer, whether or not the
 1 20 owner of the place of business in which the activity
 1 21 is performed employs or pays any compensation to such
 1 22 person to perform such activity.
 1 23 ~~4. d.~~ If such person allows or permits any person
 1 24 to remain in or upon the place of business who exposes
 1 25 to public view the person's genitals, pubic hair, or
 1 26 anus.
 1 27 ~~5. e.~~ If such person advertises that any activity
 1 28 prohibited by this section is allowed or permitted in
 1 29 such place of business.
 1 30 ~~6. f.~~ If such person allows or permits a minor to
 1 31 engage in or otherwise perform in a live act intended
 1 32 to arouse or satisfy the sexual desires or appeal to
 1 33 the prurient interests of patrons.
 1 34 2. However, if such person allows or permits a
 1 35 minor to participate in any act included in ~~subsections~~
 1 36 ~~1 through 4~~ subsection 1, paragraphs "a" through
 1 37 "d", the person shall be guilty of an aggravated
 1 38 misdemeanor.
 1 39 3. ~~The~~ Except for subsection 1, paragraph "f",
 1 40 the provisions of this section shall not apply to
 1 41 a theater, concert hall, art center, museum, or
 1 42 similar establishment which is primarily devoted to
 1 43 the arts or theatrical performances and in which any
 1 44 of the circumstances contained in this section were
 1 45 permitted or allowed as part of such art exhibits or
 1 46 performances.>
 1 47 #2. Title page, by striking lines 1 through 3 and
 1 48 inserting <An Act relating to the enforcement of
 1 49 criminal law provisions including providing false
 1 50 identification information and public indecent exposure



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Senate Amendment 5170 continued

- 2 1 and providing penalties.>
- 2 2 #3. By renumbering as necessary.

KEITH A. KREIMAN
SF2197.1704 (3) 83
rh/nh



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Senate Amendment 5171

PAG LIN

1 1 Amend Senate File 2364 as follows:
1 2 #1. Page 2, before line 7 by inserting:
1 3 <Sec. ____ . NEW SECTION. 422.12G Joint income tax
1 4 refund checkoff for veterans trust fund and volunteer
1 5 fire fighter preparedness fund.
1 6 1. A person who files an individual or a joint
1 7 income tax return with the department of revenue under
1 8 section 422.13 may designate one dollar or more to
1 9 be paid jointly to the veterans trust fund created
1 10 in section 35A.13 and to the volunteer fire fighter
1 11 preparedness fund created in section 100B.13. If the
1 12 refund due on the return or the payment remitted with
1 13 the return is insufficient to pay the additional amount
1 14 designated by the taxpayer, the amount designated
1 15 shall be reduced to the remaining amount of refund or
1 16 the remaining amount remitted with the return. The
1 17 designation of a contribution under this section is
1 18 irrevocable.
1 19 2. The director of revenue shall draft the income
1 20 tax form to allow the designation of contributions
1 21 to the veterans trust fund and to the volunteer fire
1 22 fighter preparedness fund as one checkoff on the
1 23 tax return. The department of revenue, on or before
1 24 January 31, shall transfer one-half of the total
1 25 amount designated on the tax return forms due in the
1 26 preceding calendar year to the veterans trust fund and
1 27 the remaining one-half to the volunteer fire fighter
1 28 preparedness fund. However, before a checkoff pursuant
1 29 to this section shall be permitted, all liabilities on
1 30 the books of the department of administrative services
1 31 and accounts identified as owing under section 8A.504
1 32 and the political contribution allowed under section
1 33 68A.601 shall be satisfied.
1 34 3. The department of revenue shall adopt rules to
1 35 administer this section.
1 36 4. This section is subject to repeal under section
1 37 422.12E.
1 38 Sec. ____ . REPEAL. Section 422.12L, Code 2009, is
1 39 repealed.>
1 40 #2. Title page, by striking lines 1 through 3 and
1 41 inserting <An Act relating to income tax checkoffs for
1 42 the child abuse prevention program fund, the veterans
1 43 trust fund, and the volunteer fire fighter preparedness
1 44 fund and including retroactive applicability
1 45 provisions.>
1 46 #3. By renumbering as necessary.

JEFF DANIELSON

TOM HANCOCK



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SF2364.1706 (3) 83
tw/sc



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Senate Amendment 5172

PAG LIN

1 1 Amend House File 2294, as passed by the House, as
1 2 follows:
1 3 #1. Page 1, line 6, by striking <administered> and
1 4 inserting <developed>
1 5 #2. Page 1, line 7, after <services> by inserting
1 6 <and administered locally within the designated
1 7 disaster area>

COMMITTEE ON REBUILD IOWA
ROBERT HOGG, CHAIRPERSON
HF2294.1404 (5) 83
tm/nh



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Senate Amendment 5173

PAG LIN

1 1 Amend the amendment, S=5138, to Senate File 2354 as
1 2 follows:

1 3 #1. By striking page 1, line 38, through page 2,
1 4 line 10, and inserting: <<

1 5 2. a. An entity, other than an individual or
1 6 individuals, shall not make an independent expenditure
1 7 or disburse funds from its treasury to pay for, in
1 8 whole or in part, an independent expenditure made by
1 9 another person without authorization, by a majority
1 10 vote of the individuals eligible to elect a board of
1 11 directors, executive council, or similar organizational
1 12 leadership body, of the use of treasury funds for an
1 13 independent expenditure involving a candidate or ballot
1 14 issue committee. Such authorization must occur in the
1 15 same calendar year in which the independent expenditure
1 16 is incurred.

1 17 An entity that does not elect a board of directors,
1 18 executive council, or similar organizational leadership
1 19 body shall not make an independent expenditure, or
1 20 disburse funds from its treasury to pay for, in whole
1 21 or in part, an independent expenditure made by another
1 22 person without express authorization by an individual,
1 23 board, council, or similar leadership body with
1 24 authority to expend the entity's funds.

1 25 b. Such authorization shall expressly provide
1 26 whether the board of directors, executive council, or
1 27 similar organizational leadership body is authorized
1 28 by its eligible voters, if any, to make one or more
1 29 independent expenditures that expressly advocate the
1 30 nomination or election of a candidate or passage of
1 31 a ballot issue or is authorized to make one or more
1 32 independent expenditures that expressly advocate the
1 33 defeat of a candidate or ballot issue.

1 34 c. A foreign national shall not make an independent
1 35 expenditure, directly or indirectly, that advocates the
1 36 nomination, election, or defeat of any candidate or
1 37 the passage or defeat of any ballot issue. A foreign
1 38 national shall not be eligible to vote to authorize an
1 39 independent expenditure. As used >>

1 40 #2. Page 3, by striking lines 15 through 21 and
1 41 inserting: <<

1 42 g. A certification that eligible voters expressly
1 43 authorized the board of directors, executive council,
1 44 or similar organizational leadership body to make an
1 45 independent expenditure or use treasury funds for an
1 46 independent expenditure within the calendar year in
1 47 which the independent expenditure was incurred. >>



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dea/nh



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Senate Amendment 5175

PAG LIN

1 1 Amend Senate File 2333 as follows:

1 2 #1. Page 1, after line 34 by inserting:

1 3 <Sec. _____. Section 235E.2, subsection 1, paragraph
1 4 a, Code Supplement 2009, is amended to read as follows:

1 5 a. The department shall receive and evaluate
1 6 reports of dependent adult abuse in facilities and
1 7 programs. The department shall inform the department
1 8 of human services of such evaluations and dispositions
1 9 for inclusion in and those individuals who should be
1 10 placed on the central registry for dependent adult
1 11 abuse information pursuant to section ~~235E.5.~~ 235E.7.

1 12 If the department believes the situation involves
1 13 an immediate danger to the public health, safety,
1 14 or welfare requiring immediate agency action to
1 15 seek emergency placement on the central registry,
1 16 the department may utilize emergency adjudicative
1 17 proceedings pursuant to section 17A.18A.

1 18 Sec. _____. Section 235E.2, subsection 10, Code
1 19 Supplement 2009, is amended to read as follows:

1 20 10. The department shall adopt rules which require
1 21 facilities and programs to separate an alleged
1 22 dependent adult abuser from a victim following an
1 23 allegation of perpetration of dependent adult abuse
1 24 and prior to the completion of an investigation of
1 25 the allegation. Independent of the department's
1 26 investigation, the facility or program employing
1 27 the alleged dependent adult abuser shall conduct an
1 28 investigation of the alleged dependent adult abuse and
1 29 determine, what, if any, employment action should be
1 30 taken including but not limited to placing the alleged
1 31 dependent adult abuser on administrative leave or
1 32 reassigning or terminating the alleged dependent adult
1 33 abuser as a result of the department's investigation.

1 34 If the facility or program terminates the alleged
1 35 dependent adult abuser as a result of the department's
1 36 investigation, the alleged dependent adult abuser shall
1 37 disclose such termination to any prospective facility
1 38 or program employer.>

1 39 #2. Page 2, by striking lines 16 through 21 and
1 40 inserting <dependent adult abuse. Prior to the
1 41 interview, the department shall provide written
1 42 notification to the person under investigation
1 43 for dependent adult abuse that the person is under
1 44 investigation for dependent adult abuse, the
1 45 fact situation and the nature of the abuse being
1 46 investigated, the possible civil consequences of
1 47 founded abuse, the requirement that the department
1 48 forward a report to law enforcement if the department's
1 49 investigation reveals a potential criminal offense,
1 50 that the person has the right to retain legal counsel



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Senate Amendment 5175 continued

2 1 at the person's expense and may choose to have legal
2 2 counsel, union representation, or any other desired
2 3 representative employed by the facility present during
2 4 the interview, and the fact that the person has the
2 5 right to decline to be interviewed or to terminate an
2 6 interview at any time. The person under investigation
2 7 shall inform the department of the representatives
2 8 desired to be present during the interview and not
2 9 unreasonably delay the interview to organize their
2 10 representatives' presence at the interview. An

2 11 inspector may take or cause>

2 12 #3. By striking page 2, line 28, through page 3,
2 13 line 30, and inserting:

2 14 <Sec. ____ . NEW SECTION. 235E.6 Dependent adult
2 15 abuse finding == notification to employer and employee.

2 16 Upon a finding of founded dependent adult abuse
2 17 by a caretaker, the department shall provide written
2 18 notification of the department's findings to the
2 19 caretaker and the caretaker's employer. In addition,
2 20 the written notification shall detail the consequences
2 21 of the findings and placement on the dependent adult
2 22 abuse registry, the caretaker's appeal rights, and
2 23 include a separate appeal request form. The written
2 24 appeal request form shall clearly set forth that the
2 25 caretaker shall not be placed on the dependent adult
2 26 abuse registry until final agency action is taken if an
2 27 appeal is filed within fifteen days.

2 28 Sec. ____ . NEW SECTION. 235E.7 Appeal process ==
2 29 dependent adult abuse.

2 30 1. Upon the department's finding of dependent adult
2 31 abuse, the caretaker shall file an appeal request with
2 32 the department within fifteen days of receiving the
2 33 notification of the finding of abuse. If a request
2 34 for an appeal is filed within fifteen days of the
2 35 notification of the finding, the department shall not
2 36 place the caretaker on the registry until final agency
2 37 action is taken. For a request for an appeal filed
2 38 within fifteen days of the notification of the finding,
2 39 the contested case hearing shall be held within sixty
2 40 days of the request. The caretaker may extend the
2 41 hearing timeframe by thirty days one time. Additional
2 42 requests for an extension must be agreed upon by
2 43 all parties or for good cause. The department shall
2 44 issue a determination of final agency action within
2 45 forty-five days of the contested case hearing. Upon
2 46 final agency action, further appeal rights shall be
2 47 governed by chapter 17A.

2 48 2. If a caretaker fails to request an appeal within
2 49 fifteen days, the caretaker shall have an additional
2 50 forty-five days to file an appeal pursuant to chapter



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Senate Amendment 5175 continued

3 1 17A. However, the caretaker's name shall be placed on
3 2 the registry pending the outcome of the appeal.
3 3 3. If the caretaker requests an appeal within
3 4 fifteen days, the caretaker may waive the expedited
3 5 hearing under subsection 1 to proceed under chapter
3 6 17A, but the caretaker's name shall be placed on the
3 7 registry pending the outcome of the appeal.
3 8 Sec. ____ . STUDY. The legislative council is
3 9 requested to establish an interim study committee to
3 10 evaluate due process requirements relating to child
3 11 abuse and dependent adult abuse under Code chapters
3 12 235A and 235B. The committee shall issue a report of
3 13 its recommendations to the general assembly by January
3 14 15, 2011.>
3 15 #4. By renumbering as necessary.

WILLIAM DOTZLER
SF2333.1708 (5) 83
rh/nh



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Senate Study Bill 3238

SENATE/HOUSE FILE
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
JOINT APPROPRIATIONS
SUBCOMMITTEE ON
ADMINISTRATION AND
REGULATION)

A BILL FOR

1 An Act relating to and making appropriations to certain state
2 departments, agencies, funds, and certain other entities,
3 providing for regulatory authority, and other properly
4 related matters.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5087JB (1) 83
ec/tm



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Senate Study Bill 3238 continued

2 1 realized.

2 2 2. Members of the general assembly serving as members of
2 3 the deferred compensation advisory board shall be entitled
2 4 to receive per diem and necessary travel and actual expenses
2 5 pursuant to section 2.10, subsection 5, while carrying out
2 6 their official duties as members of the board.

2 7 3. Any funds and premiums collected by the department for
2 8 workers' compensation shall be segregated into a separate
2 9 workers' compensation fund in the state treasury to be used
2 10 for payment of state employees' workers' compensation claims
2 11 and administrative costs. Notwithstanding section 8.33,
2 12 unencumbered or unobligated moneys remaining in this workers'
2 13 compensation fund at the end of the fiscal year shall not
2 14 revert but shall be available for expenditure for purposes of
2 15 the fund for subsequent fiscal years.

2 16 4. For the fiscal year beginning July 1, 2010, and ending
2 17 June 30, 2011, the rate set for a service provided solely
2 18 by the department of administrative services as determined
2 19 pursuant to section 8.6, subsection 16, paragraph "c", shall
2 20 not exceed the rate set for that service as of January 1, 2010.

2 21 Sec. 2. REVOLVING FUNDS.

2 22 1. There is appropriated to the department of
2 23 administrative services for the fiscal year beginning July
2 24 1, 2010, and ending June 30, 2011, from the revolving funds
2 25 designated in chapter 8A and from internal service funds
2 26 created by the department such amounts as the department deems
2 27 necessary for the operation of the department consistent with
2 28 the requirements of chapter 8A.

2 29 2. There is appropriated to the information technology
2 30 division of the department of management for the fiscal year
2 31 beginning July 1, 2010, and ending June 30, 2011, from the
2 32 revolving funds designated in chapter 8B and from internal
2 33 service funds created by the division such amounts as the
2 34 division deems necessary for the operation of the division
2 35 consistent with the requirements of chapter 8B.



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Senate Study Bill 3238 continued

3 1 Sec. 3. FUNDING FOR IOWACCESS.

3 2 1. Notwithstanding section 321A.3, subsection 1, for
3 3 the fiscal year beginning July 1, 2010, and ending June 30,
3 4 2011, the first \$1,000,000 collected and transferred by the
3 5 department of transportation to the treasurer of state with
3 6 respect to the fees for transactions involving the furnishing
3 7 of a certified abstract of a vehicle operating record under
3 8 section 321A.3, subsection 1, shall be transferred to the
3 9 IowAccess revolving fund for the purposes of developing,
3 10 implementing, maintaining, and expanding electronic access to
3 11 government records as provided by law.

3 12 2. All fees collected with respect to transactions
3 13 involving IowAccess shall be deposited in the IowAccess
3 14 revolving fund and shall be used only for the support of
3 15 IowAccess projects.

3 16 Sec. 4. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION
3 17 CHARGE. For the fiscal year beginning July 1, 2010, and ending
3 18 June 30, 2011, the monthly per contract administrative charge
3 19 which may be assessed by the department of administrative
3 20 services shall be \$2 per contract on all health insurance plans
3 21 administered by the department.

3 22 Sec. 5. AUDITOR OF STATE.

3 23 1. There is appropriated from the general fund of the state
3 24 to the office of the auditor of state for the fiscal year
3 25 beginning July 1, 2010, and ending June 30, 2011, the following
3 26 amount, or so much thereof as is necessary, to be used for
3 27 the purposes designated, and for not more than the following
3 28 full-time equivalent positions:

3 29	For salaries, support, maintenance, and miscellaneous	
3 30	purposes:	
3 31	.....	\$ 905,468
3 32	.....	FTEs 103.00

3 33 The auditor of state may retain additional full-time
3 34 equivalent positions as is reasonable and necessary to
3 35 perform governmental subdivision audits which are reimbursable



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4 1 pursuant to section 11.20 or 11.21, to perform audits which are
4 2 requested by and reimbursable from the federal government, and
4 3 to perform work requested by and reimbursable from departments
4 4 or agencies pursuant to section 11.5A or 11.5B. The auditor
4 5 of state shall notify the department of management, the
4 6 legislative fiscal committee, and the legislative services
4 7 agency of the additional full-time equivalent positions
4 8 retained.

4 9 2. As a condition of receiving funding appropriated in
4 10 this section, for the fiscal year beginning July 1, 2010, and
4 11 ending June 30, 2011, the auditor shall comply with all of the
4 12 following requirements:

4 13 a. The rates and fees set by the auditor to conduct audits
4 14 for the fiscal year shall not exceed the rates and fees set for
4 15 conducting audits as of January 1, 2009.

4 16 b. The auditor shall not seek reimbursement from
4 17 departments and agencies specified in section 11.5B in an
4 18 amount that exceeds the total amount reimbursed to the auditor
4 19 by those departments and agencies for the fiscal year beginning
4 20 July 1, 2008.

4 21 c. The auditor shall not seek reimbursement from
4 22 governmental subdivisions for audits which are reimbursable
4 23 pursuant to section 11.20 or 11.21 in an amount that exceeds
4 24 the total amount reimbursed to the auditor by governmental
4 25 subdivisions for the fiscal year beginning July 1, 2008.

4 26 d. Notwithstanding any provision of this subsection to the
4 27 contrary, the auditor may seek reimbursement from departments
4 28 and agencies specified in section 11.5B, and governmental
4 29 subdivisions, in an amount that exceeds the total amount
4 30 reimbursed to the auditor by those departments, agencies, or
4 31 governmental subdivisions for the fiscal year beginning July
4 32 1, 2008, for audits required by the federal government and
4 33 reimbursable from federal funds.

4 34 e. For purposes of this subsection, "total amount
4 35 reimbursed" does not include amounts reimbursed for audits



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5 1 required and reimbursed from federal funds.

5 2 Sec. 6. AUDITOR OF STATE == DISCRETIONARY AUDITS. For the

5 3 fiscal year beginning July 1, 2010, and ending June 30, 2011,

5 4 the auditor of state, in addition to any other requirements

5 5 provided in this Act, shall not seek reimbursement from

5 6 departments and agencies specified in section 11.5B for any

5 7 discretionary audit that the auditor initiates or has initiated

5 8 on the auditor's own authority and which is not specifically

5 9 required by statute. Notwithstanding the prohibition contained

5 10 in this section, the auditor shall perform all necessary audit

5 11 duties related to any financial report required to be compiled

5 12 by a department or agency that the auditor has previously

5 13 audited in the normal course of the auditor's duties, whether

5 14 or not such financial report is required by law. Any amounts

5 15 reimbursed in association with such audit shall be limited to

5 16 the amounts reimbursed for the audit of such report during the

5 17 previous reporting period. However, the auditor of state may

5 18 seek reimbursement for the cost of conducting a discretionary

5 19 audit from any moneys recovered pursuant to any criminal or

5 20 civil action arising out of the discretionary audit.

5 21 Sec. 7. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There

5 22 is appropriated from the general fund of the state to the

5 23 Iowa ethics and campaign disclosure board for the fiscal year

5 24 beginning July 1, 2010, and ending June 30, 2011, the following

5 25 amount, or so much thereof as is necessary, for the purposes

5 26 designated:

5 27 For salaries, support, maintenance, and miscellaneous

5 28 purposes, and for not more than the following full-time

5 29 equivalent positions:

5 30	\$	537,256
5 31	FTEs	5.00

5 32 Sec. 8. DEPARTMENT OF COMMERCE.

5 33 1. There is appropriated from the general fund of the

5 34 state to the department of commerce for the fiscal year

5 35 beginning July 1, 2010, and ending June 30, 2011, the following



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6 1 amounts, or so much thereof as is necessary, for the purposes
 6 2 designated:

6 3 a. ALCOHOLIC BEVERAGES DIVISION

6 4 For salaries, support, maintenance, and miscellaneous
 6 5 purposes, and for not more than the following full-time
 6 6 equivalent positions:

6 7	\$	1,786,444
6 8	FTEs	31.00

6 9 b. PROFESSIONAL LICENSING AND REGULATION BUREAU

6 10 For salaries, support, maintenance, and miscellaneous
 6 11 purposes, and for not more than the following full-time
 6 12 equivalent positions:

6 13	\$	810,498
6 14	FTEs	14.00

6 15 2. There is appropriated from the department of commerce
 6 16 revolving fund created in section 546.12 to the department of
 6 17 commerce for the fiscal year beginning July 1, 2010, and ending
 6 18 June 30, 2011, the following amounts, or so much thereof as is
 6 19 necessary, for the purposes designated:

6 20 a. BANKING DIVISION

6 21 For salaries, support, maintenance, and miscellaneous
 6 22 purposes, and for not more than the following full-time
 6 23 equivalent positions:

6 24	\$	8,851,670
6 25	FTEs	80.00

6 26 b. CREDIT UNION DIVISION

6 27 For salaries, support, maintenance, and miscellaneous
 6 28 purposes, and for not more than the following full-time
 6 29 equivalent positions:

6 30	\$	1,727,995
6 31	FTEs	19.00

6 32 c. INSURANCE DIVISION

6 33 (1) For salaries, support, maintenance, and miscellaneous
 6 34 purposes, and for not more than the following full-time
 6 35 equivalent positions:



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7 1 \$ 4,928,244
 7 2 FTEs 103.00
 7 3 (2) The insurance division may reallocate authorized
 7 4 full-time equivalent positions as necessary to respond to
 7 5 accreditation recommendations or requirements. The insurance
 7 6 division expenditures for examination purposes may exceed the
 7 7 projected receipts, refunds, and reimbursements, estimated
 7 8 pursuant to section 505.7, subsection 7, including the
 7 9 expenditures for retention of additional personnel, if the
 7 10 expenditures are fully reimbursable and the division first does
 7 11 both of the following:
 7 12 (a) Notifies the department of management, the legislative
 7 13 services agency, and the legislative fiscal committee of the
 7 14 need for the expenditures.
 7 15 (b) Files with each of the entities named in subparagraph
 7 16 division (a) the legislative and regulatory justification for
 7 17 the expenditures, along with an estimate of the expenditures.
 7 18 (3) The insurance division shall allocate \$10,000 from
 7 19 the examination receipts for the payment of its fees to the
 7 20 national conference of insurance legislators.
 7 21 d. UTILITIES DIVISION
 7 22 (1) For salaries, support, maintenance, and miscellaneous
 7 23 purposes, and for not more than the following full-time
 7 24 equivalent positions:
 7 25 \$ 8,173,069
 7 26 FTEs 72.00
 7 27 (2) The utilities division may expend additional funds,
 7 28 including funds for additional personnel, if those additional
 7 29 expenditures are actual expenses which exceed the funds
 7 30 budgeted for utility regulation and the expenditures are fully
 7 31 reimbursable. Before the division expends or encumbers an
 7 32 amount in excess of the funds budgeted for regulation, the
 7 33 division shall first do both of the following:
 7 34 (a) Notify the department of management, the legislative
 7 35 services agency, and the legislative fiscal committee of the



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8 1 need for the expenditures.
 8 2 (b) File with each of the entities named in subparagraph
 8 3 division (a) the legislative and regulatory justification for
 8 4 the expenditures, along with an estimate of the expenditures.
 8 5 (3) Notwithstanding sections 8.33 and 476.10 or any other
 8 6 provision to the contrary, any balance of the appropriation
 8 7 made in this paragraph for the utilities division or any other
 8 8 operational appropriation made for the fiscal year beginning
 8 9 July 1, 2010, and ending June 30, 2011, that remains unused,
 8 10 unencumbered, or unobligated at the close of the fiscal year
 8 11 shall not revert but shall remain available to be used for
 8 12 purposes of the energy=efficient building project authorized
 8 13 under section 476.10B, or for relocation costs in succeeding
 8 14 fiscal years.
 8 15 3. CHARGES. Each division and the office of consumer
 8 16 advocate shall include in its charges assessed or revenues
 8 17 generated an amount sufficient to cover the amount stated
 8 18 in its appropriation and any state=assessed indirect costs
 8 19 determined by the department of administrative services.
 8 20 4. TRAVEL. The director of the department of commerce shall
 8 21 review on a quarterly basis all out=of=state travel for the
 8 22 previous quarter for officers and employees of each division
 8 23 of the department if the travel is not already authorized by
 8 24 the executive council.
 8 25 Sec. 9. DEPARTMENT OF COMMERCE == PROFESSIONAL LICENSING
 8 26 AND REGULATION BUREAU. There is appropriated from the housing
 8 27 trust fund of the Iowa finance authority created in section
 8 28 16.181, to the bureau of professional licensing and regulation
 8 29 of the banking division of the department of commerce for the
 8 30 fiscal year beginning July 1, 2010, and ending June 30, 2011,
 8 31 the following amount, or so much thereof as is necessary, to be
 8 32 used for the purposes designated:
 8 33 For salaries, support, maintenance, and miscellaneous
 8 34 purposes:
 8 35 \$ 62,317



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Senate Study Bill 3238 continued

9 1 Sec. 10. GOVERNOR AND LIEUTENANT GOVERNOR. There is
 9 2 appropriated from the general fund of the state to the offices
 9 3 of the governor and the lieutenant governor for the fiscal year
 9 4 beginning July 1, 2010, and ending June 30, 2011, the following
 9 5 amounts, or so much thereof as is necessary, to be used for the
 9 6 purposes designated:

9 7 1. GENERAL OFFICE

9 8 For salaries, support, maintenance, and miscellaneous
 9 9 purposes for the general office of the governor and the general
 9 10 office of the lieutenant governor, and for not more than the
 9 11 following full-time equivalent positions:

.....	\$	1,947,567
.....	FTEs	25.25

9 14 2. TERRACE HILL QUARTERS

9 15 For salaries, support, maintenance, and miscellaneous
 9 16 purposes for the governor's quarters at Terrace Hill, and for
 9 17 not more than the following full-time equivalent positions:

.....	\$	394,291
.....	FTEs	10.00

9 20 3. ADMINISTRATIVE RULES COORDINATOR

9 21 For salaries, support, maintenance, and miscellaneous
 9 22 purposes for the office of administrative rules coordinator,
 9 23 and for not more than the following full-time equivalent
 9 24 positions:

.....	\$	114,450
.....	FTEs	3.00

9 27 4. NATIONAL GOVERNORS ASSOCIATION

9 28 For payment of Iowa's membership in the national governors
 9 29 association:

.....	\$	40,300
-------	----	--------

9 31 5. STATE=FEDERAL RELATIONS

9 32 For salaries, support, maintenance, and miscellaneous
 9 33 purposes for the office for state=federal relations, and for
 9 34 not more than the following full-time equivalent positions:

.....	\$	41,958
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10 1 FTEs 2.00
 10 2 Sec. 11. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There
 10 3 is appropriated from the general fund of the state to the
 10 4 governor's office of drug control policy for the fiscal year
 10 5 beginning July 1, 2010, and ending June 30, 2011, the following
 10 6 amount, or so much thereof as is necessary, to be used for the
 10 7 purposes designated:
 10 8 For salaries, support, maintenance, and miscellaneous
 10 9 purposes, including statewide coordination of the drug abuse
 10 10 resistance education (D.A.R.E.) programs or similar programs,
 10 11 and for not more than the following full-time equivalent
 10 12 positions:
 10 13 \$ 357,866
 10 14 FTEs 8.00
 10 15 Sec. 12. DEPARTMENT OF HUMAN RIGHTS. There is appropriated
 10 16 from the general fund of the state to the department of human
 10 17 rights for the fiscal year beginning July 1, 2010, and ending
 10 18 June 30, 2011, the following amounts, or so much thereof as is
 10 19 necessary, to be used for the purposes designated:
 10 20 1. CENTRAL ADMINISTRATION DIVISION
 10 21 For salaries, support, maintenance, and miscellaneous
 10 22 purposes, and for not more than the following full-time
 10 23 equivalent positions:
 10 24 \$ 274,773
 10 25 FTEs 7.00
 10 26 2. COMMUNITY ADVOCACY AND SERVICES DIVISION
 10 27 For salaries, support, maintenance, and miscellaneous
 10 28 purposes, and for not more than the following full-time
 10 29 equivalent positions:
 10 30 \$ 1,247,926
 10 31 FTEs 18.20
 10 32 3. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION
 10 33 For salaries, support, maintenance, and miscellaneous
 10 34 purposes, and for not more than the following full-time
 10 35 equivalent positions:



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11 1 \$ 1,284,725
 11 2 FTEs 11.18
 11 3 The criminal and juvenile justice planning advisory council
 11 4 and the juvenile justice advisory council shall coordinate
 11 5 their efforts in carrying out their respective duties relative
 11 6 to juvenile justice.
 11 7 Sec. 13. DEPARTMENT OF INSPECTIONS AND APPEALS. There
 11 8 is appropriated from the general fund of the state to the
 11 9 department of inspections and appeals for the fiscal year
 11 10 beginning July 1, 2010, and ending June 30, 2011, the following
 11 11 amounts, or so much thereof as is necessary, for the purposes
 11 12 designated:
 11 13 1. ADMINISTRATION DIVISION
 11 14 For salaries, support, maintenance, and miscellaneous
 11 15 purposes, and for not more than the following full-time
 11 16 equivalent positions:
 11 17 \$ 1,984,510
 11 18 FTEs 39.25
 11 19 As a condition of receiving funding appropriated in this
 11 20 subsection, the department shall maintain the targeted small
 11 21 business certification employee position within the division.
 11 22 2. ADMINISTRATIVE HEARINGS DIVISION
 11 23 For salaries, support, maintenance, and miscellaneous
 11 24 purposes, and for not more than the following full-time
 11 25 equivalent positions:
 11 26 \$ 609,585
 11 27 FTEs 24.00
 11 28 3. INVESTIGATIONS DIVISION
 11 29 For salaries, support, maintenance, and miscellaneous
 11 30 purposes, and for not more than the following full-time
 11 31 equivalent positions:
 11 32 \$ 1,015,570
 11 33 FTEs 50.00
 11 34 4. HEALTH FACILITIES DIVISION
 11 35 a. For salaries, support, maintenance, and miscellaneous



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12 1 purposes, and for not more than the following full-time
 12 2 equivalent positions:
 12 3 \$ 4,380,108
 12 4 FTEs 139.75
 12 5 b. The department shall, in coordination with the health
 12 6 facilities division, make the following information available
 12 7 to the public in a timely manner, to include providing the
 12 8 information on the department's internet website, during the
 12 9 fiscal year beginning July 1, 2010, and ending June 30, 2011:
 12 10 (1) The number of inspections conducted by the division
 12 11 annually by type of service provider and type of inspection.
 12 12 (2) The total annual operations budget for the division,
 12 13 including general fund appropriations and federal contract
 12 14 dollars received by type of service provider inspected.
 12 15 (3) The total number of full-time equivalent positions in
 12 16 the division, to include the number of full-time equivalent
 12 17 positions serving in a supervisory capacity, and serving as
 12 18 surveyors, inspectors, or monitors in the field by type of
 12 19 service provider inspected.
 12 20 (4) Identification of state and federal survey trends,
 12 21 cited regulations, the scope and severity of deficiencies
 12 22 identified, and federal and state fines assessed and collected
 12 23 concerning nursing and assisted living facilities and programs.
 12 24 (5) The fiscal impact of additional full-time equivalent
 12 25 positions on the department's efforts relative to the Medicaid
 12 26 divestiture program under Code chapter 249F.
 12 27 c. It is the intent of the general assembly that the
 12 28 department and division continuously solicit input from
 12 29 facilities regulated by the division to assess and improve
 12 30 the division's level of collaboration and to identify new
 12 31 opportunities for cooperation.
 12 32 5. EMPLOYMENT APPEAL BOARD
 12 33 For salaries, support, maintenance, and miscellaneous
 12 34 purposes, and for not more than the following full-time
 12 35 equivalent positions:



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13 1 \$ 46,318
 13 2 FTEs 15.00
 13 3 The employment appeal board shall be reimbursed by the labor
 13 4 services division of the department of workforce development
 13 5 for all costs associated with hearings conducted under chapter
 13 6 91C, related to contractor registration. The board may expend,
 13 7 in addition to the amount appropriated under this subsection,
 13 8 additional amounts as are directly billable to the labor
 13 9 services division under this subsection and to retain the
 13 10 additional full-time equivalent positions as needed to conduct
 13 11 hearings required pursuant to chapter 91C.
 13 12 6. CHILD ADVOCACY BOARD
 13 13 For foster care review and the court appointed special
 13 14 advocate program, including salaries, support, maintenance, and
 13 15 miscellaneous purposes, and for not more than the following
 13 16 full-time equivalent positions:
 13 17 \$ 2,920,367
 13 18 FTEs 45.04
 13 19 a. The department of human services, in coordination with
 13 20 the child advocacy board and the department of inspections and
 13 21 appeals, shall submit an application for funding available
 13 22 pursuant to Tit. IV=E of the federal Social Security Act for
 13 23 claims for child advocacy board administrative review costs.
 13 24 b. The court appointed special advocate program shall
 13 25 investigate and develop opportunities for expanding
 13 26 fund-raising for the program.
 13 27 c. Administrative costs charged by the department of
 13 28 inspections and appeals for items funded under this subsection
 13 29 shall not exceed 4 percent of the amount appropriated in this
 13 30 subsection.
 13 31 d. Notwithstanding any provision of sections 237.18 and
 13 32 237.20 to the contrary, the child advocacy board may establish
 13 33 up to six pilot projects using alternative policies to guide
 13 34 the selection of cases and the procedures used by local
 13 35 citizen foster care review boards as they review cases of



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14 1 children who received or are receiving foster care or other
14 2 out-of-home placement services while under the supervision of
14 3 the department of human services. Policies to guide the pilot
14 4 project case selection and review time frames and reporting
14 5 formats shall be approved by the department of human services,
14 6 state court administrator, and the chief judge of any judicial
14 7 district in which a pilot project is to be implemented. The
14 8 child advocacy board shall report to the governor and general
14 9 assembly by January 1, 2011, on the progress of any new
14 10 approaches and their impact on efficiencies and case outcomes.

14 11 Sec. 14. DEPARTMENT OF INSPECTIONS AND APPEALS == MUNICIPAL
14 12 CORPORATION FOOD INSPECTIONS. For the fiscal year beginning
14 13 July 1, 2010, and ending June 30, 2011, the department of
14 14 inspections and appeals shall retain any license fees generated
14 15 during the fiscal year as a result of actions under section
14 16 137F.3A occurring during the fiscal year beginning July 1,
14 17 2009, and ending June 30, 2010, for the purpose of enforcing
14 18 the provisions of chapters 137C, 137D, and 137F.

14 19 Sec. 15. MEDICAID FRAUD ACCOUNT APPROPRIATION == DEPARTMENT
14 20 OF INSPECTIONS AND APPEALS. There is appropriated from
14 21 the Medicaid fraud account created in section 249A.7 to the
14 22 department of inspections and appeals for the fiscal year
14 23 beginning July 1, 2010, and ending June 30, 2011, the amounts
14 24 necessary for the purposes designated:

14 25 1. To cover the cost of any state match to draw down
14 26 matching federal funds through the department of human services
14 27 for additional full-time equivalent positions for conducting
14 28 investigations of alleged fraud and overpayments of food
14 29 assistance benefits through electronic benefits transfer.

14 30 2. To cover the cost of any state match to draw down
14 31 the necessary federal match through the department of
14 32 human services and with the approval of the department of
14 33 management for additional full-time equivalent positions for
14 34 investigations of alleged fraud and overpayments under Code
14 35 chapter 249F.



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15 1 3. For the state financial match requirement for meeting
15 2 the federal mandates connected with the department's Medicaid
15 3 fraud and abuse activities, and the amount necessary to cover
15 4 costs incurred by the department or other agencies in providing
15 5 regulation, responding to allegations, or other activity
15 6 involving chapter 1350.

15 7 Sec. 16. RACING AND GAMING COMMISSION.

15 8 1. RACETRACK REGULATION

15 9 There is appropriated from the general fund of the state
15 10 to the racing and gaming commission of the department of
15 11 inspections and appeals for the fiscal year beginning July
15 12 1, 2010, and ending June 30, 2011, the following amount, or
15 13 so much thereof as is necessary, to be used for the purposes
15 14 designated:

15 15 For salaries, support, maintenance, and miscellaneous
15 16 purposes for the regulation of pari-mutuel racetracks, and for
15 17 not more than the following full-time equivalent positions:
15 18 \$ 2,637,614
15 19 FTEs 28.53

15 20 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

15 21 There is appropriated from the general fund of the state
15 22 to the racing and gaming commission of the department of
15 23 inspections and appeals for the fiscal year beginning July
15 24 1, 2010, and ending June 30, 2011, the following amount, or
15 25 so much thereof as is necessary, to be used for the purposes
15 26 designated:

15 27 For salaries, support, maintenance, and miscellaneous
15 28 purposes for administration and enforcement of the excursion
15 29 boat gambling and gambling structure laws, and for not more
15 30 than the following full-time equivalent positions:
15 31 \$ 3,034,862
15 32 FTEs 42.22

15 33 However, if more than 14 licenses to operate gambling games
15 34 on a gambling structure or excursion gambling boat are issued
15 35 during the fiscal year beginning July 1, 2010, and ending June



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16 1 30, 2011, there is appropriated from the general fund to the
16 2 department an additional amount of not more than \$166,116 for
16 3 not more than 2.00 full-time equivalent positions for each
16 4 licensed gambling structure or excursion gambling boat in
16 5 excess of 14.

16 6 Sec. 17. ROAD USE TAX FUND APPROPRIATION == DEPARTMENT OF
16 7 INSPECTIONS AND APPEALS. There is appropriated from the road
16 8 use tax fund created in section 312.1 to the administrative
16 9 hearings division of the department of inspections and appeals
16 10 for the fiscal year beginning July 1, 2010, and ending June 30,
16 11 2011, the following amount, or so much thereof as is necessary,
16 12 for the purposes designated:

16 13 For salaries, support, maintenance, and miscellaneous
16 14 purposes:
16 15 \$ 1,623,897

16 16 Sec. 18. DEPARTMENT OF MANAGEMENT. There is appropriated
16 17 from the general fund of the state to the department of
16 18 management for the fiscal year beginning July 1, 2010, and
16 19 ending June 30, 2011, the following amounts, or so much thereof
16 20 as is necessary, to be used for the purposes designated:

16 21 For salaries, support, maintenance, and miscellaneous
16 22 purposes, and for not more than the following full-time
16 23 equivalent positions:
16 24 \$ 5,188,649
16 25 FTEs 60.40

16 26 Of the moneys appropriated in this section, the department
16 27 shall use a portion for enterprise resource planning, providing
16 28 for a salary model administrator, conducting performance
16 29 audits, and for the department's LEAN process.

16 30 Sec. 19. ROAD USE TAX APPROPRIATION == DEPARTMENT OF
16 31 MANAGEMENT. There is appropriated from the road use tax fund
16 32 created in section 312.1 to the department of management for
16 33 the fiscal year beginning July 1, 2010, and ending June 30,
16 34 2011, the following amount, or so much thereof as is necessary,
16 35 to be used for the purposes designated:



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17 1 For salaries, support, maintenance, and miscellaneous
 17 2 purposes:
 17 3 \$ 56,000
 17 4 Sec. 20. DEPARTMENT OF REVENUE. There is appropriated from
 17 5 the general fund of the state to the department of revenue
 17 6 for the fiscal year beginning July 1, 2010, and ending June
 17 7 30, 2011, the following amounts, or so much thereof as is
 17 8 necessary, to be used for the purposes designated:
 17 9 For salaries, support, maintenance, and miscellaneous
 17 10 purposes, and for not more than the following full-time
 17 11 equivalent positions:
 17 12 \$ 22,729,219
 17 13 FTEs 360.07
 17 14 Of the funds appropriated pursuant to this section, \$400,000
 17 15 shall be used to pay the direct costs of compliance related to
 17 16 the collection and distribution of local sales and services
 17 17 taxes imposed pursuant to chapters 423B and 423E.
 17 18 The director of revenue shall prepare and issue a state
 17 19 appraisal manual and the revisions to the state appraisal
 17 20 manual as provided in section 421.17, subsection 17, without
 17 21 cost to a city or county.
 17 22 The director of revenue shall provide a report to the general
 17 23 assembly by January 10, 2011, concerning the impact on revenues
 17 24 collected by the department relative to any increase in
 17 25 examiners authorized for the department in legislation enacted
 17 26 during the 2010 session of the general assembly.
 17 27 Sec. 21. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is
 17 28 appropriated from the motor fuel tax fund created by section
 17 29 452A.77 to the department of revenue for the fiscal year
 17 30 beginning July 1, 2010, and ending June 30, 2011, the following
 17 31 amount, or so much thereof as is necessary, to be used for the
 17 32 purposes designated:
 17 33 For salaries, support, maintenance, and miscellaneous
 17 34 purposes for administration and enforcement of the provisions
 17 35 of chapter 452A and the motor vehicle use tax program:



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18 1 \$ 1,305,775
 18 2 Sec. 22. SECRETARY OF STATE. There is appropriated from
 18 3 the general fund of the state to the office of the secretary of
 18 4 state for the fiscal year beginning July 1, 2010, and ending
 18 5 June 30, 2011, the following amounts, or so much thereof as is
 18 6 necessary, to be used for the purposes designated:
 18 7 For salaries, support, maintenance, and miscellaneous
 18 8 purposes, and for not more than the following full-time
 18 9 equivalent positions:
 18 10 \$ 2,895,585
 18 11 FTEs 43.00
 18 12 The state department or state agency which provides data
 18 13 processing services to support voter registration file
 18 14 maintenance and storage shall provide those services without
 18 15 charge.
 18 16 Sec. 23. SECRETARY OF STATE FILING FEES REFUND.
 18 17 Notwithstanding the obligation to collect fees pursuant to the
 18 18 provisions of section 490.122, subsection 1, paragraphs "a" and
 18 19 "s", and section 504.113, subsection 1, paragraphs "a", "c",
 18 20 "d", "j", "k", "l", and "m", for the fiscal year beginning July
 18 21 1, 2010, the secretary of state may refund these fees to the
 18 22 filer pursuant to rules established by the secretary of state.
 18 23 The decision of the secretary of state not to issue a refund
 18 24 under rules established by the secretary of state is final and
 18 25 not subject to review pursuant to the provisions of the Iowa
 18 26 administrative procedure Act, chapter 17A.
 18 27 Sec. 24. TREASURER. There is appropriated from the general
 18 28 fund of the state to the office of treasurer of state for the
 18 29 fiscal year beginning July 1, 2010, and ending June 30, 2011,
 18 30 the following amount, or so much thereof as is necessary, to be
 18 31 used for the purposes designated:
 18 32 For salaries, support, maintenance, and miscellaneous
 18 33 purposes, and for not more than the following full-time
 18 34 equivalent positions:
 18 35 \$ 854,289



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19 1 FTEs 28.80
 19 2 The office of treasurer of state shall supply clerical and
 19 3 secretarial support for the executive council.
 19 4 Sec. 25. ROAD USE TAX APPROPRIATION == OFFICE OF TREASURER
 19 5 OF STATE. There is appropriated from the road use tax fund
 19 6 created in section 312.1 to the office of treasurer of state
 19 7 for the fiscal year beginning July 1, 2010, and ending June 30,
 19 8 2011, the following amount, or so much thereof as is necessary,
 19 9 to be used for the purposes designated:
 19 10 For enterprise resource management costs related to the
 19 11 distribution of road use tax funds:
 19 12 \$ 93,148
 19 13 Sec. 26. IPERS == GENERAL OFFICE. There is appropriated
 19 14 from the Iowa public employees' retirement system fund to the
 19 15 Iowa public employees' retirement system for the fiscal year
 19 16 beginning July 1, 2010, and ending June 30, 2011, the following
 19 17 amount, or so much thereof as is necessary, to be used for the
 19 18 purposes designated:
 19 19 For salaries, support, maintenance, and other operational
 19 20 purposes to pay the costs of the Iowa public employees'
 19 21 retirement system, and for not more than the following
 19 22 full-time equivalent positions:
 19 23 \$ 17,686,968
 19 24 FTEs 90.13
 19 25 Sec. 27. REBUILD IOWA OFFICE. There is appropriated from
 19 26 the general fund of the state to the rebuild Iowa office for
 19 27 the fiscal year beginning July 1, 2010, and ending June 30,
 19 28 2011, the following amount, or so much thereof as is necessary,
 19 29 to be used for the purposes designated:
 19 30 For salaries, support, maintenance, and miscellaneous
 19 31 purposes, and for not more than the following full-time
 19 32 equivalent positions:
 19 33 \$ 923,000
 19 34 FTEs 10.00
 19 35 It is the intent of the general assembly that the rebuild



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20 1 Iowa office shall be repealed effective June 30, 2011, and
20 2 shall not receive an appropriation from the general fund of the
20 3 state after that date.

20 4 DIVISION II

20 5 AUDITS

20 6 Sec. 28. Section 8D.13, subsection 13, Code 2009, is amended
20 7 by striking the subsection.

20 8 Sec. 29. Section 11.5B, Code 2009, is amended by adding the
20 9 following new subsections:

20 10 NEW SUBSECTION. 16. Financial administration duties of the
20 11 department of management as provided in sections 8.71 through
20 12 8.99.

20 13 NEW SUBSECTION. 17. Information technology division of the
20 14 department of management.

20 15 Sec. 30. Section 182.18, unnumbered paragraph 1, Code 2009,
20 16 is amended to read as follows:

20 17 Moneys collected under this chapter are subject to audit by
20 18 the auditor of state and shall be used by the Iowa sheep and
20 19 wool promotion board first for the payment of collection and
20 20 refund expenses, second for payment of the costs and expenses
20 21 arising in connection with conducting referendums, ~~and~~ third
20 22 for the purposes identified in section 182.11, and fourth for
20 23 the cost of audits for the auditor of state. Moneys of the
20 24 board remaining after a referendum is held at which a majority
20 25 of the voters favor termination of the board and the assessment
20 26 shall continue to be expended in accordance with this chapter
20 27 until exhausted. The auditor of state may seek reimbursement
20 28 for the cost of the audit.

20 29 Sec. 31. Section 184.14, unnumbered paragraph 2, Code 2009,
20 30 is amended to read as follows:

20 31 Moneys collected, deposited in the fund, and transferred
20 32 to the council as provided in this chapter are subject to
20 33 audit by the auditor of state. The auditor of state may
20 34 seek reimbursement for the cost of the audit. The moneys
20 35 transferred to the council shall be used by the council first



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21 1 for the payment of collection expenses, second for payment of
21 2 the costs and expenses arising in connection with conducting
21 3 referendums, ~~and~~ third to perform the functions and carry out
21 4 the duties of the council as provided in this chapter, and
21 5 fourth for the cost of audits by the auditor of state. Moneys
21 6 remaining after the council is abolished and the imposition of
21 7 an assessment is terminated pursuant to a referendum conducted
21 8 pursuant to section 184.5 shall continue to be expended in
21 9 accordance with this chapter until exhausted.

21 10 Sec. 32. Section 184A.6, subsection 2, Code 2009, is amended
21 11 to read as follows:

21 12 2. The council shall expend moneys from the account first
21 13 for the payment of expenses for the collection of assessments,
21 14 ~~and then~~ second for the payment of expenses related to
21 15 conducting a referendum as provided in section 184A.12,
21 16 and third for the cost of audits by the auditor of state as
21 17 required in section 184A.9. The council shall expend remaining
21 18 moneys for market development, producer education, and the
21 19 payment of refunds to producers as provided in this chapter.

21 20 Sec. 33. Section 184A.9, Code 2009, is amended to read as
21 21 follows:

21 22 184A.9 Audit.

21 23 Moneys required to be deposited in the turkey council
21 24 account as provided in section 184A.4 shall be subject to
21 25 audit by the auditor of state. The auditor of state may seek
21 26 reimbursement for the cost of the audit from moneys deposited
21 27 in the turkey council account.

21 28 Sec. 34. Section 185C.26, Code 2009, is amended to read as
21 29 follows:

21 30 185C.26 Deposit of moneys == corn promotion fund.

21 31 A state assessment collected by the board from a sale of corn
21 32 shall be deposited in the office of the treasurer of state in
21 33 a special fund known as the corn promotion fund. The fund may
21 34 include any gifts, rents, royalties, interest, license fees,
21 35 or a federal or state grant received by the board. Moneys



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22 1 collected, deposited in the fund, and transferred to the board
22 2 as provided in this chapter shall be subject to audit by the
22 3 auditor of state. The auditor of state may seek reimbursement
22 4 for the cost of the audit from moneys deposited in the fund as
22 5 provided in this chapter. The department of administrative
22 6 services shall transfer moneys from the fund to the board
22 7 for deposit into an account established by the board in a
22 8 qualified financial institution. The department shall transfer
22 9 the moneys as provided in a resolution adopted by the board.
22 10 However, the department is only required to transfer moneys
22 11 once during each day and only during hours when the offices of
22 12 the state are open. From moneys collected, the board shall
22 13 first pay all the direct and indirect costs incurred by the
22 14 secretary and the costs of referendums, elections, and other
22 15 expenses incurred in the administration of this chapter, before
22 16 moneys may be expended for the purpose of carrying out the
22 17 purposes of this chapter as provided in section 185C.11.

22 18 EXPLANATION

22 19 Division I of this bill relates to and appropriates moneys
22 20 to various state departments, agencies, and funds for the
22 21 fiscal year beginning July 1, 2010, and ending June 30, 2011.
22 22 The division makes appropriations to state departments and
22 23 agencies including the department of administrative services,
22 24 auditor of state, Iowa ethics and campaign disclosure board,
22 25 department of commerce, offices of governor and lieutenant
22 26 governor, Terrace Hill quarters and drug control policy office,
22 27 department of human rights, department of inspections and
22 28 appeals, department of management, Iowa public employees'
22 29 retirement system, secretary of state, treasurer of state, and
22 30 department of revenue, and the rebuild Iowa office. The bill
22 31 also appropriates funding for the state's membership in the
22 32 national governors association.

22 33 Division II concerns audits performed by the auditor of
22 34 state.

22 35 Code section 8D.13, concerning the Iowa communications



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23 1 network, is amended to eliminate the requirement that the
23 2 auditor of state examine, no less than annually, the financial
23 3 condition and transactions of the Iowa telecommunications and
23 4 technology commission.

23 5 Code section 11.5B, concerning repayment of audit expenses
23 6 by state departments, is amended to provide that audits
23 7 relative to the financial administration duties of the
23 8 department of management and the information technology
23 9 division of the department of management are reimbursable.

23 10 The division also provides that the cost of audits required
23 11 to be conducted by the auditor for the Iowa corn promotion
23 12 board, Iowa sheep and wool promotion board, Iowa egg council,
23 13 and the Iowa turkey council may be reimbursed from moneys
23 14 collected by the applicable board or council.

LSB 5087JB (1) 83

ec/tm



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SENATE/HOUSE FILE
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
JOINT APPROPRIATIONS
SUBCOMMITTEE ON
AGRICULTURE AND
NATURAL RESOURCES)

A BILL FOR

1 An Act relating to and making appropriations involving state
2 government, by providing for agriculture, natural resources,
3 and environmental protection, and including effective date
4 provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5088JB (1) 83
da/jp



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2 1 miscellaneous purposes:
 2 2 \$ 305,516
 2 3 DESIGNATED APPROPRIATIONS == MOTOR FUEL
 2 4 Sec. 3. RENEWABLE FUEL INFRASTRUCTURE FUND == MOTOR
 2 5 FUEL INSPECTION. There is appropriated from the renewable
 2 6 fuel infrastructure fund created in section 15G.205 to the
 2 7 department of agriculture and land stewardship for the fiscal
 2 8 year beginning July 1, 2010, and ending June 30, 2011, the
 2 9 following amount, or so much thereof as is necessary, to be
 2 10 used for the purposes designated:
 2 11 For purposes of the inspection of motor fuel, including
 2 12 salaries, support, maintenance, and miscellaneous purposes:
 2 13 \$ 300,000
 2 14 The department shall establish and administer programs
 2 15 for the auditing of motor fuel including biofuel processing
 2 16 and production plants, for screening and testing motor fuel,
 2 17 including renewable fuel, and for the inspection of motor fuel
 2 18 sold by dealers including retail dealers who sell and dispense
 2 19 motor fuel from motor fuel pumps.
 2 20 DIVISION II
 2 21 DEPARTMENT OF NATURAL RESOURCES
 2 22 GENERAL APPROPRIATIONS
 2 23 Sec. 4. GENERAL FUND == DEPARTMENT. There is appropriated
 2 24 from the general fund of the state to the department of natural
 2 25 resources for the fiscal year beginning July 1, 2010, and
 2 26 ending June 30, 2011, the following amount, or so much thereof
 2 27 as is necessary, to be used for the purposes designated:
 2 28 1. For purposes of supporting the department, including its
 2 29 divisions, for administration, regulation, and programs; for
 2 30 salaries, support, maintenance, and miscellaneous purposes; and
 2 31 for not more than the following full-time equivalent positions:
 2 32 \$ 15,600,710
 2 33 FTEs 1,168.95
 2 34 2. The department shall submit a report each quarter of the
 2 35 fiscal year to the legislative services agency, the department



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3 1 of management, the members of the joint appropriations
3 2 subcommittee on agriculture and natural resources, and the
3 3 co=chairpersons and ranking members of the senate and house
3 4 committees on appropriations. The report shall describe in
3 5 detail the expenditure of moneys appropriated under this
3 6 section to support the department's administration, regulation,
3 7 and programs.

3 8 Sec. 5. REALIZED COST SAVINGS == PRIVATE BUILDINGS. During
3 9 the fiscal year beginning July 1, 2010, the department of
3 10 natural resources shall realize cost savings to every extent
3 11 legally possible by complying with executive order number
3 12 20 issued December 16, 2009, and as described in the Iowa
3 13 efficiency review report submitted by the public works limited
3 14 liability corporation, by providing staff office space for the
3 15 department in the Wallace building, and relinquishing any space
3 16 in a private building subject to an expired lease.

3 17 Sec. 6. REALIZED COST SAVINGS == VOLUNTEER AND INTERN
3 18 PROGRAMS AT STATE PARKS. During the fiscal year beginning July
3 19 1, 2010, the department of natural resources shall realize cost
3 20 savings to every extent possible by complying with executive
3 21 order number 20 issued December 16, 2009, and as described in
3 22 the Iowa efficiency review report submitted by the public works
3 23 limited liability corporation, by increasing the number of
3 24 volunteer and intern programs at state parks.

3 25 Sec. 7. STATE FISH AND GAME PROTECTION FUND == DIVISION OF
3 26 FISH AND WILDLIFE.

3 27 1. a. There is appropriated from the state fish and game
3 28 protection fund to the department of natural resources for the
3 29 fiscal year beginning July 1, 2010, and ending June 30, 2011,
3 30 the following amount, or so much thereof as is necessary, to be
3 31 used for the purposes designated:

3 32 For purposes of supporting the division of fish and
3 33 wildlife, including for administration, regulation, and
3 34 programs; and for salaries, support, maintenance, equipment,
3 35 and miscellaneous purposes:



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4 1 \$ 38,793,154
 4 2 b. Notwithstanding section 455A.10, the department may use
 4 3 the unappropriated balance remaining in the state fish and game
 4 4 protection fund to provide for the funding of health and life
 4 5 insurance premium payments from unused sick leave balances of
 4 6 conservation peace officers employed in a protection occupation
 4 7 who retire, pursuant to section 97B.49B.
 4 8 2. The department shall not expend more moneys from the
 4 9 state fish and game protection fund than provided in this
 4 10 section, unless the expenditure derives from contributions made
 4 11 by a private entity, or a grant or moneys received from the
 4 12 federal government, and is approved by the natural resource
 4 13 commission. The department of natural resources shall promptly
 4 14 notify the legislative services agency and the chairpersons and
 4 15 ranking members of the joint appropriations subcommittee on
 4 16 agriculture and natural resources concerning the commission's
 4 17 approval.
 4 18 Sec. 8. GROUNDWATER PROTECTION FUND == WATER QUALITY. There
 4 19 is appropriated from the groundwater protection fund created
 4 20 in section 455E.11 to the department of natural resources for
 4 21 the fiscal year beginning July 1, 2010, and ending June 30,
 4 22 2011, from those moneys which are not allocated pursuant to
 4 23 that section, the following amount, or so much thereof as is
 4 24 necessary, to be used for the purposes designated:
 4 25 For purposes of supporting the department's protection
 4 26 of the state's groundwater, including for administration,
 4 27 regulation, and programs, and for salaries, support,
 4 28 maintenance, equipment, and miscellaneous purposes:
 4 29 \$ 3,455,832
 4 30 DESIGNATED APPROPRIATIONS == MISCELLANEOUS
 4 31 Sec. 9. SPECIAL SNOWMOBILE FUND == SNOWMOBILE
 4 32 PROGRAM. There is appropriated from the special snowmobile
 4 33 fund created under section 321G.7 to the department of natural
 4 34 resources for the fiscal year beginning July 1, 2010, and
 4 35 ending June 30, 2011, the following amount, or so much thereof



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5 1 as is necessary, to be used for the purpose designated:
 5 2 For purposes of administering and enforcing the state
 5 3 snowmobile program:
 5 4 \$ 100,000
 5 5 Sec. 10. UNASSIGNED REVENUE FUND == UNDERGROUND STORAGE
 5 6 TANK SECTION EXPENSES. There is appropriated from the
 5 7 unassigned revenue fund administered by the Iowa comprehensive
 5 8 underground storage tank fund board to the department of
 5 9 natural resources for the fiscal year beginning July 1, 2010,
 5 10 and ending June 30, 2011, the following amount, or so much
 5 11 thereof as is necessary, to be used for the purpose designated:
 5 12 For purposes of paying for administration expenses of the
 5 13 department's underground storage tank section:
 5 14 \$ 200,000
 5 15 Sec. 11. STORM WATER DISCHARGE PERMIT FEES == SUPPORT FOR
 5 16 SPECIAL PURPOSES. Notwithstanding any contrary provision of
 5 17 state law, for the fiscal year beginning July 1, 2010, and
 5 18 ending June 30, 2011, the department of natural resources may
 5 19 use additional moneys available to the department collected
 5 20 from storm water discharge permit fees as provided in section
 5 21 455B.103A or 455B.197 for the staffing of the following
 5 22 additional full-time equivalent positions for the purposes
 5 23 designated:
 5 24 1. For purposes of reducing the department's floodplain
 5 25 permit backlog:
 5 26 FTEs 2.00
 5 27 2. For purposes of implementing the federal total maximum
 5 28 daily load program:
 5 29 FTEs 2.00
 5 30 Sec. 12. INTERIM STUDY OF PUBLIC LAND UNDER THE CONTROL
 5 31 OF THE DEPARTMENT OF NATURAL RESOURCES WHICH MAY BE USED FOR
 5 32 PUBLIC HUNTING. The department of natural resources shall
 5 33 conduct an interim study of public land under its control which
 5 34 may be used for public hunting. The department shall authorize
 5 35 public hunting on public land for which the department



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6 1 determines such activity is beneficial. The department shall
6 2 report the results of the interim study to the governor and
6 3 general assembly by January 10, 2011.

6 4 Sec. 13. ELIMINATION OF CHIEF AND ASSISTANT CHIEF OF THE LAW
6 5 ENFORCEMENT BUREAU OF THE DEPARTMENT OF NATURAL RESOURCES. The
6 6 positions of chief and assistant chief of the law enforcement
6 7 bureau of the department of natural resources are eliminated.

6 8 Sec. 14. EFFECTIVE UPON ENACTMENT. The section of this
6 9 division of this Act relating to the elimination of the
6 10 positions of chief and assistant chief of the law enforcement
6 11 bureau of the department of natural resources, being deemed of
6 12 immediate importance, takes effect upon enactment.

6 13 DIVISION III

6 14 IOWA STATE UNIVERSITY

6 15 Sec. 15. GENERAL FUND == VETERINARY DIAGNOSTIC LABORATORY.

6 16 1. There is appropriated from the general fund of the state
6 17 to Iowa state university of science and technology for the
6 18 fiscal year beginning July 1, 2010, and ending June 30, 2011,
6 19 the following amount, or so much thereof as is necessary, to be
6 20 used for the purposes designated:

6 21 For purposes of supporting the college of veterinary
6 22 medicine for the operation of the veterinary diagnostic
6 23 laboratory and for not more than the following full-time
6 24 equivalent positions:

6 25	\$	3,444,294
6 26	FTEs	44.00

6 27 2. a. Iowa state university of science and technology
6 28 shall not reduce the amount that it allocates to support the
6 29 college of veterinary medicine from any other source due to the
6 30 appropriation made in this section.

6 31 b. Paragraph "a" does not apply to a reduction made to
6 32 support the college of veterinary medicine, if the same
6 33 percentage of reduction imposed on the college of veterinary
6 34 medicine is also imposed on all of Iowa state university's
6 35 budget units.



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8 1 b. Not more than 10 percent of the moneys appropriated
8 2 in paragraph "a" may be used for costs of administration and
8 3 implementation of soil and water conservation practices.

8 4 2. WATERSHED PROTECTION

8 5 a. For continuation of a program that provides
8 6 multiobjective resource protections for flood control, water
8 7 quality, erosion control, and natural resource conservation:
8 8 \$ 1,500,000

8 9 b. Not more than 10 percent of the moneys appropriated
8 10 in paragraph "a" may be used for costs of administration and
8 11 implementation of soil and water conservation practices.

8 12 3. FARM MANAGEMENT DEMONSTRATION PROGRAM

8 13 a. For continuation of a statewide voluntary farm
8 14 management demonstration program to demonstrate the
8 15 effectiveness and adaptability of emerging practices in
8 16 agronomy that protect water resources and provide other
8 17 environmental benefits:
8 18 \$ 750,000

8 19 b. Not more than 10 percent of the moneys appropriated
8 20 in paragraph "a" may be used for costs of administration and
8 21 implementation of soil and water conservation practices.

8 22 c. Of the amount appropriated in paragraph "a", \$400,000
8 23 shall be allocated to an organization representing soybean
8 24 growers to provide for an agriculture and environment
8 25 performance program in order to carry out the purposes of this
8 26 subsection as specified in paragraph "a".

8 27 4. AGRICULTURE DRAINAGE WELL WATER QUALITY ASSISTANCE FUND

8 28 a. For deposit in the agricultural drainage well water
8 29 quality assistance fund created in section 460.303 to be used
8 30 for purposes of supporting the agricultural drainage well water
8 31 quality assistance program as provided in section 460.304:
8 32 \$ 1,250,000

8 33 b. Not more than 10 percent of the moneys appropriated
8 34 in paragraph "a" may be used for costs of administration and
8 35 implementation of soil and water conservation practices.



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9 1 5. SOIL AND WATER CONSERVATION == ADMINISTRATION
 9 2 For use by the department for costs of administration and
 9 3 implementation of soil and water conservation practices:
 9 4 \$ 1,050,000
 9 5 6. CONSERVATION RESERVE PROGRAM (CRP)
 9 6 a. To encourage and assist farmers in enrolling in and the
 9 7 implementation of the federal conservation program and to work
 9 8 with them to enhance their revegetation efforts to improve
 9 9 water quality and habitat:
 9 10 \$ 1,300,000
 9 11 b. Not more than 10 percent of the moneys appropriated
 9 12 in paragraph "a" may be used for costs of administration and
 9 13 implementation of soil and water conservation practices.
 9 14 7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND
 9 15 a. For deposit in the loess hills development and
 9 16 conservation fund created in section 161D.2:
 9 17 \$ 500,000
 9 18 b. (1) Of the amount appropriated in paragraph "a",
 9 19 \$323,000 shall be allocated to the fund's hungry canyons
 9 20 account.
 9 21 (2) Not more than 10 percent of the moneys allocated to the
 9 22 hungry canyons account as provided in subparagraph (1) may be
 9 23 used for administrative costs.
 9 24 c. (1) Of the amount appropriated in paragraph "a",
 9 25 \$177,000 shall be allocated to the fund's loess hills alliance
 9 26 account.
 9 27 (2) Not more than 10 percent of the moneys allocated to the
 9 28 loess hills alliance account as provided in subparagraph (1)
 9 29 may be used for administrative costs.
 9 30 8. SOUTHERN IOWA DEVELOPMENT AND CONSERVATION FUND
 9 31 a. For deposit in the southern Iowa development and
 9 32 conservation fund created in section 161D.12:
 9 33 \$ 250,000
 9 34 b. Not more than 10 percent of the moneys appropriated in
 9 35 paragraph "a" may be used for administrative costs.



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10 1 9. SOIL AND WATER CONSERVATION
 10 2 a. For use by the department in providing for soil and
 10 3 water conservation administration, the conservation of soil and
 10 4 water resources, or the support of soil and water conservation
 10 5 district commissioners:
 10 6 \$ 1,751,600
 10 7 b. The department may deposit any amount of the moneys into
 10 8 the Mississippi river basin healthy watersheds initiative fund
 10 9 as created in this Act.
 10 10 Sec. 18. DEPARTMENT OF NATURAL RESOURCES. There is
 10 11 appropriated from the environment first fund created in section
 10 12 8.57A to the department of natural resources for the fiscal
 10 13 year beginning July 1, 2010, and ending June 30, 2011, the
 10 14 following amounts, or so much thereof as is necessary, to be
 10 15 used for the purposes designated:
 10 16 1. KEEPERS OF THE LAND
 10 17 For statewide coordination of volunteer efforts under the
 10 18 water quality and keepers of the land programs:
 10 19 \$ 100,000
 10 20 2. STATE PARKS MAINTENANCE AND OPERATIONS
 10 21 For regular maintenance of state parks and staff time
 10 22 associated with these activities:
 10 23 \$ 2,470,000
 10 24 3. GEOGRAPHIC INFORMATION SYSTEM (GIS)
 10 25 To provide local watershed managers with geographic
 10 26 information system data for their use in developing,
 10 27 monitoring, and displaying results of their watershed work:
 10 28 \$ 195,000
 10 29 4. WATER QUALITY MONITORING
 10 30 For continuing the establishment and operation of water
 10 31 quality monitoring stations:
 10 32 \$ 2,955,000
 10 33 5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT
 10 34 For deposit in the public water supply system account of the
 10 35 water quality protection fund created in section 455B.183A:



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11 1 \$ 500,000
 11 2 6. REGULATION OF ANIMAL FEEDING OPERATIONS
 11 3 For the regulation of animal feeding operations, including
 11 4 as provided for in chapters 459 and 459A:
 11 5 \$ 608,400
 11 6 7. AMBIENT AIR QUALITY
 11 7 For the abatement, control, and prevention of ambient
 11 8 air pollution in this state, including measures as necessary
 11 9 to assure attainment and maintenance of ambient air quality
 11 10 standards from particulate matter:
 11 11 \$ 425,000
 11 12 8. WATER QUANTITY REGULATION
 11 13 For regulating water quantity from surface and subsurface
 11 14 sources by providing for the allocation and use of water
 11 15 resources, the protection and management of water resources,
 11 16 and the preclusion of conflicts among users of water resources,
 11 17 including as provided in chapter 455B, division III, part 4:
 11 18 \$ 495,000
 11 19 9. RESOURCE CONSERVATION AND DEVELOPMENT (RCD)
 11 20 a. For resource conservation and development associated
 11 21 with the development of projects relating to natural
 11 22 resource-based business opportunities:
 11 23 \$ 150,000
 11 24 b. Local resource conservation and development groups
 11 25 sponsored by county governments or sponsored by soil and water
 11 26 conservation districts shall be eligible to receive moneys
 11 27 appropriated in paragraph "a" on the condition that such groups
 11 28 receive the moneys on a dollar-for-dollar matching basis.
 11 29 c. Not more than 5 percent of the moneys appropriated in
 11 30 paragraph "a" may be used for the costs of implementing and
 11 31 administering this subsection.
 11 32 10. STATE PARKS VOLUNTEER ACTIVITIES
 11 33 For supporting volunteer activities at state parks,
 11 34 including by providing volunteers with food, services, and
 11 35 items required to accomplish tasks associated with state park



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12 1 operations:
 12 2 \$ 250,000
 12 3 Sec. 19. REVERSION. Notwithstanding section 8.33, moneys
 12 4 appropriated for the fiscal year beginning July 1, 2010,
 12 5 in this division of this Act that remain unencumbered or
 12 6 unobligated at the close of the fiscal year shall not revert
 12 7 but shall remain available for the purposes designated until
 12 8 the close of the fiscal year beginning July 1, 2011, or until
 12 9 the project for which the appropriation was made is completed,
 12 10 whichever is earlier.

DIVISION V

ENVIRONMENT FIRST FUND == RESOURCES ENHANCEMENT
AND PROTECTION (REAP)

12 14 Sec. 20. IOWA RESOURCES ENHANCEMENT AND PROTECTION
 12 15 FUND. Notwithstanding the amount of the standing appropriation
 12 16 from the general fund of the state to the Iowa resources
 12 17 enhancement and protection fund as provided in section
 12 18 455A.18, there is appropriated from the environment first fund
 12 19 created in section 8.57A to the Iowa resources enhancement
 12 20 and protection fund, in lieu of the appropriation made in
 12 21 section 455A.18, for the fiscal year beginning July 1, 2010,
 12 22 and ending June 30, 2011, the following amount, to be allocated
 12 23 as provided in section 455A.19:

12 24 \$ 15,000,000

12 25 Sec. 21. FUTURE USE OF MONEYS IN THE IOWA RESOURCES
 12 26 ENHANCEMENT FUND. It is the intent of the general assembly
 12 27 that on and after July 1, 2011, moneys deposited in the Iowa
 12 28 resources enhancement and protection fund as provided in
 12 29 section 455A.18 shall not be used to pay for Honey creek park
 12 30 bond obligations.

DIVISION VI

MISSISSIPPI RIVER BASIN HEALTHY
WATERSHEDS INITIATIVE

12 34 Sec. 22. NEW SECTION. 161G.1 Definitions.
 12 35 1. "Department" means the department of agriculture and land



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13 1 stewardship.
13 2 2. "Fund" means the Mississippi river basin healthy
13 3 watersheds initiative fund created pursuant to section 161G.2.
13 4 Sec. 23. NEW SECTION. 161G.2 Mississippi river basin
13 5 healthy watersheds initiative fund.
13 6 1. A Mississippi river basin healthy watersheds initiative
13 7 fund is created within the department.
13 8 2. The fund is composed of money appropriated by the general
13 9 assembly to the fund, and moneys available to and obtained or
13 10 accepted by the department from the United States, the state,
13 11 or a private source for placement in the fund.
13 12 3. The fund shall be used by the department to support
13 13 the Mississippi river basin healthy watersheds initiative as
13 14 provided in section 161G.3.
13 15 4. The moneys in the fund are not subject to section 8.33
13 16 and shall not be transferred, used, obligated, appropriated,
13 17 or otherwise encumbered except as provided in this section.
13 18 Notwithstanding section 12C.7, subsection 2, interest or
13 19 earnings on moneys in the fund shall be credited to the fund.
13 20 Sec. 24. NEW SECTION. 161G.3 Mississippi river basin
13 21 healthy watersheds initiative.
13 22 1. The department shall implement a voluntary program to
13 23 assist in improving the health of the Mississippi river basin,
13 24 including water quality and wildlife habitat.
13 25 2. The department shall implement the program consistent
13 26 with requirements of the United States department of
13 27 agriculture in its administration of the Mississippi river
13 28 basin healthy watersheds initiative.
13 29 3. To the extent allowed by the United States department of
13 30 agriculture, the department of agriculture and land stewardship
13 31 may do all of the following:
13 32 a. Provide for conservation systems that manage and optimize
13 33 nitrogen and phosphorous within fields to minimize runoff and
13 34 reduce downstream nutrient loading.
13 35 b. Assist agricultural producers with a system of practices



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14 1 that will control soil erosion, improve soil quality, restore
14 2 and enhance wildlife habitat, and manage runoff and drainage
14 3 water for improved water quality.

14 4 c. Avoid, control, and trap nutrient runoff and maintain
14 5 agricultural productivity.

14 6 d. Partner with landowners to implement a range of
14 7 land stewardship practices, including but not limited to
14 8 conservation tillage, nutrient management, and other innovative
14 9 practices.

14 10 EXPLANATION

14 11 GENERAL. This bill relates to agriculture and natural
14 12 resources by making appropriations for the 2010=2011 fiscal
14 13 year to support related entities, including the department of
14 14 agriculture and land stewardship, the department of natural
14 15 resources, and Iowa state university.

14 16 The bill appropriates moneys to the department of
14 17 agriculture and land stewardship and the department of natural
14 18 resources. The appropriations are made to support those
14 19 departments for administration, regulation, and programs. The
14 20 bill requires the departments to submit quarterly reports to
14 21 the general assembly and department of management regarding the
14 22 expenditure of appropriated moneys. The bill also provides
14 23 moneys to support specific programs or projects administered by
14 24 those departments. The bill appropriates moneys from a number
14 25 of sources, including the general fund of the state, the state
14 26 fish and game protection fund, and the groundwater protection
14 27 fund. The bill is organized into divisions.

14 28 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. For the
14 29 department of agriculture and land stewardship, moneys are
14 30 appropriated in order to support its divisions.

14 31 The bill appropriates moneys from the general fund to
14 32 support designated programs, including horse and dog racing,
14 33 and motor fuel inspection.

14 34 DEPARTMENT OF NATURAL RESOURCES. For the department of
14 35 natural resources, moneys are appropriated from the general



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15 1 fund in order to support its divisions.
15 2 The bill makes appropriations from other funds. The bill
15 3 appropriates moneys to the department of natural resources from
15 4 the state fish and game protection fund to support programs
15 5 related to fish and wildlife. The bill appropriates moneys
15 6 from the groundwater protection fund to support groundwater
15 7 quality. The bill appropriates moneys from the snowmobile fund
15 8 to the department for snowmobile programs.
15 9 The bill includes miscellaneous provisions. An
15 10 appropriation is made from the unassigned revenue fund
15 11 administered by the Iowa comprehensive underground storage
15 12 tank fund board to the department of natural resources for
15 13 administration and expenses of the underground storage tank
15 14 section.
15 15 The bill provides that the department of natural
15 16 resources may use additional funds for staffing to reduce the
15 17 department's floodplain permit backlog and implementing the
15 18 federal maximum daily load program.
15 19 The bill requires the department of natural resources
15 20 to realize cost savings by relinquishing space at private
15 21 buildings and increasing the number of volunteer and interim
15 22 programs.
15 23 The bill requires the department of natural resources to
15 24 conduct an interim study of public land under its control which
15 25 may be used for public hunting.
15 26 The bill eliminates the positions of chief and assistant
15 27 chief of the law enforcement bureau of the department of
15 28 natural resources.
15 29 IOWA STATE UNIVERSITY. The bill appropriates moneys from
15 30 the general fund of the state for the operation of the Iowa
15 31 state university's veterinary diagnostic laboratory. It
15 32 includes provisions expressing legislative intent for a future
15 33 appropriation for the diagnostic laboratory.
15 34 ENVIRONMENT FIRST FUND == GENERAL APPROPRIATIONS. The
15 35 bill appropriates funding from the environment first fund



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16 1 to the department of agriculture and land stewardship and
16 2 the department of natural resources to support a number of
16 3 programs and projects. A nonreversion clause authorizes the
16 4 appropriations made in this division to be carried forward into
16 5 the succeeding fiscal year.

16 6 ENVIRONMENT FIRST FUND == RESOURCE ENHANCEMENT AND
16 7 PROTECTION. The bill appropriates moneys from the environment
16 8 first fund to the resources enhancement and protection fund
16 9 in lieu of the \$20 million appropriated by statute from the
16 10 general fund of the state.

16 11 The bill provides that the general assembly intends that
16 12 moneys deposited in the Iowa resources enhancement and
16 13 protection fund are not used to pay for Honey creek park bond
16 14 obligations.

16 15 MISSISSIPPI RIVER BASIN HEALTHY WATERSHEDS INITIATIVE. The
16 16 bill establishes a Mississippi river basin healthy watersheds
16 17 initiative fund to support the Mississippi river basin healthy
16 18 watersheds initiative. The initiative is a voluntary program
16 19 to assist in improving the health of the Mississippi river
16 20 basin, including water quality and wildlife habitat.

LSB 5088JB (1) 83

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Senate Study Bill 3240

SENATE/HOUSE FILE
BY (PROPOSED GOVERNOR?S
BUDGET BILL)

A BILL FOR

1 An Act relating to and making appropriations involving state
2 government, by providing for agriculture, natural resources,
3 and environmental protection.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5097XG (1) 83
da/tm



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2 1 \$ 305,516
 2 2 DESIGNATED APPROPRIATIONS == MOTOR FUEL
 2 3 Sec. 3. RENEWABLE FUEL INFRASTRUCUTRE FUND == MOTOR
 2 4 FUEL INSPECTION. There is appropriated from the renewable
 2 5 fuel infrastructure fund created in section 15G.205 to the
 2 6 department of agriculture and land stewardship for the fiscal
 2 7 year beginning July 1, 2010, and ending June 30, 2011, the
 2 8 following amount, or so much thereof as is necessary, to be
 2 9 used for the purposes designated:
 2 10 For purposes of the inspection of motor fuel, including
 2 11 salaries, support, maintenance, and miscellaneous purposes:
 2 12 \$ 300,000
 2 13 The department shall establish and administer programs
 2 14 for the auditing of motor fuel including biofuel processing
 2 15 and production plants, for screening and testing motor fuel,
 2 16 including renewable fuel, and for the inspection of motor fuel
 2 17 sold by dealers including retail dealers who sell and dispense
 2 18 motor fuel from motor fuel pumps.
 2 19 DIVISION II
 2 20 DEPARTMENT OF NATURAL RESOURCES
 2 21 GENERAL APPROPRIATIONS
 2 22 Sec. 4. GENERAL FUND == DEPARTMENT. There is appropriated
 2 23 from the general fund of the state to the department of natural
 2 24 resources for the fiscal year beginning July 1, 2010, and
 2 25 ending June 30, 2011, the following amount, or so much thereof
 2 26 as is necessary, to be used for the purposes designated:
 2 27 1. For purposes of supporting the department, including its
 2 28 divisions, for administration, regulation, and programs; for
 2 29 salaries, support, maintenance, and miscellaneous purposes;
 2 30 including full-time equivalent positions:
 2 31 \$ 15,968,410
 2 32 2. The department shall submit a report each quarter of the
 2 33 fiscal year to the legislative services agency, the department
 2 34 of management, the members of the joint appropriations
 2 35 subcommittee on agriculture and natural resources, and the



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3 1 co=chairpersons and ranking members of the senate and house
3 2 committees on appropriations. The report shall describe in
3 3 detail the expenditure of moneys appropriated under this
3 4 section to support the department's administration, regulation,
3 5 and programs.

3 6 Sec. 5. STATE FISH AND GAME PROTECTION FUND == DIVISION OF
3 7 FISH AND WILDLIFE.

3 8 1. a. There is appropriated from the state fish and game
3 9 protection fund to the department of natural resources for the
3 10 fiscal year beginning July 1, 2010, and ending June 30, 2011,
3 11 the following amount, or so much thereof as is necessary, to be
3 12 used for the purposes designated:

3 13 For purposes of supporting the division of fish and
3 14 wildlife, including for administration, regulation, and
3 15 programs; and for salaries, support, maintenance, equipment,
3 16 and miscellaneous purposes:
3 17 \$ 38,793,154

3 18 b. Notwithstanding section 455A.10, the department may use
3 19 the unappropriated balance remaining in the state fish and game
3 20 protection fund to provide for the funding of health and life
3 21 insurance premium payments from unused sick leave balances of
3 22 conservation peace officers employed in a protection occupation
3 23 who retire, pursuant to section 97B.49B.

3 24 2. The department shall not expend more moneys from the
3 25 state fish and game protection fund than provided in this
3 26 section, unless the expenditure derives from contributions made
3 27 by a private entity, or a grant or moneys received from the
3 28 federal government, and is approved by the natural resource
3 29 commission. The department of natural resources shall promptly
3 30 notify the legislative services agency and the chairpersons and
3 31 ranking members of the joint appropriations subcommittee on
3 32 agriculture and natural resources concerning the commission's
3 33 approval.

3 34 Sec. 6. GROUNDWATER PROTECTION FUND == WATER QUALITY. There
3 35 is appropriated from the groundwater protection fund created



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4 1 in section 455E.11 to the department of natural resources for
4 2 the fiscal year beginning July 1, 2010, and ending June 30,
4 3 2011, from those moneys which are not allocated pursuant to
4 4 that section, the following amount, or so much thereof as is
4 5 necessary, to be used for the purposes designated:

4 6 For purposes of supporting the department's protection
4 7 of the state's groundwater, including for administration,
4 8 regulation, and programs, and for salaries, support,
4 9 maintenance, equipment, and miscellaneous purposes:
4 10 \$ 3,455,832

4 11 DESIGNATED APPROPRIATIONS == MISCELLANEOUS
4 12 Sec. 7. SPECIAL SNOWMOBILE FUND == SNOWMOBILE
4 13 PROGRAM. There is appropriated from the special snowmobile
4 14 fund created under section 321G.7 to the department of natural
4 15 resources for the fiscal year beginning July 1, 2010, and
4 16 ending June 30, 2011, the following amount, or so much thereof
4 17 as is necessary, to be used for the purpose designated:

4 18 For purposes of administering and enforcing the state
4 19 snowmobile program:
4 20 \$ 100,000

4 21 Sec. 8. UNASSIGNED REVENUE FUND == UNDERGROUND STORAGE TANK
4 22 SECTION EXPENSES. There is appropriated from the unassigned
4 23 revenue fund administered by the Iowa comprehensive underground
4 24 storage tank fund board to the department of natural resources
4 25 for the fiscal year beginning July 1, 2010, and ending June 30,
4 26 2011, the following amount, or so much thereof as is necessary,
4 27 to be used for the purpose designated:

4 28 For purposes of paying for administration expenses of the
4 29 department's underground storage tank section:
4 30 \$ 200,000

4 31 Sec. 9. STORM WATER DISCHARGE PERMIT FEES == SUPPORT FOR
4 32 SPECIAL PURPOSES. Notwithstanding any contrary provision of
4 33 state law, for the fiscal year beginning July 1, 2010, and
4 34 ending June 30, 2011, the department of natural resources may
4 35 use additional moneys available to the department collected



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5 1 from storm water discharge permit fees as provided in section
 5 2 455B.103A or 455B.197 for the staffing of the following
 5 3 additional full-time equivalent positions for the purposes
 5 4 designated:

5 5 1. For purposes of reducing the department's floodplain
 5 6 permit backlog:
 5 7 FTEs 2.00
 5 8 2. For purposes of implementing the federal total maximum
 5 9 daily load program:
 5 10 FTEs 2.00

5 11 DIVISION III

5 12 ENVIRONMENT FIRST FUND == GENERAL APPROPRIATIONS

5 13 Sec. 10. DEPARTMENT OF AGRICULTURE AND LAND
 5 14 STEWARDSHIP. There is appropriated from the environment first
 5 15 fund created in section 8.57A to the department of agriculture
 5 16 and land stewardship for the fiscal year beginning July 1,
 5 17 2010, and ending June 30, 2011, the following amounts, or so
 5 18 much thereof as is necessary, to be used for the purposes
 5 19 designated:

5 20 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)
 5 21 a. For the conservation reserve enhancement program to
 5 22 restore and construct wetlands for the purposes of intercepting
 5 23 tile line runoff, reducing nutrient loss, improving water
 5 24 quality, and enhancing agricultural production practices:
 5 25 \$ 1,500,000
 5 26 b. Not more than 10 percent of the moneys appropriated
 5 27 in paragraph "a" may be used for costs of administration and
 5 28 implementation of soil and water conservation practices.

5 29 2. WATERSHED PROTECTION
 5 30 a. For continuation of a program that provides
 5 31 multiobjective resource protections for flood control, water
 5 32 quality, erosion control, and natural resource conservation:
 5 33 \$ 1,500,000
 5 34 b. Not more than 10 percent of the moneys appropriated
 5 35 in paragraph "a" may be used for costs of administration and



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6 1 implementation of soil and water conservation practices.
6 2 3. FARM MANAGEMENT DEMONSTRATION PROGRAM
6 3 a. For continuation of a statewide voluntary farm
6 4 management demonstration program to demonstrate the
6 5 effectiveness and adaptability of emerging practices in
6 6 agronomy that protect water resources and provide other
6 7 environmental benefits:
6 8 \$ 750,000
6 9 b. Not more than 10 percent of the moneys appropriated
6 10 in paragraph "a" may be used for costs of administration and
6 11 implementation of soil and water conservation practices.
6 12 c. Of the amount appropriated in paragraph "a", \$300,000
6 13 shall be allocated to an organization representing soybean
6 14 growers to provide for an agriculture and environment
6 15 performance program in order to carry out the purposes of this
6 16 subsection as specified in paragraph "a".
6 17 4. AGRICULTURE DRAINAGE WELL WATER QUALITY ASSISTANCE FUND
6 18 a. For deposit in the agricultural drainage well water
6 19 quality assistance fund created in section 460.303 to be used
6 20 for purposes of supporting the agricultural drainage well water
6 21 quality assistance program as provided in section 460.304:
6 22 \$ 1,000,000
6 23 b. Not more than 10 percent of the moneys appropriated
6 24 in paragraph "a" may be used for costs of administration and
6 25 implementation of soil and water conservation practices.
6 26 5. SOIL AND WATER CONSERVATION PRACTICES
6 27 a. For use by the soil conservation division, to provide
6 28 financial assistance for the establishment of permanent soil
6 29 and water conservation practices:
6 30 \$ 7,000,000
6 31 b. Not more than 5 percent of the moneys appropriated
6 32 in paragraph "a" may be allocated for cost sharing to abate
6 33 complaints filed under section 161A.47.
6 34 c. Of the moneys appropriated in paragraph "a", 5 percent
6 35 shall be allocated for financial incentives to establish



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7 1 practices to protect watersheds above publicly owned lakes of
 7 2 the state from soil erosion and sediment as provided in section
 7 3 161A.73.

7 4 d. Not more than 30 percent of a soil and water conservation
 7 5 district's allocation of moneys as financial incentives may be
 7 6 provided for the purpose of establishing management practices
 7 7 to control soil erosion on land that is row cropped, including
 7 8 but not limited to no-till planting, ridge-till planting,
 7 9 contouring, and contour strip-cropping as provided in section
 7 10 161A.73.

7 11 e. The state soil conservation committee created in section
 7 12 161A.4 may allocate moneys appropriated in paragraph "a"
 7 13 to conduct research and demonstration projects to promote
 7 14 conservation tillage and nonpoint source pollution control
 7 15 practices.

7 16 f. The allocation of moneys as financial incentives as
 7 17 provided in section 161A.73 may be used in combination with
 7 18 moneys allocated by the department of natural resources.

7 19 g. Not more than 15 percent of the moneys appropriated
 7 20 in paragraph "a" may be used for costs of administration and
 7 21 implementation of soil and water conservation practices.

7 22 6. CONSERVATION RESERVE PROGRAM (CRP)

7 23 a. To encourage and assist farmers in enrolling in and the
 7 24 implementation of the federal conservation program and to work
 7 25 with them to enhance their revegetation efforts to improve
 7 26 water quality and habitat:
 7 27 \$ 1,221,600

7 28 b. Not more than 10 percent of the moneys appropriated
 7 29 in paragraph "a" may be used for costs of administration and
 7 30 implementation of soil and water conservation practices.

7 31 7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

7 32 a. For deposit in the loess hills development and
 7 33 conservation fund created in section 161D.2:
 7 34 \$ 500,000

7 35 b. (1) Of the amount appropriated in paragraph "a",



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8 1 \$300,000 shall be allocated to the fund's hungry canyons
8 2 account.
8 3 (2) Not more than 10 percent of the moneys allocated to the
8 4 hungry canyons account as provided in subparagraph (1) may be
8 5 used for administrative costs.
8 6 c. (1) Of the amount appropriated in paragraph "a",
8 7 \$200,000 shall be allocated to the fund's loess hills alliance
8 8 account.
8 9 (2) Not more than 10 percent of the moneys allocated to the
8 10 loess hills alliance account as provided in subparagraph (1)
8 11 may be used for administrative costs.
8 12 8. SOUTHERN IOWA DEVELOPMENT AND CONSERVATION FUND
8 13 a. For deposit in the southern Iowa development and
8 14 conservation fund created in section 161D.12:
8 15 \$ 250,000
8 16 b. Not more than 5 percent of the moneys appropriated in
8 17 paragraph "a" may be used for administrative costs.
8 18 Sec. 11. DEPARTMENT OF NATURAL RESOURCES. There is
8 19 appropriated from the environment first fund created in section
8 20 8.57A to the department of natural resources for the fiscal
8 21 year beginning July 1, 2010, and ending June 30, 2011, the
8 22 following amounts, or so much thereof as is necessary, to be
8 23 used for the purposes designated:
8 24 1. KEEPERS OF THE LAND
8 25 For statewide coordination of volunteer efforts under the
8 26 water quality and keepers of the land programs:
8 27 \$ 100,000
8 28 2. STATE PARKS MAINTENANCE AND OPERATIONS
8 29 a. For regular maintenance of state parks and staff time
8 30 associated with these activities:
8 31 \$ 4,000,000
8 32 b. Of the amount appropriated in paragraph "a", the
8 33 following amount, or so much thereof as is necessary, shall be
8 34 allocated to the Honey creek premier destination park authority
8 35 created in section 463C.4 for the fiscal year beginning July 1,



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9 1 2010, and ending June 30, 2011, for financing the Honey creek
 9 2 premier destination park bond program:
 9 3 \$ 1,500,000
 9 4 (1) The authority may deposit the moneys in a bond reserve
 9 5 fund provided in section 463C.13.
 9 6 (2) The authority shall use the moneys to pay outstanding
 9 7 bonds and to satisfy outstanding obligations of the authority,
 9 8 as necessary to fulfill any covenants or provisions with
 9 9 bondholders or third parties made in accordance with chapter
 9 10 463C.
 9 11 3. GEOGRAPHIC INFORMATION SYSTEM (GIS)
 9 12 To provide local watershed managers with geographic
 9 13 information system data for their use in developing,
 9 14 monitoring, and displaying results of their watershed work:
 9 15 \$ 195,000
 9 16 4. WATER QUALITY MONITORING
 9 17 For continuing the establishment and operation of water
 9 18 quality monitoring stations:
 9 19 \$ 2,955,000
 9 20 5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT
 9 21 For deposit in the public water supply system account of the
 9 22 water quality protection fund created in section 455B.183A:
 9 23 \$ 500,000
 9 24 6. REGULATION OF ANIMAL FEEDING OPERATIONS
 9 25 For the regulation of animal feeding operations, including
 9 26 as provided for in chapters 459 and 459A:
 9 27 \$ 608,400
 9 28 7. AMBIENT AIR QUALITY
 9 29 For the abatement, control, and prevention of ambient
 9 30 air pollution in this state, including measures as necessary
 9 31 to assure attainment and maintenance of ambient air quality
 9 32 standards from particulate matter:
 9 33 \$ 425,000
 9 34 8. WATER QUANTITY REGULATION
 9 35 For regulating water quantity from surface and subsurface



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Senate Study Bill 3240 continued

11 1 \$ 12,000,000

11 2 EXPLANATION

11 3 GENERAL. This bill relates to agriculture and natural
11 4 resources by making appropriations for the 2010=2011 fiscal
11 5 year to support related entities, including the department of
11 6 agriculture and land stewardship and the department of natural
11 7 resources.

11 8 The bill appropriates moneys to the department of
11 9 agriculture and land stewardship and the department of natural
11 10 resources. The appropriations are made to support those
11 11 departments for administration, regulation, and programs. The
11 12 bill requires the departments to submit quarterly reports to
11 13 the general assembly and department of management regarding the
11 14 expenditure of appropriated moneys. The bill also provides
11 15 moneys to support specific programs or projects administered by
11 16 those departments. The bill appropriates moneys from a number
11 17 of sources, including the general fund of the state, the state
11 18 fish and game protection fund, and the groundwater protection
11 19 fund. The bill is organized into divisions.

11 20 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. For the
11 21 department of agriculture and land stewardship, moneys are
11 22 appropriated in order to support its divisions.

11 23 The bill appropriates moneys from the general fund to
11 24 support designated programs, including horse and dog racing,
11 25 and motor fuel inspection.

11 26 DEPARTMENT OF NATURAL RESOURCES. For the department of
11 27 natural resources, moneys are appropriated from the general
11 28 fund in order to support its divisions.

11 29 The bill makes appropriations from other funds. The bill
11 30 appropriates moneys to the department of natural resources from
11 31 the state fish and game protection fund to support programs
11 32 related to fish and wildlife. The bill appropriates moneys
11 33 from the groundwater protection fund to support groundwater
11 34 quality. The bill appropriates moneys from the snowmobile fund
11 35 to the department for snowmobile programs.



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12 1 The bill includes miscellaneous provisions. An
12 2 appropriation is made from the unassigned revenue fund
12 3 administered by the Iowa comprehensive underground storage
12 4 tank fund board to the department of natural resources for
12 5 administration and expenses of the underground storage tank
12 6 section.
12 7 The bill provides that the department of natural
12 8 resources may use additional funds for staffing to reduce the
12 9 department's floodplain permit backlog and implementing the
12 10 federal maximum daily load program.
12 11 ENVIRONMENT FIRST FUND == GENERAL APPROPRIATIONS. The
12 12 bill appropriates funding from the environment first fund to
12 13 the department of agriculture and land stewardship and the
12 14 department of natural resources to support a number of programs
12 15 and projects. The bill appropriates moneys for state park
12 16 maintenance and operations, including moneys allocated to the
12 17 Honey creek premier destination park authority to support
12 18 its bonding program. Nonreversion clauses authorize the
12 19 appropriations made in this division to be carried forward into
12 20 the succeeding fiscal year and allows the appropriation for
12 21 permanent soil and water conservation practices to be available
12 22 through fiscal year 2013=2014.
12 23 ENVIRONMENT FIRST FUND == RESOURCE ENHANCEMENT AND
12 24 PROTECTION. The bill appropriates moneys from the environment
12 25 first fund to the resources enhancement and protection fund
12 26 in lieu of the \$20 million appropriated by statute from the
12 27 general fund of the state.

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Senate Study Bill 3241

SENATE/HOUSE FILE
BY (PROPOSED GOVERNOR'S
BUDGET BILL)

A BILL FOR

1 An Act relating to the funding of, the operation of, and
2 appropriation of moneys to the college student aid
3 commission, the department for the blind, the department of
4 education, and the state board of regents, and providing for
5 related matters.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5099XG (1) 83
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1 1 DEPARTMENT FOR THE BLIND

1 2 Section 1. ADMINISTRATION. There is appropriated from the

1 3 general fund of the state to the department for the blind for

1 4 the fiscal year beginning July 1, 2010, and ending June 30,

1 5 2011, the following amount, or so much thereof as is necessary,

1 6 to be used for the purposes designated:

1 7 For salaries, support, maintenance, and miscellaneous

1 8 purposes:

1 9 \$ 2,032,265

1 10 COLLEGE STUDENT AID COMMISSION

1 11 Sec. 2. There is appropriated from the general fund of the

1 12 state to the college student aid commission for the fiscal year

1 13 beginning July 1, 2010, and ending June 30, 2011, the following

1 14 amounts, or so much thereof as may be necessary, to be used for

1 15 the purposes designated:

1 16 1. GENERAL ADMINISTRATION

1 17 For salaries, support, maintenance, and miscellaneous

1 18 purposes:

1 19 \$ 314,443

1 20 2. STUDENT AID PROGRAMS

1 21 For payments to students for the Iowa grant program

1 22 established in section 261.93:

1 23 \$ 883,569

1 24 3. DES MOINES UNIVERSITY == OSTEOPATHIC MEDICAL CENTER

1 25 a. For forgivable loans to Iowa students attending Des

1 26 Moines university == osteopathic medical center under the

1 27 forgivable loan program pursuant to section 261.19:

1 28 \$ 82,501

1 29 To receive funds appropriated pursuant to this paragraph,

1 30 Des Moines university == osteopathic medical center shall match

1 31 the funds with institutional funds on a dollar=for=dollar

1 32 basis.

1 33 b. For Des Moines university == osteopathic medical center

1 34 for an initiative in primary health care to direct primary care

1 35 physicians to shortage areas in the state:



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2 1 \$ 281,539
 2 2 4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM
 2 3 For purposes of providing national guard educational
 2 4 assistance under the program established in section 261.86:
 2 5 \$ 3,316,903
 2 6 5. TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM
 2 7 For the teacher shortage loan forgiveness program
 2 8 established in section 261.112:
 2 9 \$ 438,282
 2 10 6. ALL IOWA OPPORTUNITY FOSTER CARE GRANT PROGRAM
 2 11 For purposes of the all Iowa opportunity foster care grant
 2 12 program established pursuant to section 261.6:
 2 13 \$ 618,759
 2 14 7. ALL IOWA OPPORTUNITY SCHOLARSHIP PROGRAM
 2 15 For purposes of the all Iowa opportunity scholarship program
 2 16 established pursuant to section 261.87:
 2 17 \$ 2,502,537
 2 18 If the moneys appropriated by the general assembly to the
 2 19 college student aid commission for fiscal year 2010=2011 for
 2 20 purposes of the all Iowa opportunity scholarship program exceed
 2 21 \$500,000, "eligible institution" as defined in section 261.87,
 2 22 shall, during fiscal year 2010=2011, include accredited private
 2 23 institutions as defined in section 261.9, subsection 1.
 2 24 8. REGISTERED NURSE AND NURSE EDUCATOR LOAN FORGIVENESS
 2 25 PROGRAM
 2 26 For purposes of the registered nurse and nurse educator loan
 2 27 forgiveness program established pursuant to section 261.23:
 2 28 \$ 90,293
 2 29 It is the intent of the general assembly that the commission
 2 30 continue to consider moneys allocated pursuant to this
 2 31 subsection as funds that meet the state matching funds
 2 32 requirements of the federal leveraging educational assistance
 2 33 program and the federal supplemental leveraging educational
 2 34 assistance program established under the Higher Education Act
 2 35 of 1965, as amended.



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3 1 9. BARBER AND COSMETOLOGY ARTS AND SCIENCES TUITION GRANT
3 2 PROGRAM
3 3 For purposes of the barber and cosmetology arts and sciences
3 4 tuition grant program established pursuant to section 261.18:
3 5 \$ 41,251
3 6 Sec. 3. CHIROPRACTIC LOAN FUNDS. Notwithstanding section
3 7 261.72, from the moneys deposited in the chiropractic loan
3 8 revolving fund created pursuant to section 261.72, up to
3 9 \$20,000 shall be used for purposes of the chiropractic loan
3 10 forgiveness program established in section 261.73.
3 11 Sec. 4. WORK=STUDY APPROPRIATION FOR FY 2010=2011.
3 12 Notwithstanding section 261.85, for the fiscal year beginning
3 13 July 1, 2010, and ending June 30, 2011, the amount appropriated
3 14 from the general fund of the state to the college student aid
3 15 commission for the work=study program under section 261.85
3 16 shall be zero.

3 17 DEPARTMENT OF EDUCATION

3 18 Sec. 5. There is appropriated from the general fund of
3 19 the state to the department of education for the fiscal year
3 20 beginning July 1, 2010, and ending June 30, 2011, the following
3 21 amounts, or so much thereof as may be necessary, to be used for
3 22 the purposes designated:

3 23 1. GENERAL ADMINISTRATION
3 24 For salaries, support, maintenance, and miscellaneous
3 25 purposes:
3 26 \$ 7,099,482

3 27 2. VOCATIONAL EDUCATION ADMINISTRATION
3 28 For salaries, support, maintenance, and miscellaneous
3 29 purposes:
3 30 \$ 582,755

3 31 3. VOCATIONAL REHABILITATION SERVICES DIVISION
3 32 a. For salaries, support, maintenance, and miscellaneous
3 33 purposes:
3 34 \$ 4,639,957
3 35 b. For matching funds for programs to enable persons



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4 1 with severe physical or mental disabilities to function more
 4 2 independently, including salaries and support:
 4 3 \$ 45,967
 4 4 c. For the entrepreneurs with disabilities program
 4 5 established pursuant to section 259.4, subsection 9:
 4 6 \$ 162,531
 4 7 d. For costs associated with centers for independent
 4 8 living:
 4 9 \$ 45,000
 4 10 4. STATE LIBRARY
 4 11 a. For salaries, support, maintenance, and miscellaneous
 4 12 purposes:
 4 13 \$ 1,573,650
 4 14 b. For the enrich Iowa program established under section
 4 15 256.57:
 4 16 \$ 1,796,081
 4 17 5. LIBRARY SERVICE AREA SYSTEM
 4 18 For state aid:
 4 19 \$ 1,405,989
 4 20 6. PUBLIC BROADCASTING DIVISION
 4 21 For salaries, support, maintenance, capital expenditures,
 4 22 and miscellaneous purposes:
 4 23 \$ 8,074,514
 4 24 7. REGIONAL TELECOMMUNICATIONS COUNCILS
 4 25 For state aid:
 4 26 \$ 1,108,864
 4 27 The regional telecommunications councils established
 4 28 in section 8D.5 shall use the moneys appropriated in this
 4 29 subsection to provide technical assistance for network
 4 30 classrooms, planning and troubleshooting for local area
 4 31 networks, scheduling of video sites, and other related support
 4 32 activities.
 4 33 8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS
 4 34 For reimbursement for vocational education expenditures made
 4 35 by secondary schools:



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5 1 \$ 2,696,921
 5 2 Moneys appropriated in this subsection shall be used
 5 3 to reimburse school districts for vocational education
 5 4 expenditures made by secondary schools to meet the standards
 5 5 set in sections 256.11, 258.4, and 260C.14.
 5 6 9. SCHOOL FOOD SERVICE
 5 7 For use as state matching funds for federal programs that
 5 8 shall be disbursed according to federal regulations, including
 5 9 salaries, support, maintenance, and miscellaneous purposes:
 5 10 \$ 2,266,069
 5 11 10. IOWA EMPOWERMENT FUND == GENERAL AID
 5 12 For deposit in the school ready children grants account of
 5 13 the Iowa empowerment fund created in section 28.9:
 5 14 \$ 6,729,907
 5 15 a. From the moneys deposited in the school ready children
 5 16 grants account for the fiscal year beginning July 1, 2010,
 5 17 and ending June 30, 2011, not more than \$265,950 is allocated
 5 18 for the community empowerment office and other technical
 5 19 assistance activities, and of that amount not more than
 5 20 \$44,325 shall be used to administer the early childhood
 5 21 coordinator's position pursuant to section 28.3, subsection
 5 22 7. It is the intent of the general assembly that regional
 5 23 technical assistance teams will be established and will include
 5 24 staff from various agencies, as appropriate, including the
 5 25 area education agencies, community colleges, the university
 5 26 of northern Iowa, and the Iowa state university of science
 5 27 and technology cooperative extension service in agriculture
 5 28 and home economics. The Iowa empowerment board shall direct
 5 29 staff to work with the advisory council to inventory technical
 5 30 assistance needs. Moneys allocated under this lettered
 5 31 paragraph may be used by the Iowa empowerment board for the
 5 32 purpose of skills development and support for ongoing training
 5 33 of the regional technical assistance teams. However, except as
 5 34 otherwise provided in this subsection, moneys shall not be used
 5 35 for additional staff or for the reimbursement of staff.



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6 1 b. As a condition of receiving moneys appropriated in
6 2 this subsection, each community empowerment area board shall
6 3 report to the Iowa empowerment board progress on each of the
6 4 state indicators approved by the state board, as well as
6 5 progress on local indicators. The community empowerment area
6 6 board must also submit a written plan amendment extending
6 7 by one year the area's comprehensive school ready children
6 8 grant plan developed for providing services for children from
6 9 birth through five years of age and provide other information
6 10 specified by the Iowa empowerment board. The amendment may
6 11 also provide for changes in the programs and services provided
6 12 under the plan. The Iowa empowerment board shall establish
6 13 a submission deadline for the plan amendment that allows a
6 14 reasonable period of time for preparation of the plan amendment
6 15 and for review and approval or request for modification of the
6 16 plan amendment by the Iowa empowerment board. In addition,
6 17 the community empowerment board must continue to comply with
6 18 reporting provisions and other requirements adopted by the Iowa
6 19 empowerment board in implementing section 28.8.

6 20 c. Of the amount appropriated in this subsection for
6 21 deposit in the school ready children grants account of the Iowa
6 22 empowerment fund, \$231,802 shall be used for efforts to improve
6 23 the quality of early care, health, and education programs.
6 24 Moneys allocated pursuant to this paragraph may be used for
6 25 additional staff and for the reimbursement of staff. The Iowa
6 26 empowerment board may reserve a portion of the allocation, not
6 27 to exceed \$88,650 for the technical assistance expenses of the
6 28 Iowa empowerment office and shall distribute the remainder
6 29 to community empowerment areas for local quality improvement
6 30 efforts through a methodology identified by the board to make
6 31 the most productive use of the funding, which may include use
6 32 of the distribution formula, grants, or other means.

6 33 d. Of the amount appropriated in this subsection for
6 34 deposit in the school ready children grants account of the
6 35 Iowa empowerment fund, \$825,030 shall be used for support of



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7 1 professional development and training activities for persons
 7 2 working in early care, health, and education by the Iowa
 7 3 empowerment board in collaboration with representation from the
 7 4 Iowa state university of science and technology cooperative
 7 5 extension service in agriculture and home economics, the
 7 6 university of northern Iowa, the department of education, area
 7 7 education agencies, community colleges, child care resource
 7 8 and referral services, and community empowerment area boards.
 7 9 Expenditures shall be limited to professional development and
 7 10 training activities agreed upon by the parties participating in
 7 11 the collaboration.

7 12 11. IOWA EMPOWERMENT FUND == PRESCHOOL TUITION ASSISTANCE
 7 13 a. For deposit in the school ready children grants account
 7 14 of the Iowa empowerment fund created in section 28.9:
 7 15 \$ 7,894,935

7 16 b. The amount appropriated in this subsection shall be
 7 17 used for early care, health, and education programs to assist
 7 18 low-income parents with tuition for preschool and other
 7 19 supportive services for children ages three, four, and five
 7 20 who are not attending kindergarten in order to increase the
 7 21 basic family income eligibility requirement to not more than
 7 22 200 percent of the federal poverty level. In addition, if
 7 23 sufficient funding is available after addressing the needs of
 7 24 those who meet the basic income eligibility requirement, a
 7 25 community empowerment area board may provide for eligibility
 7 26 for those with a family income in excess of the basic income
 7 27 eligibility requirement through use of a sliding scale or other
 7 28 copayment provisions.

7 29 12. IOWA EMPOWERMENT FUND == FAMILY SUPPORT AND PARENT
 7 30 EDUCATION
 7 31 a. For deposit in the school ready children grants account
 7 32 of the Iowa empowerment fund created in section 28.9:
 7 33 \$ 13,693,096

7 34 b. The amount appropriated in this subsection shall be
 7 35 used for family support services and parent education programs



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8 1 targeted to families expecting a child or with newborn and
 8 2 infant children through age five and shall be distributed using
 8 3 the distribution formula approved by the Iowa empowerment board
 8 4 and shall be used by a community empowerment area only for
 8 5 family support services and parent education programs targeted
 8 6 to families expecting a child or with newborn and infant
 8 7 children through age five. The programs funded under this
 8 8 subsection shall have a home visitation component.

8 9 13. BIRTH TO AGE THREE SERVICES

8 10 For expansion of the federal Individuals with Disabilities
 8 11 Education Improvement Act of 2004, Pub. L. No. 108=446, as
 8 12 amended to January 1, 2010, birth through age three services
 8 13 due to increased numbers of children qualifying for those
 8 14 services:

8 15 \$ 1,565,970

8 16 From the moneys appropriated in this subsection, \$345,392
 8 17 shall be allocated to the child health specialty clinic at the
 8 18 state university of Iowa to provide additional support for
 8 19 infants and toddlers who are born prematurely, drug=exposed, or
 8 20 medically fragile.

8 21 14. FOUR=YEAR=OLD PRESCHOOL PROGRAM

8 22 For allocation to eligible school districts for the
 8 23 four=year=old preschool program under chapter 256C:

8 24 \$ 12,744,294

8 25 From the moneys appropriated pursuant to this subsection,
 8 26 not more than \$330,000 shall be used by the department
 8 27 for administration of the four=year=old preschool program
 8 28 established pursuant to chapter 256C.

8 29 15. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

8 30 To provide moneys for costs of providing textbooks to each
 8 31 resident pupil who attends a nonpublic school as authorized by
 8 32 section 301.1:

8 33 \$ 625,634

8 34 Funding under this subsection is limited to \$20 per pupil and
 8 35 shall not exceed the comparable services offered to resident



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Senate Study Bill 3241 continued

9 1 public school pupils.

9 2 16. BEGINNING ADMINISTRATOR MENTORING AND INDUCTION PROGRAM

9 3 For purposes of administering the beginning administrator

9 4 mentoring and induction program established pursuant to chapter

9 5 284A:

9 6 \$ 203,160

9 7 17. CORE CURRICULUM AND CAREER INFORMATION AND

9 8 DECISION-MAKING SYSTEM

9 9 For purposes of implementing the statewide core curriculum

9 10 for school districts and accredited nonpublic schools and a

9 11 state-designated career information and decision-making system:

9 12 \$ 1,979,540

9 13 18. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM

9 14 For purposes of the student achievement and teacher quality

9 15 program established pursuant to chapter 284:

9 16 \$ 7,614,750

9 17 19. JOBS FOR AMERICA'S GRADUATES

9 18 For school districts to provide direct services to the

9 19 most at-risk senior high school students enrolled in school

9 20 districts through direct intervention by a jobs for America's

9 21 graduates specialist:

9 22 \$ 540,000

9 23 20. ADULT EDUCATION CAPACITY

9 24 To create adult basic education capacity by helping

9 25 dislocated workers acquire a high school equivalency diploma

9 26 through enhanced instructional support, an online curriculum,

9 27 and increasing access to instruction and assessment in high

9 28 need regions of the state:

9 29 \$ 500,000

9 30 21. COMMUNITY COLLEGES

9 31 For general state financial aid to merged areas as defined in

9 32 section 260C.2 in accordance with chapters 258 and 260C:

9 33 \$148,754,232

9 34 Notwithstanding the allocation formula in section 260C.18C,

9 35 the funds appropriated in this subsection shall be allocated



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10 1 as follows:

10 2	a.	Merged Area I	\$ 7,405,545
10 3	b.	Merged Area II	\$ 7,926,875
10 4	c.	Merged Area III	\$ 7,299,949
10 5	d.	Merged Area IV	\$ 3,584,567
10 6	e.	Merged Area V	\$ 8,140,495
10 7	f.	Merged Area VI	\$ 6,980,790
10 8	g.	Merged Area VII	\$ 10,392,709
10 9	h.	Merged Area IX	\$ 12,925,608
10 10	i.	Merged Area X	\$ 22,607,296
10 11	j.	Merged Area XI	\$ 22,718,144
10 12	k.	Merged Area XII	\$ 8,486,441
10 13	l.	Merged Area XIII	\$ 8,700,756
10 14	m.	Merged Area XIV	\$ 3,638,701
10 15	n.	Merged Area XV	\$ 11,406,553
10 16	o.	Merged Area XVI	\$ 6,539,803

10 17 Sec. 6. COMMUNITY COLLEGE SALARIES. There is appropriated
 10 18 from the general fund of the state to the department of
 10 19 education for the fiscal year beginning July 1, 2010, and
 10 20 ending June 30, 2011, the following amount, or so much thereof
 10 21 as is necessary, to be used for the purpose designated:

10 22 For distribution to community colleges to supplement faculty
 10 23 salaries:
 10 24 \$ 825,012

10 25 Sec. 7. STATE FOUNDATION AID FOR SCHOOLS == FY 2010=2011.
 10 26 Notwithstanding the standing appropriation in section 257.16,
 10 27 subsection 1, for state foundation aid for the fiscal year
 10 28 beginning July 1, 2010, and ending June 30, 2011, the amount
 10 29 appropriated from the general fund of the state pursuant to
 10 30 that section for the following designated purpose shall not
 10 31 exceed the following amount:

10 32 For state foundation aid under section 257.16, subsection 1:
 10 33 \$2,346,110,078

10 34 1. If the amount appropriated in this section is not
 10 35 sufficient to fully fund state foundation aid, school districts



**Iowa General Assembly
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Senate Study Bill 3241 continued

11 1 must first use state foundation aid for four-year-old preschool
11 2 programs as provided in chapter 256C.

11 3 2. If the moneys appropriated in this section, after the
11 4 allocation made in subsection 1, are less than the amount
11 5 required to fully fund state foundation aid pursuant to section
11 6 257.16, subsection 1, the difference shall be deducted from the
11 7 payments to each school district and area education agency in
11 8 the manner provided in section 257.16, subsection 4.

11 9 Sec. 8. CASH RESERVE FUND APPROPRIATION == FY 2010=2011.
11 10 Notwithstanding the requirements in section 8.56, subsections 3
11 11 and 4, there is appropriated from the cash reserve fund created
11 12 in section 8.56 to the department of education for the fiscal
11 13 year beginning July 1, 2010, and ending June 30, 2011, the
11 14 following amount, or so much thereof as is necessary, to be
11 15 used for the purposes designated:

11 16 For state foundation aid under section 257.16, subsection 1:
11 17 \$100,000,000

11 18 1. The appropriation made in this section is in lieu of an
11 19 equal amount of the appropriation made from the general fund
11 20 of the state for the fiscal year beginning July 1, 2010, and
11 21 ending June 30, 2011, pursuant to section 257.16, subsection
11 22 1, and shall be used to pay that part of state foundation aid
11 23 which represents the allowable growth amounts for all school
11 24 districts under section 257.8, subsection 1.

11 25 2. For purposes of distributing the appropriation made in
11 26 this section to school districts, the distribution amount shall
11 27 be calculated equally in the monthly payment to each school
11 28 district in the same ratio that the weighted enrollment of the
11 29 school district for the budget year beginning July 1, 2010,
11 30 determined in accordance with section 257.6, subsection 5,
11 31 bears to the total weighted enrollment of all school districts
11 32 in the state for that budget year.

11 33 Sec. 9. LIMITATION OF STANDING APPROPRIATIONS.
11 34 Notwithstanding the standing appropriations in the following
11 35 designated sections for the fiscal year beginning July 1, 2010,



**Iowa General Assembly
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March 01, 2010**

Senate Study Bill 3241 continued

12 1 and ending June 30, 2011, the amounts appropriated from the
 12 2 general fund of the state pursuant to these sections for the
 12 3 following designated purposes shall not exceed the following
 12 4 amounts:

12 5 1. For payment for nonpublic school transportation under
 12 6 section 285.2:
 12 7 \$ 7,060,931
 12 8 If total approved claims for reimbursement for nonpublic
 12 9 school pupil transportation exceed the amount appropriated in
 12 10 accordance with this subsection, the department of education
 12 11 shall prorate the amount of each approved claim.

12 12 2. For programs for at-risk children pursuant to section
 12 13 279.51:
 12 14 \$ 11,493,891

12 15 Sec. 10. INSTRUCTIONAL SUPPORT STATE AID. Notwithstanding
 12 16 the standing appropriation provided under section 257.20,
 12 17 an appropriation from the general fund of the state to the
 12 18 department of education for the fiscal year beginning July 1,
 12 19 2010, and ending June 30, 2011, shall not be made for purposes
 12 20 of paying instructional support state aid.

12 21 STATE BOARD OF REGENTS

12 22 Sec. 11. There is appropriated from the general fund of
 12 23 the state to the state board of regents for the fiscal year
 12 24 beginning July 1, 2010, and ending June 30, 2011, the following
 12 25 amounts, or so much thereof as may be necessary, to be used for
 12 26 the purposes designated:

12 27 1. OFFICE OF STATE BOARD OF REGENTS

12 28 a. For salaries, support, maintenance, and miscellaneous
 12 29 purposes:
 12 30 \$ 1,105,123

12 31 The state board of regents shall submit a monthly financial
 12 32 report in a format agreed upon by the state board of regents
 12 33 office and the legislative services agency.

12 34 b. For moneys to be allocated to the southwest Iowa graduate
 12 35 studies center:



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Senate Study Bill 3241 continued

13	1	\$	90,766
13	2	c. For moneys to be allocated to the siouxland interstate		
13	3	metropolitan planning council for the tristate graduate center		
13	4	under section 262.9, subsection 21:		
13	5	.....	\$	69,110
13	6	d. For moneys to be allocated to the quad=cities graduate		
13	7	studies center:		
13	8	.....	\$	134,665
13	9	e. For moneys to be distributed to Iowa public radio for		
13	10	public radio operations:		
13	11	.....	\$	406,318
13	12	2. STATE UNIVERSITY OF IOWA		
13	13	a. General university, including lakeside laboratory		
13	14	For salaries, support, maintenance, equipment, and		
13	15	miscellaneous purposes:		
13	16	.....	\$226,306,403	
13	17	b. Oakdale campus		
13	18	For salaries, support, maintenance, and miscellaneous		
13	19	purposes:		
13	20	.....	\$	2,268,925
13	21	c. State hygienic laboratory		
13	22	For salaries, support, maintenance, and miscellaneous		
13	23	purposes:		
13	24	.....	\$	3,669,943
13	25	d. Family practice program		
13	26	For allocation by the dean of the college of medicine, with		
13	27	approval of the advisory board, to qualified participants		
13	28	to carry out the provisions of chapter 148D for the family		
13	29	practice program, including salaries and support:		
13	30	.....	\$	1,855,628
13	31	e. Child health care services		
13	32	For specialized child health care services, including		
13	33	childhood cancer diagnostic and treatment network programs,		
13	34	rural comprehensive care for hemophilia patients, and the Iowa		
13	35	high=risk infant follow=up program, including salaries and		



**Iowa General Assembly
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Senate Study Bill 3241 continued

14	1	support:		
14	2	\$	684,297
14	3	f. Statewide cancer registry		
14	4	For the statewide cancer registry:		
14	5	.....	\$	154,666
14	6	g. Substance abuse consortium		
14	7	For moneys to be allocated to the Iowa consortium for		
14	8	substance abuse research and evaluation:		
14	9	.....	\$	57,621
14	10	h. Center for biocatalysis		
14	11	For the center for biocatalysis:		
14	12	.....	\$	750,990
14	13	i. Primary health care initiative		
14	14	For the primary health care initiative in the college of		
14	15	medicine:		
14	16	.....	\$	673,375
14	17	From the moneys appropriated in this lettered paragraph,		
14	18	\$271,378 shall be allocated to the department of family		
14	19	practice at the state university of Iowa college of medicine		
14	20	for family practice faculty and support staff.		
14	21	j. Birth defects registry		
14	22	For the birth defects registry:		
14	23	.....	\$	39,730
14	24	k. Larned A. Waterman Iowa nonprofit resource center		
14	25	For the Larned A. Waterman Iowa nonprofit resource center:		
14	26	.....	\$	168,662
14	27	3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY		
14	28	a. General university		
14	29	For salaries, support, maintenance, equipment, and		
14	30	miscellaneous purposes:		
14	31	.....	\$	177,328,346
14	32	b. Agricultural experiment station		
14	33	For the agricultural experiment station salaries, support,		
14	34	maintenance, and miscellaneous purposes:		
14	35	\$	29,170,840



**Iowa General Assembly
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Senate Study Bill 3241 continued

15 1 c. Cooperative extension service in agriculture and home
 15 2 economics
 15 3 For the cooperative extension service in agriculture
 15 4 and home economics salaries, support, maintenance, and
 15 5 miscellaneous purposes:
 15 6 \$ 18,612,391
 15 7 d. Leopold center
 15 8 For agricultural research grants at Iowa state university of
 15 9 science and technology under section 266.39B:
 15 10 \$ 412,388
 15 11 e. Livestock disease research
 15 12 For deposit in and the use of the livestock disease research
 15 13 fund under section 267.8:
 15 14 \$ 179,356
 15 15 f. Veterinary diagnostic laboratory
 15 16 For purposes of supporting the college of veterinary
 15 17 medicine for the operation of the veterinary diagnostic
 15 18 laboratory:
 15 19 \$ 3,444,294
 15 20 (1) (a) Iowa state university shall not reduce the amount
 15 21 that it allocates to support the college of veterinary medicine
 15 22 from any other source due to the appropriation made in this
 15 23 lettered paragraph.
 15 24 (b) Subparagraph division (a) does not apply to a reduction
 15 25 made to support the college of veterinary medicine if the same
 15 26 percentage of reduction imposed on the college of veterinary
 15 27 medicine is also imposed on all of Iowa state university's
 15 28 budget units.
 15 29 (2) If by the end of the fiscal year Iowa state university
 15 30 fails to allocate the moneys appropriated in this lettered
 15 31 paragraph "f" to the college of veterinary medicine in
 15 32 accordance with this lettered paragraph "f", the moneys
 15 33 appropriated in this lettered paragraph "f" for that fiscal
 15 34 year shall revert to the general fund.
 15 35 4. UNIVERSITY OF NORTHERN IOWA



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Senate Study Bill 3241 continued

16 1 a. General university
 16 2 For salaries, support, maintenance, equipment, and
 16 3 miscellaneous purposes:
 16 4 \$ 80,638,563
 16 5 b. Recycling and reuse center
 16 6 For purposes of the recycling and reuse center:
 16 7 \$ 181,858
 16 8 c. Science, technology, engineering, and mathematics (STEM)
 16 9 collaborative initiative
 16 10 For purposes of establishing a science, technology,
 16 11 engineering, and mathematics (STEM) collaborative initiative:
 16 12 \$ 3,250,549
 16 13 d. Real estate education program
 16 14 For purposes of the real estate education program:
 16 15 \$ 130,022
 16 16 5. STATE SCHOOL FOR THE DEAF
 16 17 For salaries, support, maintenance, and miscellaneous
 16 18 purposes:
 16 19 \$ 8,679,964
 16 20 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL
 16 21 For salaries, support, maintenance, and miscellaneous
 16 22 purposes:
 16 23 \$ 4,917,362
 16 24 7. TUITION AND TRANSPORTATION COSTS
 16 25 For payment to local school boards for the tuition and
 16 26 transportation costs of students residing in the Iowa braille
 16 27 and sight saving school and the state school for the deaf
 16 28 pursuant to section 262.43 and for payment of certain clothing,
 16 29 prescription, and transportation costs for students at these
 16 30 schools pursuant to section 270.5:
 16 31 \$ 12,206
 16 32 8. LICENSED CLASSROOM TEACHERS
 16 33 For distribution at the Iowa braille and sight saving school
 16 34 and the Iowa school for the deaf based upon the average yearly
 16 35 enrollment at each school as determined by the state board of



**Iowa General Assembly
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Senate Study Bill 3241 continued

17 1 regents:
17 2 \$ 85,140

17 3 Sec. 12. ENERGY COST=SAVINGS PROJECTS == FINANCING. For
17 4 the fiscal year beginning July 1, 2010, and ending June 30,
17 5 2011, the state board of regents may use notes, bonds, or
17 6 other evidences of indebtedness issued under section 262.48 to
17 7 finance projects that will result in energy cost savings in an
17 8 amount that will cause the state board to recover the cost of
17 9 the projects within an average of six years.

17 10 Sec. 13. PRESCRIPTION DRUG COSTS. Notwithstanding section
17 11 270.7, the department of administrative services shall pay
17 12 the state school for the deaf and the Iowa braille and sight
17 13 saving school the moneys collected from the counties during the
17 14 fiscal year beginning July 1, 2010, for expenses relating to
17 15 prescription drug costs for students attending the state school
17 16 for the deaf and the Iowa braille and sight saving school.

EXPLANATION

17 18 This bill appropriates moneys for fiscal year 2010=2011
17 19 from the general fund of the state to the college student aid
17 20 commission, the department for the blind, the department of
17 21 education, and the state board of regents and its institutions.

17 22 The bill appropriates to the department for the blind for its
17 23 administration.

17 24 The bill includes appropriations to the college student aid
17 25 commission for general administrative purposes, student aid
17 26 programs, forgivable loans and loan forgiveness for students
17 27 and physicians and surgeons, an initiative directing primary
17 28 care physicians to areas of the state experiencing physician
17 29 shortages, the national guard educational assistance program,
17 30 the teacher shortage loan forgiveness program, the all Iowa
17 31 opportunity foster care grant and scholarship programs, the
17 32 registered nurse loan and nurse educator forgiveness program,
17 33 and the barber and cosmetology arts and sciences tuition grant
17 34 program.

17 35 The bill notwithstanding the \$2.75 million standing



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18 1 appropriation for the Iowa work=study program and provides that
18 2 the amount appropriated for the 2010=2011 fiscal year is zero.
18 3 The bill appropriates moneys to the department of education
18 4 for purposes of the department's general administration;
18 5 vocational education administration; division of vocational
18 6 rehabilitation services including independent living, and the
18 7 entrepreneurs with disabilities program, and for centers for
18 8 independent living; state library for general administration
18 9 and the enrich Iowa program; library service area system;
18 10 public broadcasting division; regional telecommunications
18 11 councils; vocational education to secondary schools; school
18 12 food service; Iowa empowerment fund; expansion of the federal
18 13 Individuals with Disabilities Education Improvement Act
18 14 birth through age three services; a four=year=old preschool
18 15 program; textbooks for nonpublic school pupils; the beginning
18 16 administrator mentoring and induction program; the core
18 17 curriculum and career information and decision=making system;
18 18 the student achievement and teacher quality program; jobs for
18 19 America's graduates; adult education capacity for dislocated
18 20 workers; and community colleges and community college salaries.
18 21 The bill eliminates for FY 2010=2011 a standing
18 22 appropriation for instructional support state aid, and limits
18 23 standing appropriations for FY 2010=2011 made for state
18 24 foundation aid for schools, nonpublic school transportation,
18 25 and programs for at=risk children. However, the bill
18 26 appropriates \$100 million from the cash reserve fund to the
18 27 department of education for state foundation aid.
18 28 The bill appropriates moneys to the state board of regents
18 29 for the board office, universities' general operating budgets;
18 30 the southwest Iowa graduate studies center; the siouxland
18 31 interstate metropolitan planning council; the quad=cities
18 32 graduate studies center; Iowa public radio; the state
18 33 university of Iowa; Iowa state university of science and
18 34 technology; the university of northern Iowa; the Iowa school
18 35 for the deaf; the Iowa braille and sight saving school; and for



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Senate Study Bill 3241 continued

19 1 tuition and transportation costs for students residing in the
19 2 Iowa braille and sight saving school and the Iowa school for
19 3 the deaf, and for distribution of funds to licensed classroom
19 4 teachers at those schools.
19 5 The bill requires the department of administrative services
19 6 to pay the state school for the deaf and the Iowa braille and
19 7 sight saving school moneys collected from counties for expenses
19 8 related to prescription drug costs for students attending the
19 9 schools.

LSB 5099XG (1) 83

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Iowa General Assembly
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March 01, 2010

Senate Study Bill 3242

SENATE/HOUSE FILE
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
JOINT APPROPRIATIONS
SUBCOMMITTEE ON
JUSTICE SYSTEM)

A BILL FOR

- 1 An Act relating to and making appropriations to the judicial
- 2 branch.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



**Iowa General Assembly
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March 01, 2010**

Senate Study Bill 3242 continued

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1 1 Section 1. JUDICIAL BRANCH.

1 2 1. There is appropriated from the general fund of the state

1 3 to the judicial branch for the fiscal year beginning July 1,

1 4 2010, and ending June 30, 2011, the following amount, or so

1 5 much thereof as is necessary, to be used for the purposes

1 6 designated:

1 7 a. For salaries of supreme court justices, appellate court

1 8 judges, district court judges, district associate judges,

1 9 judicial magistrates and staff, state court administrator,

1 10 clerk of the supreme court, district court administrators,

1 11 clerks of the district court, juvenile court officers, board of

1 12 law examiners and board of examiners of shorthand reporters and

1 13 judicial qualifications commission; receipt and disbursement

1 14 of child support payments; reimbursement of the auditor

1 15 of state for expenses incurred in completing audits of the

1 16 offices of the clerks of the district court during the fiscal

1 17 year beginning July 1, 2010; and maintenance, equipment, and

1 18 miscellaneous purposes:

1 19 \$148,811,822

1 20 b. For deposit in the revolving fund created pursuant

1 21 to section 602.1302, subsection 3, for jury and witness

1 22 fees, mileage, costs related to summoning jurors, fees for

1 23 interpreters, and reimbursement of attorney fees paid by the

1 24 state public defender:

1 25 \$ 1,500,000

1 26 2. The judicial branch, except for purposes of internal

1 27 processing, shall use the current state budget system, the

1 28 state payroll system, and the Iowa finance and accounting

1 29 system in administration of programs and payments for services,

1 30 and shall not duplicate the state payroll, accounting, and

1 31 budgeting systems.

1 32 3. The judicial branch shall submit monthly financial

1 33 statements to the legislative services agency and the

1 34 department of management containing all appropriated accounts

1 35 in the same manner as provided in the monthly financial status



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Senate Study Bill 3242 continued

2 1 reports and personal services usage reports of the department
2 2 of administrative services. The monthly financial statements
2 3 shall include a comparison of the dollars and percentage
2 4 spent of budgeted versus actual revenues and expenditures on
2 5 a cumulative basis for full-time equivalent positions and
2 6 dollars.

2 7 4. The judicial branch shall focus efforts upon the
2 8 collection of delinquent fines, penalties, court costs, fees,
2 9 surcharges, or similar amounts.

2 10 5. It is the intent of the general assembly that the offices
2 11 of the clerks of the district court operate in all 99 counties
2 12 and be accessible to the public as much as is reasonably
2 13 possible in order to address the relative needs of the citizens
2 14 of each county.

2 15 6. In addition to the requirements for transfers under
2 16 section 8.39, the judicial branch shall not change the
2 17 appropriations from the amounts appropriated to the judicial
2 18 branch in this Act, unless notice of the revisions is given
2 19 prior to their effective date to the legislative services
2 20 agency. The notice shall include information on the branch's
2 21 rationale for making the changes and details concerning the
2 22 workload and performance measures upon which the changes are
2 23 based.

2 24 7. The judicial branch shall submit a semiannual update
2 25 to the legislative services agency specifying the amounts of
2 26 fines, surcharges, and court costs collected using the Iowa
2 27 court information system since the last report. The judicial
2 28 branch shall continue to facilitate the sharing of vital
2 29 sentencing and other information with other state departments
2 30 and governmental agencies involved in the criminal justice
2 31 system through the Iowa court information system.

2 32 8. The judicial branch shall provide a report to the general
2 33 assembly by January 1, 2011, concerning the amounts received
2 34 and expended from the enhanced court collections fund created
2 35 in section 602.1304 and the court technology and modernization



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Senate Study Bill 3242 continued

3 1 fund created in section 602.8108, subsection 7, during the
3 2 fiscal year beginning July 1, 2009, and ending June 30, 2010,
3 3 and the plans for expenditures from each fund during the fiscal
3 4 year beginning July 1, 2010, and ending June 30, 2011. A copy
3 5 of the report shall be provided to the legislative services
3 6 agency.

3 7 9. The judicial branch is encouraged to purchase products
3 8 from Iowa state industries, as defined in section 904.802, when
3 9 purchases are required and the products are available from Iowa
3 10 state industries. The judicial branch shall obtain bids from
3 11 Iowa state industries for purchases of office furniture during
3 12 the fiscal year beginning July 1, 2010, exceeding \$5,000.

3 13 Sec. 2. CIVIL TRIALS == LOCATION. Notwithstanding any
3 14 provision to the contrary, for the fiscal year beginning July
3 15 1, 2010, and ending June 30, 2011, if all parties in a case
3 16 agree, a civil trial including a jury trial may take place in a
3 17 county contiguous to the county with proper jurisdiction, even
3 18 if the contiguous county is located in an adjacent judicial
3 19 district or judicial election district. If the trial is moved
3 20 pursuant to this section, court personnel shall treat the case
3 21 as if a change of venue occurred. However, if a trial is moved
3 22 to an adjacent judicial district or judicial election district,
3 23 the judicial officers serving in the judicial district or
3 24 judicial election district receiving the case shall preside
3 25 over the case.

3 26 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section
3 27 602.1509, for the fiscal year beginning July 1, 2010, a
3 28 judicial officer may waive travel reimbursement for any travel
3 29 outside the judicial officer's county of residence to conduct
3 30 official judicial business.

3 31 Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT ==
3 32 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports
3 33 required to be provided by the judicial branch for fiscal year
3 34 2010=2011 to the legislative services agency shall be provided
3 35 in an electronic format. The legislative services agency shall



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March 01, 2010

Senate Study Bill 3242 continued

4 1 post the reports on its internet website and shall notify by
4 2 electronic means all the members of the joint appropriations
4 3 subcommittee on the justice system when a report is posted.
4 4 Upon request, copies of the reports may be mailed to members of
4 5 the joint appropriations subcommittee on the justice system.

4 6 Sec. 5. JUDICIAL OFFICER == UNPAID LEAVE. Notwithstanding
4 7 the annual salary rates for judicial officers established by
4 8 2008 Iowa Acts, chapter 1191, section 11, for the fiscal year
4 9 beginning July 1, 2010, and ending June 30, 2011, the supreme
4 10 court may by order place all judicial officers on unpaid leave
4 11 status on any day employees of the judicial branch are placed
4 12 on temporary layoff status. The biweekly pay of the judicial
4 13 officers shall be reduced accordingly for the pay period in
4 14 which the unpaid leave date occurred in the same manner as
4 15 for noncontract employees of the judicial branch. Through
4 16 the course of the fiscal year, the judicial branch may use an
4 17 amount equal to the aggregate amount of salary reductions due
4 18 to the judicial officer unpaid leave days for any purpose other
4 19 than for judicial salaries.

4 20 Sec. 6. IOWA COMMUNICATIONS NETWORK. It is the intent
4 21 of the general assembly that the judicial branch utilize
4 22 the Iowa communications network or other secure electronic
4 23 communications in lieu of traveling for the fiscal year
4 24 beginning July 1, 2010.

4 25 EXPLANATION

4 26 This bill appropriates from the general fund of the state for
4 27 FY 2010=2011 to the judicial branch for salaries, maintenance,
4 28 equipment, and miscellaneous purposes.

4 29 The bill appropriates \$1.5 million from the general fund
4 30 of the state to the revolving fund created in Code section
4 31 602.1302 for jury and witness fees, mileage, costs related to
4 32 summoning jurors, fees for interpreters, and certain attorney
4 33 fee reimbursement.

4 34 The bill provides that a civil trial including a jury trial
4 35 may take place in a county contiguous to the county with proper



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Senate Study Bill 3242 continued

5 1 jurisdiction, even if the contiguous county is located in an
5 2 adjacent judicial district or judicial election district, if
5 3 all the parties in a case agree. If a trial is moved to another
5 4 county that is located in another judicial district or judicial
5 5 election district, the judicial officers serving the judicial
5 6 district or judicial election district receiving the case shall
5 7 preside over the case.

5 8 The bill permits a judicial officer to waive travel
5 9 reimbursement for any travel outside the judicial officer's
5 10 county of residence to conduct official business.

5 11 The bill allows a judicial officer to be placed on unpaid
5 12 leave for the fiscal year beginning July 1, 2010, and ending
5 13 June 30, 2011, on any day a court employee is required to
5 14 furlough. The bill provides that if a judicial officer is
5 15 placed on unpaid leave, the salary of the judicial officer
5 16 shall be reduced accordingly for the pay period in which the
5 17 unpaid leave occurred. Through the course of the fiscal year,
5 18 the bill provides that the judicial branch may use an amount
5 19 equal to the aggregate amount of the salary reductions due
5 20 to judicial officer unpaid leave for any purpose other than
5 21 judicial salaries.

5 22 A legislative intent section provides that the judicial
5 23 branch utilize the Iowa communications network or other secure
5 24 electronic communications in lieu of traveling.

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Iowa General Assembly
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Senate Study Bill 3243

SENATE/HOUSE FILE
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
JOINT APPROPRIATIONS
SUBCOMMITTEE ON
JUSTICE SYSTEM)

A BILL FOR

- 1 An Act relating to and making appropriations to the justice
- 2 system, and including effective date provisions.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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Senate Study Bill 3243 continued

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1 1 Section 1. DEPARTMENT OF JUSTICE.

1 2 1. There is appropriated from the general fund of the state

1 3 to the department of justice for the fiscal year beginning July

1 4 1, 2010, and ending June 30, 2011, the following amounts, or

1 5 so much thereof as is necessary, to be used for the purposes

1 6 designated:

1 7 a. For the general office of attorney general for salaries,

1 8 support, maintenance, and miscellaneous purposes, including

1 9 the prosecuting attorneys training program, victim assistance

1 10 grants, office of drug control policy prosecuting attorney

1 11 program, and odometer fraud enforcement, and for not more than

1 12 the following full-time equivalent positions:

1 13	\$ 7,732,930
1 14	FTEs 232.50

1 15 It is the intent of the general assembly that as a condition

1 16 of receiving the appropriation provided in this lettered

1 17 paragraph, the department of justice shall maintain a record

1 18 of the estimated time incurred representing each agency or

1 19 department.

1 20 b. For victim assistance grants:

1 21	\$ 3,060,000
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1 22 The funds appropriated in this lettered paragraph shall be

1 23 used to provide grants to care providers providing services to

1 24 crime victims of domestic abuse or to crime victims of rape and

1 25 sexual assault.

1 26 The balance of the victim compensation fund established in

1 27 section 915.94 may be used to provide salary and support of not

1 28 more than 22 FTEs and to provide maintenance for the victim

1 29 compensation functions of the department of justice.

1 30 The department of justice may transfer moneys from the

1 31 victim compensation fund established in section 915.94 to the

1 32 victim assistance grant program.

1 33 c. For legal services for persons in poverty grants as

1 34 provided in section 13.34:

1 35	\$ 1,930,671
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**Iowa General Assembly
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Senate Study Bill 3243 continued

2 1 2. a. The department of justice, in submitting budget
2 2 estimates for the fiscal year commencing July 1, 2011, pursuant
2 3 to section 8.23, shall include a report of funding from sources
2 4 other than amounts appropriated directly from the general fund
2 5 of the state to the department of justice or to the office of
2 6 consumer advocate. These funding sources shall include but
2 7 are not limited to reimbursements from other state agencies,
2 8 commissions, boards, or similar entities, and reimbursements
2 9 from special funds or internal accounts within the department
2 10 of justice. The department of justice shall also report actual
2 11 reimbursements for the fiscal year commencing July 1, 2009,
2 12 and actual and expected reimbursements for the fiscal year
2 13 commencing July 1, 2010.

2 14 b. The department of justice shall include the report
2 15 required under paragraph "a", as well as information regarding
2 16 any revisions occurring as a result of reimbursements actually
2 17 received or expected at a later date, in a report to the
2 18 co-chairpersons and ranking members of the joint appropriations
2 19 subcommittee on the justice system and the legislative services
2 20 agency. The department of justice shall submit the report on
2 21 or before January 15, 2011.

2 22 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated
2 23 from the department of commerce revolving fund created in
2 24 section 546.12 to the office of consumer advocate of the
2 25 department of justice for the fiscal year beginning July 1,
2 26 2010, and ending June 30, 2011, the following amount, or so
2 27 much thereof as is necessary, to be used for the purposes
2 28 designated:

2 29 For salaries, support, maintenance, miscellaneous purposes,
2 30 and for not more than the following full-time equivalent
2 31 positions:
2 32 \$ 3,336,344
2 33 FTEs 27.00

2 34 Sec. 3. DEPARTMENT OF CORRECTIONS == FACILITIES.
2 35 1. There is appropriated from the general fund of the state



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3 1 to the department of corrections for the fiscal year beginning
3 2 July 1, 2010, and ending June 30, 2011, the following amounts,
3 3 or so much thereof as is necessary, to be used for the purposes
3 4 designated:

3 5 For the operation of adult correctional institutions,
3 6 reimbursement of counties for certain confinement costs, and
3 7 federal prison reimbursement, to be allocated as follows:

3 8 a. For the operation of the Fort Madison correctional
3 9 facility, including salaries, support, maintenance, and
3 10 miscellaneous purposes:

3 11 \$ 39,991,374

3 12 As a condition of receiving an appropriation in this
3 13 lettered paragraph, the department of corrections shall operate
3 14 the John Bennett facility either as an institution of the
3 15 department or a community-based correctional facility.

3 16 b. For the operation of the Anamosa correctional facility,
3 17 including salaries, support, maintenance, and miscellaneous
3 18 purposes:

3 19 \$ 30,416,461

3 20 As a condition of receiving the appropriation in this
3 21 lettered paragraph, the department of corrections shall employ
3 22 two part-time registered nurses at the Luster Heights facility.

3 23 It is the intent of the general assembly that the department
3 24 of corrections fully operate the Luster Heights facility at the
3 25 facility's 88-bed capacity.

3 26 As a condition of the moneys appropriated in this lettered
3 27 paragraph, the department of corrections shall replace expired
3 28 federal funding by expending at least \$238,252 for continuation
3 29 of a treatment program that prepares offenders for ongoing
3 30 therapeutic treatment programs offered by the department and
3 31 maintaining at least 4.75 FTEs for the program.

3 32 Moneys appropriated in this lettered paragraph shall
3 33 provide for one full-time substance abuse counselor for the
3 34 Luster Heights facility for the purpose of certification of a
3 35 substance abuse program at that facility.



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4 1 c. For the operation of the Oakdale correctional facility,
 4 2 including salaries, support, maintenance, and miscellaneous
 4 3 purposes:
 4 4 \$ 55,755,246
 4 5 d. For the operation of the Newton correctional facility,
 4 6 including salaries, support, maintenance, and miscellaneous
 4 7 purposes:
 4 8 \$ 26,452,257
 4 9 e. For the operation of the Mt. Pleasant correctional
 4 10 facility, including salaries, support, maintenance, and
 4 11 miscellaneous purposes:
 4 12 \$ 26,265,257
 4 13 f. For the operation of the Rockwell City correctional
 4 14 facility, including salaries, support, maintenance, and
 4 15 miscellaneous purposes:
 4 16 \$ 9,324,565
 4 17 g. For the operation of the Clarinda correctional facility,
 4 18 including salaries, support, maintenance, and miscellaneous
 4 19 purposes:
 4 20 \$ 23,645,033
 4 21 Moneys received by the department of corrections as
 4 22 reimbursement for services provided to the Clarinda youth
 4 23 corporation are appropriated to the department and shall be
 4 24 used for the purpose of operating the Clarinda correctional
 4 25 facility.
 4 26 h. For the operation of the Mitchellville correctional
 4 27 facility, including salaries, support, maintenance, and
 4 28 miscellaneous purposes:
 4 29 \$ 15,486,586
 4 30 i. For the operation of the Fort Dodge correctional
 4 31 facility, including salaries, support, maintenance, and
 4 32 miscellaneous purposes:
 4 33 \$ 29,020,235
 4 34 j. For reimbursement of counties for temporary confinement
 4 35 of work release and parole violators, as provided in sections



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5 1 901.7, 904.908, and 906.17, and for offenders confined pursuant
5 2 to section 904.513:
5 3 \$ 775,092
5 4 k. For federal prison reimbursement, reimbursements for
5 5 out-of-state placements, and miscellaneous contracts:
5 6 \$ 239,411
5 7 2. The department of corrections shall use moneys
5 8 appropriated in subsection 1 to continue to contract for the
5 9 services of a Muslim imam.
5 10 Sec. 4. DEPARTMENT OF CORRECTIONS == ADMINISTRATION.
5 11 1. There is appropriated from the general fund of the state
5 12 to the department of corrections for the fiscal year beginning
5 13 July 1, 2010, and ending June 30, 2011, the following amounts,
5 14 or so much thereof as is necessary, to be used for the purposes
5 15 designated:
5 16 a. For general administration, including salaries, support,
5 17 maintenance, employment of an education director to administer
5 18 a centralized education program for the correctional system,
5 19 and miscellaneous purposes:
5 20 \$ 4,254,068
5 21 (1) It is the intent of the general assembly that as a
5 22 condition of receiving the appropriation provided in this
5 23 lettered paragraph the department of corrections shall not,
5 24 except as otherwise provided in subparagraph (3), enter
5 25 into a new contract, unless the contract is a renewal of an
5 26 existing contract, for the expenditure of moneys in excess of
5 27 \$100,000 during the fiscal year beginning July 1, 2010, for the
5 28 privatization of services performed by the department using
5 29 state employees as of July 1, 2010, or for the privatization
5 30 of new services by the department without prior consultation
5 31 with any applicable state employee organization affected
5 32 by the proposed new contract and prior notification of the
5 33 co-chairpersons and ranking members of the joint appropriations
5 34 subcommittee on the justice system.
5 35 (2) It is the intent of the general assembly that each



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6 1 lease negotiated by the department of corrections with a
6 2 private corporation for the purpose of providing private
6 3 industry employment of inmates in a correctional institution
6 4 shall prohibit the private corporation from utilizing inmate
6 5 labor for partisan political purposes for any person seeking
6 6 election to public office in this state and that a violation
6 7 of this requirement shall result in a termination of the lease
6 8 agreement.

6 9 (3) It is the intent of the general assembly that as a
6 10 condition of receiving the appropriation provided in this
6 11 lettered paragraph the department of corrections shall not
6 12 enter into a lease or contractual agreement pursuant to section
6 13 904.809 with a private corporation for the use of building
6 14 space for the purpose of providing inmate employment without
6 15 providing that the terms of the lease or contract establish
6 16 safeguards to restrict, to the greatest extent feasible, access
6 17 by inmates working for the private corporation to personal
6 18 identifying information of citizens.

6 19 b. For educational programs for inmates at state penal
6 20 institutions:

6 21 \$ 1,558,109

6 22 As a condition of receiving the appropriation in this
6 23 lettered paragraph, the department of corrections shall
6 24 transfer at least \$300,000 from the canteen operating funds
6 25 established pursuant to section 904.310 to be used for
6 26 correctional educational programs funded in this lettered
6 27 paragraph.

6 28 It is the intent of the general assembly that moneys
6 29 appropriated in this lettered paragraph shall be used solely
6 30 for the purpose indicated and that the moneys shall not be
6 31 transferred for any other purpose. In addition, it is the
6 32 intent of the general assembly that the department shall
6 33 consult with the community colleges in the areas in which the
6 34 institutions are located to utilize moneys appropriated in this
6 35 lettered paragraph to fund the high school completion, high



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7 1 school equivalency diploma, adult literacy, and adult basic
7 2 education programs in a manner so as to maintain these programs
7 3 at the institutions.

7 4 To maximize the funding for educational programs, the
7 5 department shall establish guidelines and procedures to
7 6 prioritize the availability of educational and vocational
7 7 training for inmates based upon the goal of facilitating an
7 8 inmate's successful release from the correctional institution.

7 9 The director of the department of corrections may transfer
7 10 moneys from Iowa prison industries for use in educational
7 11 programs for inmates.

7 12 Notwithstanding section 8.33, moneys appropriated in this
7 13 lettered paragraph that remain unobligated or unexpended at
7 14 the close of the fiscal year shall not revert but shall remain
7 15 available for expenditure only for the purpose designated in
7 16 this lettered paragraph until the close of the succeeding
7 17 fiscal year.

7 18 c. For the development of the Iowa corrections offender
7 19 network (ICON) data system:

7 20 \$ 424,364

7 21 d. For offender mental health and substance abuse
7 22 treatment:

7 23 \$ 22,319

7 24 e. For viral hepatitis prevention and treatment:

7 25 \$ 167,881

7 26 2. It is the intent of the general assembly that the
7 27 department of corrections shall continue to operate the
7 28 correctional farms under the control of the department at
7 29 the same or greater level of participation and involvement
7 30 as existed as of January 1, 2011; shall not enter into any
7 31 rental agreement or contract concerning any farmland under
7 32 the control of the department that is not subject to a rental
7 33 agreement or contract as of January 1, 2010, without prior
7 34 legislative approval; and shall further attempt to provide
7 35 job opportunities at the farms for inmates. The department



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8 1 shall attempt to provide job opportunities at the farms for
8 2 inmates by encouraging labor-intensive farming or gardening
8 3 where appropriate; using inmates to grow produce and meat for
8 4 institutional consumption; researching the possibility of
8 5 instituting food canning and cook-and-chill operations; and
8 6 exploring opportunities for organic farming and gardening,
8 7 livestock ventures, horticulture, and specialized crops.
8 8 3. The department of corrections shall provide a smoking
8 9 cessation program to offenders committed to the custody of the
8 10 director or who are otherwise detained by the department, that
8 11 complies with legislation enacted restricting or prohibiting
8 12 smoking on the grounds of correctional institutions.
8 13 4. As a condition of receiving the appropriations made
8 14 in this section, the department of corrections shall develop
8 15 and implement offender reentry programs in Black Hawk and
8 16 Polk counties to provide transitional planning and release
8 17 primarily for offenders released from the Iowa correctional
8 18 institution for women at Mitchellville and the Fort Dodge
8 19 correctional facility. Programming shall include minority
8 20 and gender-specific responsivity, employment, substance
8 21 abuse treatment, mental health services, housing, and family
8 22 reintegration. The department of corrections shall collaborate
8 23 with the first and fifth judicial district departments of
8 24 correctional services, the Iowa department of workforce
8 25 development, the department of human services, community-based
8 26 providers and faith-based organizations, and local law
8 27 enforcement.
8 28 5. The chief security officer position within the
8 29 department of corrections shall be eliminated by the effective
8 30 date of this subsection.
8 31 6. The department shall place inmates at the Luster Heights
8 32 facility who have been approved by the board of parole for
8 33 work release but who have been waiting for a bed to become
8 34 available at a community-based correctional facility, unless
8 35 the placement would dislodge an inmate receiving substance



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9 1 abuse treatment.
 9 2 7. The department of corrections shall seek volunteer
 9 3 medical personnel to serve at correctional facilities
 9 4 throughout the state under the direction of the department.
 9 5 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
 9 6 SERVICES.
 9 7 1. There is appropriated from the general fund of the state
 9 8 to the department of corrections for the fiscal year beginning
 9 9 July 1, 2010, and ending June 30, 2011, for the treatment and
 9 10 supervision of probation and parole violators who have been
 9 11 released from the department of corrections violator program,
 9 12 the following amounts, or so much thereof as is necessary, to
 9 13 be allocated as follows:
 9 14 a. For the first judicial district department of
 9 15 correctional services:
 9 16 \$ 12,453,082
 9 17 As a condition of the moneys appropriated in this lettered
 9 18 paragraph, the department of corrections shall replace expired
 9 19 federal funding by expending at least \$140,000 for the dual
 9 20 diagnosis program and maintaining 1.25 FTEs for the program.
 9 21 b. For the second judicial district department of
 9 22 correctional services:
 9 23 \$ 10,770,616
 9 24 c. For the third judicial district department of
 9 25 correctional services:
 9 26 \$ 5,715,578
 9 27 d. For the fourth judicial district department of
 9 28 correctional services:
 9 29 \$ 5,522,416
 9 30 e. For the fifth judicial district department of
 9 31 correctional services, including funding for electronic
 9 32 monitoring devices for use on a statewide basis:
 9 33 \$ 18,938,081
 9 34 As a condition of receiving the appropriation in this
 9 35 lettered paragraph, the fifth judicial district department of



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10 1 correctional services shall reinstate 67 beds in buildings 65
 10 2 and 66 at the Fort Des Moines facility and resume operating the
 10 3 buildings, in addition to maintaining the 199 beds in buildings
 10 4 68 and 70 at the Fort Des Moines facility. The district
 10 5 department may use inmate labor to upgrade and renovate the
 10 6 buildings, if renovation and updating are required.

10 7 f. For the sixth judicial district department of
 10 8 correctional services:
 10 9 \$ 13,030,356

10 10 g. For the seventh judicial district department of
 10 11 correctional services:
 10 12 \$ 6,846,560

10 13 h. For the eighth judicial district department of
 10 14 correctional services:
 10 15 \$ 6,935,622

10 16 2. Each judicial district department of correctional
 10 17 services, within the funding available, shall continue programs
 10 18 and plans established within that district to provide for
 10 19 intensive supervision, sex offender treatment, diversion of
 10 20 low-risk offenders to the least restrictive sanction available,
 10 21 job development, and expanded use of intermediate criminal
 10 22 sanctions.

10 23 3. Each judicial district department of correctional
 10 24 services shall provide alternatives to prison consistent with
 10 25 chapter 901B. The alternatives to prison shall ensure public
 10 26 safety while providing maximum rehabilitation to the offender.
 10 27 A judicial district department of correctional services may
 10 28 also establish a day program.

10 29 4. The governor's office of drug control policy shall
 10 30 consider federal grants made to the department of corrections
 10 31 for the benefit of each of the eight judicial district
 10 32 departments of correctional services as local government
 10 33 grants, as defined pursuant to federal regulations.

10 34 5. The department of corrections shall continue to contract
 10 35 with a judicial district department of correctional services to



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11 1 provide for the rental of electronic monitoring equipment which
11 2 shall be available statewide.

11 3 6. A judicial district department of correctional services
11 4 shall accept into the facilities of the district department,
11 5 offenders assigned from other judicial district departments of
11 6 correctional services.

11 7 Sec. 6. DEPARTMENT OF CORRECTIONS == REALLOCATION OF
11 8 APPROPRIATIONS. Notwithstanding section 8.39, within
11 9 the moneys appropriated in this Act to the department of
11 10 corrections, the department may reallocate the moneys
11 11 appropriated and allocated as necessary to best fulfill the
11 12 needs of the correctional institutions, administration of
11 13 the department, and the judicial district departments of
11 14 correctional services. However, in addition to complying with
11 15 the requirements of sections 904.116 and 905.8 and providing
11 16 notice to the legislative services agency, the department
11 17 of corrections shall also provide notice to the department
11 18 of management, prior to the effective date of the revision
11 19 or reallocation of an appropriation made pursuant to this
11 20 section. The department shall not reallocate an appropriation
11 21 or allocation for the purpose of eliminating any program.

11 22 Sec. 7. INTENT == REPORTS.

11 23 1. The department in cooperation with townships, the Iowa
11 24 cemetery associations, and other nonprofit or governmental
11 25 entities may use inmate labor during the fiscal year beginning
11 26 July 1, 2010, to restore or preserve rural cemeteries and
11 27 historical landmarks. The department in cooperation with the
11 28 counties may also use inmate labor to clean up roads, major
11 29 water sources, and other water sources around the state.

11 30 2. Each month the department shall provide a status report
11 31 regarding private-sector employment to the legislative services
11 32 agency beginning on July 1, 2010. The report shall include
11 33 the number of offenders employed in the private sector, the
11 34 combined number of hours worked by the offenders, and the
11 35 total amount of allowances, and the distribution of allowances



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12 1 pursuant to section 904.702, including any moneys deposited in
12 2 the general fund of the state.

12 3 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
12 4 corrections shall submit a report on electronic monitoring to
12 5 the general assembly, to the co-chairpersons and the ranking
12 6 members of the joint appropriations subcommittee on the justice
12 7 system, and to the legislative services agency by January
12 8 15, 2011. The report shall specifically address the number
12 9 of persons being electronically monitored and break down the
12 10 number of persons being electronically monitored by offense
12 11 committed. The report shall also include a comparison of any
12 12 data from the prior fiscal year with the current year.

12 13 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

12 14 1. As used in this section, unless the context otherwise
12 15 requires, "state agency" means the government of the state
12 16 of Iowa, including but not limited to all executive branch
12 17 departments, agencies, boards, bureaus, and commissions, the
12 18 judicial branch, the general assembly and all legislative
12 19 agencies, institutions within the purview of the state board of
12 20 regents, and any corporation whose primary function is to act
12 21 as an instrumentality of the state.

12 22 2. State agencies are hereby encouraged to purchase
12 23 products from Iowa state industries, as defined in section
12 24 904.802, when purchases are required and the products are
12 25 available from Iowa state industries. State agencies shall
12 26 obtain bids from Iowa state industries for purchases of
12 27 office furniture during the fiscal year beginning July 1,
12 28 2010, exceeding \$5,000 or in accordance with applicable
12 29 administrative rules related to purchases for the agency.

12 30 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated from
12 31 the general fund of the state to the office of the state public
12 32 defender of the department of inspections and appeals for the
12 33 fiscal year beginning July 1, 2010, and ending June 30, 2011,
12 34 the following amounts, or so much thereof as is necessary, to
12 35 be allocated as follows for the purposes designated:



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13 1 1. For salaries, support, maintenance, miscellaneous
 13 2 purposes, and for not more than the following full-time
 13 3 equivalent positions:
 13 4 \$ 21,743,182
 13 5 FTEs 203.00
 13 6 2. For the fees of court-appointed attorneys for indigent
 13 7 adults and juveniles, in accordance with section 232.141 and
 13 8 chapter 815:
 13 9 \$ 15,680,929
 13 10 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.
 13 11 1. There is appropriated from the general fund of the
 13 12 state to the Iowa law enforcement academy for the fiscal year
 13 13 beginning July 1, 2010, and ending June 30, 2011, the following
 13 14 amount, or so much thereof as is necessary, to be used for the
 13 15 purposes designated:
 13 16 For salaries, support, maintenance, miscellaneous purposes,
 13 17 including jailer training and technical assistance, and for not
 13 18 more than the following full-time equivalent positions:
 13 19 \$ 1,049,430
 13 20 FTEs 30.55
 13 21 It is the intent of the general assembly that the Iowa law
 13 22 enforcement academy may provide training of state and local
 13 23 law enforcement personnel concerning the recognition of and
 13 24 response to persons with Alzheimer's disease.
 13 25 The Iowa law enforcement academy may temporarily exceed and
 13 26 draw more than the amount appropriated and incur a negative
 13 27 cash balance as long as there are receivables equal to or
 13 28 greater than the negative balance and the amount appropriated
 13 29 in this subsection is not exceeded at the close of the fiscal
 13 30 year.
 13 31 2. The Iowa law enforcement academy may select at least
 13 32 five automobiles of the department of public safety, division
 13 33 of state patrol, prior to turning over the automobiles to
 13 34 the department of administrative services to be disposed
 13 35 of by public auction, and the Iowa law enforcement academy



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14 1 may exchange any automobile owned by the academy for each
 14 2 automobile selected if the selected automobile is used in
 14 3 training law enforcement officers at the academy. However, any
 14 4 automobile exchanged by the academy shall be substituted for
 14 5 the selected vehicle of the department of public safety and
 14 6 sold by public auction with the receipts being deposited in the
 14 7 depreciation fund to the credit of the department of public
 14 8 safety, division of state patrol.

14 9 Sec. 12. BOARD OF PAROLE. There is appropriated from the
 14 10 general fund of the state to the board of parole for the fiscal
 14 11 year beginning July 1, 2010, and ending June 30, 2011, the
 14 12 following amount, or so much thereof as is necessary, to be
 14 13 used for the purposes designated:

14 14 For salaries, support, maintenance, miscellaneous purposes,
 14 15 and for not more than the following full-time equivalent
 14 16 positions:

14 17	\$ 1,045,259
14 18	FTEs 13.50

14 19 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
 14 20 appropriated from the general fund of the state to the
 14 21 department of public defense for the fiscal year beginning July
 14 22 1, 2010, and ending June 30, 2011, the following amounts, or
 14 23 so much thereof as is necessary, to be used for the purposes
 14 24 designated:

14 25 1. MILITARY DIVISION

14 26 For salaries, support, maintenance, miscellaneous purposes,
 14 27 and for not more than the following full-time equivalent
 14 28 positions:

14 29	\$ 6,249,201
14 30	FTEs 324.00

14 31 The military division may temporarily exceed and draw more
 14 32 than the amount appropriated and incur a negative cash balance
 14 33 as long as there are receivables of federal funds equal to or
 14 34 greater than the negative balance and the amount appropriated
 14 35 in this subsection is not exceeded at the close of the fiscal



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15 1 year.

15 2 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

15 3 For salaries, support, maintenance, miscellaneous purposes,
 15 4 and for not more than the following full-time equivalent
 15 5 positions:

15 6	\$	2,038,119
15 7	FTEs	33.00

15 8 The homeland security and emergency management division may
 15 9 temporarily exceed and draw more than the amount appropriated
 15 10 and incur a negative cash balance as long as there are
 15 11 receivables of federal funds equal to or greater than the
 15 12 negative balance and the amount appropriated in this subsection
 15 13 is not exceeded at the close of the fiscal year.

15 14 It is the intent of the general assembly that the homeland
 15 15 security and emergency management division work in conjunction
 15 16 with the department of public safety, to the extent possible,
 15 17 when gathering and analyzing information related to potential
 15 18 domestic or foreign security threats, and when monitoring such
 15 19 threats.

15 20 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
 15 21 from the general fund of the state to the department of public
 15 22 safety for the fiscal year beginning July 1, 2010, and ending
 15 23 June 30, 2011, the following amounts, or so much thereof as is
 15 24 necessary, to be used for the purposes designated:

15 25 1. For the department's administrative functions, including
 15 26 the criminal justice information system, and for not more than
 15 27 the following full-time equivalent positions:

15 28	\$	4,134,461
15 29	FTEs	36.00

15 30 2. For the division of criminal investigation, including
 15 31 the state's contribution to the peace officers' retirement,
 15 32 accident, and disability system provided in chapter 97A in the
 15 33 amount of the state's normal contribution rate, as defined in
 15 34 section 97A.8, multiplied by the salaries for which the funds
 15 35 are appropriated, to meet federal fund matching requirements,



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16 1 and for not more than the following full-time equivalent
 16 2 positions:
 16 3 \$ 12,861,710
 16 4 FTEs 277.10
 16 5 If any of the Indian tribes fail to pay for 1.00 FTE pursuant
 16 6 to the agreements or compacts entered into between the state
 16 7 and the Indian tribes pursuant to section 10A.104, subsection
 16 8 10, the number of full-time equivalent positions authorized
 16 9 under this subsection is reduced by 1.00 FTE.
 16 10 The department shall employ one additional special agent and
 16 11 one additional criminalist for the purpose of investigating
 16 12 cold cases. Prior to employing the additional special agent
 16 13 and criminalist authorized in this paragraph, the department
 16 14 shall provide a written statement to prospective employees that
 16 15 states to the effect that the positions are being funded by a
 16 16 temporary federal grant and there are no assurances that funds
 16 17 from other sources will be available after the federal funding
 16 18 expires. If the federal funding for the additional positions
 16 19 expires during the fiscal year, the number of full-time
 16 20 equivalent positions authorized in this subsection is reduced
 16 21 by 2.00 FTEs.
 16 22 The department of public safety, with the approval of the
 16 23 department of management, may employ no more than two special
 16 24 agents and four gaming enforcement officers for each additional
 16 25 riverboat or gambling structure regulated after July 1, 2010,
 16 26 and one special agent for each racing facility which becomes
 16 27 operational during the fiscal year which begins July 1, 2010.
 16 28 One additional gaming enforcement officer, up to a total of
 16 29 four per riverboat or gambling structure, may be employed
 16 30 for each riverboat or gambling structure that has extended
 16 31 operations to 24 hours and has not previously operated with a
 16 32 24-hour schedule. Positions authorized in this paragraph are
 16 33 in addition to the full-time equivalent positions otherwise
 16 34 authorized in this subsection.
 16 35 3. For the criminalistics laboratory fund created in



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17 1 section 691.9:
 17 2 \$ 302,345
 17 3 4. a. For the division of narcotics enforcement, including
 17 4 the state's contribution to the peace officers' retirement,
 17 5 accident, and disability system provided in chapter 97A in the
 17 6 amount of the state's normal contribution rate, as defined in
 17 7 section 97A.8, multiplied by the salaries for which the funds
 17 8 are appropriated, to meet federal fund matching requirements,
 17 9 and for not more than the following full-time equivalent
 17 10 positions:
 17 11 \$ 6,507,048
 17 12 FTEs 75.00
 17 13 b. For the division of narcotics enforcement for undercover
 17 14 purchases:
 17 15 \$ 109,042
 17 16 5. For the division of state fire marshal, for fire
 17 17 protection services as provided through the state fire service
 17 18 and emergency response council as created in the department,
 17 19 and for the state's contribution to the peace officers'
 17 20 retirement, accident, and disability system provided in chapter
 17 21 97A in the amount of the state's normal contribution rate, as
 17 22 defined in section 97A.8, multiplied by the salaries for which
 17 23 the funds are appropriated, and for not more than the following
 17 24 full-time equivalent positions:
 17 25 \$ 4,343,896
 17 26 FTEs 57.00
 17 27 6. For the division of state patrol, for salaries, support,
 17 28 maintenance, workers' compensation costs, and miscellaneous
 17 29 purposes, including the state's contribution to the peace
 17 30 officers' retirement, accident, and disability system provided
 17 31 in chapter 97A in the amount of the state's normal contribution
 17 32 rate, as defined in section 97A.8, multiplied by the salaries
 17 33 for which the funds are appropriated, and for not more than the
 17 34 following full-time equivalent positions:
 17 35 \$ 48,984,147



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18 1 FTEs 503.00
 18 2 It is the intent of the general assembly that members of the
 18 3 state patrol be assigned to patrol the highways and roads in
 18 4 lieu of assignments for inspecting school buses for the school
 18 5 districts.
 18 6 7. For deposit in the sick leave benefits fund established
 18 7 under section 80.42 for all departmental employees eligible to
 18 8 receive benefits for accrued sick leave under the collective
 18 9 bargaining agreement:
 18 10 \$ 279,517
 18 11 8. For costs associated with the training and equipment
 18 12 needs of volunteer fire fighters:
 18 13 \$ 612,255
 18 14 Notwithstanding section 8.33, moneys appropriated in this
 18 15 subsection that remain unencumbered or unobligated at the
 18 16 close of the fiscal year shall not revert but shall remain
 18 17 available for expenditure only for the purpose designated in
 18 18 this subsection until the close of the succeeding fiscal year.
 18 19 Notwithstanding section 8.39, within the moneys appropriated
 18 20 in this section the department of public safety may reallocate
 18 21 moneys as necessary to best fulfill the needs provided for
 18 22 in the appropriation. However, the department shall not
 18 23 reallocate an appropriation made to the department in this
 18 24 section unless notice of the reallocation is given to the
 18 25 legislative services agency and the department of management
 18 26 prior to the effective date of the reallocation. The notice
 18 27 shall include information about the rationale for reallocating
 18 28 the appropriation. The department shall not reallocate
 18 29 an appropriation made in this section for the purpose of
 18 30 eliminating any program.
 18 31 Sec. 15. CIVIL RIGHTS COMMISSION. There is appropriated
 18 32 from the general fund of the state to the Iowa state civil
 18 33 rights commission for the fiscal year beginning July 1,
 18 34 2010, and ending June 30, 2011, the following amount, or so
 18 35 much thereof as is necessary, to be used for the purposes



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19 1 designated:

19 2 For salaries, support, maintenance, miscellaneous purposes,
19 3 and for not more than the following full-time equivalent
19 4 positions:

19 5	\$ 1,379,861
19 6	FTEs 29.50

19 7 The Iowa state civil rights commission may enter into
19 8 a contract with a nonprofit organization to provide legal
19 9 assistance to resolve civil rights complaints.

19 10 Sec. 16. Section 8A.302, subsection 1, Code 2009, is amended
19 11 to read as follows:

19 12 1. Providing a system of uniform standards and
19 13 specifications for purchasing. When the system is developed,
19 14 all items of general use shall be purchased by state
19 15 agencies through the department, except items used by
19 16 the state ~~department of transportation, board of regents~~
19 17 and institutions under the control of the state board of
19 18 regents. However, the department may authorize the department
19 19 of transportation, the department for the blind, and any other
19 20 agencies otherwise exempted by law from centralized purchasing,
19 21 to directly purchase items provided for under section 904.808
19 22 or used by those agencies without going through the department,
19 23 if the department of administrative services determines such
19 24 purchasing is in the best interests of the state. However,
19 25 items of general use may be purchased through the department by
19 26 any governmental entity.

19 27 Sec. 17. Section 99D.14, subsection 2, Code 2009, is amended
19 28 to read as follows:

19 29 2. a. A licensee shall pay a regulatory fee to be charged
19 30 as provided in this section. In determining the regulatory fee
19 31 to be charged as provided under this section, the commission
19 32 shall use the amount appropriated to the commission plus the
19 33 cost of salaries for no more than two special agents for each
19 34 racetrack that has not been issued a table games license under
19 35 chapter 99F or no more than three special agents for each



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20 1 racetrack that has been issued a table games license under
20 2 chapter 99F, plus any direct and indirect support costs for the
20 3 agents, for the division of criminal investigation's racetrack
20 4 activities, as the basis for determining the amount of revenue
20 5 to be raised from the regulatory fee.

20 6 b. Notwithstanding sections 8.60 and 99D.17, the portion of
20 7 the fee paid pursuant to paragraph "a" relating to the costs
20 8 of special agents plus any direct and indirect support costs
20 9 for the agents, for the division of criminal investigation's
20 10 racetrack activities, shall not be deposited in the general
20 11 fund of the state but instead are appropriated to supplement
20 12 appropriations made to the department of public safety to
20 13 be used for such activities by the division of criminal
20 14 investigation.

20 15 Sec. 18. Section 99F.10, subsection 4, Code 2009, is amended
20 16 to read as follows:

20 17 4. a. In determining the license fees and state regulatory
20 18 fees to be charged as provided under section 99F.4 and this
20 19 section, the commission shall use as the basis for determining
20 20 the amount of revenue to be raised from the license fees and
20 21 regulatory fees the amount appropriated to the commission
20 22 plus the cost of salaries for no more than two special agents
20 23 for each excursion gambling boat or gambling structure and no
20 24 more than four gaming enforcement officers for each excursion
20 25 gambling boat or gambling structure with a patron capacity of
20 26 less than two thousand persons or no more than five gaming
20 27 enforcement officers for each excursion gambling boat or
20 28 gambling structure with a patron capacity of at least two
20 29 thousand persons, plus any direct and indirect support costs
20 30 for the agents and officers, for the division of criminal
20 31 investigation's excursion gambling boat or gambling structure
20 32 activities.

20 33 b. Notwithstanding sections 8.60 and 99F.4, the portion of
20 34 the fee paid pursuant to paragraph "a" relating to the costs
20 35 of special agents and officers plus any direct and indirect



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21 1 support costs for the agents and officers, for the division of
21 2 criminal investigation's excursion gambling boat or gambling
21 3 structure activities, shall not be deposited in the general
21 4 fund of the state but instead are appropriated to supplement
21 5 appropriations made to the department of public safety to
21 6 be used for such activities by the division of criminal
21 7 investigation.

21 8 Sec. 19. Section 809A.17, Code 2009, is amended by adding
21 9 the following new subsection:

21 10 NEW SUBSECTION. 6. If the forfeited property is cash or
21 11 proceeds from the sale of real property the distribution of the
21 12 forfeited property shall be as follows:

21 13 a. The department of justice shall not retain more than
21 14 ten percent of the gross sale of any forfeited real property.
21 15 The balance of the proceeds shall be distributed to the
21 16 seizing agency for use by the agency or for division among
21 17 law enforcement agencies and county attorneys pursuant to any
21 18 agreement entered into by the seizing agency.

21 19 b. The department of justice shall not retain more than
21 20 ten percent of any forfeited cash. The balance shall be
21 21 distributed to the seizing agency for use by the agency or for
21 22 division among law enforcement agencies and county attorneys
21 23 pursuant to any agreement entered into by the seizing agency.

21 24 c. In the event of a cash forfeiture in excess of four
21 25 hundred thousand dollars the distribution of forfeited cash
21 26 shall be as follows:

21 27 (1) Forty=five percent shall be retained by the seizing
21 28 agency.

21 29 (2) Forty=five percent shall be distributed to other law
21 30 enforcement agencies within the region of the seizing agency.

21 31 (3) Ten percent shall be retained by the department of
21 32 justice.

21 33 Sec. 20. Section 904.315, subsection 2, Code Supplement
21 34 2009, is amended to read as follows:

21 35 2. A contract is not required for improvements at a state



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22 1 institution where the labor of inmates is to be used if the
22 2 contract is not for a construction, reconstruction, demolition,
22 3 or repair project or improvement with an estimated cost in
22 4 excess of ~~fifty~~ one hundred thousand dollars.

22 5 Sec. 21. Section 904A.4B, Code 2009, is amended to read as
22 6 follows:

22 7 904A.4B Executive director of the board of parole == duties.

22 8 1. The chief administrative officer of the board of
22 9 parole shall be the executive director, except as provided in
22 10 subsection 2. The executive director shall be appointed by the

22 11 chairperson, subject to the approval of the board and shall
22 12 serve at the pleasure of the board. The executive director
22 13 shall do all of the following:

22 14 ~~1.~~ a. Advise the board on matters relating to parole,
22 15 work release, and executive clemency, and advise the board on
22 16 matters involving automation and word processing.

22 17 ~~2.~~ b. Carry out all directives of the board.

22 18 ~~3.~~ c. Hire and supervise all of the board's staff pursuant
22 19 to the provisions of chapter 8A, subchapter IV.

22 20 ~~4.~~ d. Act as the board's liaison with the general assembly.

22 21 ~~5.~~ e. Prepare a budget for the board, subject to the
22 22 approval of the board, and prepare all other reports required
22 23 by law.

22 24 ~~6.~~ f. Develop long-range parole and work release planning,
22 25 in cooperation with the department of corrections.

22 26 2. If an executive director is not appointed as provided in
22 27 subsection 1, the chairperson shall serve as acting executive
22 28 director and perform the administrative duties under subsection
22 29 1.

22 30 Sec. 22. IOWA COMMUNICATIONS NETWORK. It is the
22 31 intent of the general assembly that the executive branch
22 32 agencies receiving an appropriation in this Act utilize
22 33 the Iowa communications network or secure other electronic
22 34 communications in lieu of traveling for the fiscal year
22 35 addressed by the appropriations.



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23 1 Sec. 23. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
23 2 DIVISION. There is appropriated from the wireless E911
23 3 emergency communications fund created in section 34A.7A to the
23 4 administrator of the homeland security and emergency management
23 5 division of the department of public defense for the fiscal
23 6 year beginning July 1, 2010, and ending June 30, 2011, an
23 7 amount not exceeding \$200,000 to be used for implementation,
23 8 support, and maintenance of the functions of the administrator
23 9 and program manager under chapter 34A and to employ the auditor
23 10 of the state to perform an annual audit of the wireless E911
23 11 emergency communications fund.

23 12 Sec. 24. IOWA LAW ENFORCEMENT ACADEMY == FEES.
23 13 Notwithstanding section 80B.11B, the Iowa law enforcement
23 14 academy may charge more than one-half the cost of providing the
23 15 basic training course if a majority of the Iowa law enforcement
23 16 academy council authorizes charging more than one-half of the
23 17 cost of providing basic training. This section is repealed on
23 18 June 30, 2011.

23 19 Sec. 25. CORRECTIONAL OFFICER AND PEACE OFFICER ==
23 20 PRIORITY. As a condition of receiving an appropriation in
23 21 this Act, the department of corrections and the department of
23 22 public safety shall make every effort to preserve correctional
23 23 officer and peace officer positions through the reduction of
23 24 administrative and related overhead costs.

23 25 Sec. 26. EFFECTIVE UPON ENACTMENT. The provision of this
23 26 Act eliminating the chief security officer position within
23 27 the department of corrections, being deemed of immediate
23 28 importance, takes effect upon enactment.

23 29 EXPLANATION

23 30 This bill makes appropriations from the general fund of the
23 31 state for fiscal year 2010=2011 to the departments of justice,
23 32 corrections, public defense, and public safety, and the Iowa
23 33 law enforcement academy, office of the state public defender,
23 34 board of parole, and Iowa state civil rights commission.

23 35 The bill also appropriates moneys from the department of



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24 1 commerce revolving fund created in Code section 546.12 to the
24 2 office of consumer advocate of the department of justice.
24 3 The bill requires the department of corrections to employ
24 4 two part-time nurses at the Luster Heights correctional
24 5 facility.
24 6 The bill requires the department of corrections to place
24 7 inmates at the Luster Heights facility who have been approved
24 8 by the board of parole for work release but who have been
24 9 waiting for a bed to become available at a community-based
24 10 correctional facility, unless the placement dislodges an inmate
24 11 receiving substance abuse treatment.
24 12 The bill requires the department of corrections to seek
24 13 volunteer medical personnel to serve at correctional facilities
24 14 throughout the state.
24 15 Code section 8A.302 is amended to provide that the state
24 16 department of transportation, the department of blind, and any
24 17 other state agency other than the state board of regents, must
24 18 receive authorization from the department of administrative
24 19 services prior to making purchases of products provided for by
24 20 Iowa state industries under Code section 904.808.
24 21 Code sections 99D.14 and 99F.10 are amended to provide that
24 22 the portion of the regulatory fees collected for the regulatory
24 23 activities of special agents and gambling enforcement officers
24 24 of the department of public safety, division of criminal
24 25 investigation and associated costs, are appropriated to the
24 26 department of public safety to be used for such activities
24 27 instead of being credited to the general fund.
24 28 Code section 809A.17 is amended to provide that the
24 29 department of justice shall not retain more than 10 percent
24 30 of any cash forfeiture made by a law enforcement agency or 10
24 31 percent of the gross proceeds from the sale of any forfeited
24 32 real property. The bill requires the balance of any cash
24 33 forfeiture or the proceeds from the sale of forfeited real
24 34 property be distributed to the seizing agency for use by the
24 35 agency or for division among law enforcement agencies and



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25 1 county attorneys pursuant to any agreement entered into by the
25 2 seizing agency. In the event of a cash forfeiture in excess
25 3 of \$400,000, the distribution shall be as follows: 45 percent
25 4 shall be retained by the seizing agency; 45 percent shall be
25 5 distributed to other law enforcement agencies within the region
25 6 of the seizing agency; and 10 percent shall be retained by the
25 7 department of justice.

25 8 Code section 904.315 is amended to provide that a contract
25 9 is not required for improvements at a state institution where
25 10 the labor of inmates is used and the estimated cost of the
25 11 improvements does not exceed \$100,000. Currently, the contract
25 12 requirement threshold is \$50,000.

25 13 The bill amends Code section 904A.4B to provide that the
25 14 chairperson may act as executive director of the board of
25 15 parole, if the board does not appoint such a director. The
25 16 duties of the executive director are specified in Code section
25 17 904A.4B.

25 18 The bill eliminates the chief security officer position
25 19 within the department of corrections effective upon enactment.

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